PRESENT POSITION,

§c. §c.

It has pleased Providence to assign to the Chinese,—a people characterised by a marvellous degree of imbecility, avarice, conceit, and obstinacy,—the possession of a vast portion of the most desirable parts of the earth, and a population estimated as amounting to nearly a third of the whole human race. It has been the policy of this extraordinary people, to shroud themselves, and all belonging to them, in mystery impenetrable,—to monopolize all the advantages of their situation. They consequently exhibit a spirit of exclusiveness on a grand scale. From what this has resulted,—whether from conceit, or selfishness, or from a consciousness that the ancient but feeble framework of their political system cannot bear the rude concussions of modern times,—the too near inspection of inquisitive and ambitious fellow-nations, it matters not here to inquire. Such is the fact; and the result is that China remains, at this moment, “a boundless field of indefinite curiosity and vague speculation.” “It is one of
their principal maxims," observes Mr. Auber, "and one which they believe contributes most to good government, not to suffer foreigners to settle in the empire: for besides their contempt for other nations, whom they look upon as barbarous, they are persuaded that a difference of people would introduce among them a diversity of manner and customs, which, by little and little, would bring on personal quarrels, and these would end in parties, and proceed to rebellions, fatal to the tranquillity of their empire."

* These notions are carried to a surprising extent. They permit to Europeans no intercourse but of a commercial character, and that only of the scantiest and most ungracious description,—restricted to the veriest outposts and confines of the empire. "Foreign trade receives no support from the government; it is barely tolerated: for it is always at variance with that jealous policy which draws a line of perpetual demarkation between China and the rest of the world."† On no earthly consideration will they permit a "barbarian" footstep to transgress the limits of Canton, almost the southernmost extre-

* Auber on British and Foreign Intercourse with China, p. 56.
† Encyclop. Metropolit. part xiii.—Sec, however, the Second Appendix to the Third Report of the Select Committee of the House of Commons on the Affairs of the East India Company, p. 527.
mity of the empire, fifteen hundred miles from the capital; and in the pursuit of their commercial avocations at that place, foreigners are constantly exposed to the most ignominious surveillance and restrictions.

Studiously and obstinately presenting this repulsive aspect, discouraging all attempts to become acquainted with her national character, it is not to be wondered at that distant nations, if ever their curiosity had been excited concerning China, suffered it at length to die away into a feeling of contemptuous indifference: and China, its position, customs, and inhabitants, came, at length, to be spoken of much in the same spirit as one would speculate concerning the suppositional tenants of the moon. It was reserved, however, for those "princes of the earth"—the merchants—to overcome these feelings of indifference or repugnance. A spirit of noble and persevering enterprise led them to dare all dangers, to despise all difficulties. They soon perceived how vast a field China afforded for commerce, even under the most discouraging circumstances; and after many years of persevering struggle, they succeeded in opening a communication between Europe and China, which has led to an annual interchange of millions of capital. The history of the British intercourse with China during a period of nearly two centuries, is indeed an unparalleled
one. It is fraught with instruction, and now is the auspicious moment for turning it to account.

It is melancholy, but no ways surprising, to reflect upon the extent to which ignorance and misapprehension as to the nature of our commercial intercourse with China prevail in this country. The reason above assigned will, in some measure, account for it; especially when added to a consideration of the disheartening difficulties attending the attempt to acquire a knowledge of the Chinese language; the prodigious distance of China; the exclusively mercantile character of our intercourse, (naturally destitute of interesting and stirring topics)—and that, too, hitherto committed to the exclusive keeping of the East India Company; who never manifested any particular readiness to admit the public to a knowledge of the mysteries of Leadenhall-street, but, on the contrary, rather acquiesced in, and encouraged the notion of the unprepossessing nature of such inquiries. It may be safely asserted that four-fifths of our fellow-countrymen know, or care to know, little more about our relations with China, than that the delightful beverage "which cheers but not inebriates," and a few articles of ornamental dress and curious earthenware annually find their way hither from that mysterious and remote region. They trouble not themselves to
THE BRITISH TRADE WITH CHINA.

inquire or think about the intense anxieties, sufferings, and dangers of their enterprising fellow-countrymen, by whose means these articles are transmitted; they feel little or no interest in being told that some of the most respectable of their fellow-countrymen are daily subjected to injuries and insults not merely of a harassing, but even of a horrible description,* while in the prosecution of honourable and responsible undertakings; that the vast and lucrative trade between Great Britain and China, with all its extensive dependencies both at home and abroad, is liable to be, and frequently has been, suspended on the most frivolous and ridiculous pretences that could be devised by the capricious and unprincipled local authorities of Canton; that the British nation and its sovereign, are constantly and openly characterised by the Chinese in their official edicts in the grossest terms of contempt and dishonour; that our unoffending representative, Lord Napier, who travelled to China at the instance of the Chinese government itself, no sooner reached the Canton river, than he encountered such indignities and injuries as speedily destroyed him—the whole trade being

* See the atrocious "proclamation against the Hong merchants continuin at and abetting vice in foreigners," issued annually by the Governor and Hoppo.
at the same time, abruptly and ruinously suspended for upwards of a month; that our sovereign and his people, in short, were treated with such disdain, and visited with such injuries, as they have never hitherto experienced, or chosen to endure. These latter topics certainly excited, from their singularity and the suddenness of their communication, a few days' notice; they then disappeared from the daily journals, and all seems now utterly forgotten,—as though the gravest questions of commercial interest, and even of the national honour, had not been intimately involved in, if not compromised by them! The abolition of the East India Company's charter,—a great political measure,—pregnant as it was with prodigious consequences, made a certain stir while under parliamentary discussion; the national spirit seemed kindled for a moment against so unjust a monopoly as that enjoyed by the company in question. It disappeared,—the public was satisfied, and its attention and energies were forthwith directed to fresh objects. How the breaking up of the old, and the introduction of the new system of commercial intercourse, would be received in China—how it would work,—whether any and what further alterations would be rendered necessary, are questions that seem by tacit and universal consent to have been left to the few individuals who from interest or inclination concern themselves with the
subject. This great and decisive measure, highly beneficial as its consequences are calculated to prove to our commercial intercourse with China, has nevertheless been attended with effects, some of them, perhaps, not wholly unforeseen, and some of them unexpectedly unfortunate; such as imperiously call upon the government for a prompt interference,—a vigorous superintendence in reconstructing the system of our commercial intercourse with China. With the government, indeed, it rests at this moment to say, in effect, whether the British trade with China shall any longer continue; whether our merchants shall be enabled to carry it on any longer, either with safety and honour to themselves, or their country. It has wisely thought fit to substitute individual for corporate enterprise in trading to China. Surely, then, it is called upon not to desert the new system in its birth, but to protect and foster it; to compensate for the withdrawal of that "local habitation and a name,"—that local influence and power which have hitherto (however imperfectly) sheltered and protected our interests in China,—by such demonstrations as shall convince the people of that country, that our individual not less than our corporate traders, enjoy the full countenance and support of the British government.

That this vitally-important subject may be
easily and at the same time thoroughly understood, it has been thought advisable to give a short and popular sketch of the present position and prospects of Anglo-Chinese affairs,—the sources of the existing evils, and the means by which they may be remedied, and the trade, so important in every point of view to this country, placed on a permanent and advantageous footing.

However skilful and successful may have been deemed, in some respects, the East India Company’s long administration of Chinese commercial affairs, it is impossible for any one to peruse with attention the authentic records of their proceedings, without perceiving that their policy, even if not altogether based upon fundamental errors, has exhibited many features of a most short-sighted and mischievous character; that the ill effects of many of their measures exist at this moment, and oppose most formidable barriers to the progress of their successors. It may be questionable whether the East India Company, in their anxiety to secure their commercial interests, have not, for a long series of years, made sacrifices that were inconsistent not only with the honour of the British nation, but with its permanent interests, even in a commercial point of view. It is very grievous and humiliating to reflect that our present degradation in the eyes of China, and the ruinous
exactions she inflicts upon us, are, in reality, self-imposed; that—

"The thorns which we have reaped, are of the tree
We planted. They have torn us, and we bleed."

Without tracing out their whole administration, it may be stated, that many of their most important measures are based upon an utter ignorance of the real character of the Chinese,—such as one could scarcely have supposed possible, after so many years' intimate experience. In the year 1751, for instance, the Court of Directors, finding the trade suffering from continual impositions, authorized the supercargoes to bribe the local authorities,* in order to obtain a discontinuance of such exactions. Could they have taken a step more destructive to their own interests? Had they not already had experience, year after year, of the mercenary and rapacious character of the Chinese?—What, then, were the consequences, and who could not, if possessed of but ordinary forethought, have anticipated them? Six years afterwards we find the bribed authorities of Canton expending their gains in bribery at the court of Pekin, and thereby securing a monopoly of the whole foreign trade! The immediate consequence was our exclusion from trading at any of the other ports to which we had, till then, been accustomed

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* Auber, 167.
to resort: and thus we lost the only mode we had of holding the Canton authorities in check—our only rod *in terrorem* over them, namely, the threat—always effectual, of removing our trade to such other ports! One circumstance will suffice to show the nature of the powers we have lost. In the year 1721, the officers of the Honourable Company’s Ship, *Cadogun*, while quietly walking in the street at Canton, were seized by one of the Canton authorities, on account of the accidental death of the Hoppo’s officer. “A strong representation was made by the supercargoes to the Hoppo. They stated that unless immediate redress was afforded, they should recommend the Company to remove their commercial dealings from Canton to some other port. The determination evinced by the supercargoes, and the apprehension of the local authorities that they might lose the trade, produced a good effect. The mandarin who committed the affront was degraded from his office, and a promise was given that he should be bambooed, and rendered incapable of again serving the Emperor.”* From the moment of taking this false step, may be dated the commencement of a long series of intolerable oppression and insult. Ignorant of the obvious consequences of the ill-advised measure in.

