From the Author 33 Russell St

REMARKS

ON THE

BRITISH RELATIONS WITH CHINA.

PRINTED BY A. J. VALPY,
RED LION COURT, FLEET STREET.

REMARKS

ON THE

BRITISH RELATIONS

WITH

C H I N A,

AND THE

PROPOSED PLANS FOR IMPROVING THEM.

BY

SIR GEORGE THOMAS STAUNTON, BART.

LONDON:

EDMUND LLOYD, HARLEY-STREET;

AND

SIMPKIN AND MARSHALL, STATIONERS'-HALL COURT.

MDCCCXXXVI.

REMARKS

ON THE

BRITISH RELATIONS WITH CHINA,

AND THE

PROPOSED PLANS FOR IMPROVING THEM.

I VERY reluctantly take up the pen for the purpose of entering into the field of controversy; but feeling, from early associations, and much subsequent intercourse diplomatic as well as commercial with the people of China, a deep interest in the preservation of our peaceful relations with them; and entertaining, also, an anxious wish that the great change that has been effected in our system of trade with that country, may be rendered productive of the utmost possible advantage to the general commercial and manufacturing interests of the British empire, I have conceived it to be my duty to submit to the public, in this shape, my deliberate opinion upon what I conceive to be the mischievous and dangerous tendency of some of the doctrines at present afloat on this important subject.

In a very able and highly interesting article which appeared in the Quarterly Review for January 1834, two very important *predictions*, as to the probable results of injudicious measures in relation to our commercial connexion with China, were put forth. The *first* of these predictions has already been fulfilled, almost to the letter, by the melancholy fate of Lord Napier's mission.* The *second*, and, hitherto at least, happily unfulfilled prediction of the Reviewer is to the following effect: "That any attempt to force our commerce, "alliance, and friendship upon the Chinese, by "sending ships of war to that country, not for "protection but aggression, will prove no less "*futile* than atrocious;" and that, sooner than submit to such dictation, "the Chinese, in order "to save the empire, and to get rid of the tempta- "tion that draws foreigners to it, not only to "trade, but, by specious pretences, to seduce the "people from their allegiance, will not hesitate, "if it be thought necessary, to eradicate every "tea-plant in the empire."—No. c. p. 445—7. To dissuade, then, from such an attempt; and to avert, if possible, the fulfilment of this latter prediction (in the justness of which, as far as it regards the futility, as well as atrocity, of the supposed attempt, I entirely coincide), is the purpose of the publication of this pamphlet.

The mischiefs which have been consequent on

* See Quarterly Review, No. c. p. 458, 9.

the fulfilment of the first-named prediction have been comparatively limited, and may be in a great measure repaired. We have seen, indeed, with much pain, in the case of Lord Napier, a brave and gallant officer, and the representative of an ancient and noble house, betrayed into a false position, from which it was hardly possible for him to extricate himself with honour or credit; and the sacrifice of his life, together with some disparagement to our national character at Canton, (such as an unsuccessful attempt at intimidation invariably produces,) have been the lamentable results. But the British trade, after a short interval of suspension, has been renewed; and, although the British authorities in China have never since been able to regain the position at Canton which Lord Napier was forced to abandon, and, according to Mr. Lindsay, "continue to maintain at Macao an establish-"ment at an expense of more than £20,000 a-year, "without any assignable duties whatever," the affairs of the British commercial community at Canton appear to have suffered as yet no material inconvenience from their absence.

But the consequence of the fulfilment of the Reviewer's *second* prediction, that is to say, of the failure of national measures of hostile aggression, on our part, against the Chinese, would be infinitely more fatal, and, in part at least, irreparable. It would not only prove a death-blow to our Chinese commerce, but greatly weaken, if not abso-

lutely annihilate, that *moral* influence with which our hitherto honourable and successful career has invested our name and character throughout the East; and without which, no *physical* force which we could employ, would prevent our vast Indian empire from falling to pieces with a rapidity far greater even than that, signal as it was, with which it has been acquired.

Before I proceed to examine this question more in detail, I am anxious to guard myself, once for all, (though I might hope that it is hardly necessary for me to do so,) from the imputation of being disposed to recommend in any way either a compromise with Chinese injustice and oppression, or the sacrifice, in any shape, of British honour and interests, which are, in fact, inseparable. I cannot express my opinion on this subject more clearly or more concisely than in the words with which the Reviewer closes his remarks upon China: "Our rule of conduct," says he, "should be this:— "neither to make degrading concessions, nor to "exact them; neither to surrender our own inde- "pendence, nor to violate that of others."—p. 467.

I shall not here investigate the merits of any of the opinions on the subject of our relations with China, which have been published anonymously, and which therefore may or may not have the sanction of local knowledge and experience; and I shall chiefly confine my observations to those which have been expressed in a little pamphlet,

which has lately appeared under the title of "A Letter to Lord Palmerston, on the British relations with China;" and which, bearing the name of Mr. Lindsay, has certainly this sanction in a great degree. This gentleman is already well known to the public as the author of the highly-interesting Report of the Voyage of the Ship Amherst to the North-east Coast of China; and the intimate acquaintance with the manners, customs, and language of the Chinese, which he displayed on that occasion, must be at once admitted to give considerable weight to his views and opinions on all matters connected with that people.

I cannot, therefore, but the more deeply regret to perceive that it is the direct object of this pamphlet to recommend to His Majesty's Government to involve this country in immediate and extensive hostilities with China; and that he has thus given the respectable sanction of his name to the wild and desperate project of attempting, and that without any new ground or provocation, "to coerce by a "direct armed interference" (to use his own words,) "the Chinese empire, with its countless millions "of inhabitants."—p. 12.

It is but just to Mr. Lindsay to add, that he gives the most unequivocal proof of the sincerity with which he offers this extraordinary advice to His Majesty's Secretary of State for Foreign Affairs; (though this proof adds to my surprise at what, without any disrespect to him, I must say, appears

to me the infatuation of such opinions,) when he states, in the commencement of his address, that he is actually on the point of returning to China himself, in the capacity of a private merchant, and that it is therefore "naturally his sincere wish to "see affairs placed on such a secure basis as to "insure that peace and tranquillity, so essential to "establish confidence in commercial affairs."—p. 1.

