

THE
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FOR

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1823.

Extract from the Penal Code of China concerning Gambling, 1823.

"Whoever games for money or goods shall receive eighty blows with a cudgel on the breech; and all the money or property staked shall be forfeited to the Government. He who opens the gaming-house, although he does not gamble, shall suffer the same punishment, and the gaming-house shall be confiscated. If Government officers gamble, their punishment shall be increased one degree."

A subsequent clause enacts, that "whoever gambles, whether soldiers or people, shall wear the broad heavy wooden collar one month, and be cudgelled with one hundred blows."

Those who set up an occasional gambling-house, and harbour gamblers, shall, together with the head gamblers (if not numerous) all be punished by wearing the wooden collar three months, &c.

In some cases the parties are to be transported.

By Order of the Honourable the Lieut. Governor,

L. N. HULL,
Acting Sec. to the Lieut. Governor.

REGULATION, No. V. OF 1823.

A Regulation for the prevention of the Slave Trade at Singapore.

There being reason to apprehend that, notwithstanding the solemn prohibitions of the Legislature, individuals have been imported into Singapore since the establishment of the British authority, either as slaves or under the denomination of slave debtors, in both cases bought and sold for a price; and it being desirable that all persons resorting to or residing under the protection of the British flag should be aware of the prohibition and penalties attending such illegal transactions, in order that the humane and just objects of the British Government may not be lost sight of or frustrated, either from ignorance or design, the following Regulations, which are to have the effect of law, are this day passed and published for general information and guidance.

Slaves.

1st. The Act of Parliament prohibiting the Slave Trade from being carried on with any British colony or settlement, or by any British subject, having been passed previously to the establishment of the British settlement of Singapore, the pro-

visions of the said Act, are considered to be in force in this settlement, and to apply to all persons who may have obtained a *fixed residence* at Singapore since the establishment of the British Government.

2d. As the condition of Slavery, under any denomination whatever, cannot be recognized within the jurisdiction of the British authority, all persons who may have been so imported, transferred, or sold as slaves, or slave debtors, since the 26th day of February 1819, are entitled to claim their freedom, on application to the magistrates as hereafter provided; and it is hereby declared, that no individual can hereafter be imported for sale, transferred or sold as a slave, or slave debtor, or having his or her *fixed residence* under the protection of the British authorities at Singapore, can hereafter be considered or treated as a slave, under any denomination, condition, colour, or pretence whatever.

3d. Hereafter, a continued residence of twelve months at Singapore shall be considered to constitute a *fixed residence*, and to entitle the party to all the benefits of the British administration.

4th. In order to prevent inconvenience or misunderstanding in the emancipation of those who may have been imported and sold as slaves, or slave debtors, anterior to this date, and at the same time to shew every reasonable indulgence to those who may have acted in ignorance of the prohibitory law; the magistrates are required to make inquiry into and record the particular circumstances attending the case of each individual who may apply for his or her emancipation; and in the event of the parties being of tender age, and unable to conduct or maintain themselves, the magistrates are empowered to bind them as apprentices to respectable and responsible persons, giving a preference to their present masters, if unobjectionable in this respect, for a period not exceeding three years, or until they shall attain the age of thirteen years. In the event of the parties being adults, the magistrates shall further be empowered to require them to render their personal services for the benefit of those who may have a just claim to the same, for a period in no case exceeding three years, should the parties freely consent thereto, which servitude shall be considered as a complete acquittal for the expense of their passage hither, which is the

only legal demand that can be admitted — and which shall be in full of all demands on their persons whatever: but in both cases the parties are to be *forthwith* declared free, subject only to the condition of personal servitude on contract as free persons for a limited period as aforesaid.

5th. There having been few or no slaves at Singapore at the period of its occupation by the British authorities, and their Highnesses the Sultan and Toomongong having evinced their desire to aid the benevolent objects of the British Government, these Regulations are considered to apply and to have effect upon all persons who have now or may hereafter have their *fixed residence* at Singapore, save and except the personal establishments of their Highnesses, who, though not being in a condition to be bought and sold, are nevertheless registered out of deference to their authority, as not coming under the operation of the slave laws.

6th. In order to prevent annoyance or obstruction to the trade of the port, it is to be clearly understood, that the present Regulations are not intended to apply to the domestic establishments of native chiefs or traders who may occasionally resort to this port, and not fix their residence under the protection of the British flag; nor to the crews of vessels coming from foreign ports, further than to prohibit them from transferring or selling persons as slaves or slave debtors in this settlement, and provided the parties, if slaves, may not obtain a fixed residence by residing in the settlement for upwards of twelve months. In this latter case, the Slaves, though not transferred, will have a right, under Article 2d, to claim their freedom, and the magistrates are required to grant the same, on such conditions as may be mutually convenient and fair between the parties.

