

Forfeitures in question should be accounted for and paid to Mr. John Wilkin, of No. 10, Spring Gardens, who holds the appointment of Receiver of Fines and Forfeitures for the Crown, to be by him paid into the Exchequer periodically with other Fines.

I am, therefore, to request you to move the Duke of Newcastle, to take such steps as may be necessary, in order to instruct the authorities in the British Colonies to remit the Penalties, Fines, and Forfeitures imposed there under the Acts above referred to, to Mr. Wilkin, in accordance with the instructions of the Treasury.

I am to add, that the Penalties &c., referred to in Section 26 of 16th and 17th Vict., cap. 131, include Penalties and Forfeitures under 7th and 8th Vict., cap. 112, and 8th and 9th Vict., cap. 116, as these Penalties &c., have hitherto, under 13th and 14th Vict., cap. 93, sect. 111, been payable to the Board of Trade.

I have, &c.,

(Signed,) JAMES BOOTH.

H. MERIVALE, Esq.
&c. &c. &c.
Colonial Office.

Diplomatic Department.

His Excellency Her Majesty's Plenipotentiary and Chief Superintendent of Trade in China, having been pleased to grant Mr. Alexander Bird Twelve months' leave of absence, Mr. Horace Oakley will from this date and until further notice officiate as Her Majesty's Vice Consul at Whampoa.

By Order,

W. H. MEDHURST.

Officiating Secretary to H. B. M.'s Plenipotentiary.

Superintendency of Trade, Victoria, Hongkong,
28th January 1854.

Diplomatic Department.

With reference to the Provisional Rules for the clearing of ships established at Shanghai in September last by Mr. Consul Alcock, which were published in the *Government Gazette* of the 26th of that month, His Excellency Her Majesty's Plenipotentiary and Chief Superintendent of Trade in China is pleased to direct that the subjoined letters addressed to the Right Honorable the Earl of Clarendon, K. G., Her Majesty's Principal Secretary of State for Foreign Affairs, by the London, Liverpool, and Manchester Chambers of Commerce, and His Lordship's replies thereto, be published for general information.

By Order,

W. H. MEDHURST,

Officiating Secretary to H. B. M.'s Plenipotentiary.

Superintendency of Trade, Victoria, Hongkong
25th January, 1854.

OFFICE OF THE EAST INDIA AND CHINA ASSOCIATION.
Couper's Court, Cornhill, November 17th, 1853.

MY LORD,—On behalf of the Committee of this Association I have the honor to transmit for Your Lordship's consideration the enclosed papers relative to the existing interruption to the fiscal operations of the Chinese Government at Shanghai: and the Committee beg leave to request that in consideration of the urgency of the case Your Lordship would by the Mail of the 24th instant send out such specific instructions for the guidance of Her Majesty's Consul at that port as may determine the important question at issue.

In making this request, the Committee would beg to draw Your Lordship's attention to the magnitude of the amount which, should the present state of disorganization continue, may be expected to accumulate in the Consul's hands; and to pray that Her Majesty's Government will assume to itself the entire responsibility for the Sums so collected, and become exclusively the medium of its ultimate appropriation either in payment to the Government established, or should such course be determined on, in repayment to the respective depositors.

I have &c.,

(Signed)

S. GREGSON,

Lord CLARENDON, &c., &c.

BRITISH CHAMBER OF COMMERCE.
Shanghai, September 22, 1853.

SIR,—You will already from the public prints be aware of the subversion of the Imperial Government in Shanghai on the 7th instant, the abandonment of the Custom House, and the cessation of the Collection of Duties by the Chinese Officials.

Consequent on this, Her Britannic Majesty's Consul has issued a Notification dated 9th instant, containing provisional Rules for the clearing of ships in the absence of a Custom House Establishment, and, from the enclosed Copy of this document, you will perceive the reason alleged by Her Britannic Majesty's Consul for pursuing the course he has done is, that as no Port Clearance or Grand Chop can be produced at the British Consulate, Her Britannic Majesty's Consul cannot by Treaty return to the consignee the Ship's papers, and allow the Ship to depart.

Although by the original Treaties and Regulations of Trade with China signed 1842 and 1843, Her Britannic Majesty's Consul has important duties to perform in connection with the Chinese Customs' Revenue, these were abrogated by a despatch of Lord Palmerston's issued, we believe, in 1851 to the Superintendent of Trade and Consular Departments in China, *which although never made public*, was stated by Her Britannic Majesty's Consul as the origin of the Regulations of Trade issued by the Taou-

tai here in August 1851. For your guidance we enclose a Copy of this document, as well as of a letter from Mr. Addington to Sir Thomas Birch, from which you will perceive that the collection of the Chinese Customs' Revenue devolved upon Chinese officers exclusively, the Consul merely holding the Ship's papers until receipt of the Grand Chop advising that all *claims of the Chinese Government* against the Ship had been paid.