The plan proposed (p. 12) is to send out to China, "one line-of-battle ship, two large frigates, "six corvettes, and three or four armed steamers, "having on board a land force of about six hun-"dred men, chiefly artillery, in order to protect "any land operation that might be necessary:— "the fleet to rendezvous in the straits of Malacca "in the month of February (p. 17), so as to take "the first of the monsoon for going up the China "sea: they would thus be enabled to commence "operations by the middle of April." The *operations* (p. 14) "would *simply* [!] consist of an em-"bargo along the coast, [a coast of above a thou-"sand miles in extent,] a small squadron being "stationed near the entrance of the four princi-"pal sea-ports, Canton, Amoy, Shang-hay, and "Te-ensin."—"The result of these proceedings," according to Mr. Lindsay (p. 16), "would, within "a very short period, have annihilated all vestiges "of a naval force along the coasts of China, and "have placed in our power thousands of native

" merchant-vessels." Mr. Lindsay describes, and no doubt very truly, the extreme distress to the Chinese which such an operation, if it could be completely carried into effect, would produce; and he adds, that "the English in general are but " little aware of what vast importance the coasting " trade is to the Chinese; nay, how entirely de- " pendent on it for the very necessaries of life some " parts of China are."—p. 15.

Whether we consider the extent of the line of coast from the twentieth to the fortieth degree of north latitude, along which these hostile operations are to be conducted; or the *thousands* of native merchant-vessels (upon which some parts of China are dependent for the very necessaries of life) that are to be seized and detained until our terms are granted by the court of Pekin, a more gigantic and portentous scheme of national warfare cannot well be imagined. But it may be said, that as it is proposed (p. 12) that an ambassador should at the same time be sent out from England for the purpose of opening a negociation, it is possible that the Chinese Government may be effectually intimidated by the mere *show* of such a force; and that consequently the actual employment of it may prove unnecessary. Mr. Lindsay, however, very candidly admits that no reliance whatever can be placed upon such an expectation. He says (p. 7), " we have on so many occasions used threats and " then retracted them, that I cannot doubt that

" the Chinese will refuse all concession to mere " negociation, and thus render an appeal to arms " necessary." The actual and avowed *appeal to arms* is, according to this scheme, admitted to be inevitable. This armament of twelve vessels, with 600 troops on board (p. 13), is accordingly to enter the lists with the forces of the Chinese empire and its countless millions! Nothing, it might have been imagined, but a reliance on the extreme cowardice and incapacity of the Chinese, could have rendered it possible for any person seriously to propose to "coerce" that vast empire with forces so preposterously disproportionate. But Mr. Lindsay honestly confesses that we must not place any such reliance on their cowardice and incapacity: he says (p. 14), " poltroons as the " Chinese appear to be, yet, were we to arouse the " spirit of the nation against us, they might and " would prove more formidable than we imagine: " our policy should therefore be to avoid irritating " the people; and on every occasion to disclaim " any hostile feeling towards them." The advice contained in the last paragraph is unquestionably *excellent;* but I fear that the mode by which it is proposed to carry it into effect would prove very inadequate. While we are ruining thousands of Chinese merchants at sea by seizing and detaining their ships, and starving millions of the people on shore by depriving them of those necessaries of life which those ships were destined to convey to

them, can it seriously be imagined that they would be *conciliated*, and that all the irritation and hostile feeling which such acts would naturally excite would be allayed, simply by the issue of certain "proclamations printed and extensively circu- "lated!"—p. 14.

It is sufficient to observe here, that these proclamations are intended to contain a strong appeal to the people against the government: this, it will be at once perceived, is no new artifice or stratagem of war; but is one which, I believe, has invariably been practised in some shape or other by every invading force, whenever approaching, and about to enter, a hostile territory: in this instance however it could prove little better than cruel mockery and insult. Be the form of words what it might, such an appeal could practically tend to nothing else but to excite the people to contribute in some way or other to compel their rulers to give the English their terms; but the unfortunate people would have to do this entirely at their own risk: no aid is to be given them, or share taken in the risk of their rebellion: "we will not keep pos- "session of the smallest island on your coast," says the proclamation. This is indeed introduced as an evidence of our disinterestedness; but it is obvious, that to excite a people against their rulers, without at the same time affording them any aid or protection against the vengeance of those rulers, can be neither very just nor very honourable.

The last argument which is alleged by Mr.

Lindsay in favour of these proposed measures of hostility against the Chinese, is thus expressed :— "Nor should we have reason to apprehend "any impediment from the jealousy of other "nations. I feel satisfied that the French and "Americans would gladly see us adopt such a line "of conduct towards the Chinese ; for the simple "reason that they would participate equally with "ourselves in all the advantages to be derived "therefrom." (p. 18). I think it not at all improbable that the French and Americans might gladly see us adopt such a line of conduct ; and for a very simple reason, though not the identical simple reason which Mr. Lindsay has assigned. Mr. Lindsay is of opinion that three months and a half would suffice to effect our object ; but provides for the contingency of "a period of seven months intervening." During this interval of hostilities, and consequently of non-intercourse with the port of Canton, be it longer or shorter, the French and Americans would of course be too happy to occupy the place in the commercial system there, from which we had thus excluded ourselves. The advantages which might result to them from so doing, even in the event of our enterprise being ultimately attended with complete success, might be considerable ; but in the event of a failure, and the British flag being permanently excluded from admission (as is actually the case at present with respect to that of Russia), their profit would obviously be immense.

I think therefore that, availing myself only of the arguments with which Mr. Lindsay himself has supplied me, the prospects of this enterprise are not very encouraging. Let us now see what is the nature of that intolerable pressure, that overwhelming necessity, which is to compel us to have recourse to these hostile operations against a friendly power, with which, for upwards of an hundred years, we have carried on a most beneficial commercial intercourse; and which Mr. Lindsay himself describes as being, even under all existing disadvantages, "already of equal or greater "importance than that with any other nation in "the world."—p. 19.

