

1904.
NEW ZEALAND.

PUBLIC PETITIONS A TO L COMMITTEE:

REPORTS ON THE PETITIONS OF LOUIS KITT AND 4 OTHERS (NOS. 20 AND 21), TOGETHER
WITH PETITIONS AND MINUTES OF EVIDENCE.

(MR. WALTER SYMES, CHAIRMAN.)

Brought up on the 19th August, 1904, and ordered to be printed.

ORDERS OF REFERENCE.

Extracts from the Journals of the House of Representatives.

THURSDAY, THE 30TH DAY OF JUNE, 1904.

Ordered, "That a Public Petitions A to L Committee, consisting of ten members, be appointed to consider all petitions that may be referred to it by the Petitions Classification Committee, to classify and prepare abstracts of such petitions in such form and manner as shall appear to it best suited to convey to this House all requisite information respecting their contents, and to report the same from time to time to this House, and to have power to report its opinions and observations thereupon to this House; also to have power to call for persons and papers; three to form a quorum: the Committee to consist of Mr. Hall, Mr. Hardy, Mr. Lang, Mr. Lawry, Mr. R. McKenzie, Mr. Remington, Mr. Symes, Mr. Taylor, Mr. Wood, and the mover."—(Hon. Mr. MILLS.)

TUESDAY, THE 2ND DAY OF AUGUST, 1904.

Ordered, "That the name of the Hon. Mr. Hall-Jones be substituted for the name of the Hon. Mr. Mills on the Public Petitions A to L Committee."—(Hon. Mr. MILLS.)

PETITIONS.

No. 20.

To the members of the House of Representatives.

WE, the undersigned Chinese residents of the City of Wellington, wish to bring under the notice of the members of the House of Representatives the following facts *re* opium-smoking in Wellington:—

Notwithstanding the fact that the importation of opium is strictly prohibited, large quantities are coming in, smuggled by sailors, from Sydney and Melbourne.

At the present time Magistrates seem to take too lenient a view of opium-smoking, but we wish the laws so amended that the police, on entering any house where opium-smoking is carried on and finding any apparatus for the smoking of opium, may take action, and the owner of the house, together with the people in the house at the time, should be arrested and subjected to a heavy penalty.

We trust this honourable House will give due consideration to this matter, which is not only of vital importance to the Chinese residents of this city, but to the European residents as well, as we are sorry to say that the habit is growing with the white people as well, and, if not checked soon, we feel certain very serious results will ensue.

As at present the power of search for opium is vested in the Collector of Customs, we think the same power should be vested in the police to obtain a search-warrant from a Magistrate or Justice of the Peace.

LOUIS KITT

[And 4 Others].

No. 21.

To the members of the House of Representatives.

WE, the undersigned Chinese residents of the City of Wellington, wish to bring the following facts *re* gambling amongst Chinese and Europeans (which is going on principally in Haining Street) under the notice of this honourable House, in the hope that the laws regarding this matter may be altered this session, so that the police may be able to take action by way of arrest of those found in such houses and inflict heavy penalties in order to check this great evil in our midst.

At the present time there are no less than fourteen Chinese lotteries going on in this city, in which all conditions of people are taking part. This is well known to the police, but they seem powerless to stop it.

We think the laws want amending in the direction of making anybody liable to arrest and a heavy fine or imprisonment who takes part in any way in a lottery, or plays fan-tan, pak-a-poo, dice, &c., or in gambling of any description.

Also any Chinaman found in any gambling-house to be equally liable to fine or imprisonment as those who are actually found in the act of playing, and that the Chinese be liable to arrest if found keeping such a house.

It may not be generally known the extent of gambling that is going on in this city, but we can assure you it is very extensive, and is growing by leaps and bounds. This form of Chinese gambling is becoming very popular with Europeans, and, if not checked soon, there is no knowing what evil

it will do. We wish this honourable House, when making new laws *re* this matter, to make the penalty for breaking them very heavy, as it has been proved over and over again that a light fine is of no use whatever.

LOUIS KITT

[And 4 Others].

REPORTS.

No. 20.—Petition of LOUIS KITT, of Wellington, and 4 Others. (No. 1.)

PETITIONERS pray that more drastic measures be taken for the suppression of opium-smoking.

I am directed to report that, in the opinion of the Committee, this petition, together with the evidence of Inspector Ellison, should be referred to the Government, and that the Government be recommended to give effect to the prayer of the petition.

19th August, 1904.

WALTER SYMES, Chairman.

No. 21.—Petition of LOUIS KITT, of Wellington, and 4 Others. (No. 2.)