Auber, pp. 155-6.
question,—of the all but irresponsible authority of the unprincipled local authorities at Canton, and the impossibility of appealing from them, or gaining any kind of access to the Court at Pe-kin,—of the far-sighted cunning and inflexible pertinacity of the Chinese character,—we flung ourselves, as it were, bound hand and foot into their power. In vain have we from that period to the present, reiterated our complaints, as imposition and insult assumed new and more galling features. We have been either trifled with by delusive promises, or repulsed with mockery and threats of an aggravation of our injuries. In answer to our feeble complaints, they shake their heads, and coolly remark,—"If the foreigners dislike our restrictions, * as difficult to be endured, it is perfectly competent to them not to take the trouble to come so great a dis-
tance!" Again, the Hoppo in 1831:† "Lately, the English merchants have presented a petition stating that the whole scope of the regulations is at variance with the requisitions of justice—thus whining, disputing, and contradicting, and also requesting to appeal to the Emperor, not to permit their being put in practice. This is ex-
treme insolence and opposition. If the said pri-
ivate merchants really regard their property, they ought indeed to trade on as usual: but if

Auber, 332. † Auber, 356-7.
they dislike the restraints imposed by the orders of Government, and consider their own private affairs to be disadvantageous, they may entirely withdraw from the trade, and not trouble themselves to come from a great distance, through many countries of different languages."—The tone and spirit of these recent edicts, are worthy of particular notice.

Another fatal and fundamental error discoverable in the administration of the East India Company, has been its uniform,—its anxiously pacific and submissive policy towards the Chinese. In their excessive eagerness to secure their trade, they have been led, from time to time, into making the most humiliating and dangerous concessions, acquiescing in pretensions on the part of the Chinese which were alike inconsistent with individual and national honour: the natural consequence of which was to place themselves in an abject and degraded position, in the eyes of the Chinese, which could not do otherwise than invite additional insult and exaction. When the Court of Directors have been pressed by their Canton representatives, whose dispatches constantly detailed the infliction of the grossest insults and impositions, and contained vehement expostulations on account of their dogged adherence to an acquiescent and submissive line of policy,—cogently representing, at the same time, the numerous instances in
which vigorous and decisive measures had been attended with complete success,—how did the Court receive them, and reply? At one time by a peremptory mandate for the dismissal and return home of the spirited Select Committee; at another by rebuking their intolerance of insult and injury,—invariably, by the recommendation of "mild and pacific measures, demeanor, and conduct:" and all this on the plea of the capital importance of preserving our trade. They were sternly reminded that "our intercourse with China was exclusively of a commercial character"—and, in effect, that we ought therefore not to resent treatment otherwise inconsistent with the national honour. In January 1832, for instance, the Directors, writing to the Select Committee, in consequence of their representations of many very serious transactions, vitally affecting the honour and interests of this country, observe—

"The commerce between Great Britain and China is too important to be put to hazard without the most urgent and imperious necessity, and on no account, upon considerations of a personal nature. It is of essential moment to the Indian as well as to the home revenues, both as regards the State and the East India Company, as well as in the regular supply to the British public of an article of general consumption. We sought that trade originally: the
advantages which it has yielded have induced us to exert every endeavour to secure its continuance.* The preservation of the national honour, is in the hands of His Majesty's Government; and it must be for the King's Ministers alone to take the responsibility of deciding upon the adoption of extreme measures for vindicating that honour, if insulted. These measures, if resorted to, will most materially affect the valuable interests at present dependent upon a peaceful prosecution of our intercourse with China.” Is it not clear from the spirit and tone of this dispatch, and many similar ones,—enjoining “endurance” for “commerce’s sake” up to the point of “some urgent and imperious necessity,”—that it amounted to a virtual and practical prohibition of remonstrance or resistance, on any ground? Is it likely that in the face of such dispatches the Select Committee would have ventured to incur such immense responsibilities as those shadowed out by the Directors? Surely the concluding paragraph is, in every sense, an unworthy one! How vague and cold the allusion to the province of “His Majesty’s Government”—and even their interference in vindication of the national honour, represented as “most materially affecting the valuable interests of trade!” Can there be a more artful or effectual way of conveying,

* Auber, 358-9. See also id. pp. 281-2.
without seeming to do so, their real wishes,—*i.e.* that in no case should resistance be attempted, let the Chinese do what they would? Without being anxious to fasten ungenerous imputations upon the Directors of the East India Company, one cannot help entertaining a suspicion that this line of policy was dictated by a desire to fix the Company firmly in the favour of the Chinese, and render them reluctant to trade with Great Britain through any other medium than one so supple, so acquiescent, so "peaceable!"*

This truculent, vain-glorying people have been pleased to consider all other inhabitants of the earth (as already intimated) as barbarians,—dastinate of all pretensions to civil, political, or moral excellence. They will not permit themselves to be polluted by these "barbarians" intermingling with them,—except to such an extent and in such a manner as affords them opportunity for extracting from them a great revenue, by means of the most unblushing extortion.

"If an European commit any breach of the laws, he is not taken before a magistrate to

* Mr. Auber quotes from the "Report on China Trade”— *(Parliamentary Papers, &c.) with an air of triumph, that the East India Company have been able "to temporize with the Chinese, without loss of character!"—p. 398.
answer for his conduct; but is subjected to personal violence from mere underlings, or has his Chinese servants taken away or imprisoned, and his provisions stopped, till he submit to an arbitrary mulet; which, on his refusal to pay, is exacted from the Hong merchant with whom he may chance to have most dealings; and this Hong merchant again, is imprisoned and his trade stopped until he make good the arbitrary demand,—the European never having a trial, or an opportunity of justifying himself!

"In like manner, an European has no access to a magistrate or government functionary, to claim redress for any outrage to which he may have been subjected,—overcharge of duties, stoppage of trade, or other grievance, but must appeal through the Hong merchants, who are commonly the authors of the grievances suffered, and who are able to tell their own story to the Mandarin, without any countervailing statement from the European. The Hong merchants, in short, ten or twelve in number, besides possessing a monopoly of all European trade, are vested with authority to govern Europeans, *who* (to use the words of a Government edict) *must not be allowed of their own accord to go out and into their dwellings, lest they should trade and carry on clandestine transactions with traitorous natives." Nor after the departure of their ships are they allowed to remain in Canton
city, to find out the prices of goods, to make purchases, and acquire profit."

The only terms on which they will suffer a commercial intercourse to be carried on with the frontiers, are an implicit acknowledgment of its springing from the "amazing and unmerited condescension" of the Emperor of China towards "his reverently-submissive tributary" the King of England, and his "barbarian and profligate subjects." It is true, that a few attempts have been made to shake off such a badge of ignominious servitude,—feeble, however, and few: the occasions on which such manifestations have been made, have been, too often, indiscreetly selected, and the ultimate results correspondingly unfortunate. Of what avail were a few momentary flashes of indignation and independence, in the midst of a long and dark interval of acquiescence and submission? The Chinese came at length to treat such exhibitions as really but the spasms of weakness, however momentarily formidable—as indications of the real extent of their power over us. Listen to the language in which the Company's supercargoes are characterized by the Viceroy of Canton: "Good principles and solemn truths have no effect upon them; and I was compelled to intercept their trade—to touch their gains; and no sooner was that done, than they submitted. They are a mercenary gain-scheming set of adventurers, whom reason cannot rule. The
dread of not making money is that which alone influences them.”

“"It will have been apparent,"" says even Mr. Auber, speaking of the year 1791—""from the detail already given, that the Chinese, instead of relaxing in their conduct towards the English, since their first intercourse with Canton, in consequence of the increased value of their commerce, and the length of their connexion with China, only inflicted additional impositions on the trade, and,—as the supercargoes justly stated,—acted as if they "were aware that the importance we attached to its continuance induced us to submit to almost every kind of indignity.""†

If such were the contemptuous opinion entertained and expressed concerning us by the Chinese in 1791,—the legitimate result of a series of timorous submissions on our part,—how must we reckon upon that opinion being now strengthened! During the long period of our intercourse, how many have been the indignities we have either tamely submitted to, or—far worse—feeably and ineffectually resisted!—how many unwise compromises have taken place—how much of individual and national insult—what an extent of injury to our commercial interests

* Dr. Morrison’s Notices concerning China.—Intro. pp. 6-7. Buonaparte, also, characterised us as a nation of shopkeepers!
† Auber, 192.
have been inflicted, on pretences equally absurd! The vaunting tone assumed by the Chinese when speaking of the foreign trade,—repeatedly asserting it to be a matter of utter insignificance,—that "the celestial empire views them as really not of the importance of a fibre or particle of dust,"* has been fearfully and implicitly listened to, and credited by the East India Company, and been ever present as a bugbear at all their consultations at Leadenhall Street, influencing them to repel all the indignant expostulations of their representatives at Canton, and sternly enjoin upon them the necessity of "submission for the trade's sake,"—lest "the interests of the Company's trade should suffer!" Vain, short-sighted, and ruinous policy! Not perceiving that the dreaded cause of future mischief, was really only the effect of their own former, and continuing misconduct and erroneous policy! Had they but paid a just deference to the judgment of those whose local opportunities and experience had qualified them to form a sound judgment upon the matter, they would, long—long ago, have learnt that—"submission to insult has shown the Chinese how valuable is the trade, and they have acted accordingly,* in too many instances, in interrupting and annoying it,—and hence, perhaps, has originated

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* Viceroy's Edict. 25th January, 1830,—Auber, 326.
the erroneous supposition that to them the trade is a matter of indifference."* Hear again, the reproachful and contemptuous language of the Hoppo Chung in reply to the Committee's letter of October 28th, 1830, as affording melancholy evidence of the results of long-continued submission to Chinese outrage. The Committee had complained bitterly of a proclamation—(already hinted at)—of a most revolting nature, annually stuck against their factory, and requested its removal:—

"In the petition they say that the insulting proclamation, suspended against the Company's Hong, has been reluctantly borne with for many years, by foreign merchants. . . It has been stuck up against the Company's Hong for more than thirty years. It did not commence to-day. As they say the language of the proclamation was rather ignominious,—why did not the former barbarian merchants early indulge their anger, and with hearts dead to the subject, cease to come again to knock-head at the service for an open market? Why did they cross an immense ocean, through numerous dangers, and every year come?"†

"The intercourse of foreign nations with the Chinese," says Holman, "is carried on under

† 2d Appendix to the 3d Report, &c. p. 427.
every disadvantage which their ignorant pride and vain confidence in their own resources, can suggest. But the readiness with which they yield to every strenuous opposition to their exclusive measures, while it points out the weakness of their character, affords a convincing proof of the prejudicial consequence of too pliant a submission to their jealous regulations. Foreigners, whom they entitle Barbarians, are invariably treated as inferiors; and the lowest of the people are incited, by the language and representations of their governors, to conduct themselves with insolence, and even violence.*

—One cannot help here pausing to notice how noble a contrast to this conduct has been and is still exhibited by the English nation! "Montesquieu," says Blackstone, "remarks with a degree of admiration, that the English have made the protection of foreign merchants one of the articles of their national liberties; it being provided by Magna Charta, that all foreign merchants, unless publicly prohibited beforehand, shall have safe conduct to depart from, to come into, to tarry in, and to go through England for the exercise of merchandize,—without any unreasonable imposts, except in time of war."†—

But to return—

* Holman's Voy. and Trav. 245.
† The merchants of the Hanse towns, established in London, enjoyed various privileges and immunities; they were
The two co-operating causes above generally alluded to, have produced results of a most unfortunate description: and now,—at the very moment when the British trade is placed upon a new footing,—our merchants find themselves in the most precarious and defenceless position with reference not only to their commercial interests, but even their personal safety,—that was ever yet witnessed in China. The Chinese have indeed profited by their long experience,—their successful practices upon our credulity and imbecility; and the advantages accruing to them are of far too solid a description to be now permitted to govern themselves by their own laws and regulations; the custody of one of the gates of the city (Bishopsgate) was committed to their care; and the duties on various sorts of imported commodities were considerably reduced in their favour. In 1474, the King assigned to them in absolute property, a large space of ground, with the buildings upon it, in Thames-street, now denominated the Steel-yard. It was further stipulated, that they should not be subject to the judges of the English Admiralty Court; also that the privileges awarded to them should be published, as often as they judged proper, in all the sea-port towns of England. These privileges were not wholly abolished till the year 1597.—Mc Cullock's Commercial Dictionary, p. 623.