Mr. Lindsay observes (p. 2), "Had the mono- "poly of the Company been continued, I feel in- "clined to believe that *no change* in our political "relations with China would have been requisite." If the present proposition for engaging in hostilities with the Chinese is to be understood as a necessary consequence of the abolition of the East India Company's China monopoly, it is certainly to be lamented that this important fact, this essential element in our calculation respecting the expediency of the measure, was not taken into consideration at the time it was discussed in Parliament. I do not say that it would have outweighed all the arguments founded on general principles, as well as the powerful influence of the popular feeling, in favour of the experiment of unrestricted

trade with China, which prevailed at that period; but I *do* think, that if the contingency of actual hostilities with the Chinese had been in any manner contemplated by Parliament, as connected with this change in the commercial system with China, it would have been felt as an irresistible argument for the adoption of some measures of precaution, some concomitant arrangements, that might, if possible, have averted so painful and undesirable a result.

It is next remarked, "how lamentably Lord Napier's mission failed in its purposes;" and that the conduct of the Chinese towards his Lordship "affords, perhaps, the strongest grounds for resentment which they have ever given."—p. 3. If it shall appear, upon a calm and impartial consideration of the question, that this *strongest* ground for resentment is, in fact, *no ground at all;* but that, on the contrary, we were, in a national point of view, totally and entirely in the wrong in all our proceedings upon that occasion, it cannot be necessary to enter very minutely into the details of our *minor* provocations, or into the question of the expediency of an appeal to arms for the redress of any of those lesser grievances, which, however burthensome, and however we may wish to be able to remove them, do not, in point of fact, prevent our carrying on with China, as already observed, a most valuable and lucrative commerce.

It may be as well, however, just to notice cursorily,

in this place, the six topics of grievance adverted to by Mr. Lindsay.—p. 11.

1. "Opprobrious epithets." It must be obvious that these must be wholly unworthy of notice as a matter of formal complaint, except so far as they may be introduced into official documents: and I think I shall be able to show, hereafter, that the most prominent instances of offensive language imputed to such documents, are to be ascribed either to a very highly coloured or absolutely false translation.

2. 3. 4. 5. "Undefined state of duties;" "interdiction to hire warehouses, or trade with any but Hong merchants;" "exorbitant port charges;" "prohibition to trade any where but at Canton." There can be no question but that these are all points upon which the system of our trade with the Chinese might be altered vastly for the better; and that it would be perfectly natural and reasonable, on our part, to endeavour to obtain from the Chinese Government such additional privileges and advantages, through the medium of amicable negociation, provided any hope existed of their being voluntarily conceded. But to denominate these as "grievances," which would justify the employment of an "armed interference" for their "redress," appears to me an utter perversion of language, and to be wholly inconsistent with any interpretation of the law of nations, with which I am acquainted.

6. "The regulations enforced relative to homi-

cides." These, I am perfectly ready to concede, are a grievance—a very serious grievance. The Chinese laws, as specially applied, and endeavoured to be enforced, in cases of homicide committed by foreigners, are not only *unjust*, but absolutely *intolerable*. The demand of blood for blood, in all cases, without reference to circumstances, whether palliative or even justifying, is undoubtedly an intolerable grievance. But are there no *difficulties* attending the fair and equitable adjustment of this question? If the *theory* of the case is a grievance on our side, is not the *practice* a no less serious grievance on the other? Is it no grievance to an independent state that foreigners who frequent it should set the whole law of the country, in respect to homicides, at defiance; and act upon a principle, which (as far as the Government of the country can have any cognisance of the matter,) maintains that natives may at any time be murdered by foreigners with impunity? This *dilemma* is unequivocally admitted and deplored by the British merchants at Canton, in their petition to Parliament in 1830; which, after having been presented, in the following year, by Sir Robert Peel, was printed for the use of the members. After justly stating the impossibility of delivering up even a guilty fellow-subject into the hands of the officers of the Chinese criminal tribunals, they thus conclude: "The necessity of thus permitting *the guilty* "*to escape*, in order to secure the safety of the

"innocent, is an evil deeply to be lamented, and "loudly calling for the interposition of your "Honorable House."

The difficulties of this case have long been felt and acknowledged. Mr. Davis, the last chief of the Company's Factory, and afterwards King's Superintendent of Trade, immediately after Lord Napier—and also the late truly estimable and learned Dr. Morrison—gentlemen of great undoubted knowledge and experience, have both, as well as myself, suggested plans for their removal. None of these plans were implicitly adopted; but the subject was certainly not altogether overlooked by Government; and powers were given to the late Lord Napier to establish, with the concurrence of the Chinese authorities, such a Court of Criminal Jurisdiction at Canton as, it was hoped, might have been recognised as a just and equitable tribunal for the decision of all unfortunate cases of this nature. Whenever the practical grievance of the Chinese law respecting homicides shall have been actually felt by the English, (which it has not, for these last fifty-two years, to any serious extent, as no Englishman has been executed by the Chinese for homicide during that period;) and when the Chinese Government shall have had a reasonable plan proposed to them for the correction of this anomalous state of the law at Canton, and have rejected it; then, and then only, do I think we shall be justified

in deliberating upon those violent measures for its removal suggested by Mr. Lindsay.

That I may not, however, run any risk of misrepresenting Mr. Lindsay's views, as to the justifying causes of resistance to the Chinese, I think it fair to quote the whole of his 7th paragraph on this subject; merely premising, that while I agree with the general principles he has laid down, I cannot admit of the limitation he has assigned to them. It appears to me that the principles upon which we ought to deal with independent nations, in all their various stages, from the lowest depth of barbarism, up to the highest pitch of civilization and refinement, however different they may necessarily be in their application, are in spirit one and the same. Our national honour must be maintained and vindicated in every case, and in every case injustice and oppression must be resisted by all legitimate means. But it does not appear to me, that any principle of action can be defensible in respect to China, unless it be equally defensible under similar circumstances in respect to the most civilized nations of Europe.

