

# Prosecuting the “Criminals”: “Undesirable” Chinese and Court System in the Nineteenth-century Philippines

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## Abstract

In the nineteenth-century Philippines, numerous “undesirable” Chinese violated certain policies commonly related to registration, taxation and migration. The Spanish colonial government regarded this particular segment of the Chinese population—vagrants, unemployed, idlers, drunkards, pickpockets, beggars, undocumented, and the “suspicious”—as a serious threat to the colony’s political security and financial stability. As such, they were invariably arrested, prosecuted and punished through the state’s judicial apparatus, of which the court system was an important component. Using unexplored archival materials, this paper examines how “undesirable” Chinese were tried in regular and special courts like the Tribunal de Sangleyes in the 1800s. It interrogates the actors, institutions and processes involved in prosecuting these individuals. It argues that while these “criminals” were subjected to bureaucratic judicial procedures, they also employed certain subtle strategies that challenged the state’s administrative and financial capabilities.

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**Keywords:** Chinese, criminality, judicial apparatus, court system, Philippine history

## Introduction

Between May and July 1892, 400 undocumented Chinese were arrested in various suburbs in Manila. The Treasury Department ordered Pio Barretto, the *gobnadorcillo de sangleyes*, the highest representative of the Chinese community in the city, to initiate fact-finding proceedings to ascertain the background of these *indocumentados*. Barretto was also to recommend the punishment for them (National Archives of the Philippines [NAP], *Chinos (Manila, 1892-1893)*, SDS 13068, S 217-219). On 9 August 1892, Barretto, assisted by two witnesses, and a Chinese interpreter conducted the trial at the *Tribunal de Sangleyes* (Chinese Court) in Binondo. The first part of the inquiry dealt with the arrested individuals' personal details: name, age, residence, and occupations. The second part focused on more substantive information. They were asked the reason for their arrest and if they had been previously arrested. They also had to provide the date of their arrival in Manila and the ships they boarded. Upon disembarkation, did they register?<sup>1</sup> And if so, what were their registration numbers? Finally, they were questioned about whether they had any means to pay their tax debts, and the corresponding fines for their offense (NAP, *Chinos (Manila, 1892-1893)*, SDS 13068, S 220-221).

The Tribunal took just one day to question all 400 men. But instead of transcripts of individual interrogations,<sup>2</sup> the Tribunal only produced a brief summary of the entire proceeding. On 10 August, the *gobnadorcillo* submitted this five-page report to the Treasury Department. Finding the report lacking in details, the Department ordered the Tribunal to conduct a "more meticulous" inquiry. In the proceeding held three days later, the *gobnadorcillo* only inquired about the places where the Chinese stayed before their arrests. They replied that they had no permanent residence as they constantly moved to evade the authorities.<sup>3</sup> A summary of their testimonies (*declaraciones*) was produced from the second inquiry (NAP, *Chinos (Manila, 1892-1893)*, SDS 13068, S 225-226b). A certification from the *principales* or *principalia* (i.e. economic elite) of the Chinese community stating all the arrested Chinese had no means to pay their tax debts and fines was also attached (NAP, *Chinos (Manila, 1892-1893)*, SDS 13068, S 227-227b). Unfortunately, the *gobnadorcillo's* recommendation on what to do with these offenders was not included in their case file. It is highly possible, however, that they were incarcerated in Bilibid Prison for at least three months to repay their debts through hard labor. After their prison term, the *gobnadorcillo* and the *principalia* of the Chinese *gremio*<sup>4</sup> would then determine whether the ex-convicts should be allowed to stay in the Philippines or be expelled to China (NAP, *Chinos (Manila, 1865-1898, 1896-1898)*, SDS 13063, S 286-293; *Chinos, Sus Reglamentos...*, 1892, 110; NAP, *Chinos, SDS 13063 (1865-1898, 1896-1898)*, S 433-438).

This paper explores how “undesirable” Chinese,<sup>5</sup> like the undocumented debtors in the above case, were tried in courts during the nineteenth century. It probes into the actors, institutions, and processes involved in prosecuting them set against the background of an evolving state bureaucracy and changing socio-economic conditions of the Philippine Chinese.<sup>6</sup> It examines the role of the state, through its legal apparatus, in determining the background of these offenders, the infractions they committed, and the punishments they had to endure. Also, it describes and analyzes how some accused individuals employed subtle and skillful maneuvers to challenge the state’s administrative and financial capabilities before and during their trials.