In Turkey and some other countries characterized by an imperfect state of civilization, such as then prevailed in England, and still does in China, immunities nearly similar are enjoyed by foreign traders even at the present day. The Chinese alone seem to enjoy, as a monopoly, the undisputed power of persecuting and maltreating foreign merchants.
lightly parted with. They will calculate, and reasonably enough, upon a continuance of our forbearance. They will make us feel, at every point,—in every transaction, social and commercial,—our abject dependence upon their sovereign will and pleasure. Our position was fearful enough in 1780,—when the Company's Supercargoes thus wrote to the Directors:—"Foreigners are not here allowed the benefit of the Chinese law, nor have they privileges in common with the nation. They are governed merely by such rules as the mandarins for the time being declare to be their will; and the reason why so few inconveniences happen, from irregularities, is, that the officers of the Government, on such occasions, rather choose to exact money from the security merchants, compradors, &c. than use rigorous measures from which they gain nothing. Their corruption, therefore, is the foreigner's security." Again, on the 23d February, 1815, the President of the Select Committee at Canton thus writes to the Chairman of the Court of Directors:—"There is in fact no charge, of whatever nature it may be, whether of treason against the state, or a violation of the laws and regulations of the Empire, that Chunqua may not procure to be alleged against any member of the Committee; and with the same facility, by means of the bamboo or torture, any number of witnesses may be
brought forward to attest the truth of the accusation.”* In another communication, in the same year, the Select Committee “offer further melancholy proof of the total and entire absence of truth, justice, or mercy from Chinese tribunals: and where the undue influence of money is applied, all chance of a fair trial ceases to the unfortunate person accused.”†

If such were the state of matters in 1780 and 1815, when the potent influence of the East India Company existed in its plenitude at Canton, what may we not prepare to expect at the present time, when the local influence of Great Britain is withdrawn? Let those who are disposed to answer such a question lightly, reflect upon the disastrous issue of the mission of Lord Napier!

That our intercourse with China has continued in a comparatively prosperous condition, under the management of the East India Company, is attributable solely to the judgment and firmness occasionally displayed by the resident representatives of the Company: but it is truly painful to observe the reception which the intelligence of their conduct invariably met with at Leadenhall Street.‡ They, whose local know-

† Extract Letter in the Secret Department, &c. 16th Jan. 1815.—2d Append. &c. 528.
‡ See particularly the bitter complaint of the Select Committee at Canton to the Directors, 18th November, 1816. Second Appendix, &c. pp. 531—5.
ledge and long experience surely best qualified them for dealing successfully with the Chinese, and effectually serving our interests, are found to be most strenuous and incessant in their recommendations of a firm and resolute tone and bearing being assumed by this country, in resisting similar demonstrations on the part of the Chinese. Whatever may have been their inclinations and prepossessions previous to acquiring a thorough knowledge of the subject, they no sooner had an opportunity of acquiring a practical insight into the character and conduct of the Chinese, than we find them earnestly expostulating with the home authorities on their constant inculcation of submission and acquiescence. It may be instructive to detail a few instances, out of a very great number, that are on record.

On the 22d February, 1814, the Select Committee remark—

"Carrying on an extensive commerce, sufficient to excite the rapacity of the officers of Government, protected by no laws, but on the contrary subject to such regulations as are made so vague and undefined, as to admit of any interference or interpretation that a corrupt or despotic government may be disposed to give them,—our only hope of preventing the recurrence of these attacks is by a firm and decided resistance." *

Second Appendix, &c. p. 487.
On the 4th December, in the same year:

"From the experience and knowledge we possess of the government, we are satisfied that their conviction that their injustice will not be submitted to, is the only security we can possess for these attempts being discontinued." *

On the 6th February, 1815:

"Your honourable Committee will no doubt appreciate the difficulties and anxieties that must attend our differences and discussions with this Government. We feel, however, that they are unavoidable; for on our firmly resisting their unjust attempts can we alone depend on these attempts ceasing to be made." †

In 1823:

"The frequent recurrence of our present difficulties must be expected until some change takes place in the footing upon which our intercourse with the Chinese is carried on. The contempt of foreigners, engendered and fostered by the abusive terms in which they are spoken of by the officers of Government, the want of police regulations, and the defenceless state in which we are placed, by the difficulty of access to the magistrates, leaves us exposed to assaults of all descriptions: and if self-defence is not received as a plea in cases of homicide, no in-

* Second Appendix, p. 524.
† Second Appendix.
dividual can, for one instant, be considered safe.”

On the 18th November, 1828:—

"After a mature deliberation upon the grievances, which we have detailed in the preceding paragraph, we came to a determination, that it was incumbent upon us to meet them by a strong remonstrance, calculated to put a stop to further aggression: experience having proved, that nothing can be expected to be obtained from the Chinese by concession; which only becomes an inducement to attempt further invasion of privileges."†

On the 23d October, 1830:—

"The Chinese authorities have doubtless been encouraged in their demands by the two instances of successful intimidation above related: and were the slightest disposition of concession evinced by us at the present moment, it cannot be doubted that they would be emboldened to proceed to fresh acts of aggression.”

—“We therefore came to the determination that firm and deliberate resistance to the line of conduct followed by the government, afforded the only hope of avoiding a series of indignities and insults, as well as of establishing the security of person so essential to the conduct of the trade.”‡

* Auber, p. 297.
† Second Appendix, &c. p. 576.
‡ Second Appendix, &c. p. 142.
On the 15th December, in the same year:—

"We cannot avoid remarking, that the proceedings of last year appear to have made a considerable impression; and it must be admitted, as repeatedly demonstrated in the history of our intercourse with this country, that a firm opposition to the encroachments of the government generally, produces a favourable inclination towards us, after the subjects in dispute are terminated."*

In 1831:—

"The existence of a powerful and influential body in your representatives in this country, has opposed the only check to the evils and embarrassments to which foreign commerce is continually exposed. We believe that no effectual remedy will be found for them, until it suit the purposes or policy of Great Britain to assume, in its turn, the attitude of dictation, which would readily demonstrate the weakness of this Government."†

Truly, indeed, did the Select Committee observe, in their despatch of the 28th January, 1830:—"That the more important, the more valuable are the interests at stake, the more do they require the protection of firmness, on which our hopes of their security for the future

* Second Appendix, p. 444—5.
† Auber, p. 336.
can alone be placed with confidence!"* Alas! however, to what little purpose were all these representations and remonstrances addressed to the Committee at Leadenhall Street!

Such, then, are the two principal sources from which have long flowed the serious inconveniences and wrongs which the British traders to China have now to encounter; and at this peculiar conjuncture, at so great a disadvantage, unless their just expectations from the Government of their country, be realized. They seek nothing unreasonable, nothing inconsistent with the welfare and honour of their country, nothing unjust towards China, or calculated to disturb the peaceful relations between that country and Great Britain. Who, indeed, can have a deeper stake in the contrary line of policy, than those whose interests, "whose fortunes, and livelihoods," as they themselves express it, are entirely dependent upon the preservation of our commercial intercourse with China?

There can, or at least ought to be, but one wish in this country, and that is, to cultivate the China trade, on fair and honourable terms. The only difference of opinion that can arise, is as to the mode of doing so. One class of persons is found asserting that the proper, the only mode of doing so, is to buy tea of the Chinese on any terms they choose to dictate, however degrading,

* Second Appendix, &c. p. 580.
however absurd, however unreasonable, however oppressive,—and be thankful! on the following grounds: That the Chinese are a great, powerful, and peculiar people, with whom it is purely optional to continue or refuse permission for us to continue our intercourse, since they are not, nor ever were, or will be, bound by any treaty; that, in the absence of any treaty, the law of nations prohibits any attempt to enforce our supposed claims upon the Chinese; and that, even were it otherwise, the Chinese having never, as it were, entered into the society of nations, rightly refuse to recognize the law of nations; that their peculiar character is such as to render any attempt at coercive measures both inhuman and abortive; and that, in short, rather than abate an iota of their pretensions and usages, in consequence of a threatening demonstration of foreign force, the Emperor of China, to adopt the wild and chimerical suggestion of Mr. Auber, "following the alleged example of one of his predecessors, when the cultivation of cotton became the occasion of disturbances in his kingdom, of ordering the plant to be destroyed, might deal in the same manner with tea!"

* Auber, p. 402.—"The growth of tea is chiefly confined to hilly tracts not suited to the growth of corn."—McCulloch.

And yet a writer pretending to acquaintance with the subject, has gravely stated his apprehension lest the Chinese should be induced, by our refractoriness, to convert their tea plantations into rice fields!
It is believed that the foregoing paragraph contains a faithful statement of the general principles upon which the policy of the East India Company was based,—of the views now entertained by those whose interests are identical with those of the late Company, and who are actuated by feelings of hostility towards those now prosecuting the trade upon the new system. It is the object of the ensuing pages to demonstrate shortly the fallacy of all such reasonings,—to appeal, in doing so, from the ignorant and prejudiced, to the liberal and intelligent portion of the community; and guard them against the artful misrepresentations propagated by bigotry and self-interest.