7th. As the practice of purchasing slaves from boats as slave debtors, under the mengheering system, and paying a price for them as such, rendering the party a debtor for the amount, can only be considered as an evasion of the law, and equally calculated with the purchase of slaves to encourage the traffic in human beings, such transactions are declared to be illegal; and the utmost price which the noquedah of a vessel is entitled to demand on the landing of any such person, shall in no case exceed the sum of twenty dollars, which

may be considered as an equivalent for the passage money of the party, and who may be bound to repay the same by his services under the rules now passed for bond debtors.

Bond Debtors.

8th. Experience having proved that the system of slave debtors, as practised in the Malay States, is inconsistent with that freedom of the subject, which it is the desire of the British Government to introduce; the same will not be recognized after this date in any case in which both parties may not be Malays, or native inhabitants of the Malay Archipelago; but with the view of providing for such cases as may occur, in which it may be lawful to give the creditor a right to the services of his debtor, the following rules are passed, to have effect from this date.

9th. As it frequently happens that free labourers and others are brought from China and elsewhere as passengers; who have not the means of paying their passage, and under the expectation that individuals resident in Singapore will advance the amount of it on condition of receiving the services of the parties for a limited period in compensation thereof, such arrangements are not deemed objectionable provided the parties are landed as free persons; but in all such cases, the amount to be paid on account of passage money or otherwise, is limited to twenty dollars; and the period of service by an adult in compensation thereof shall in no case exceed two years, and every such engagement shall be entered into with the free consent of the parties in presence of a Magistrate, and duly registered. In cases where the parties may be of tender age, the Magistrates may apprentice them until they attain the age of puberty; but in no cases are the parties to be burdened with a debt exceeding twenty dollars, for which amount their services, during the period above stated, shall be considered as a full and ample compensation.

10th. In all cases of Mengheering, or slave debtors, which may come before the British Courts, the claim of the creditor is in no case to be considered to exceed the services of the debtor for a period of five years, the debt being considered as worked out at the rate of twenty per cent., or not less than ten dollars per annum.

11th. Hereafter, all agreements for personal services beyond twelve months are

required to be entered into under a bond, to be registered at the magistrate's office, the bond or contract specifying the services to be rendered, the consideration paid for the same, and the penalty in case of failure.

12th. Hereafter no contract shall be legal which stipulates for a longer period of service than five years, under any circumstances or for any consideration whatever.

13th. The parties in all cases who may so contract to render their services for a valuable consideration, shall lose no natural rights to which they may be entitled as subjects during such servitude, except the value of their services, for which it will be the duty of the magistrates to see that they receive a due remuneration: all persons, whatever may be their condition, being equal in the eye of the law.

14th. In all cases wherein the magistrates may think proper, on account of the tender age of parties, to bind them apprentices for a certain period, such period shall in no case exceed five years; and it must be an invariable condition in the indenture, that the parties shall receive a moral education, and be sent to the public school, under a pecuniary penalty in case of failure by the master.

15th. No creditor possessing a right to

the services of any individual, shall be at liberty to transfer the services of the party to another except with the consent of the debtor; nor can the debtor change his master at pleasure without proof of ill usage, to be given before the magistrates; and in case of the death or bankruptcy of the creditor, it shall remain with the magistrates to decide in how far the further services of the debtor can be claimed. If the creditor dies solvent, the debtor is to be relieved from further servitude; but if he dies insolvent, or becomes bankrupt, the debtor shall continue to render his services till the end of the contract for the benefit of the creditors, he in this case having the liberty of choosing his master.

The magistrates are required to cause this Regulation to be duly explained in the native languages, and published by beat of gong throughout the settlement; and the master attendant will cause the same to be duly made known to the noquedahs of all native vessels resorting to the port.

This Regulation to be in force and have effect from and after this date, and to be considered as provisional until confirmed by the Governor General in Council.

(Signed) T. S. RAFFLES.

Singapore, 1st May 1823.

Registered, G. BONHAM, Regr.

MILITARY ADVENTURERS.

To the Editor of the Asiatic Journal.

SIR: Your praiseworthy conduct in publishing the extract of a letter from India, in your number for October, is entitled to the best thanks of the Service at large.

It is lamentable how little attention is paid to the Courts' orders, and even to the repeated orders of the Local Government on this head; they have been totally disregarded or evaded. It will scarcely be credited by non-military readers, that young men, adventurers, neither in the King's nor Company's Service, unacquainted with the country, and ignorant of the language, have greater pay the first year, than a Company's subaltern of fifteen years' standing. Some of these lucky fellows, without experience or military

knowledge, have far greater pay than the oldest captain in the Company's army; and officers commanding battalions at native Courts, under the orders of the British Resident in the service of the native princes, have positively greater allowances than the oldest Lieut.-Colonel in the Company's service; and this they attain, in many cases, after a sojourn of three or four years. This is truly disheartening; it is more, it is a deep and lasting injury to the Company's officers, dangerous to the interests of the State, and a positive obstacle to the Company's military operations, as well as a direct infringement of the Company's most positive orders. Many of these persons are half-pay officers