### *Tribunal de Sangleyes: A “Special” Court for the Chinese*

To determine whether an “undesirable” Chinese was guilty of violating government policies related to registration, taxation, and migration, he was prosecuted in court. “Undesirable” in this context refers to individuals who committed “minor crimes” like insolvency (no material resources to pay state contributions, and fines for committing “crimes”), tax debts (non-payment of taxes), and vagrancy (roaming around “aimlessly”). These Chinese were usually fined and given a prison term. Those arrested for vagrancy were almost always detained for also engaging in gambling and drunkenness. Undocumented, some of these vagrants were also charged with pickpocketing and involvement in prostitution as pimps.

It is important to note that in the nineteenth-century Philippines, the Spanish colonial state deliberately used the court system to stamp its authority and control upon the colonized population. Through the court system, the social boundaries between colonizers and colonized were delineated and maintained (Bankoff, 1996, pp. 11-12, 93-99). Courts, however, were more stringent in prosecuting Chinese offenders as they were generally regarded as a racial group that did not readily belong to the “colonized subjects” (i.e. Filipinos); they were considered neither part of the “subjects of Spain” nor the “national races” (*razas nacionales*) (See *Los Chinos en Filipinas* 1886, pp. 33-36). Rather, they were deemed “outsiders” and “transients” whose primary goal was to return to China after enriching themselves in the islands (See Avecilla, 1893; Jordana y Morera, 1888; *Los Chinos en Filipinas*, 1886).

The primary institution that prosecuted Chinese offenders was a “special court” which tried cases involving members of the Chinese community. The origins of this court can be traced back to the special privileges (*fueros*) granted to the Chinese population in Manila in the seventeenth century.<sup>7</sup> As was practiced in Spain and Spanish America (Blanco, 2009, pp. 64-76; MacLachlan, 1974, pp. 5-9; Zamora, 1845, Tomo 3, pp. 316-318), the colonial Philippine state granted certain privileges

to various groups, who contributed to the colony's political stability, and socio-economic development (Bankoff, 1996, pp. 126-128; see also MacLachlan, 1974, p. 8). These privileges allowed for the creation of courts with special jurisdictions over particular groups like the military and religious (de los Monteros, 1897, Part 1, pp. xiii-xiv, 8-9; Rodriguez Berriz, 1887-1888, vol. 5, pp. 342-345). Military tribunals resolved cases involving soldiers and retired servicemen (Cunningham, 1919, p. 237; MacLachlan, 1974, p. 98; Rodriguez Berriz, 1887-1888, vol. 5, pp. 342-345). Ecclesiastical courts held sway over priests on matters related to canonical and civil laws (Bankoff, 1992, pp. 4-7). In consideration of the Chinese role in the economy, the state also permitted the establishment of a special court (*fuero de extrangeros*)<sup>8</sup> to adjudicate cases concerning them (Bankoff, 1996, p. 128; Zamora, 1845, Tomo 3, p. 218). In the second half of the nineteenth century, this court was known as the *Tribunal de Sangleyes*.<sup>9</sup>

The Tribunal de Sangleyes only heard cases where all parties concerned were Chinese. Cases involving not only Chinese but also Spaniards, Filipinos, and mestizos were tried in regular courts. In these cases, the state designated officials to guarantee the legal rights of the Chinese. Although such officials were tasked to protect all Chinese, their priority was to safeguard the interests of Chinese merchants.<sup>10</sup> After 1614, the state appointed a state prosecutor (*fiscal*) of the Supreme Court (*Real Audiencia*), officially called "*Protector de Sangleyes*" (Protector of the Chinese) to represent Chinese in lawsuits with Spaniards. This office was abolished in 1756 but in 1803, it was re-established and delegated to the fiscal of the Supreme Court's civil chamber (*Sala Civil*) (Bankoff, 1996, p. 128; Cunningham, 1919, p. 254). On the other hand, cases related to religious practices especially concerning Catholic Chinese fell under the jurisdiction of ecclesiastical courts. These cases commonly involved the crimes of apostasy, ancestor worship, and conducting Buddhist rituals (See Bankoff, 1992, pp. 11-12).

The Tribunal de Sangleyes was a unique judicial institution because of its two-fold function. On the one hand, since its authority emanated from the state, its primary purpose was to promote the state's colonial agenda. In their letter to the Governor General dated 1 September 1881, the *gobernadorcillo de sangleyes* and the *principalia* of the Chinese community in Manila specifically stressed this feature of the Tribunal. In the letter, the Chinese leaders petitioned the Governor General to rescind his decree to deport "undesirable" Chinese to the Marianas. They stated the government had to "rely on the Tribunal de Sangleyes" especially on matters related to deportation and expulsion of Chinese offenders. They further claimed the Tribunal was "the only agent of the Spanish authorities" which understood the social dynamics within their community. As such, the Tribunal had the sole capability

to protect and advance the interests of the state (NAP, *Chinos, (Manila, 1865-1898, 1896-1898)*, SDS 13063, S 286-293). The dispensation of justice was therefore directed not only at maintaining order within their community but also geared towards developing a vibrant economic milieu in the colony.