"7. In advocating resistance to what I cannot "help considering the unjust and oppressive sy- "stem adopted by the Chinese towards foreigners, "I am in no way prepared to dispute the general "principle, that if a stranger goes to reside in a "foreign country, he is bound to obey its laws

"and conform to its regulations; but, on the "other hand, it always presupposes that your "intercourse is with a civilized nation; that "the laws and regulations to which your com- "pliance is required are clear and defined; "and that they give a reasonable protection to "life and property. Now, in China this is not "the case, especially in the barbarous regulations "they endeavour to enforce respecting homicides; "which are equally at variance with Chinese law, "humanity, and reason." p. 7.

But to return to Lord Napier—what are the simple facts of the case? It is perfectly notorious to all persons connected with the China Trade, and Lord Napier could not be ignorant of the fact, as he had persons of the greatest local experience and information joined with him in his commission, that no foreigners of any description have ever been permitted by the Chinese Government to establish themselves at Canton except in strictly a commercial character; and that, moreover, no person, even if habitually resident at Canton in such commercial character, was permitted to visit that city from Macao, without previously obtaining a certain license or passport. It does not signify that these regulations were often disregarded, and the infractions connived at by the Chinese authorities, in cases of little moment, and which did not necessarily come, in any way, under the cognisance of the

Government. This, however, was notoriously the *law;* and in a case of so much publicity and importance as the arrival of a public officer, claiming important rights and privileges, connivance at any infraction was obviously impossible. I fearlessly ask, then, what right or pretext had Lord Napier to signalize his first appearance in China by a violation of the known and acknowledged regulations of the country?

There were, no doubt, ample public grounds to justify our Government in appointing a Superintendent of Trade to reside in that official character at Canton; and if the motives of the appointment had been previously submitted to the proper authorities in due form, and their sanction requested, (as would have undoubtedly been done in the event of sending a Superintendent of Trade, or Consul, for the first time, to any port of Europe,) either the point would have been gained, or at least a plausible pretext for complaint established. But not only was this previous sanction not applied for, but Lord Napier did not even bring with him any kind of official document from his own Government, addressed to the authorities of China, for the purpose of in any manner authenticating and explaining the nature of his appointment. The Chinese authorities had absolutely no voucher from him but his own *ipse dixit*,—the *ipse dixit* of an individual whose first act within the Chinese territories was a violation of

its laws! Mr. Lindsay admits (p. 3), that "Lord "Napier may have acted in some respects injudiciously;" but the fact is, that a far greater share of the blame appears to lie with his Lordship's instructions, than with himself. He seems to have been simply instructed to proceed direct to Canton, and to assume at once his official character there, without the least anticipation of difficulty or discussion, just in the same way as a successor would have been appointed to any vacant Consulship in Europe.

I hope I may here be permitted to advert to the series of Resolutions on the China Trade which I moved in the House of Commons in June 1833, (and which had been printed and in the hands of the Members for above a month previous,) in which I distinctly forewarned His Majesty's Government of the improbability of their succeeding in such an attempt, and stated that "without the previous sanction of the Chinese "Government, any attempt to appoint national "functionaries at Canton for the protection of "trade, would, in the present state of our re"lations with China, not only prove of little "advantage to the subject, but be liable in a "serious degree to compromise the honour and "dignity of the Crown."

So obvious indeed was the propriety, if not necessity, of obtaining, in some shape or other, the

previous sanction of the Government of China to the appointment of Superintendents of Trade at Canton, that in the subsequent Order in Council of the 9th of December, 1833, in which their powers are announced and defined, these appointments are prefaced by a reference to certain communications supposed to have taken place between the Chinese authorities and the Company's supercargoes; and which are assumed not only to bear a construction applicable to the appointments in question, but at the same time to have been official, binding, and emanating from a competent authority; all which, subsequent events proved to be wholly erroneous.

"And whereas the officers of the Chinese "Government resident in or near Canton, in the "empire of China, have signified to the super- "cargoes of the East India Company at Canton "the desire of that Government, that effectual "provision should be made by law for the good "order of all His Majesty's subjects residing at "Canton; and for the maintenance of peace and "due subordination among them, it is expedient "that effect should be given to such reasonable "demands of the said Chinese Government, "&c. &c."

It is impossible to say upon what particular document or communication this alleged invitation from the Chinese authorities is founded; but

as a ground for a positive claim on the Chinese authorities to receive Lord Napier in the character he had assumed, it is, on the face of it, perfectly nugatory; and I do not recollect that he any where even pleaded it in his defence. I cannot believe that it was ever seriously relied upon at home. Indeed, I suspect the very choice of the novel title of *Superintendent of Trade*, instead of the ordinary and accustomed one in such cases of *Consul*, arose from some misgiving as to the result. It would seem as if His Majesty's Government, although they invested Lord Napier with *Consular* powers, and appointed him to perform *Consular* duties, felt that they could not properly also confer upon him even the lowest of the designations under which public officers are sent to foreign states, namely, the title of *Consul*, without having that previous international sanction which they knew was essential to make it valid.