"As regards China," observes Mr. Auber, "we resort to a country in which we have not a foot of ground, and where we are confined to one port, at which our permanent residence is doubtful. . . . . The habits, manners, and customs are quite foreign to our own. Their laws are also frequently violated by those who are [appointed to be] their administrators and guardians; where their treatment of foreigners is proverbially contemptuous; and in their commercial dealings they have no scruple at imposition, if circumstances favour the practice. Such is the people with whom we seek to maintain an intercourse. . . . . China has rejected every effort made by us, as well as by almost
every other European state, to form a commercial intercourse with her, upon those principles which govern commercial relations with other countries."*

So speaks the late Secretary of the East India Company; and his observations are incontestibly correct, except the last, which is only partially so. It may be readily admitted, as an abstract proposition, that however unreasonable and faithless they may be, no attempt could be justifiable to gain by force a settlement in their territory. It has become, however, a matter very important to ascertain, how far the Chinese are bound, by their conduct during a long series of years, while in the course of reaping the benefits of a commercial intercourse, which they themselves have uniformly sanctioned by acquiescence, and even invited, as will be presently shewn, by professions of good will, and readiness to carry on trade with us, on the faith of which we have been induced to enter into vast speculations, to construct a system of commercial dealings on a very expensive and permanent scale, for the supply to this country of an article of indispensable use to our population, and an almost indispensable source of revenue to our Government; involving the fortunes, and even livelihoods, of hundreds of thou-

* Auber, pp. 38-9.
sands of persons, the subjects of a great and inde-
dependent nation: whether from all this is not to
be implied a tacit agreement on the part of the
Chinese, to carry on trade with us on equitable
principles; such an one, in short, as, if broken,
will warrant us in compelling an observance of
good faith; of that "customary law which,
from motives of convenience, has by tacit but
implied agreement, prevailed, not generally in-
deed, among all nations, nor with so paramount
utility as to become a portion of universal volun-
tary law; but enough to have acquired a prescrip-
tive obligation amongst certain states, so situated
as to be mutually benefited by it."*

But, it is said, the Emperor of China has an
unquestionable right to permit or refuse us in-
tercourse with his dominions; to impose such
conditions as he may think fit; and that where no
treaty exists, nothing prevents him from, at any
time he pleases, withdrawing, restraining, or
modifying such permission.† Such observations
as these are, it is conceived, quite beside the
real question now in dispute: which is, not
what were the original rights of China, as an
independent nation,—what she might have
done, or refused to do, in the first instance;
but, what are the rights of China, now; whether
her own acts have not restricted and limited
those rights, and imposed upon her certain obli-

* Vattel, Prelim. note 7. † Auber, pp. 39. 394-5.
gations, and subjected her to certain liabilities, from which the principles of justice,—of the law of nations,—forbid her to retreat.

Were it necessary to resort to abstract reasoning upon the subject, the following short paragraph, from a distinguished writer, (Vattel), might be referred to, as containing a striking statement of the principles regulating mutual commerce between nations. "All men ought to find on earth the things they stand in need of. In the primitive state of communion, they took them wherever they happened to meet with them, if another had not before appropriated them to his own use. The introduction of dominion and property could not deprive men of so essential a right; and consequently, it cannot take place without leaving them, in general, some mean of procuring what is useful or necessary to them. This mean is commerce; by it every man may still supply his wants.—Things being now become property, there is no obtaining them without the owner's consent; nor are they usually to be had for nothing; but they may be bought or exchanged for other things of equal value. Men are, therefore, under an obligation to carry on that commerce with each other, if they wish not to depart from the views of nature. And this obligation extends also to whole nations, or states. It is seldom that nature is seen to produce in one place, all that is neces-
sary for the use of man. One country abounds
in corn, another in pastures and cattle, a third
in timber and metals, &c. If all these countries
trade together, as is agreeable to human nature,
no one of them could be without such things as
are useful and necessary; and the views of
nature, our common mother, will be fulfilled.
Further,—one country is fitter for some kinds
of product than another; as, for instance, fitter
for the vine than for tillage. If trade and barter
take place, every nation, on the certainty of
procuring what it wants, will employ its land
and its industry in the most advantageous
manner, and mankind in general prove gainers
by it. Such are the foundations of the general
obligation incumbent on nations, reciprocally to
cultivate commerce."*

Without discussing the question, whether
the Chinese are absolutely warranted, in justice
to their fellow-nations, in shutting out all the
rest of the world from any participation in the
benefits of so prodigious a portion of the most
desirable parts of the earth,—even when that
participation would be attended with corre-
sponding advantages to themselves,—it may be
contended that China has long since surrendered
such rights, and is no longer in a position to
enforce them, as against the British nation;

that her conduct, during the last century or two, has amounted, not merely to a simple permission to us to carry on our trade with her, but has conferred upon us perfect rights, such as are accompanied by the right of compelling the fulfilment of the corresponding obligations. 

"But," it may be objected, in the language of Vattel, "a simple permission to carry on commerce with a nation, gives no perfect right to that commerce; for, if I merely and simply permit you to do any thing, I do not give you any right to do it afterwards in spite of me.—You may make use of my condescension as long as it lasts; but nothing prevents me from changing my will."* This proposition of Vattel's, guarded even as it is in its terms, must be taken, subject to considerable limitations. If nation A, by a long course of conduct in commercial intercourse, from which she has derived great advantages, leads nation B to form the reasonable presumption that she will continue such intercourse on equitable terms, on the strength of which, nation B goes to great expense, and incurs a heavy risk in constructing a permanent commercial establishment,—surely nation A can never be at liberty, in such a case as this, which can never be called a case of "mere simple permission," arbitrarily to "change her will!"

* Vattel, Book I. Chap. 8. Sect. 94.
It is a reasonable and salutary rule of our municipal law, that a party shall always be bound by his admissions, when they have been such as have induced a third party to alter his conduct;* and that as strong an admission may be implied from mere silence and acquiescence, whilst certain acts relating to the observing party's rights are being done, as could be founded on the most explicit declarations and acknowledgments.† These are maxims founded on common sense, on justice, on the fitness of things; and, as the observance of them, therefore, between man and man, is inculcated by our municipal law, so there is no reason whatever why they should not be equally beneficially

* Hearne v. Rogers, 9 B. & C. 577.

† See the cases of Jarratt v. Leonard, 2 Maule & Selwyn's Rep. 265. Morris v. Burdett, 1 Campbell's Rep. 218; and Starkie's Evidence, vol. ii. 37.—Thus, the member of a trade, the constant course of which is to give credit, cannot turn round upon his customer, and say, "I insist upon being paid in ready money." Our courts, in such a case, would answer, that the customer has a right to assume that he was dealing upon the usual terms. Again, according to the ordinary rule of English law, the member of a firm may, if he please, dissolve the partnership immediately, by his secession: but if long leases have been taken, and heavy expenses incurred for the accommodation of the firm, this rule is changed,—and the law then presumes that there was a binding though tacit agreement that the partnership should continue as long as the period specified for the continuance of the lease.—See Smith's Mercantile Law, p. 9.
applicable to nation and nation, which, as all jurists admit, are "moral persons, possessing an understanding and a will peculiar to themselves, and being susceptible of obligations."* Let us, now, apply these principles to the case of Great Britain and China.

From whatever motives, the Viceroy of Canton, so early as the year 1678, "invited the English to settle a factory there;"† and in 1806, we find the Emperor of China thus writing to his "reverently submissive tributary" the King of Great Britain:—"Your Majesty's Kingdom is at a remote distance beyond the seas, but is observant of its duties, and obedient to its laws; beholding from afar the glory of our Empire, and respectfully admiring the perfection of our Government. . . . . With regard to those of your Majesty's subjects who, for a long course of years, have been in the habit of trading to our Empire, we must observe to you, that our celestial Government regards all persons and nations with eyes of charity and benevolence, and always treats and considers your subjects with the utmost indulgence and affection. On their account, therefore, there can be no place or occasion for the exertions of your Majesty's Government."‡—There are many

* Vattel, Prelim. Sect. 1.
† Milburn, vol. ii. p. 408, 1st ed.
‡ Auber, 217-8.
indications of a similar disposition on the part of the Emperor of China towards the British traders, to be found in the history of our intercourse; but it is not necessary to cite them. It is sufficient for the argument, that from motives of convenience and advantage to his people, the Emperor has permitted us to trade with them for nearly a couple of centuries; and, jointly with ourselves, has organized a very extensive, costly, and effective machinery for carrying it on. Millions on millions have been thereby interchanged between the two nations; British capital, to an immense extent, has been embarked in the traffic; we are content to carry it on at a very great disadvantage,—compelled, for instance, as we are, to travel ten thousand miles thither and back again, and to incur all the risks of so many and such perilous voyages. Having done all this, with the knowledge and consent of the Chinese Government, we now deny their right abruptly and arbitrarily,—either directly and with violence, to expel us from China; or, equally effectually to attain that object, by imposing ruinous exactions, and inflicting such insults and degradations as would render it impossible for us, with a due regard either to individual or national honour, to continue our intercourse.

It is a sound and settled principle of law, applicable equally to nations and individuals,
that no one shall be permitted to do that indirectly, which it would be unlawful to do directly. Should, therefore, China attempt to pursue this latter course, she would sin against justice.* Is it excusable, on any principles of common equity, that the Chinese should be at liberty to continue our trade upon the precarious footing upon which it has long stood, and still stands;—that our ships, laden with most valuable cargoes, after a six months’ voyage, should be suddenly prohibited from entering the Canton river; and, when on the point of return, freighted with tea, after having paid all the enormous and dishonest duties exacted from them, should be forbidden to leave it, at the mere caprice of the local authorities, on grounds the most ridiculous and wicked?—A trumpery affray between a drunken Chinese and a foreign sailor; a thoughtless violation of some petty and often vexatious Chinese custom; a dispute between the Viceroy and some Hong Merchant, as to the amount of duties claimed;—and the whole trade is stopped:—‘‘whole fleets detained when on the point of sailing!’’† “In the situation in which trade is placed, it is liable to be interrupted at the ca-

* See a striking suggestion contained in the Narrative of Mr. Chapman. Appendix to Lords’ Rep. p. 264.
† Auber, p. 296.
price of one individual; and, should the Viceroy for the time being chance to be rather more ignorant, and, at the same time, more violent in disposition, than his predecessor, a complete interruption to the trade must inevitably ensue.”