The Tribunal de Sangleyes, on the other hand, was also considered a full-fledged “Chinese” institution. It was expected, through its rulings, to maintain Chinese customs and traditions, and promote the common welfare of the community. To attain these goals, the Tribunal was administered by Chinese officials, collectively called “*bilangos*” (Buzeta y Bravo, 1850, vol. 1, p. 105; Mallat, [1846] 1983, p. 228) which, interestingly, means “prisoners” in the Tagalog language (Serrano Laktaw, 1889, p. 470). The *bilangos* were composed of the *gobnadorcillo* de sangleyes serving as head and presiding officer, and 13 other members. The latter were elected from among the wealthy members and former leaders of the community (Buzeta y Bravo, 1850, vol. 1, p. 105; Mallat, [1846] 1983, p. 228). *Cabecillas* in charge of tax collection, occupational groups, and trading junks could also become members of the *bilangos*.<sup>11</sup> In the 1860s, the number of court officials was reduced from 13 to nine (including the *gobnadorcillo*), who also were the *principales* of the Chinese Gremio (NAP, *Chinos, (Manila, 1865-1898, 1896-1898)*, SDS 13063, S 286-293; Wickberg, 2000, p. 195). These court officials had the authority to modify aspects of the legal procedure (followed in regular courts) as they deemed appropriate. This privilege, although rarely invoked, was based on certain laws in the *Recopilacion de Leyes de Indias*, which prohibited Supreme Court judges to intervene in the affairs of the Tribunal (Bankoff, 1996, p. 128; *Recopilacion...*, 1841, Book 2, Title 15, Law 53).

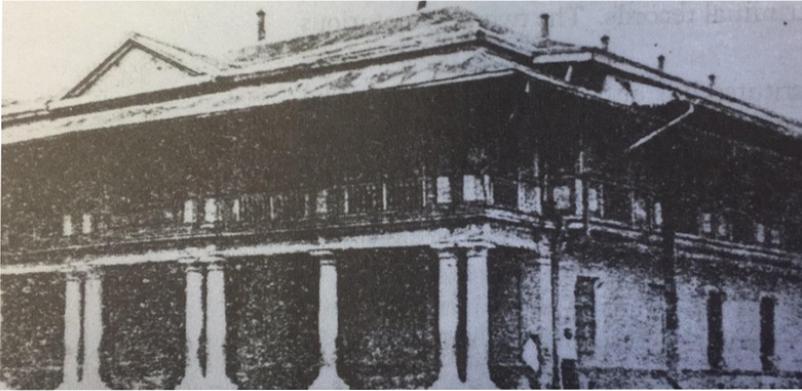
Originally, the Tribunal de Sangleyes’ jurisdiction was limited to the Parian, the Chinese enclave in Manila. After 1628, its authority was extended to cover the province of Tondo especially after the state allowed Catholic Chinese married to Christian Filipinas to reside outside the Chinese ghetto (*Recopilacion...*, 1841, Book 6, Title 18, Law 7). Before 1850, cases involving “undesirable” Chinese from Tondo’s neighbouring provinces of Pampanga, Bulacan, Nueva Ecija, Laguna, and Cavite were also brought to Tondo, and tried at the Tribunal.<sup>12</sup> By the mid-century, however, the Tribunal was no longer the only court allowed to prosecute Chinese offenders. Although it still adjudicated cases in Manila, regular courts in the provinces were now also given authority to hear cases concerning Chinese as long as these courts upheld the rights of the Chinese. This development was due to various factors. First, the expansion and professionalization of the court system enabled it to broaden its jurisdiction to include Chinese cases. Second, the state, through the judicial apparatus, attempted to

grapple with the increasing "danger" the Chinese posed because of their increasing numbers and penetration into many areas of the colony. And finally, trials conducted in the provinces were less expensive for the government since Chinese defendants were not transported to Manila and tried at the Tribunal de Sangleyes.