As this is really an important point, and in fact the hinge upon which the whole question turns in a national point of view, I have thought it right to refer to what I believe is unquestionably the highest authority on all questions connected with consular appointments, the "*Lex Mercatoria*" of *Beawes*, some time British Consul at Seville. In the fifth edition of this work, enlarged and improved by *Mortimer*, British Vice-Consul at Ostend, the principle is clearly laid down, as follows:—

"The admission of a Consul to reside and "exercise his functions in any part of the do- "minions of a Foreign Power depends upon "circumstances. Where the right of sending "Consuls to reside in each other's dominions is "expressly stipulated in commercial treaties, "subsisting between the Crown of *Great Britain* "and the *States* to whom they are sent, they may "object to the person appointed, and by their "Ambassador make requisition for the appoint- "ment of another, assigning proper reasons for "their rejection of the first; but they cannot "reject the King's Commission: whereas those "Potentates with whom we have no commercial "treaties, stipulating the appointment of a Con- "sul, *may not only refuse the person, but the com- "mission itself, without violation of the peace and "amity subsisting between the powers so refusing and "this country; for the law of nations does not "include this appointment;* however, it is usual to "grant permission. Yet the difference is es- "sential; for the Consul, whose residence is "founded on a treaty, may proceed to much "greater lengths, in the exercise of his authority, "than he who is only admitted by permission; "every point, however clear, will be disputed "with the latter, by the Magistrates of the place "where he resides, jealous of their own juris- "diction; and they will be supported by their "Sovereign and his Ministers."—p. 296.

Mr. Beawes has here distinctly laid down the duties and relative positions of Consuls under *treaty*, and Consuls only by *permission;* but it does not appear to have entered into his mind to imagine such a case as Lord Napier's; that of a person claiming a right to exercise *consular powers*, without either the one or the other!

The Chinese authorities acted upon this occasion as I apprehend those of any other nation would have done, under similar circumstances. They ordered him away to Macao; directing him to apply for permission to come up to Canton from thence in the usual way. The Chinese would certainly have been, what we are too apt to consider them to be, the most contemptible nation upon earth, if they had permitted such a violation of their laws, not only to pass with impunity, but to reap all the fruits of a victory!

Lord Napier resists—declares he will not quit Canton, except at the point of the bayonet—and orders, or at least invites, the Captains of two of His Majesty's frigates to bring their ships up the river, in order to give him assistance and protection;—another illegal act, which was only accomplished by forcing the Chinese batteries, and by a smart engagement with them; in the course of which several individuals on both sides were killed or wounded. All this was done without any actual need of either their assistance or their protection. Lord Napier was perfectly safe—his

person was not threatened—he had only to go away, and return from whence he came. The object, therefore, neither was nor could have been any other than that of aiding him in his resistance to the orders of the Government.

Let us for a moment make the case our own: let us suppose a couple of French frigates forcing their way up the Thames, and battering down Tilbury Fort, in order to aid and assist the French Ambassador in his negociations in Portland-place; and we may then form some notion of what the feelings of the Chinese are likely to have been at the storming of the forts of the Bocca Tigris! Or let us suppose a British Consul landing at some French port, where no Consul had ever been allowed, without even a passport; and then, after having been ordered away by the constituted authorities, setting them at defiance, and declaring he would not stir but at the point of the bayonet. Would not his speedy removal to a comfortable asylum in the public prison be the inevitable result?

Nevertheless, even now, no personal violence was offered to Lord Napier. After matters had come to such a crisis, that he was himself convinced of the necessity of a surrender, the whole amount of the outrage of which he had to complain, under circumstances, I must contend, of very great provocation, was his detention in the Chinese boat, in which he had con-

sented to embark, (as a sort of hostage apparently,) until certain information was received that the men-of-war had retired from the river. This act would have been justly characterized, had it occurred under ordinary circumstances, as an insult. Mr. Lindsay calls it "treacherous," and no doubt it was so, as far as the intention of detaining Lord Napier as a hostage had not been previously avowed; but it could hardly be called a "violation of the solemn assurances of a safe conduct." This detention very probably so far aggravated his sufferings from previous illness and anxiety of mind at an unhealthy season, that, as Mr. Lindsay observes, it may "be justly considered to have hastened, if not caused, his death."—p. 3.

No man can entertain a higher personal respect for the memory of Lord Napier than I do, or more deeply deplore the melancholy and unhappy result of his mission; but when viewing the question exclusively in a political light, and with reference only to the political measures it ought to suggest to us, we must not suffer ourselves to be carried away by personal feeling, or misled by the high colouring of facts which those feelings would naturally lead to, especially at the moment. I do not find that any of the annoyances, to which he was actually subjected, were such as would have been considered by any individual in health worthy of serious notice, or such as he would have himself considered, had

he happily recovered, matter for a formal complaint.

I think I have pretty well established that the case of Lord Napier is not a tenable position in argument against the Chinese; and that, considering how easily our claims for reparation might be met, by far stronger claims for reparation on their side, for forts dismantled, and troops killed in their defence, besides sundry smaller violations of their laws and territory, it will be our wisest course, even if on other accounts involved in negociations with the Chinese, to suffer this portion of the history of our transactions with them to remain in oblivion.

I cannot dismiss this subject without noticing how easily, in cases like the present, we are betrayed into exaggeration. Lord Napier is stated, in p. 6, to have been "sent as the Representative of our Sovereign." He was in no sense whatever the King's Representative. Strictly speaking, none are invested with that character but Ambassadors-extraordinary, though it is in popular language usually extended to Ministers and Envoys. But nobody ever thought of investing a *Consul*, or, what is the same thing, or something less, a *Superintendent of Trade*, with that character. The fact is, however, that as far as the Chinese were concerned, he had no public character at all. No public functionary sent to another state can claim, as we have seen, the rights and privileges

of his appointment till he is recognised. As a Captain of the British Navy, though without any command, and as a British nobleman, he was undoubtedly entitled to every degree of respect and courtesy, as long as he complied with the laws and regulations of the country; but official station or public privilege he had literally none.