Surely, conduct such as this amounts to a gross violation of the implied contract between the two nations;—one based, as we have seen, “on a tacit consent or convention of the nations that observe it towards each other.”† The authorities on national law agree that, in analogy to the regulations of municipal law, there must be a reasonable notification in point of time, of the intention not to be bound by this customary law.‡ “Any state, on giving notice that she chooses no longer to abide by a particular custom, may set it aside, provided the time that she selects for this notification be not where a case may have arisen, or be contemplated, upon which the custom would operate.”∥

Unless, therefore, we are to discard all principles of right reasoning and sound construction of the rights and liabilities existing between

* Second App., &c. p. 506.
‡ Id. Ibid.
∥ See 1 Chit. Commerc. Law, p. 29.
nations, we have abundant evidence to show that China has contracted—has imposed upon herself—the obligation of continuing to us a permission to trade with her, on fair and reasonable terms. "But," it is said, "there is no treaty—and in the absence of a treaty, there cannot exist any such obligation as that spoken of." It is true that there is no formal treaty solemnly and in so many words agreed upon between the two nations; that the Emperor chooses now to reject all attempts to procure one. Surely, however, we are warranted in contending, that in analogy to another regulation of our municipal law,—one of obvious reasonableness and utility,—e.g. a right of way over the ground of another, which after a certain number of years' use, confers by prescription, an indefeasible right to the enjoyment of that right of way, and is supported by the supposition of an original deed of grant of that easement;—the trade which the Emperors of China have suffered to be carried on for nearly a couple of centuries, may be reasonably presumed to have had its origin in a treaty—even of the most explicit and formal description. Let it be borne in mind again and again, that the advantages of this trade are not all on one side, but reciprocal—and have been acknowledged to be so, by China. It is mere trifling to talk of her being now at liberty to disregard the law of nations, on the ground of her having never
deigned to recognize it. She has been long too far committed by her conduct towards this country. We have already seen that in 1678 she invited us to settle a factory at Canton; the Emperor has himself personally—and repeatedly through his Viceroy—sanctioned our intercourse, and even laid down the terms on which it might be carried on. In 1715 the supercargoes stipulated for eight articles or conditions, according to which the trade might be carried on with China, and which were deliberately and solemnly conceded.* Passing over many other instances, we find, at length, a complete recognition of our trade, in the Chinese Government’s requisition to this country, in consequence of the meditated abolition of the East India Company’s charter,—calling upon us to send out forthwith to China “a chief,” [*i.e. a Superintendent,] whom the Canton authorities might recognize and deal with as such—and who, as we shall shortly see, was accordingly sent. And in the face of all this we are told that we are without any remedy, however injured or insulted by the Chinese—“for that they are in no wise bound to continue their intercourse one moment beyond what pleases them!” Is it not an outrage on common sense

* Nearly all of which, however,—as far as they were beneficial to us,—have been since abrogated.
and common honesty to hold that they ought to be at liberty thus to play fast and loose with us? They have an adequate "consideration," to adopt an English law-term, for entering into the contract, in the revenue they derive, and will derive at all times hereafter, from our trade—and their obligation is therefore complete. Let them occasionally indulge in what rhodomontade they will, in affected disdain of the benefits of trade, experience abundantly proves that they are as sensible of them as we are,—and, if need be, even prepared to make considerable sacrifices to secure its continuance. The compulsory removal of our trade would be followed almost immediately by infinite disorder in China: for is it likely that the people would quietly submit to the loss of so fruitful a source of employment and subsistence? "We beg to draw the attention of your Honourable Committee," say the Select Committee (24th Sept. 1814), "to the anxiety shewn to recall Sir George Staunton, as affording a proof that however the Chinese Government may declare in their edicts that no benefit arises to the Chinese Empire from the foreign trade, and that it is permitted only from pure benevolence; yet when endangered from their unjust proceedings, properly and firmly resisted, it will be found that they are most fully aware of the reciprocal advantages of commerce, and most anxious for its
preservation."* To say nothing, however, of prudential considerations on the part of the Emperor of China,—it must be conceded that he lies under a moral and political obligation to continue to us a commercial intercourse with his people, on equitable principles. Whoever grants to another a particular privilege, is considered also as conferring, by implication, all the means necessary for the complete enjoyment of it: and if it is clear that the Emperor of China is under an obligation to suffer our trade to continue, he is also bound to secure to us the means necessary for carrying it on with safety—subject, of course, to those laws and customs of the Empire which are not glaringly inconsistent with honour and good faith. But how stands the fact? We have already seen the President of the Select Committee complaining to the Court of Directors, in 1815, of the fearful extent to which the properties, liberties, and even lives of foreigners were in the power of the local authorities at Canton,—the arbitrary and reckless manner in which they exercise their irresponsible authorities; and similar language might be adopted in characterizing the conduct of the Chinese from that period up to the present. The trade is bowed down with the most grievous and increasing exactions; personal

Second Appendix, &c. p. 527.
liberty is constantly restricted within narrower limits.* Accusations—as we have seen—of the most disgusting and dreadful description are publicly preferred against our innocent countrymen, in formal proclamations and edicts, with the view of making them hateful to the lower orders of the Chinese.

"It is almost impossible," says Mr. Holman, "to convey to the reader an accurate idea of the insulting nature of these edicts, by any means short of printing them in full; but the indecencies to which they bear reference, and the gross language in which they are clothed, would render such a course reprehensible. In one of these proclamations they charge the British merchants with the worst description of levity and vice—and found upon this pretence, an excuse for depriving them of the use of native servants, whom they strictly forbid the local authorities to permit them to hire."†

* Occasionally the gentlemen land on the opposite side of the river for the pleasure of a walk; but in such cases they run the risk of being insulted and even assaulted by the natives, who follow them with coarse invectives, and often carry their hostility so far as to throw stones at them. Whenever they leave their boats, they seldom escape injury, and even on the river, in passing, the rude and audacious natives will sometimes fling stones and missiles at the foreigners.—Holman, vol. iv. p. 74.

"The Chinese assault either the ships, or their boats"—say the Select Committee, in 1823—"and when they meet with a return, demand large sums of money for wounds!—by working on our timidity to offend the recent imperial edict on the subject of the liability of foreigners to suffer death, even though the hazard of their own lives requires their defence. The success which their extortions have occasionally met with, invites the return of new assaults. That all ranks of Chinese are sensible of our situation in this respect, is too clearly evinced by the perpetrating of such dangerous impositions by many in a very low class of life; and the reward that success in their demands sometimes affords, is a sufficient inducement to attempt it, without any consideration as to the result—occasioning consequences the most prejudicial to the commerce, and even the lives of foreigners."

Again, in the same year, we find the Select Committee continuing their complaints:—

"Thus we see our situation, clearly made responsible for the acts of between two and three thousand individuals who are daily coming in contact with the lowest of the Chinese, and exposed to assaults so wanton, and often so barbarous, as well as to robberies so extensive, that

* Second Appendix, &c. p. 567.
self-defence imposes upon them the necessity of attacking their assailants in a manner from which death must often ensue. A great and important commerce is instantly suspended—whole fleets, at times detained—ourselves liable to seizure—and to be the medium of surrendering a man to death whose crime is only self-defence, or obedience to orders, or else to lend ourselves to the most detestable falsehoods, in order to support a fabricated statement which may save the credit of the officers of the China Government. Can the Honourable Company wish their servants and their trade to remain in this degraded—this dangerous situation?"* It would be an easy matter, alas! to swell the catalogue of such grievances. They meet the eye of the inquirer at every page of the documents relating to Anglo-Chinese affairs; and are calculated to make one’s heart swell at once with astonishment at the supineness of the British Government, and with indignation at the audacious and unprincipled conduct of the Chinese. At the moment that generous and flattering speeches concerning foreigners are flowing from the royal lips, at Pekin, those unoffending and too-confiding foreigners are subjected to the most systematic oppression at Canton! Their persons and properties are placed in perpetual

* Auber, 293-4.
jeopardy; their characters are defamed, in terms insufferable even to be thought of; a series of petty personal provocations and annoyances is kept up unceasingly; the laws of nature are outraged—for their wives are separated from their husbands,* and compelled to reside eighty miles off—at Macao—an insult perfectly gratuitous; the laws of China are forbidden to be appealed to; the regulations of trade are so contrived as to secure the most grievous and increasing impositions; the whole trade is stopped in the most capricious and injurious manner; and, under all these circumstances, how can a British merchant continue to carry on his commercial pursuits at Canton, but at the sacrifice of his personal safety and self-respect? Where is there to be found any law, either of nature or nations, justifying such a state of things as this? There is, as Lord Mansfield used to say, no magic in words—and we must recollect that the "law of nations" is but "the just and rational application of the law of nature to the affairs and conduct of nations"†—and that it is a fundamental maxim of that "natural law, that it is the duty of nations to fulfil their engagements,

* In this respect British merchants in China are worse off than were even our West Indian slaves, who were protected by act of parliament from such a refinement in persecution as the compulsory separation of wives from their husbands.
† Vattel, Preface—prope initium.
whether express or tacit."* China is a large and fortunate branch of the great family of mankind,—but she is not therefore exempt from the obligations of that law which God himself has prescribed for the conduct of his creatures. Is the avalanche less subject to the law of gravitation, than the minute particles that may happen to be detached in its descent? In vain shall China attempt, much longer, to insist upon such selfish and unnatural pretensions and immunities; there are those upon the earth who will not tolerate her arrogance, or wickedness; who will rise and resent those injuries which we have meanly submitted to for centuries.†

Is, then, the trade of China to be continued, and on terms consistent with the honour of the British nation? If the voice of Great Britain answer this question in the affirmative, a very different tone and style of policy must be forthwith assumed, from that which has hitherto so unfortunately been adopted. Great as are the

* Vattel, Preface, p. xvi.
† The Chinese have, on various occasions, fully recognised the obligations of the law of nations. The ambassadors of Shah Rokh Mirza had brought as a present to the Emperor, a noble horse, which, unfortunately, threw the Emperor in hunting. That great and just personage ordered the ambassadors to be loaded with chains. Their death even was apprehended, but the Emperor pardoned them, yielding to the entreaties of his ministers, who represented to him the disgrace of violating the law of nations, in the person of an ambassador.—See Auber, p. 72.
sacrifices we have made to secure this valuable trade, long as we have carried it on, important as are the relations and responsibilities it has entailed upon us, we should forfeit for ever our character in the society of nations, whose eyes are upon our movements in this matter,—were we, on light grounds, now to succumb to the Chinese,—to be bullied and terrified by their absurd swagger and airs of intimidation, into a surrender of our just and hard-earned rights and privileges. At the present moment these considerations press upon us with uncommon force. Having seen fit recently to alter altogether our system of commercial intercourse with China,—a measure which must be presumed to have been thoroughly and wisely considered before it was adopted,—we shall become the laughing-stock of the world, if the direct effect of our elaborate legislation be, either to shut us out altogether from China, or place our intercourse upon an infinitely more precarious, oppressive, and ignominious footing than ever,—as will infallibly be the result, if we be not now fully alive to the nature of our claims upon China, and prepared to assert them with resolution and vigour. Is there any one who doubts the justice of these observations? Let him meditate upon a recent illustration of their truth,—the melancholy and most humiliating reception and fate of Lord Napier! The death of that nobleman,—the
insult offered, through his person, to the King of Great Britain,—is yet unavenged! Not a syllable of remonstrance or of threat has it yet called forth from the British Government! Surely this outrageous transaction cannot be duly known or appreciated in this country.