Despite these changes, the Tribunal de Sangleyes continued to exercise its special jurisdiction. In fact, its authority grew towards the end of the Spanish regime. In 1883, expulsion to China became a viable punishment for "undesirable" Chinese. Offenders, prosecuted in Manila and the provinces and sentenced for expulsion were incarcerated for a certain period in Bilibid Prison. Upon release, they were assessed by the Tribunal to determine whether they should be expelled or be allowed to stay in the Philippines. The Tribunal's recommendation was often based on the ex-convicts' behaviour in prison and the employment prospects available upon their release (NAP, *Chinos (Manila, 1888-1889)*, SDS 13021, S 435-436; NAP, *Chinos, (Manila, 1865-1898, 1896-1898)*, SDS 13063, S 286-293). Furthermore, after 1888, the Tribunal was also tasked to handle "special cases" involving Chinese that *alcaldes mayores*, as provincial magistrates, found too complicated to handle (*Chinos, Sus Reglamentos*, 1892, p. 109). For example, when a defendant was uncooperative with court authorities, the *alcalde mayor* could send him to Manila to be tried at the Tribunal (NAP, *Chinos (Manila, 1890-1891)*, SDS 13066, S 284; NAP, *Chinos (Isabela de Luzon, Laguna, 1870-1898)*, SDS 13102, S 546-570b).

In the 1880s-1890s, the judicial powers of the Tribunal de Sangleyes were called into question. During this period of intense anti-Chinese sentiment in Manila,<sup>13</sup> some sectors of the public claimed that the existence of "Chinese institutions," like the Tribunal, had led to the transformation of the Chinese community into a "government within a government." These groups argued that to remedy this "problem," the state had to exert more control over these institutions (See Mallat, [1846] 1983, pp. 226-227; *China en Filipinas*, 1889, 37-43, pp. 45-55). However, it has to be noted that while the Tribunal was a special court, it was not an absolutely independent court. Rather, it was a singularly powerful institution situated within the overall judicial apparatus controlled by the state. Consequently, the Tribunal had to conform to the state's checks and balance mechanisms aimed at ensuring the Tribunal solely functioned within the boundaries of its special jurisdictions. For example, all rulings set by the Tribunal were to be confirmed by judicial units above it. In cases of Chinese debtors, the National Treasury had to confirm the Tribunal's imposition of fines and the length of prison terms. Also, although the Tribunal could recommend deportation and expulsion to punish certain "undesirable" Chinese, only the Governor General had the power to pass such sentences by way of issuing expulsion decrees.

### Plate 1: The *Tribunal de Sangleyes* in Manila



Source: Huang Hsiao-ts'ang (ed.). 1936. *Fei-lü-p'in Min-li-la Chung-hua Shang-hui san-shih chou-nien chi-nien k'an* [Philippine Manila Chinese Chamber of Commerce 30th Anniversary Commemorative Publication] Manila: Chinese Chamber of Commerce.

#### *The Criminal Procedure: Structure, Process, and Personnel at the Tribunal de Sangleyes*

Arrested “undesirable” Chinese were subjected to a criminal procedure comprising three main phases.<sup>14</sup> The first phase was the *sumario* or *vista*, an initial inquiry to determine whether a crime was actually committed. In Manila, the *sumario* was conducted at the Tribunal de Sangleyes and presided over by the *gobnadorcillo de sangleyes*, who was assisted by other Tribunal members. During the *sumario*, the *gobnadorcillo* questioned the arrested Chinese and police forces that made the arrest. Both the Chinese and authorities involved were meant to provide details about the alleged offense. A document called *sumaria* or *indagatoria* (indictment record) was produced at this preliminary review. If the Tribunal felt the case was worthy of trial, then the *plenario*, second phase of the process, was initiated.

In the mid-nineteenth century, as part of the *plenario*, a preparatory ceremony was conducted, when a non-Christian Chinese was to give testimony in court.<sup>15</sup> Its purpose was to extract the truth from the Chinese offender, who was an adherent of either Buddhism or Confucianism. The Chinese was told that if he stated the truth and attested to it, he would have the courage to cut the head of a white rooster. The presiding officer would tell him: “Consider that if you

do not confess the truth, the blood of the cock will fall on that of your parents and your family will be unhappy forever" (Buzeta y Bravo, 1850, vol. 1, p. 110; Mallat, [1846] 1983, p. 234). In his 1846 book, Jean Mallat underscored the social importance of the "white cock ritual" stating that

At these words [of the presiding officer], if the Chinese prefabricated, he will not fail to be disconcerted and will avow everything; for, if persisting in his statement, he cut the head of the cock, and, after that he is convicted of paying [fines], he would be pursued by public [i.e. Chinese community's] scorn and nobody would take him anymore (Mallat, [1846] 1983, p. 234).