I have entered thus particularly into the circumstances of the failure of Lord Napier's mission, because, at first sight, it was undoubtedly a case of considerable provocation; and to avenge any alleged insult on the national honour has always been a plausible, and sometimes a just cause of war. But reparation for the wrongs sustained by Lord Napier does not appear to be the main object, or indeed any one of the objects, of Mr. Lindsay's proposed expedition. He looks, and reasonably enough, for something more solid and substantial, as the practical result of an undertaking, which, in any event, would entail, in its equipment and operations, considerable cost to the country. Assuming, then, that the coercive measures he has recommended are adopted, and prove successful, he proceeds, "Nothing, however, is "further from my wish than that we should op- "press them because we are the stronger. Our "entire demands should be no more than a com- "mercial treaty, on terms of equality, giving us the "liberty of trade at two or more of the northern "ports."—(p. 7.) These are undoubtedly objects

which it would be very desirable to obtain; and they would contribute much to the extension and security of British commerce in China. They might be the objects of an amicable negociation, or they might even be very properly made the conditions on which peace might be granted at the close of a successful war, undertaken and waged on far other grounds. But to go to war,—to engage in hostilities for the sake of obtaining such objects,—to endeavour to extort them by force from an independent state by the terror and sufferings which might arise to the people from our blockades and embargoes, seems to me outrageous, and quite unparalleled in the records of the comparatively civilized warfare of modern days.

A demand of reparation for insult to our national functionaries, or our national flag, with a threat of hostilities in the event of a refusal, would be, as already remarked, at least a plausible course of proceeding; but an expedition having for its express object to compel the Chinese Government to grant us increased commercial facilities, I am convinced, would reflect only disgrace and discredit on our flag and name, and alienate from us, not only the government, but the people. In vain should we disavow, in our proclamations, all objects of territorial aggrandizement. In vain should we pledge ourselves not "to plunder the merchant-vessels which we had detained."—(p. 14.) Every individual Chinese who had the misfortune to fall

into our hands, or who became in any way a sufferer from the results of our "armed interference," might say, and would have a full right to say, "You are no better than pirates and freebooters; "you have intercepted us in our lawful pursuits; "you have inflicted severe and perhaps irreparable "injury upon persons who never injured or offended "you; and you have done all this for your own "private ends—for the base object of commercial "lucre to yourselves and your country!"

Assuming, then, that neither our resentment for the fate of Lord Napier, nor the enlargement and improvement of our commerce, affords any adequate justification for a resort to the measures proposed; Mr. Lindsay's question (p. 3), "What is now to be done?" still remains to be considered.

Mr. Lindsay asks, "Is another English gentle"man of character and talent to be sent to China, "and directed to submit to all the humiliating "concessions of national inferiority, which will be "demanded before he is recognised by the Chi"nese? I cannot imagine it possible. Are we to "continue to maintain an establishment at Macao, "at an expense of more than £20,000 a year, "without any assignable duties whatever? This "appears equally improbable." These remarks are perfectly just. The appointment of Lord Napier, in the way it took place, was decidedly a false step; and it would be the height of folly to repeat it. Equally absurd would it be to continue

to maintain an expensive establishment in China, without any hope of being able to render it efficient for the purposes it was designed to accomplish. I entirely subscribe, therefore, to the wisdom (with some modification in detail) of Mr. Lindsay's *second proposal;* which he offers as an alternative, in the event of his first suggestion of an "armed interference" being deemed inadmissible. He says, (p. 4,) "I would suggest the withdrawal at once of "all his Majesty's commissioners, and that a per- "son of no pretensions should be sent out as agent "for the Customs, whose sole duties should consist "in registering ships' papers, and countersigning "manifests." He adds that "This mode of pro- "cedure will be highly embarrassing to the Chinese "authorities, who are most anxious to see some "recognised chief at Canton, for the purpose, as "they term it, of 'managing and controlling all "affairs of the English nation;' and, on the very "first difficulty or dispute which occurs, they will "most anxiously inquire why no such authority "exists. Our reply, then, is obvious: 'It is your "own fault; for, when we sent one to you, you "treated him with insult [i. e. rejected him]; and "it is incompatible with the dignity of England "that a representative [rather an officer] of her "Sovereign should be subject to such indignity; "no chief will, therefore, be sent, until you pro- "mise him proper reception and treatment.'"

Here we have, then, on the authority of Mr.

Lindsay's knowledge and experience of the Chinese character, a plan, easy and simple, perfectly peaceable as well as legitimate, if not of obtaining all the objects we desire, at least all the objects which the Government of this country contemplated, when they appointed Lord Napier to reside in China as superintendent. Here is, indeed, no appeal to the *fears* of the Chinese; but there is an appeal which, from all we know of their character, we may expect will be equally effectual—an appeal to their rational self-interest. You place them, by a merely negative course of proceeding, in such a highly embarrassing predicament, (according to Mr. Lindsay,) that they must very shortly become *most anxious* to do that of their own accord, which it is not quite certain that all our embargoes and blockades would extort from them. Is not this case somewhat analogous to that of the countryman and his cloak, in the fable, exposed to the alternate effects of the sun and the wind? when the genial influence of the former accomplished readily, what all the powerful blasts of the latter had attempted in vain!

I cannot believe it possible that our Government can for a moment listen to the first of Mr. Lindsay's proposals; but I do hope that they will pay that deference which is due to his knowledge and experience, by adopting the second.

Nothing certainly can be more wise in policy, or just in principle, than the maxim which Mr.

Lindsay lays down, (p. 4.) " that we ought to hold " no political relation with a country which refuses " to acknowledge such, without insult." It was by keeping the principle of this maxim strictly in view, that the embassies of Lord Macartney and Lord Amherst, if they have not benefited our commercial interests in China as much as was wished or expected, have at least avoided doing that serious permanent injury to those interests which must have resulted from an opposite course. They did not indeed scrupulously criticise the wording of edicts, or the inscriptions on the banners of their boats, but they peremptorily resisted all demands tending to national degradation in which they would be in any degree implicated as consenting parties—well knowing that by so doing they would not only have not promoted the objects they had in view, but have given a most dangerous encouragement to the encroachments and oppressive spirit of the local Government of Canton, and have thus crippled our commerce as much as they would have tarnished our national honour.