Lord Napier was sent out to China at the express instance of the Chinese Government.*

In 1831, the Viceroy of Canton stated, in an edict, issued with reference to the change which he understood as likely to take place in the mode of carrying on the British trade:

"I hereby issue an order to the Hong Merchants, that they forthwith enjoin my command on the said nation's Chief, early to send a letter home, that if, indeed, after the thirteenth year of Taou Kwang, the Company be dissolved, it will, as heretofore, be incumbent to deliberate and appoint a chief who understands the business, to come to Canton, for the general management of the commercial dealings; by which means affairs may be prevented from going to confusion, and benefits remain to commerce."

His Lordship was ordered by our Government.

* The Order in Council (9th December, 1833,) referring to this circumstance, stated, "that it was expedient that effect should be given to such reasonable demands of the Chinese Government." This is as it should be. Would that it might be considered as an intimation that henceforth this country would acquiesce only in the "reasonable" demands of the Chinese.

† Auber, p. 335.
to reside within the limits of the port of Canton and not elsewhere. On his arrival at Canton, the Viceroy refused to receive his letter, announcing his mission, unless it were sent through the Hong Merchants,—a step which Lord Napier, for sufficient reasons, declined to adopt. His right to proceed to Canton, without an express permit, was disputed, though European boats had for years past been permitted to do so, without any necessity for such a document. After three or four weeks' negotiation on this point, all British trade was stopped from the 16th August till the 27th of September, to the grievous injury of the British merchants having valuable cargoes then in port, and waiting at the mouth of the Canton river, till permitted to enter the port. During this period, the Chinese went the length of interdicting all supply of provisions to Lord Napier, and cut off his communication with the ships of war. His health, under these harassing circumstances, began to suffer to such a degree, that it became necessary to remove him from Canton,—the only means of effecting which, was in a Chinese boat, provided by the Government, who wantonly detained the dying Nobleman five days on the passage from Canton to Macao, ordinarily accomplished in two days, subjecting him, at the same time, to other indignities and cruelties; under the combined effects of which he sunk, and expired
shortly afterwards at Macao. Such was the audacious treatment experienced at the hands of the Chinese, of the representative of the King of Great Britain,—despatched at the express instance of the Chinese! Such the insults offered to the British nation, and submitted to in meekness and silence!* Such is an indication of the spirit which animates the Chinese towards the British traders, at the present important conjuncture,—such the degraded and insecure position occupied by the latter! What insult or injury is there which the Chinese may not, after this, consider themselves capable of inflicting upon the British trader, with impunity? What must be their opinion of the spirit of Great Britain, indeed so "reverently submissive," to conduct so audacious as this? Dropping, however, for a moment, all considerations as to the decency—the policy of such submis-

* "It may afford an useful illustration of the insolence of the Chinese authorities, and their impudent bravado," says Mr. Holman, "to add, that an edict was issued by the Emperor, when he received the Report of the Governor, (in which all the circumstances relating to the affair of Lord Napier were detailed in a most distorted manner, and in a style at once false and exaggerated), ordering that part of the honours which the Governor and his officers had been deprived of for their previous neglect, should now be restored to them, for the course they had taken; but particularly for "having driven the barbarian eye (Lord Napier) and others out of the port!"—Holman's Voy. vol. iv. p. 176.
sion and acquiescence with reference to the national honour, let us inquire what will be its direct effect upon the position and interests of the trade. It is impossible to foresee to what lengths of outrage and oppression the Canton authorities may be emboldened to proceed, should their unwarrantable treatment of His Majesty's representative be permitted to pass without even a show of remonstrance: the consequence of which, it is but too probable, would soon be developed in such a systematic aggravation of existing evils, as would lead to constant collisions and stoppage of trade. When these interruptions occurred during the East India Company's monopoly, their united influence and capital enabled them sometimes to make a stand against the Chinese, and to sustain the heavy commercial losses attendant on the struggle. Widely different, however, would be the case under present circumstances; when the free traders, pursuing each his separate and disunited view, and having no common head recognized by the Chinese, must fall a sacrifice, in detail, to their well-combined machinations. There is, indeed, a painful probability of these apprehensions being realized, unless the British Government bestir itself betimes in the matter. If the Chinese seize upon the present moment,—the present critical position of our commercial relations,—to inflict any injury upon our traders.
that avarice and insolence combined can dictate, surely it is, correspondingly, the duty of our Government, at the same trying moment, to make a firm and decisive demonstration in favour of our oppressed fellow-subjects at Canton. Surely it should be the pride, as it is certainly the interest and duty, of a wise Government to preserve, as well as to extend the commercial advantages which may have been acquired by the energy and enterprise of its people. "The prince," says the illustrious commentator upon the laws of England, "is always under a constant tie to protect his natural-born subjects at all times and in all places;"* more especially when they are engaged in so vast a national enterprise as that of the China trade, and that in the manner and on the system specially appointed by their Government. A heedless, timorous, or temporizing policy now adopted towards such a people as the Chinese, who have recently evinced such symptoms of contempt and injustice towards us, would not only be attended with the most destructive consequences to the trade, but reflect intense dishonour upon the national character,—inviting additional aggression. Even the peaceful, pliant and conciliatory Directors of the East India Company ventured more than once to hint their right to

resent the injurious conduct of the Chinese. "If the Chinese Government," said the Court of Directors in 1816, "were, in an unfriendly inhospitable spirit, by inequitable conduct to force to a close a pacific intercourse which has subsisted so long, and in which this country has embarked so great a capital, it could hardly fail to resent such a harsh and injurious proceeding."* Two years afterwards, we find them roused for a moment from their lethargy by some fresh recital of grievances, and intimating, "that they were not in any degree inclined to surrender or abandon the immunities and privileges hitherto enjoyed by our factory, and to which the imperial edicts have recognized our just claims!"†

Why then should not the British Government appear promptly and decisively in support of such interests as are at stake, even, if necessary, to a degree of sternness, in the assertion of our rights against such lawless invasion? "Because,"—say the East India Company, and those who adopt their mode of thinking,—"it may throw the Emperor into a sublime sulk, and that would lead to our sudden and final exclusion from their commerce." This answer, before alluded to, first of all admits most unwarrantably that we have not hitherto

* Auber, p. 257.  
† Ibid. 280.
acquired any rights against the Chinese, which is directly at variance with the above-cited declarations of the Directors themselves in their despatches in 1816 and 1818;—secondly, that so do we value the tea-trade that we are willing to carry it on under all possible disadvantageous and dishonourable terms; or, lastly, that having a valid right, on the principles of moral and international law, we have not the power or spirit to assert that right. The first and second of these fallacies have already, it is hoped, been disposed of. If we are, as a nation, afraid to look boldly and steadily at the real position we occupy, or have a right to occupy—in truth, the less worthy are we of retaining possession of its advantages. If we will absurdly and pusillanimously go out of our way to hunt after subtle and far-fetched pleas for abandoning or restricting our rights, disregarding the great and universal principles of national law, which really support those rights,—we had better at once act up to our principles, and commence our descent from the position we at present occupy in the scale of nations!

Granting that we have just and substantial rights to vindicate against the Chinese,—that these rights are so important as that the assertion of them becomes a matter of capital importance to us in a national point of view,—that
we have the means to assert those rights, and the inclination to adopt those means,—what is the obstacle? Are the Chinese so formidable in a warlike point of view, so determined of purpose, united in action, and skilful in council, as to render it inexpedient to adopt the necessary measures, however desirable?

Every one whose opinion is worth consulting, who has had due opportunity for observation, and gives his evidence in an unbiassed manner, assures us that the Chinese, however disposed to adopt a magnificent style of language, are much more apt to waste the idle artillery of words in official interdiction, than to resort to serious and really threatening measures in assertion of their rights. It is indeed, with them, invariably—a flourish of trumpets, and enter Tom Thumb! Listen to the marvellous language adopted by the Viceroy (27th October, 1830), in addressing our Committee.

"The celestial Empire benevolently nourishes, righteously rectifies, and gloriously magnifies a vast forbearance. How is it possible that for driblets of men in a petty—petty barbarian factory,‡ troops should be moved to exterminate!!! [sic.]" But the said Chief, and others, could not explain this intention (in the

* "It is impossible," says the Translator, "by the word foreign (le) to give the spirit of this sentence."
Hong Merchants’ threat); they stupidly listen to the teaching of traitorous persons, and forthwith presumed, in opposition to inhibitions, to order guns and arms to be brought up, and arrayed them at the door of their factory. This is still more wild and erroneous. Only try to think—if indeed the said foreigners had among them an illegality of a very important nature—I, the Governor, would instantly fly to report to the Emperor, and the Government troops would gather together like clouds, exterminate them, and leave a perfect vacuum!!! How could their guns and arms they have brought, presume to oppose such a force?”* Is this the sort of fulmination at which Britain must turn pale?