Following this ritual, the *governadorcillo*, assisted by a Chinese interpreter, questioned and cross-examined the accused. Questions were usually of two types. The first type, which was to verify information already in the *indagatoria*, dealt with the personal background of the accused: his name, place of origin, occupation, residence, and date of arrival in the Philippines. The second type focused on the offense committed: the date of arrest, authorities who made the arrest, whether the accused committed the offense, and his reasons for doing so. To support the claims of the accused, evidence had to be presented. Witnesses were also summoned and questioned.<sup>16</sup> Before the trial concluded, the accused was oftentimes given the opportunity to rectify what he stated in prior testimony.<sup>17</sup> The *plenario* ended when the Tribunal had gathered enough evidence to arrive at a decision.

The last phase of the criminal procedure was sentencing. After conducting the *plenario*, members of the Tribunal convened and deliberated on the merits of the testimonies and evidence presented. Based on these, the sentence was meted out and announced to the accused. Tribunal members then signed the transcript of the proceedings,<sup>18</sup> which were recorded by the court clerk. However, since the Tribunal was not a strictly autonomous court, higher authorities reviewed its rulings. In the pre-1850 province of Tondo, one of these judicial authorities was the provincial *corregidor*,<sup>19</sup> who possessed both administrative and judicial powers (Robles, 1969, p. 104).<sup>20</sup> Assisted by a qualified lawyer (*asesor*), and a *fiscal* appointed by the National Treasury, the *corregidor* would either confirm the Tribunal's sentence or order a new trial, which also had to be conducted at the Tribunal.

On the other hand, if the *corregidor* was satisfied with the sentence, he would confirm the ruling and then inform the Provincial and National Treasury Departments about it. He also informed the *Intendencia General de Hacienda*, the principal government agency in charge of the colonial coffers established in 1819. Due to its budgetary

powers, the *Intendente General*, who headed the Intendencia was more involved in provincial and municipal administration than was the Governor General.<sup>21</sup> While the corregidor's informing the Intendencia was just a bureaucratic requirement, there were instances where the latter could modify the sentence given. For example, in May 1832, the Chinese debtor Chu Chadco was sentenced by the Tribunal to three-month imprisonment and hard labor at the *presidio* (military fort) of Manila. While the corregidor had confirmed this sentence, the Intendente General found the prison term too short on account of the tax debt of the Chinese and because he fled from the authorities. The sentence was consequently increased to six months (NAP, *Chinos (Miscellaneous Documents, 1832-1893)*, SDS 13122, S 164b).

In the second half of the nineteenth century, certain changes were implemented in relation to the Tribunal's personnel and the criminal procedure it followed. The *gobnadorcillo de sangleyes* and *bilangos* continued to conduct the proceedings. A Chinese interpreter was also maintained. Besides them now, a secretariat composed of two individuals functioning as court clerks became part of the Tribunal. Appointed by the government, the secretariat served as the colonial state's representative in all matters administered by the Tribunal. A constable (*alguacil mayor*) was also assigned to provide security to the Tribunal. During the *plenario*, when the accused claimed to have no assets to pay his tax debts and fines for his offense, the *gobnadorcillo* would send the *alguacil mayor* to investigate the veracity of his claim.

### *In Provincial Courts*

Outside Manila, the same criminal procedure was followed in the municipal and provincial courts. When an "undesirable" Chinese was arrested, the *gobnadorcillo* of the town, where he was arrested, conducted the preliminary investigation. Although the *gobnadorcillo* held local judicial powers, he was required to forward cases involving "undesirable" Chinese to the *alcalde mayor*.<sup>22</sup> The *alcalde mayor* in his capacity as *Subdelegado de Hacienda Publica*, conducted the *plenario*. The *escribiente* (court clerk) recorded the trial while a Chinese interpreter helped the *alcalde mayor* during cross-examination.<sup>23</sup>

During the *plenario*, the *teniente de chinos* or some other member of the local Chinese *gremio* had to be consulted or, at the very least, informed about the case at hand. This was to ensure the rights of the accused Chinese were respected in court. As the main representative of the local Chinese community, the *teniente de chinos* also recommended the Chinese interpreter to be hired for the trial, which was conducted in Spanish or the language of the area. If no capable person was found, the *teniente* served as the interpreter. This was the case when the *teniente*

de chinos Lim Janco became the interpreter of debtor Tan Juanco, who was tried in Pangasinan in 1893 (NAP, *Chinos (Pampanga, Pangasinan, 1856-1898)*, SDS 13106, S 975-980).

