

Sir,—I have the honour to bring to your knowledge for the information of His Excellency the Governor, that, perceiving from the Colonial Surgeon's Report for 1858, published in *Government Gazette* of the 19th ultimo, that the Statistical Returns referring to Sick and Mortality in the Police Force of the Colony did not clearly exhibit the actual amount of Sick as compared with Strength of Force, I wrote to the Acting Colonial Surgeon on the subject, enclosing a Return compiled from the daily state of Sick. The substance of my note was, that although his Statistics were fully comprehended by him and myself, that they were likely to lead to erroneous conclusions to the casual observer; and that as the actual amount of Sickness had been so remarkably small when the calibre of the Force and its duties were considered, and more especially when placed in juxtaposition with the amount of Sickness in the Military Forces in the Colony, that I considered it very desirable that the Return should be clear and explicit. With this view I enclosed the Return before alluded to, and beg that he would forward it with his remarks thereon, to the Honourable the Colonial Secretary, to be considered as an addendum to the Yearly Report before specified.

The Acting Colonial Surgeon replied to my note (of his note I enclose a copy), promising to comply with my request. From a verbal communication with you, I ascertained that the Return has not been forwarded—the cause I am assured being, that the Acting Colonial Surgeon forgot the subject, having to occupy himself in making arrangements for his passage to England by last Mail.

I have, therefore, the honour to lay the Return before you for the information of His Excellency.—I have the honour to be, Sir, your most obedient servant,

C. MAY,
Superintendent of Police.

Honourable W. T. MERCER, Esquire,
Colonial Secretary.

Return of Men Sick during the Year 1858, inclusive of trifling cases not admitted into Hospital.

MONTH.	NO OF MEN SICK.	NO OF DAYS SICK.	REMARKS.
January	30	147	
February	21	89	
March	17	19	
April	20	126	
May	28	130	
June	19	99	
July	43	216	Total Average Strength of Force—279.
August	39	276	
September	40	269	Total Mortality during Year—7.
October	31	188	
November	24	227	
December	32	264	
	344	2,150	

Shewing an average of Sick, as compared with average Strength of Force, of 5.8% per Diem, or average daily Sick of 2.6 per Cent.

C. MAY,
Superintendent of Police.

No. 36.

GOVERNMENT NOTIFICATION.

His Excellency Her Majesty's Plenipotentiary has received the following Communication from the British Consul at San Francisco, and has handed it to the Colonial Government for publication.

By Order,

W. T. MERCER,
Colonial Secretary.

Colonial Secretary's Office, Victoria, Hongkong, 9th April, 1859.

BRITISH CONSULATE. SAN FRANCISCO, 28th January, 1859.

Sir,—The Act passed in the State Legislature on April 26th, 1858, entitled "*An Act to prevent the further Immigration of Chinese, or Mongolians,*" so far as concerns the First and Second Sections thereof, has been declared to be unconstitutional by the Supreme Court; and Mr Joseph Hossick, Master of the British ship *Cyclone*, who was arrested for violating the Act in bringing Chinese Passengers, has been liberated. I enclose, for the information of Your Excellency, a Copy of the Decision.—I have the honour to be, Sir, your Excellency's most obedient humble servant,

WM. LANE BOOKER,
Consul.

His Excellency SIR JOHN BOWRING,
Her Majesty's Plenipotentiary and Chief
Superintendent of Trade, &c., &c., &c.,
Hongkong.

(Copy.)

SACRAMENTO, January 12, 1859.

In the matter of the Petition of Joseph Hossick on habeas corpus, the defendant claims his discharge from imprisonment, upon the ground that the Act of the Legislature of April 26th, 1858, entitled "*An Act to prevent the further Immigration of Chinese, or Mongolians,*" so far as concerns the First and Second Sections thereof, is unconstitutional. He is in Custody for an alleged violation of those Sections. Upon the authority of the cases in 7 Howard, 392, and 7 Cal. 169, we hold that the Prisoner is entitled to his discharge. The pressure of other business, prior in time and obligation, forbids our giving in full the reason which has determined our action, but we propose to do so, as the question is of public interest and importance, as soon as we can consistently with more pressing duties.

The Prisoner is discharged.

(Signed) BALDWIN, J.
J. F. B. J.

No. 37.

GOVERNMENT NOTIFICATION.

His Excellency SIR JOHN BOWRING, Knight, LL.D., Her Majesty's Plenipotentiary and Chief Superintendent of Trade in China, &c., &c., has directed the following translation of a Proclamation from the Chief Magistrates of the Districts of Nanhai and Pwanyu, for preventing and punishing the abuses and atrocities which have been lately committed in Canton and its neighbourhood, in the collection of Coolies for shipment to Foreign Countries, and authorizing the departure of voluntary Emigrants, to be published for general information.

By Order,

G. W. CAINE.

Superintendency of Trade, Victoria, Hongkong, 7th April, 1859.

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