PETITIONERS pray that more drastic measures be taken for the suppression of gambling among Chinamen.

I am directed to report that, in the opinion of the Committee, this petition, together with the evidence of Inspector Ellison, should be referred to the Government, and that the Government be recommended to give effect to the prayer of the petition.

19th August, 1904.

WALTER SYMES, Chairman.

MINUTES OF EVIDENCE.

THURSDAY, 11TH AUGUST, 1904.

Inspector ELLISON, examined.

1. *The Chairman.*] Any evidence you can give the Committee in connection with either or both of these petitions we shall be very glad to receive?—As regards opium, I think the petition puts the matter in a very exaggerated form. There is very little opium-smoking going on, and there has been very little of it for a long time past, in Wellington. There have been several prosecutions, in which fines have been inflicted. The police have frequently visited Chinese quarters, especially in Haining Street and its neighbourhood, in search of evidence in connection with opium-smoking, but latterly they have found none. A large number of pipes and small parcels of opium have been seized at various times, and I may say that the Bench has recorded several sharp fines in connection therewith. I cannot speak positively, but I think the fines have been sufficient to deter a continuation of the practice. It is possible that some opium may be smuggled into the country still, but there have been several prosecutions for the smuggling of opium, and fines have been recorded as a result. I know that frequent searches have been made by the Customs officers from communications I have had, and that very great care has been exercised to prevent the importation of opium. I believe that in the last one or two cases where opium was found in the possession of Chinese in this city it turned out to be opium that was not of Chinese manufacture and importation, but which had been purchased from a chemist in Wellington. I think this would fairly indicate that the supply of Chinese opium was very much diminished. The smell of opium-smoking can very easily be noticed on entering Chinese premises where it is practised—that is, by persons who are accustomed to it—and from conversations I have had, and from reports received from constables, sergeants, and others who have entered the quarters of the Chinese specially to look for opium-smoking, I believe that very little, if any, is carried on now, and what there is is done in a very secret manner, if it is done at all. The police have full power to enter upon Chinese premises under the Opium Act and take possession of opium, pipes, and other things without any warning, and to prosecute Chinese who are found to be contravening the existing law; and that has been done. The existing law gives the police power to enter Chinese premises where opium-smoking is suspected, and that law has been taken advantage of by the police. There have been several seizures of opium smuggled by seamen or other persons, both in Wellington and elsewhere, and very heavy fines have been recorded. I think one man was fined £100 for having opium in his possession in Tory Street, and there were two Europeans who were very heavily fined for having smuggled opium, or, at any rate, having opium in their possession. In my opinion, the Bench has very fairly supported the police and the Customs officials in all the cases that have been taken before them. I do not know that I can say anything more about opium-smoking.

2. Can you give us any information with regard to gambling?—Yes. Gambling in various forms is carried on very much by Chinamen in all parts of New Zealand where the Chinese collect. It seems to be about the only recreation they have, and in my opinion the really objectionable feature is where Europeans—young men or old men—take part in it. I think the only game that Europeans take much part in is that of pak-a-poo. It is really a lottery pure and simple. Fan-tan is another game that the Chinese play, but that is carried on principally amongst themselves. The law at present has been found to be defective in cases which have been taken before the Supreme Court. Three years ago prosecutions for pak-a-poo and fan-tan where convictions had been recorded failed by reason of the convictions being quashed on appeal. I do not think pak-a-poo would be carried on to any harmful extent were it not for the support it receives from Europeans, and I think the easiest way to check it would be to make it an offence for any European to frequent Chinese quarters where any such game is carried on, or where tickets are sold or lotteries carried on. It is an offence now for any person to habitually consort with prostitutes or thieves, or persons having no visible means of support, and I think that men—young men especially—who frequent Chinese quarters for the purpose of gambling at pak-a-poo are likely to come to as much harm as those who are found in the other prescribed companionship. If it were made an offence for any person not of the Chinese race to be found on such

premises, and they were made liable to a penalty, the harmful features of pak-a-poo and the other game would soon be stopped. I do not think the playing of dominoes, cards, or even fan-tan among the Chinese themselves will be productive of much harm. The suppression of such games would probably cause a break-out of evil in some other direction, because human nature must have some kind of a safety-valve, or a means of relaxing the energies, and if it is not done in one way it will be done in another. I think it would be as hard to stop such recreation amongst the Chinese as to stop whist and other games amongst Europeans in the country. I think the gaming propensities of our own people in private houses is just about the same as with the Chinese. The Chinese adopt this method of whiling away their time. There is more or less gambling done by them with dominoes and cards and fan-tan, but it is just about the same as playing whist and poker and bridge in private houses. I cannot make any distinction between the two habits; but I am decidedly of opinion that it is bad for young men, middle-aged men, or old men to mingle with the Chinese for the purpose of indulging in gambling of any description. I think if it were made penal for such persons to be found on such premises without lawful excuse it would remedy a great deal of the harm which is done. I do not know that I can say anything more. If there is anything you can suggest I can give information upon I will do the best I can.