Under these circumstances I am instructed by the Chamber of Commerce to request you will obtain, as far as lies in your power, the opinion of Her Britannic Majesty's Government on the course Her Britannic Majesty's Consul has pursued, and if necessary procure competent legal opinion on the following points:—

1st. Whether Her Britannic Majesty's Consul is justified in detaining the Ships' papers waiting for a document which, even if we tender the Duties, is *unobtainable*, in consequence of the overthrow of the Custom House Executive, and the cessation of the Collection of Duties by the Chinese Government; and such being the case, whether it follows that the collection of the Chinese Custom House Revenue devolves on Her Britannic Majesty's Consul, more especially when the nature of Lord Palmerston's instructions is taken into consideration.

2nd. Whether the duties collected by Her Britannic Majesty's Consul since the overthrow of the Custom House can be legally claimed by any Government *not now in existence*, and previous to its recognition by the Government of Her Britannic Majesty.

Both these points are of the greatest importance, as they involve questions of International Law which may require the assistance of the highest legal authorities.

The Consul for the United States has issued a similar notification to Her Britannic Majesty's Consul for the conduct of Trade in American bottoms, but the Consuls of other nations have taken a different view of the Crisis, and in one instance already a Prussian vessel has been allowed to proceed to Sea upon the simple guarantee of the Consignee to the Prussian Consul, that he will be held harmless from any claim which may hereafter be substantiated against the ship by any properly authorized officer of the *Imperial Government*. Should this become general, it must necessarily lead to the extensive employment of foreign shipping, a measure no less injurious to the interests of British Shipowners than opposed to the letter and spirit of the Treaty, which gives to the subjects of England every privilege that may at any time be enjoyed by those of any other Country. For your guidance, I enclose a Copy of the guarantee given.

While the Members of this Chamber are desirous that justice be done to the Chinese Government, they are at the same time bound to take care that no injustice be done to themselves, or to those whose interests are entrusted to their care; and as the Duties, which they will pay, or be responsible for, to Her Britannic Majesty's Consul, will ultimately be made over to the Chinese Government, only with the sanction of Her Britannic Majesty's Government, it would be a satisfaction to the members of this Chamber to know *that the whole bearings of the question were placed fully before Her Majesty's Secretary of State for Foreign Affairs*.

A Copy of this letter is addressed to the Chairman of the Manchester Chamber of Commerce, with whom you may consider it advisable to cooperate.

I am, &c.,

(Signed)

ALEXANDER PERCEVAL,

To the Chairman of the East India and China Association, Cornhill, London.

EAST INDIA AND CHINA ASSOCIATION.

Liverpool, 21st November, 1853.

MY LORD,—Your Lordship is doubtless aware of the Notification issued by Her Majesty's Consul at Shanghai on the 9th September last, under which he took upon himself the responsibility of receiving the duties of Customs due upon British Trade, on the dispersion and disorganization of the local authorities consequent upon the occupation of that place by a tumultuous force.

The Committee of this Association do not presume to offer any opinion upon the course which Her Majesty's Consul has thought proper to adopt under the emergency alluded to, but they respectfully submit that Your Lordship should direct such measures to be taken as may afford ample assurance to the parties whose money is thus held in trust, that the responsibility of its present custody and of its future appropriation will be undertaken by Her Majesty's Government.

I am, &c.,

(Signed)

CHARLES TURNER.

Lord CLARENDON, &c., &c.

FOREIGN OFFICE.

November 24, 1853.

SIR,—I am directed by the Earl of Clarendon to acknowledge the receipt of the letter dated the 17th instant, signed by you on behalf of the East India and China Association of London, calling His 21st instant, Liverpool, Lordship's attention to the course pursued by Her Majesty's Consul at Shanghai, with respect to the collection of duties at that Port, during the suspension of the authority of the Imperial Government; and I am to state to you in reply, that Her Majesty's Government have provisionally sanctioned the regulations which Mr. Alcock has promulgated on this subject; and that all practicable precautions will be taken as to the safe custody and future appropriation of the duties paid by British Merchants.

Her Majesty's Government, however, cannot hold themselves responsible for the safety of the sums collected under these provisional arrangements.

I am, &c.,

(Signed)

WODEHOUSE.

To the Chairman of the East India and China Association, Cornhill.

To the Chairman of the East India and China Association, Liverpool.

CHAMBER OF COMMERCE AND MANUFACTURES,
Manchester, November 19th, 1853.

My Lord,—The last Mail from China will no doubt have brought to Your Lordship fuller details than have reached this Chamber of the occurrences which took place at Shanghai on the 7th of September.