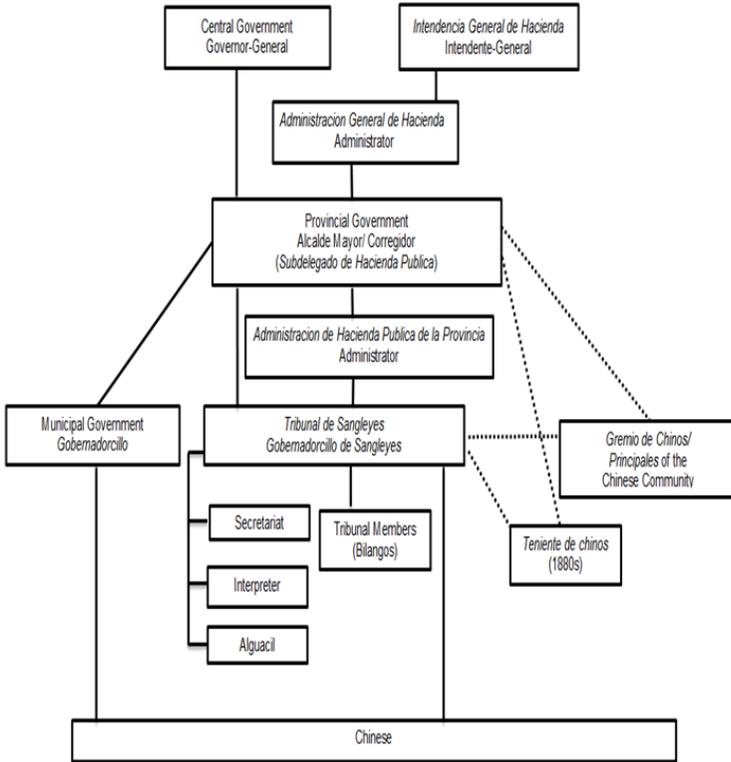
Furthermore, since "undesirable" Chinese were considered a threat to the colonial coffers' stability, the Provincial Treasury administrator was also present during the proceedings. A Proclamation (*Bando*) issued in 1871, highlighted the Provincial Treasury's role not only in collecting taxes from the Chinese but also in initiating legal proceedings against undocumented Chinese and debtors. The administrator advised the *alcalde mayor* about the prison term and fines to be meted out to a Chinese offender. The length of imprisonment was dependent on the amount of taxes the debtor owed the government (AHN, *Ultramar 5217, Expediente 43*).

When the *alcalde mayor* had gathered all necessary information related to the case, he announced a verdict. All documents were then sent to the National Treasury in Manila for final confirmation of the sentence. Incarceration occurred in a provincial prison. As noted, in 1883, Chinese convicts sentenced for expulsion were sent to Manila, imprisoned in Bilibid and then deported. If the *alcalde mayor* was not confident of his findings, he could transfer the case to the Tribunal de Sangleyes (*Chinos, Sus Reglamentos, 1892, 109*). The provincial government then covered the expenses for the transportation of the defendant from the province to Manila (*Chinos, Sus Reglamentos, 1892, 110-111*; NAP, *Chinos (Manila, 1893-1894)*, SDS 13070, S 1-3; NAP, *Chinos (Manila, 1837-1898)*, SDS 13123, S 213-214; NAP, *Chinos (Provincias: Marianas, Masbate y Ticao, Mindoro, Antique, Bohol, 1857-1898)*, SDS 13110, S 4).<sup>24</sup>

### **Sumariados: The Defendants in Court**

Besides describing the court system and criminal procedure, the Chinese offenders being prosecuted and how they behaved in court must also be analyzed. In archival records, these individuals were commonly referred to as *sumariados*, implying that they had gone through the initial inquiry and were now ready for the court proceeding. In almost all the court records I examined, defendants acted properly during the cross-examination period. They provided truthful information and their testimonies were corroborated by witnesses. There were certain cases, however, where some defendants did not show proper courtroom decorum. Some gave false information while others suppressed relevant evidence or presented fraudulent documents. These few, albeit, interesting cases highlight how the accused employed particular strategies to confuse the authorities, in order to make it difficult for court officials to convict them of their offenses.

**Figure 1: Government Institutions and Officials Involved in Prosecuting “Undesirable” Chinese**



The authorities took a dim view of these strategies meant to sabotage the criminal procedure. These subtle manoeuvres openly challenged the state’s administrative and financial capabilities as the government had to spend extra time and resources to prosecute such defendants. Presiding officers had to gather more evidence. Additional officials had to also assist in the trials. And more witnesses had to be summoned to testify.

### *False Names*

Some Chinese defendants employed one interesting strategy to avoid conviction. This strategy had to do with the origin of their names. In 1849, Governor General Claveria issued a decree ordering all inhabitants of the Philippines including Chinese to adopt surnames, which became their “official” or “legal” names. This decree was aimed at keeping track of colonized subjects so the state could extract labor and resources from them (See *Catalogo Alfabetico de Apellidos*, [1849])

1973). Although strict compliance was enforced, its implementation among the Chinese proved particularly challenging, as they often had several names throughout their lifetime.<sup>25</sup> It was against this backdrop that made it difficult for the courts to verify whether the accused had given his real name during the sumario.