I confess, I think it possible that a third mission, if sent to China, on a plan which this is not the place to detail, might, in very skilful hands, steer clear of those difficulties which obstructed the former two *in limine*, and rendered all negociation impossible; and that our national honour might be preserved at the same time that our

national interests would be promoted; but I am very far indeed from recommending that the experiment should be tried. It would not only require a very skilful leader, but it would be necessary that he should have the entire confidence and co-operation, if called upon, of that British commercial community at Canton, for whose interests he was to contend. Setting aside the risk of an Ambassador being named, who possessed every good quality except that peculiar one, of fitness for his very peculiar office—what possible chance would he have of advancing peaceably in the slow but sure steps of ordinary negociation, while the majority of the British community at Canton, sympathizing, as I believe they at present do, in the belligerent views of Mr. Lindsay, would be impatient to cut at once with the sword the Gordian knot of his diplomacy!

There are one or two other points in Mr. Lindsay's pamphlet which seem to require some notice. Although he is an advocate for naval hostilities on a large scale, he specially provides that "he would on no account advocate the taking "possession of the smallest island on the coast," (p. 3.) No man certainly would advocate such a measure, except as an *ultima ratio;* but when we consider how many islands there are upon the coast, over which the Chinese Government exercise no one act of jurisdiction, and which might easily be taken possession of with the entire

consent and good-will of the inhabitants, if there be any,—and when we further recollect that the original occupation of the island of Macao by the Portuguese was precisely an act of this description, and not the result of any previous authentic cession by the Chinese authorities, as pretended —it does seem an excessive and inconsistent degree of scrupulousness so carefully to disclaim any such intention, especially when something of the kind must have been anticipated when speaking (p. 10.) of forming depôts among the numerous islands, where the crews of the captured vessels might be landed. Mr. Lindsay objects to the occupation of an island, because "such a "measure would have quite a contrary effect "from forwarding that extension of purely com- "mercial intercourse, which would be so advan- "tageous to both countries, and might also lead "to consequences of which it would be impossible "to foretell the result," (p. 8.) Very likely; but these are the very reasons why the scheme of a squadron, having sea and land forces on board, for the purposes of embargo and blockade, is also objected to. It is only in order to avoid direct hostilities, even as an *ultima ratio*, and under the circumstance of the British commerce having been driven altogether from the continent of China, that I ventured to suggest (in the Resolutions which I moved in the House of Commons,) that, instead of endeavouring to regain

our position on the continent by force, we should endeavour to establish our trade "on some insular "position on the coast, where (being out of the "limits of Chinese jurisdiction) it might be "carried on beyond the reach of acts of molesta-"tion and oppression." From this proposition thus qualified, I confess I see no reason to shrink.

Mr. Lindsay is engaged in a controversy with the Quarterly Reviewer respecting the true import of certain Chinese expressions which have been applied by them to foreigners, and have been translated "Barbarians" and "Devils." I must say that I concur with the Reviewer in opinion that the first of these, at least, is not a correct translation. As the Chinese term, which has been translated "Devil," never occurs in official documents, it is not worth while to discuss how far the Chinese really mean to impute to us any thing *diabolical* when they make use of it. With respect to the term *E*, which has been translated "Barbarian," I am far from undertaking to say that it is the most honourable one that might have been employed to denote Foreigners; and I shall consider it a symptom of the existence of a better feeling towards us in China, whenever it shall be abandoned, and a more honourable one substituted for it. I only contend that it is wrong to give it a directly vituperative sense; and that, as the practice of thus giving the most offensive sense to such

words, naturally tends to widen the breach between us and the Chinese, I think the sooner it is abandoned the better.

Mr. Lindsay complains that the Quarterly Reviewer has misrepresented him; but he only quoted his own words when he says that he had admitted that "some distinguished Chinese scholars have hesitated in their opinion, whether the term could be justly objected to by us." Among these distinguished Chinese scholars must be reckoned the late Dr. Morrison himself, though the Reviewer erroneously concedes the weight of his opinion to be in the opposite scale: for the word *E* is thus explained in his Dictionary:—"Foreigners in the East;—foreigners generally; the character *E* being formed of *ta*, great, and *kong*, a bow, in allusion to the *great bows* used by foreigners in the East. *E jin*, a foreigner; *E chuen*, a foreign ship."—vol. i. p. 131. Various other meanings follow; but not one which justifies in the smallest degree the interpretation of "barbarous," or "barbarian."

In defence of the latter interpretation of the word *E*, Mr. Lindsay says he could quote numerous passages from Confucius. Now, although the Chinese are certainly not a very *changeable* race, yet to undertake to justify a translation of a word in modern usage by the sense in which it is supposed to have been employed by an author who flourished more than 2000 years ago, is placing

rather too great confidence in Chinese immutability. But what, after all, does Confucius say, according to Mr. Lindsay?—that the term *E* "denotes "those *out of the pale of the Chinese empire*, and is "used *almost* always in a derogatory sense."—p. 9. I might therefore contend, even on the authority of Confucius, that "foreigner" is the preferable word. "Barbarian" is *never* used by us in the sense of "out of the pale of the empire;" and not *almost always*, but *always* in a derogatory sense.

As to what is said by the Chinese author *Soo-tung-po*, according to Mr. Lindsay (p. 10), it appears to me to prove nothing more than the notion of the said *Soo-tung-po* respecting foreigners was a very contemptuous one; and, as far as he knew, he may have been in the right. He says that "they "could not be governed by the same rules of go-"vernment as those of the celestial nation (the "Chinese); that they are like the brute creation: "if *liberal* rules of government were applied to "them, it would infallibly give rise to rebellious "confusion. The ancient kings knew this well, "and therefore ruled them without law. This "method of government is decidedly the most ju-"dicious mode of governing them." I cannot avoid remarking that there are people, even in this country, and these modern times, who, like *Soo-tung-po*, are apt to fear that "*liberal* rules of government" might end in "rebellious confusion!"