As British interests and property have been thereby placed in an unfortunate position, I take the liberty, on behalf of this Chamber, of directing Your Lordship's attention to the Notification published by Mr. Consul Alcock on the 9th of September—not for the purpose of impugning the preliminary reasoning on which his "Provisional Rules for the clearing of Ships" are grounded, but to suggest that in the fifth of those Rules the Consul has adopted a term for the required Security Bills much too short for the circumstances which must inevitably rise hereafter. Under any aspect forty days' sight is too short a term; but when the immense accumulation of duties which will have become payable before any Government that would be recognised by Her Majesty's Government can be established, is considered, and, combining with that consideration, the incalculable increase of an already long felt scarcity of silver which the subversion of established order must occasion, a prolongation of the term for Security Bills is absolutely necessary for the protection and safety of the parties from whom they are enforced. Your Lordship will not fail to remember that Mr. Consul Alcock's Provisional Rules compel the payment of duties on the arrival of Ships in port—that Vessels cannot be detained in harbour for an indefinite time—that the impoverishment which attends revolutionary movements will seriously affect sales of Merchandise, and that consequently Imports may remain unsold in the hands of consignees for an incalculable period—that these Security Bills are required for Exports as well as Imports, so that neither mercantile Capital nor foresight will be able to withstand a double pressure of this nature, if suddenly called upon to find silver whilst Imports remain unsold on the one hand, and on the other, returns for Exports cannot possibly be received. Your Lordship, though approving in its general character of the course adopted by Mr. Consul Alcock, may yet see sufficient grounds to direct that the date of the Security Bills required for Chinese duties may be extended to twelve Months' sight.

The Chamber ventures also to suggest another point. The Consul compels the payment of duties on behalf of a Government in *posse*; the insurrection in China has been in progress for several years, and many more may elapse before any kind of order, or, at least, before any such Government as would be recognized by Her Majesty, shall be established. In the mean time, the accumulation of monies and securities lodged with the Consul, or with any authority appointed by Her Majesty's Government, may become enormous, and so, at any moment, present an irresistible temptation to robbery and violence, to people so faithless, treacherous, and dishonest, as the Chinese. The British Government, if it sanction the course adopted by Mr. Consul Alcock, ought in justice to those British subjects from whom it exacts payments, openly to publish and declare, that having undertaken to collect revenues for any future government that may be established in China, it alone, and not individual merchants, shall be held responsible.

Your Lordship will pardon the expression of a hope that the first Mail may carry out to China definite instructions so necessary to the protection and eventual security of British merchants at Shanghai, or at any of the five ports of China which may fall into the same position.

I have, &c.,
(Signed)

THOMAS BOOTHMAN.

FOREIGN OFFICE, November 24, 1853.

SIR,—I am directed by the Earl of Clarendon to acknowledge the receipt of the letter dated the 19th instant, and signed by you on behalf of the Chamber of Commerce &c., of Manchester, in which you call His Lordship's attention to the term required by Her Majesty's Consul at Shanghai, in his notification of September 9th last, for the Bills to be paid into his Custody, on account of duties accruing to the Chinese Government, during the present disturbance of the fiscal arrangements of the Chinese Government at that Port.

I am to state to you in reply that, as the original obligation to pay Customs' duties involves payment in ready money, and as the Consul receiving bills for the relief of trade under circumstances of embarrassment puts himself into the very difficult and invidious position of judging of the solvency of the parties, it seems impossible to fetter his discretion as to the terms on which these bills are to be received; but the attention of Sir George Bonham has been called to this subject, with a view to every practicable facility being afforded.

With respect to the general observations, as to the course pursued by Mr. Alcock in your letter, I am directed by Lord Clarendon to state to you, that Her Majesty's Government have provisionally sanctioned the regulations which he has promulgated at Shanghai, and that all practicable precautions will be taken, as to the safe custody and future appropriation of the duties paid by British Merchants.

Her Majesty's Government, however, cannot hold themselves responsible for the safety of the sums collected under these provisional arrangements.

I am, &c.,

(Signed)

WODEHOUSE.

J. BOOTHMAN, Esq.

True Copies,

W. H. WEDHURST.

NOTICE the Next sitting of the SUPREME COURT, under its Summary Jurisdiction, will be held on Friday the 3rd day of February, 1854, at 12 o'clock, noon. All Plaints must be filed before 4 P.M. on Monday the 30th instant.

By Order of the Court,
WILLIAM HASTINGS ALEXANDER,
Acting Registrar.

NOTICE is hereby given, that the Copartnership heretofore subsisting between YORICK JONES MURROW and JAMES STEPHENSON under the Style or Firm of MURROW, STEPHENSON & Co, has been this day dissolved. The undersigned, assuming the responsibilities of the said Firm, will in future conduct the business on his own account and in his own name.

Y. J. MURROW.

Hongkong, January 2d, 1854.