While in most cases the accused did provide their official names, there were some instances when they gave false names. For example, on 21 March 1892, an undocumented Chinese tried at the Tribunal de Sangleyes stated his name was Co Liongco. According to him, he was a 34-year old cargador, who arrived in Manila in 1891. He added he had lost his *cedula personal* two months prior to his arrest. The gobernadorcillo de sangleyes, who presided over the trial discovered that the name "Co Liongco" was not in the padron de chinos. Moreover, this name was not registered in the list of arrivals and departures of Chinese migrants, which the captain of the port of Manila provided to the Tribunal. What was recorded instead was a "Co Chico," who perfectly matched the physical attributes of the person being prosecuted. Based on the list, this Co Chico was from Chincan, and was 33 years old when he arrived in the Philippines. When interrogated further, the Chinese confessed he was indeed Co Chico. He deliberately gave a different name to confuse the authorities. He believed since he had no *cedula personal*, it would be difficult for officials to determine his real name. Unfortunately, he did not expect that shipping evidence - the arrival and departure register- would be produced in court (NAP, *Chinos, (Manila, 1891-1892)*, SDS 13067, S 468-470b).

In another case, two friends connived to evade imprisonment and possible expulsion by giving false names. On 9 April 1892, Chua Tiaco and Chua Chanco, together with five other undocumented Chinese were prosecuted at the Tribunal de Sangleyes. Chua Tiaco claimed his name was Chua Jiao while Chua Chanco stated he went by the name Chan Saco. The gobernadorcillo de sangleyes did not find in the padron de chinos the names they provided. But there were two individuals listed in the padron whose physical traits perfectly matched those of the defendants'. The transcript of the trial does not mention whether the two confessed to providing fake names. It appears the gobernadorcillo was convinced they were lying about their names as he did not summon any witness to testify. The Tribunal found the defendants guilty and recommended their expulsion to China (NAP, *Chinos (Manila, 1892-1893)*, SDS 13068, S 73-78).

Apart from providing invented names, there were some defendants who used names of people they knew before their arrest. This unlawful strategy was considered identity theft. In June 1893, for example, Go Siangco, together with ten other undocumented Chinese,

was prosecuted at the Tribunal de Sangleyes. Based on the court transcript, Go Siangco provided a name different from his legal one. The person who officially owned the name which Go Siangco "stole" was not mentioned in the documents. It was stated, however, that this Chinese was one of Go Siangco's co-workers in a rice shop in Sta. Cruz, owned by the Chinese merchant Go Luico. Because the documents related to this case are incomplete, it is difficult to determine whether the said Chinese was also summoned to testify before the Tribunal. Go Siangco, however, was imprisoned and fined (NAP, *Chinos (Manila, 1781-1898)*, SDS 13080, S 730-733).

In May 1896, two undocumented Chinese were arrested in Cainta. During their trial at the Tribunal de Sangleyes, the two stated they were Yu Piengco and Dy Saco. Their names were registered in the padron de chinos. The gobernadorcillo de sangleyes, however, noticed that the physical features in the padron did not correspond to those of the defendants'. His suspicion led him to extend the cross-examination until the defendants finally confessed their wrongdoing. They admitted the names they initially gave the Tribunal were not their real names but those of their compatriots, whom they worked with in Morong. The real name of "Yu Piengco" was Co Piengco. He was issued a permit to reside in Morong in June 1892. "Dy Saco" was actually Dy Lienco who had been a resident in the province since June 1893. According to them, they paid their taxes and other contributions until they became unemployed sometime in 1895. Since then, they could no longer fulfil their financial obligations to the government (NAP, *Chinos (Manila, 1894-1898)*, SDS 13049, S 332-347b).

By the late 1890s, the state was particularly concerned about the issue of using false names among Chinese offenders. The authorities felt the problem was a result of the difficulty of transcribing into Spanish the Chinese names, which were written in "peculiar characters" (de los Monteros, 1897, p. 74). To remedy this, the state required that when a Chinese testified in court, any information about him that concerned numbers had to be included in his sworn declaration. These figures could be from the padron de chinos, *cedula de capitacion personal* or residence permit. They had to be verified by the alcalde mayor or gobernadorcillo de sangleyes or key agencies like the provincial and national treasury departments. Any Chinese appearing in court, either as a defendant or witness, would no longer be known only by his name but also by the numbers ascribed to him.