The Chinese will at one moment adopt language pregnant with direful import, and, at the next, if encountered by even a show of serious resistance, sink into the most ignominious submission, and resort to ridiculous subterfuges, in order to escape from the consequences of their own folly and audacity.† “I have always entertained but one opinion,” says that shrewd and candid observer, Mr. Holman, “in reference to our connexion with, and policy towards China. We have treated them with too much forbearance; they have all the braggart, as well as all the recreant qualities of cowardice in

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* Second Appendix, &c. p. 422.  † Ibid. p. 457.
their nature. If we were to make a decided demonstration of hostility, we should speedily obtain all that we require at their hands. A few British men-of-war would shatter the flimsy armaments of China with as much facility as our presence, even in slight numbers, and without power, keeps their vagabond multitudes in check, in the suburbs of Canton.”* And again—“They are uniformly overbearing and insulting to all those who happen to be in their power, but cringing and abject to those who exhibit a determination to resist them.”†

The Emperor of China has, in truth, neither the inclination nor the power to resort to hostile measures, in order to destroy our trade, or banish us from his territories, if he saw us disposed to offer a serious resistance. He is far too sensible of our importance—of his weakness, and our strength,—even in spite of the artful and iniquitous means adopted by the local authorities to keep him in the dark as to the real state of his relations with this country, by forbidding, intercepting, and falsifying all our attempted communications. It is to further such mischievous purposes as these that they forbid our acquisition of their language, and deny us access to the higher and supreme authorities. The

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* Holman, Voy. & Tr. vol. iv. p. 109.  † Id. ib. 68.
wide-spread corruption* and utter imbecility existing in his empire,†—the general poverty of his people,—are too painfully apparent to the Court at Pekin to admit of its sanctioning a breach, and resort to extreme measures, with so powerful a nation as the British. It is as much as they can do to conceal "the rottenness in the state of Denmark" behind a glaring grandiloquence. A glimpse of one or two of our men-of-war stationed off the north-eastern coast of China,

* "The Chinese, impenetrable to every thing else, are never impenetrable to bribery. They are the most corrupt people on the face of the earth. I really believe that China might be purchased out and out, if a largess sufficiently great could be procured."—Holman, vol. iv. p. 63.

† The following circumstance related by Mr. Holman, will illustrate the truth of this observation. Every one knows the great exertions of the Chinese Government to prevent the importation of opium; see the power they have to carry their decisions into effect! "Friday, October 15th, 1830.—Some friends of mine, who were returning from Whampoa to-day, saw a very amusing fight upon the river between two mandarins’ boats and a smuggler. One of the former fired a gun at the latter, which was immediately returned, although he was making off; and as he pulled fifty oars, assisted by his sails, he soon distanced his pursuers. Meeting, however, three boats of his own calling, he joined them, and they all drew up in line to give regular battle to the mandarins! The plan of the smugglers was a little curious. It being flood tide, they formed their line across the river, above the mandarins’ boats; they then brought their carriage guns to their
would send a thrill of consternation through the whole empire, and do more to incline the Chinese to listen to the dictates of reason and justice than centuries of "temporizing" and submission to insult and oppression. Experience ought by this time to have shewn us that it is a foolish and useless policy to attempt to gain the confidence of the Chinese by exhibiting, as was constantly enjoined by the East India Company, a servile deference to their innumerable and absurd peculiarities and customs. An ob-

sterns, wetted their boarding nettings, to prevent them from catching fire, (which were all ready to trace up), and, presenting their sterns, they pulled in that position towards the mandarins' boats, which, however, were glad enough to make a precipitate retreat. Thus, in open day, only a few miles below Canton, four smugglers resisted with impunity the Government of the country!"—And all this, too, after "an edict of the Emperor had been published, ordering the local authorities to exercise all their power to prevent the growth and importation of the poppy."—"Tremble," said the poor Emperor, "and obey!"—Holm., vol. iv. p. 89—92.

It would be easy to multiply such instances of the wretched imbecility of the Chinese Government. One more must suffice. "Notwithstanding there is a rigid prohibition against Chinese books being sold to foreigners, Professor Newmann found no difficulty in procuring all that he desired to obtain; and to prevent their being seized on their way to the ship, he paid a stipulated sum, for each case, to the mandarin, who betrayed the trust to his government so openly, that he actually sent some of his men to pack them at the Professor's lodgings!"—Id. ib. p. 46, (n).
servance of very many, if not most of them, is inconsistent with the free spirit—the sense of what is due to self-respect—of the enlightened nations of Europe. Hateful, indeed, is—or ought to be—the idea of smothering or compromising such feelings, from considerations of mere traffic and gain.* "The free and high-

* The following is a very remarkable instance at once of Chinese folly and wickedness; and affords a lively specimen of the character of the people whose manners and requisitions the East India Company required their representatives in all things to respect and observe:—"Some time ago an affray occurred at Kum-sing Moon, in which a foreigner was deliberately murdered by three or four natives, who overpowered him in the affray; and to conceal the murder, instead of burying the body, they cut it to pieces, carried it in a fishing boat out to the roads, and cast it into the sea. This statement was obtained from their own confession; no remnant of the man was ever found. On the other side, a native was wounded in the posterior with small shot, the parts mortified, and he died within twenty or thirty days. The local government caught the natives who wounded the foreigner, and they demanded that the foreigner who fired the shot, which wounded and caused the death of the native, should be found and delivered up to them. With this demand it was not practicable to comply. Week after week they reiterated the order to have the "foreign murderer," as they called him, delivered up. At last, despairing of compliance, Government has connived at a Hong Merchant, a leader among that responsible body, having, for 400 or 500 dollars, bribed some ignorant half-foreigner, about Macao, to personate the foreign murderer, and have put this confession into his mouth, in order that his life may be safe, and he be banished from China, after
minded nations of Europe," says the calm and philosophic Malte Brun, "will never admit the arrangements of a tyrannical police, the annoyance of a childish etiquette, and the 'great walls,' which have been erected for interrupting the communications of the human mind."* The

the farce of trial and report to the Emperor shall be gone through. This is the purport of the confession which the Chinese admire for its ingenuity. — 'The foreigner who was killed at Kum-sing Moon, was my elder brother. When I saw the natives murdering him, I ran up, and stood forward to rescue him, at which moment a fowling-piece, I had fastened to my back, went off, and shot the native, who has since died. We two brothers were the only children of an old mother, who has now no one to take care of her. I beg for mercy, that I may return home and wait on my mother in her old age.'

"These circumstances were intended to be kept secret from foreigners, but common fame and some tell-tale divulged them. The foreigners protested to the Governor of Canton against an innocent man being thus implicated, although by his own ignorance and folly. The Governor has over and over again denied the man's innocence, but says the man has delivered himself up, in which there is some merit, and has confessed the facts, which will save his life, inasmuch as the deed was purely accidental, quite unintentional,—therefore he will not be required to forfeit his life. All this the governor, the judge, the Kwang-chow-foo, and other mandarins concerned, as well as the foreign and native public, know is perfectly untrue; but with this fiction of law they are proceeding, and have reported to Peking in substance as above, and are now waiting, with the man in confinement, for the Emperor's answer. The man was subsequently liberated unhurt."—Holman, vol. iv. p. 164—6.

time for attending to such trifles has passed away, as have occupied so much of the anxious attention of the East India Company and its local representatives. Is it not revolting to common sense and common humanity, to think that the mere appearance of an English lady at Canton—that lady the wife of Mr. Baynes, our first resident merchant,—that an English invalid's venturing to use a sedan, the common conveyance among the respectable Chinese,—has each of them led to the most alarming and protracted misunderstandings—to insulting "Orders" and "Edicts"—to threats of suspending the whole British trade—to negotiations and correspondence of a long and most harassing description? Yet such have been the facts!* It is repeated that graver considerations must henceforth occupy the attention of those who carry on the trade with China, and a sterner spirit be exhibited in enforcing the claims of reason and justice. If we should unfortunately find the Chinese turn a deaf ear to all our remonstrances, and bent upon continuing in full force the galling system of imposition and insult from which they have so long reaped so rich a harvest; if, above all, they should presume to inflict upon us so vast an injury as the

* See Auber, passim, and Second Appendix, Paper A, pp. 407—8, 446.
interdiction of our trade (which is of all things the most improbable): then will have arrived the time when our Sovereign would be bound—bound by the duty he owes his subjects, and authorized by the law of nations—to interfere on their behalf, and protect them from such grievous injuries. This he might do, in the first instance, by issuing letters of marque and reprisal, "which are grantable by the law of nations whenever the subjects of one state are oppressed and injured by those of another, and justice is denied by that state to which the oppressor belongs."*

The Emperor of China, by ratifying the acts of the local authorities in their outrageous treatment of Lord Napier, has rendered himself responsible for such treatment; it has "become a public concern, and the injured party is to consider the nation as the real author of the injury, of which the citizen was only the instrument."† Surely we should be able to show, before proceeding to such extremities, that we have "ineffectually demanded justice, or that we have every reason to believe that it would be in vain for us to demand it."‡ "Justice is refused,"

* 1 Bla. Com. bk. i. c. 7. p. 258.
† Vattel, Book ii. c. 6. § 74.
‡ Vattel, Book ii. c. 18. § 343; Grotius, De J. Belli ac Pace, Book ii. c. 2. §§ 4-5.
says Vattel, "in several ways: first, by a denial of justice, properly so called—or by a refusal to hear your complaints or those of your subjects, or to admit them to establish their rights before the ordinary tribunals."* If this latter be, in the opinion of an enlightened writer on international law, of itself a sufficient cause for the granting of letters of marque and reprisals,—what abundant cause exists for resorting to the same measures, in the accumulated wrongs which the Chinese have already heaped, and still threaten to heap, upon the subjects of Great Britain! If China chooses to follow up the insult she has offered to us in the person of Lord Napier, by abruptly excluding us from her trade—by breaking the agreement which her own conduct, as well as ours, shows to have been in existence for more than a century, surely we may adopt the language of the Court of Directors, in 1816, and say, that "we could hardly fail to resent so harsh and injurious a proceeding."† A ship of the line, together with a couple of frigates and three or four sloops, would suffice—we are told,‡ "to put a stop to the greater part of the external and internal commerce of the Chinese Empire—to intercept

* Vattel, Book ii. c. 18. § 350.
† Ante, p. 19.
‡ See "Petition of the British subjects at Canton to the King in Council."
its revenues in their progress to the capital, and take possession of all the armed vessels of the country.” There is another way, says Mr. Holman, of bringing the Chinese to their senses.