I cannot omit here also to protest against the

nonsensical phrase "barbarian eye." The Chinese word, here translated *eye*, is thus explained in Dr. Morrison's Dictionary:—"*Moo* or *muh*, the eye; that which directs—*the head or principal person*." Now, it is quite obvious that when this epithet was applied to Lord Napier, the *third*, and not the first, of these senses was intended; and that therefore, in point of fact, his title of Foreign Superintendent was very fairly translated. It is very difficult, therefore, to discover any adequate reason for employing the phrase "barbarian eye," which has been so much ridiculed and animadverted upon, except that of exaggerating the offensive and ungracious character of the document in which it appeared. I will not, however, impute to the translator any such intention, but merely observe, that this plan of translating, as it were, in "caricature," may be very harmless, as long as it is confined to cases in which it merely excites a laugh at Chinese ignorance or absurdity; but when it has the effect of producing or increasing ill blood between our merchants and the authorities of the country, and inflaming their minds with indignation at imagined insults, which nothing but the sword and the bayonet can expiate, it cannot be too severely reprobated. It is unfortunately but too true that the Chinese have often recourse to offensive and insulting phraseology in speaking of foreigners; and I am no advocate for dissembling the fact when it really occurs: but the

phrase "barbarian eye" appears to me as false to the letter, as it is to the spirit of the original.

In concluding my remarks upon Mr. Lindsay's publication, I trust it is hardly necessary for me to say, that nothing can be farther from my wish than in any way to misrepresent him, or even to give a higher colouring to any of his statements or opinions than he himself intended to give them. I have quoted, in every instance, his express words: at the same time I am aware that detached sentences, quoted unavoidably in a different order from that in which they were written, and without the intervening matter of explanation, may not always convey with entire justice the views of the original work; and I therefore hope no reader will decide in his mind the question at issue between us, without referring to my authorities.

Since writing the above, I have seen a pamphlet bearing the title of "Present Position and Prospects of the British Trade with China," by Mr. Matheson, a gentleman of great respectability, connected with that trade. It appears to contain strong opinions on the subject of an armed interference with the Chinese, very similar in character with those of Mr. Lindsay, only argued at much greater length. As far, however, as I am able to judge from a very hasty and cursory perusal, I do not find in it any thing to induce me to modify or alter the preceding remarks.

Mr. Matheson paints in strong colours the vices of the Chinese national character, and also the vices of their political and commercial system. I shall certainly not undertake to defend either. It has been my lot, during a considerable portion of my life, to have had ample opportunities of witnessing these evils, while engaged in endeavouring to maintain against them, in China, the national rights and interests committed to my charge; and, I hope, not altogether without success. These evils (as Mr. Matheson has done me the honour to quote from me) I have always readily acknowledged and deplored. It appears to me nevertheless, that, during the period of my personal acquaintance with China, from 1800 to 1817, the British trade there, and those who conducted it, enjoyed, *with a few occasional exceptions*, as much practical security and practical prosperity as our trade does even in countries in which established treaties and other circumstances give us far higher claims. I think that most of my contemporaries in China, when they calmly and dispassionately consider the question, will coincide with me in this opinion. These occasional exceptions were chiefly suspensions of the trade during negociations of a political character, which, on the aggregate, did not amount to more than a few months in the course of seventeen years; and which, it must be confessed, originated in part from our own misconduct. When we re-

collect the very great provocation that was given to the Chinese by the military occupation of Macao, in 1808, and the subsequent irregularities in the Chinese seas of some of his Majesty's ships, to the extent, in 1814, of attempting to cut out American merchant-vessels lying peaceably under Chinese protection at Whampoa, it may perhaps be found that in casting up our respective claims for redress of grievances, as between England and China, the balance may not be to any very large amount in our favour.

Our *grievances*, as they have been termed, never brought us to actual extremities with the Chinese but once, during my residence in that country. We then certainly struck the British flag, which had been so long accustomed to wave over our establishments, and contemplated the possible necessity of a final abandonment of our position on the Chinese continent; but this was our *ultima ratio*. Not an individual I believe at that period—not the highest spirited or the most belligerent of the then British community either in China or India contemplated a resort to *force* in any case, except that of *self-defence*. The *means* were not wanting: the British chief and council in China had at that time twenty well-armed ships, manned with about 3000 men under their uncontrolled command; and they would no doubt have found willing instruments to execute their instructions, if they had conceived a *demonstration*, as it has been called,

expedient. It is impossible to say what might have been the effect upon the Chinese of an attempt *at that period* to intimidate them. It was a particularly favourable one, and one that, in all probability, will never return; for no other flag but our own then showed itself, or could show itself, on the Chinese coast: peace had not yet been restored to Europe, and war had just broken out between us and America. Schemes of intimidation were never adopted, nor even contemplated, —solely because they would have been wholly unjust and indefensible.

If the British community should be once more compelled, as they were in 1814, to retire from Canton; and should their negociator not be solicited by the Chinese authorities to return and resume his functions (as I was at that period, as noticed by Mr. Matheson, p. 44), they will in that case, no doubt, be driven to the necessity of taking another position. If Sincapore be deemed to be too distant for a suitable commercial entrepôt, there is an infinite number of intermediate islands, possessing every facility and convenience both for navigation and commerce, which might be taken possession of, not only without a contest, but without the violation of any right in practical exercise; and I agree with Mr. Matheson in the justice of the remark he quotes (p. 69), that "the Chinese would "not hesitate to trade with foreigners there, if "they could be assured of receiving protection;"

and that such an intermediate station "might, un-
"der such circumstances, become one of the most
"flourishing places in the East."

I find it stated in Mr. Matheson's work (p. 52) that the invitation from the Chinese authorities, alluded to in the order of Council containing the appointment of the superintendents, is an edict addressed by the Viceroy of Canton to the Hong merchants, demanding that "a *chief* should be "sent to Canton, *as heretofore*, for the general "management of the commercial dealings." This document, if it proves any thing, proves the direct contrary; for it proves that the Chinese did *not* contemplate the coming out of an officer from the King, claiming new rights and privileges; but expected and required that, notwithstanding the abolition of the East India Company's trade and privileges, matters should be carried on at Canton, as far as they, the Chinese authorities, were concerned, precisely "*as heretofore*."

GEORGE THOMAS STAUNTON.

Devonshire Street,
March 28, 1836.