3. *Mr. Hardy.*] With regard to Haining Street, I understand that it does not bear a very good reputation?—It is not so bad as it was some years ago. The reputation it had was due to the fact that a great many women of immoral class used to frequent it. We have had a great many prosecutions, and as a result there are very few European women frequenting the Chinese quarters now.

4. Are there many Europeans of the criminal class about there?—There used to be a few living in the place, but they have been scattered a good deal during the last eighteen months. Of course, they pay occasional visits now to the place.

5. Has it come within your knowledge that many boys or young fellows invest their money in the lotteries you have spoken of?—A great many young men from about eighteen years and men up to sixty years go there.

6. The inducement is a very good one, and the investments are small?—Yes; but the odds, I think, are very greatly in favour of the Chinese—the bankers. There is a certain amount of charm about it. When a man begins and wins a little he does not look at the odds, but just goes on hoping to strike the bank for a good sum.

7. Have you heard of the bank being struck for a large sum?—A gentleman came to me some time ago and complained that his son had struck the bank for £20—the lad was about eighteen—and from that time the young fellow was frequenting the place and passing his time there. I got a sergeant to tell him that I would bring him up as a vagrant if he continued to visit the place, and that had the effect of keeping him away for some time. I saw the boy's father a few months ago, when he told me that the boy was in Dunedin. I simply bluffed the boy, because, living with his parents, I could not charge him with vagrancy.

8. You simply bluffed the lad because you had not any power?—We had not the power because he was living with his parents.

9. I understand that you recommend the law to be amended to enable you to deal with such a class?—I think that probably would be the best way of dealing with the matter.

10. Do you think an amendment of the Police Offences Act would meet the difficulty?—I think that probably would be the simplest way of dealing with the trouble.

11. *Mr. Hall.*] I understood you to say that amongst Europeans there was not much opium-smoking?—There is very little in Wellington. In every place where the Chinese congregated there was a good deal of it prior to the Opium Act coming into force, but since then it has been reduced to a minimum.

12. The petition says it has extended to Europeans as well as to Chinese?—I do not believe it. I have spoken to several Chinese to give me one or two cases in connection with men who made allegations, and I could not get a single instance quoted. I believe that certain men used to be addicted to opium-smoking, but not now. I know there was a porter who came from Greymouth and who at one time was a great opium-smoker.

13. It is said that a large quantity of opium is smuggled into this country, which the Chinese have here?—I think the smuggling of opium has practically ceased since last year. I believe half a pound was seized in Wellington, and that another small parcel was seized. A man passing from Christchurch to Greymouth was intercepted with some in his possession, and several parcels have been seized from Chinese, but very heavy fines have been recorded for these offences.

14. Report says that the precautions taken by the Customs officers are not sufficiently rigorous?—Of course, I cannot speak for the Customs, but I know that several times when I have received information that opium was about to be received—I have heard it through both Chinamen and Europeans—I have communicated with the Collector of Customs, and the steamers and persons suspected have been carefully watched and searched, and I know that the Customs officials do overhaul the steamers and pay special attention to the matter. From my own knowledge of what has been done, and from conversations I have had with people, and from the effect which has followed, I know that the Customs officers do all they can to prevent opium-smuggling.

15. Could you suggest any means which would bring the Customs Department and your Department closer together?—No; we both work together as closely as possible.

16. Do you believe that everything is done now that can be done?—Yes; I believe the Customs officers are very careful and are on the alert for opium-smuggling. Of course, it is like the smuggling of other small goods: there might be a leakage going on for some time, but it would eventually be found out. There may be a small amount of smuggling going on, but it is very small. I do not know any means that would be more effectual than the present law when it is put into operation.

17. *Mr. Lang.*] I understand that you consider you have all the power necessary so far as opium-smoking is concerned?—Yes; we have full power to enter on Chinese premises when we have reason to believe that opium is smoked or kept there.

18. And you think that if it were made an offence for Europeans to be found in Chinese quarters that would put a stop to gambling?—Yes; in houses that are used for playing any game in. Of course,

any game is covered more or less by "gambling," for if it is not done to-day it will be done to-morrow. If we stopped pak-a-poo some other game would arise to take its place.