“If Great Britain were to take possession of Macao, garrison it with native troops from Bengal, and declare it a free port, it would be one of the most flourishing places in the East.” In this opinion, however, this intelligent traveller has been misinformed, for Macao would be worse than useless to Great Britain, owing to the humiliating tenure on which it is held from the Chinese, and its want of a suitable anchorage for any but vessels of the smaller class. If any island is taken possession of, it should be in a central part of China,—Chusan for instance, as suggested by Sir James Urmston, formerly chief of the Company’s factory. Then indeed might we hope to see it become one of the most flourishing places in the East; “for,” continues Mr. Holman, “the Chinese are so fond of smuggling, that they would not hesitate to trade with foreigners if they could be assured of receiving protection; and there is no doubt that they would use all those arts of bribery with their own countrymen, which would be necessary to promote their own ends, and which are so irresistible to the equivocal integrity of the Chinese. By these
means, therefore, there is not a doubt that a very extensive and productive trade might be established with China, and very important advantages secured to the British nation. When these facts are so self-evident," well may the writer add, "it is wonderful that some measures have not been taken to secure the commerce and to protect the merchants from the insults and obstacles which are now so much complained of, as well as to lower the bullying and imperative tone which the Chinese at present think fit to adopt in all their mercantile transactions."*

The British merchants trading at Canton desire, however, neither to contemplate nor to suggest a resort to such extreme measures, unless forced upon us by the failure of more peaceful means. Their inclinations, as well as their interests, incline them to be men of peace. They are satisfied that their interests—that is, the interests of the nation—may be effectually secured without it, and that our commercial intercourse with China may be easily, speedily, and peaceably placed upon an honourable and secure footing. Great Britain need show herself to the Chinese, not in a threatening, but simply a resolute attitude, in order to secure that grand desideratum,—a direct access to the

court at Pekin; where such cogent representations might be made to the Emperor,—such a demonstration of the weak and embarrassed state of his kingdom, of the solid and permanent advantages he may reap by conceding our few and reasonable demands, and the serious consequences of persisting in an obstinate and insolent disregard of them, as would, in all human probability, lead to the happiest results. Could the Emperor but be made to see that his brother monarch of Great Britain—the King of a great and independent nation—was perfectly in earnest about the matter,—that at length he was tired of the tyranny and injustice to which his subjects at Canton have been so long subject, and resolved upon obtaining satisfaction for the deep insult offered to him through his representative Lord Napier;—the whole history of China shows that the Emperor would not be long in deciding which of the alternatives to adopt, or finding a suitable and stately pretext for making the requisite concessions. We desire him to drop for ever the arrogant and offensive language so long adopted by himself and his ministers, in speaking of the King of Great Britain and his subjects; to give reparation for the fatal insults offered to Lord Napier, and to the national honour, in firing at her flag,—as well as remuneration for the losses we sustained by the detention of our ships during the stoppage of our
trade on that occasion; to extend to our fellow-subjects at Canton the full protection of the Chinese laws; to forbid the longer infliction by the local authorities of the intolerable indignities and impositions under which our traders have so long suffered, and to accede to commercial arrangements that may be reasonable and mutually beneficial. This is the short sum of all that it is desired our Government should demand from that of China. The honour and interests of the country equally require it. It is ignorant trifling to talk of "treating the ro-domontade and verbiage of the Chinese with the contempt it deserves." It cannot be denied that, as stated by the Canton merchants, in their "Petition" to the King in Council, "the disabilities and restrictions under which our commerce now labours, may be traced to a long acquiescence in the arrogant assumption of supremacy over the people and monarchs of other countries, claimed by the Emperor of China for himself and his subjects;"—and that "they are forced to conclude, that no essentially beneficial result can be expected to arise out of negotiations in which such pretensions are not decidedly repelled." . . . "That they most seriously apprehend that the least concession or waiving of this point, under present circumstances, could not fail to leave us as much as
ever subject to a repetition of the injuries of which we have now to complain.” It might have been deemed politic, in our early intercourse with the Chinese, to acquiesce in their assumptions—to pass over their vain-glorious and bombastic phraseology, or treat it as an amusing absurdity. We had then to gain a footing where we had not a tittle of claim even to be tolerated on or near their shores; where we were strictly “tenants by sufferance,”—and besides, could not have contemplated the effects such acquiescence would have produced practically upon their treatment of us. Now, however, circumstances are indeed changed. We have learned by the severe experience of two centuries, the truth of the representations above made; and may depend upon it, that so long as the Chinese find us tolerate their styling our King “a reverently submissive tributary” and his subjects “profligate barbarians”—they will treat us accordingly. Hence the absolute necessity of demanding the discontinuance of such language—even supposing it to be consistent with the dignity and honour of Great Britain to submit to the degradation of carrying on trade upon such terms.

So far back as the year 1815, we find the President of the Select Committee at Canton—Mr. Elphinstone,—thus indicating, to the Court
of Directors, the most advisable course then to pursue, in order to remedy evils of which we have now even far greater cause to complain:—

"There appears to me no mode so likely to prevent these injurious consequences (i.e. "an entire stoppage of the trade with China,") as that of establishing a direct and frequent communication between the two governments. Missions on a far more moderate scale than the former embassy may prove fully as efficacious. No particular act or appearance of favour or concession need be expected from the Chinese Government. The beneficial effects will be, in placing the British nation on a more respectable footing with respect to China; and their frequent communications, independent of the superior advantage an embassy will now possess—of English interpreters—will prove to the provincial authorities, that remonstrances can be conveyed to Pekin."* Following up this suggestion, and profiting by subsequent experience—carefully considering, moreover, the very peculiar position of affairs at the present conjuncture, it is submitted that his Majesty's Government would act wisely in adopting the suggestions of the present Canton merchants: who, after "lamenting that such authority to negotiate, and force to protect from insult, as the

* Second Appendix, &c. pp. 503-4.
occasion demanded, were not entrusted to his Majesty's Commissioners," — and expressing their "confidence, without a shadow of doubt, that had the requisite power, properly sustained by an armed force, been possessed by Lord Napier" they would not now have "to deplore the degraded and insecure position in which they are placed, in consequence of the representative of our Sovereign having been compelled to retire from Canton, without having authority to offer any remonstrance to the Supreme Government, or to make a demonstration of a resolution to obtain reparation at once for the insults heaped upon him by the local authorities,"—humbly pray—

"That his Majesty would be pleased to grant powers plenipotentiary to such person of suitable rank, discretion, and diplomatic experience, as his Majesty in his wisdom might think fit and proper to be entrusted with such authority: and that he should be directed to proceed to a convenient station on the Eastern coast of China, as near to the capital of the country as might be found most expedient, in one of his Majesty's ships of the line, attended by a sufficient maritime force, which—they are of opinion—need not consist of more than two frigates, and three or four armed vessels of light draft, together with a steam vessel, all fully manned;"—and that he might be thus placed in
a position to demand the reparations and concessions above suggested. Scarcely any additional expense—if that could be an object in such an affair as this—need be incurred by this country, in adopting this course of policy; since the costly establishment which, in consequence of their exclusion from Canton, we are now maintaining (with hardly any functions to exercise) at Macao,—may be greatly reduced; and our Indian squadron, already in commission, might be directed to cruize as a fleet of observation along the coasts of China, instead of lying at some of the Indian ports, which are usually found very unhealthy to their crews. If the occasion should not be deemed to require in the first instance, the services of a special plenipotentiary, the Admiral might be charged with a letter from our Government, to the Emperor, referring to the manner in which Lord Napier was received and treated, as a reason for desiring a communication with his Imperial Majesty, with a view to come to an understanding on this painful subject, as well as on the grievances from which the trade is suffering.*

Any attempt to renew negotiations at Canton

* The harbour of Amoy, in Fokien, from its depth of water, facility of access, and sheltered position, is admirably adapted to afford a secure anchorage for his Majesty’s ships, even of the largest size.
should be avoided; since, besides involving the probable consequence of a suspension of the trade—as happened in the case of Lord Napier—it would be sure to prove useless, from the circumstance of the local officers of that province not being authorised by their own government to treat with foreign powers: while they are, at the same time, the parties against whose wrong-doing it is especially wished to appeal. The establishment of the Hong Merchants is one of the most artful and successful engines of oppression and extortion that was ever devised. They are the only medium through which foreigners can carry on trade with the Chinese empire; and have a very obvious motive for making mischief when they have the opportunity, between their superiors and the foreign traders; i.e., their jealousy of foreign merchants, and fears least they should become too powerful and wealthy, and at length supersede themselves. "The Hong Merchants," say the Select Committee, (1st January, 1831,) "have, unhappily, ever been jealous of the concession of any privileges which add to the respectability of foreign residents. They proceed also upon the principle, that the greater the depressed state of foreigners, the less likely is their own responsibility to be involved."* The tremendous liabilities of the Hong

* Second Appendix, &c. p. 445.
Merchants, also render it, in a manner, absolutely necessary for them to inflict incessant impositions upon the foreign traders. As an instance of this it may be stated, that the whole expense of the immense preparations recently made by the local government to oppose the expected advance towards Canton of his Majesty's frigates, after they had passed the Bogne, has been extorted from the Hong Merchants; and as but a few of them are really solvent, the only means of meeting such a demand is—combining to tax both the import and the export trade!

If, finally, his Majesty should see fit to adopt the above suggestions, there remains one observation—already alluded to—to be most respectfully pressed upon the attention of ministers;—that our plenipotentiary should be clothed with sufficient powers to enforce, if necessary, the assertion of our rights. It is an acknowledged maxim in all negotiations, that the surest preventive of war is an unequivocal manifestation of our being neither unable nor unprepared, on its becoming necessary, to resort to it. The moment our negotiator lets it be perceived that he is precluded by his instructions from adopting such a course, whether to protect the rights of our merchants, or vindicate the respect due to his official character, he may be assured that all his arguments will prove unavailing and can tend only to betray his weakness; while, it is
equally certain that the acute policy of the Chinese will, at the very outset, be invariably exerted to make him develope under what instructions he is acting; what are the limits to his sufferance, and what the extent of his powers to retaliate in case of insult or injury. This they will soon bring to light, by such a studied system of privation and disrespect, as shall compel him to show his strength, if he have any, or wanting this, to flounder through a course of alternate opposition and unavoidable submission, which cannot do otherwise than end in his defeat.

Such, then, is the present state of our commercial relations with China. Such are the principal sources of our present grievances; such our prospects and opportunities; such, in short, the claims of the British Merchants at Canton; such the duties of the British Government. The time has arrived when a decisive step must be taken. We must, at once, make up our minds either to abandon for ever our dear-bought commercial intercourse with China, or take effectual measures for securing its continuance, and that upon a safe, advantageous, honourable, and permanent footing. We must resolve upon vindicating our insulted honour as a nation, and protecting the injured interests of our commerce—or, in the face of Europe,—with "all appliances and means to boot"—fully sensible of the
magnitude of the interests at stake, as well as the ease with which they may be protected and perpetuated—humble ourselves, nevertheless, in ignominious submission, at the feet of the most insolent, the most ungrateful, the most pusillanimous people upon earth.