19. What is the class of European people that goes there?—You see people there of many classes. There is the young man who is in a good situation, and the idle and lazy man. Some are habitually on the premises.

20. You say they are mixed?—I think when the two mix together it is generally found that there is vice on both sides. The vice comes more rapidly to the front than the virtues.

21. I suppose the cheap lottery is the temptation to people to go to these places and then they mix together—the good and the bad class of Europeans?—Yes; there are idle and lazy Chinamen as well as Europeans.

22. *Mr. Taylor.*] Pak-a-poo is a lottery pure and simple?—Yes; but according to the Supreme Court the purchase of the tickets is not sufficient to prove the lottery. Under the existing law pak-a-poo is spoken of as a game, but it is not a game—it is a lottery pure and simple. You take a ticket and make your mark on it, and have to wait your chance of a draw. The Europeans who frequent the houses say that it is a fair game, but that may or may not be so. Of course, no Europeans are allowed to be in the bank at the time of drawing, and I have no doubt that the bank could be manipulated as easily as anything else.

23. *Mr. Hardy.*] They do not often strike £20 10s.?—I do not often hear of it. I never met with a case.

24. £20 10s. is a very good sum to strike?—Yes; but I think the bank would clear a couple of hundred pounds before it was struck for the sum of £20 10s.

25. On Sunday night a man told me that he had speculated 6d. and for that he had struck a dividend of £20 10s.?—That is quite possible. I have a ticket here now [Produced] in a drawing where no prize was struck. We hear of cases where high prizes are drawn, but hear nothing of the people who draw no prizes.

26. Are there a large number of agents employed by the banks?—There are twenty-two or twenty-four agents in Wellington.

27. Have you seen their rules posted up?—Yes; when a ticket wins it is posted up as a record to show how much money has been paid out on it.

28. The bank gets 6d. for each of those tickets?—Yes; and the agent receives 1d.

29. The bank keeps 5d.?—Yes.

30. I understand that the bank pays out when there are very few investments: it is not like Tattersall's sweeps, where all but 10 per cent. is paid out. The bank pays when a man strikes a certain prize?—The bank pays on fixed odds on the numbers.

31. What does the bank pay for five?—Even money. You might invest 6d. and get 1s.

32. And for six?—It pays 8s. 6d. Of course, the agent gets a commission from that.

33. Of how much per cent.?—Ten, I think.

34. And for striking seven?—£3 10s., and it goes on upwards. I think the next is nearly £20. It goes on, I think, up to about £80.

35. Is it within your knowledge that the Chinese themselves invest much money in this game?—Some of them do; but they depend mostly upon the money of the Europeans. If it were restricted to Chinese only I think the bank would be limited to once a week.

36. In the event of prosecution can the tools of trade be taken as evidence?—They are not accepted as conclusive evidence.

37. Do you know anything about the banks themselves, or the means of drawing?—I know the system of drawing, but I have never been present. I have had it explained and have read of it.

38. The Europeans have no representative present?—No.

39. It is done by the Chinese themselves—by the bank?—Yes; I believe it is run by a Chinese syndicate.

40. And this Chinese syndicate is living upon the profits?—Yes, on the profits of the bank. Of course, the agents are living out of the commissions they get.

41. And how many agents are there selling tickets?—There are either twenty-two or twenty-four in Wellington, from whom you can buy tickets.

42. That is their professional trade, or whatever you like to call it?—Yes.

43. *Hon. Mr. Hall-Jones.*] Is it a local syndicate, or run from other parts?—I cannot say, but possibly the bank is run for Wellington people. The Chinese stores carried on here have branches all over New Zealand, and the banks may be run in the same way. I think it would be almost impossible, unless you got a Chinese clerk who was in the employ of some of these firms, to explain who runs the bank.

44. *The Chairman* (to Louis Kitt, the petitioner).] Do you wish to ask any questions?—No; I think the witness has told us all about what the Europeans and Chinese do.

45. (To witness) Do you think any of your officers could give us any information beyond what you have stated?—No. I might say that European women sometimes live with the Chinese. I know three prostitutes who are working in Chinese laundries. In other places there are several Europeans who are married to Chinamen, and the Chinamen invariably treat them well. They give them very little work to do, and feed them well, and give them as much luxury as they can in their own way.

46. *Mr. Hardy.*] Have you many Chinese criminals passing through your hands?—Very few. It is very seldom that they take to crime.

47. Have you any half-caste Chinese criminals?—There is one young man in gaol at the present time, but I cannot say there are any coming under my notice at present. I have known a few half-caste Chinamen, but cannot call to mind any of them that I should class as criminals.