Insofar as the government was concerned, however, this court regulation did not always guarantee positive results. As noted in the cases above, some offenders still managed to confuse the authorities with their names. This was especially true when the arrested individual

had no documents of identification, which made it difficult for the authorities to verify whether he was the actual person he claimed to be. When such documents were unavailable, any records where the physical attributes of the person were recorded were consulted. One of the most important files was the padron de chinos. In 1849, the essential physical features of the person were first included in the padron (AHN, *Ultramar 5203, Expediente 14, No. 4*). In 1852, the Treasury Department issued a Circular which reiterated the need to record this vital information in the padron (AHN, *Ultramar 5203, Expediente 14, No. 15*).

### *Interpreters Needed*

Court proceedings were conducted mainly in Spanish. In the provinces, there were occasions when the language of the area was also used, albeit rarely. Since the majority of Chinese offenders only knew Chinese, the official language in the courts sometimes became a source of misunderstanding. There were cases even when Chinese was used, particularly at the Tribunal de Sangleyes, where defendants still claimed they did not fully understand what was being discussed. While this may have been true, court officials often considered it an excuse for defendants not to give truthful answers to questions being asked. It was regarded as a delaying tactic to prolong the proceedings. In December 1884, for example, eight undocumented Chinese debtors were prosecuted at the Tribunal. During the trial, one of them claimed he could not understand the proceedings despite the presence of a Chinese interpreter. The problem arose because the gobernadorcillo de sangleyes, who presided over the trial, assumed that all the defendants understood Hokkien. It was revealed afterwards that the majority (7) of them were Hokkien from Chincan in China (NAP, *Chinos (Manila, 1877-1895, 1862-1869), SDS 13053, S 439*).<sup>26</sup> However, one – the 24-year old Ong Aseng- was from Macao and only spoke Cantonese. The Tribunal then had to find a Cantonese speaker to serve as interpreter in addition to the one previously hired, who only spoke Hokkien and Spanish (NAP, *Chinos, (Manila, 1877-1895, 1862-1869), SDS 13053, S 438-439b*).

To avoid such problems, courts with cases involving Chinese, often tried to employ interpreters knowledgeable in both Hokkien and Cantonese.<sup>27</sup> During the sumario, the language the arrested Chinese spoke was commonly taken into consideration so that an appropriate interpreter could be employed. For example, before the trial of Yu Yeclay and Tiu Cuyco commenced at the Tribunal de Sangleyes on 4 April 1892, the gobernadorcillo de sangleyes made sure the interpreter spoke both Hokkien and Cantonese. This was done because Yu Yeclay, a 32-year old cargador arrested for vagrancy only spoke Cantonese. The 40-year old cargador Tiu Cuyco, on the other hand, spoke Hokkien (NAP, *Chinos*

(*Manila, 1892-1893*), SDS 13068, S 91-95). Before the Chinese vagrant Tan Lunco was prosecuted in Ambos Camarines in October 1896, he informed the *alcalde mayor* he needed a Hokkien interpreter. This information was important because the *alcalde mayor* assumed that Tan Lunco could speak the local language since he had been in Ambos Camarines for more than two years. Tan Lunco, however, claimed that he had not learned the Bicol language.<sup>28</sup> The provincial court therefore called Dy Liaco to serve as interpreter (NAP, *Chinos (Bulacan, Cagayan, 1866-1898)*, SDS 13094, S 239-246).

In another case, however, the defendant requested a Tagalog interpreter rather than a Chinese one. On 17 January 1894, the Chinese debtor Tan Boeco from Gumaca was prosecuted at the provincial court of Tayabas. Before the trial commenced, Tan Boeco told the Administrator of the provincial treasury, who functioned as the presiding officer of the court, that he could not understand Spanish. He requested that the proceedings be conducted in Tagalog (*dialecto tagalog*), the language used in the province and with which he had some basic competence. It took some time for the court to find a suitable interpreter. The court hired Zenon Tagle as the interpreter (NAP, *Chinos (Manila, 1893-1894)*, SDS 13070, S 603-604).

### *Non-cooperation*

I also found two cases, where defendants were unwilling to cooperate with the court authorities. These defendants provided minimal information about themselves for the courts to decide their cases. The first case involved an undocumented Chinese debtor. On 20 April 1890, this day laborer was arrested in Taganaan, Surigao. During the *sumario* conducted by the *gobernadorcillo* of Taganaan, the arrested individual said he went by the name "Tomas." Despite the *gobernadorcillo's* efforts to extract more information from Tomas, the latter said nothing more (NAP, *Chinos (Manila, 1890-1891)*, SDS 13066, S 284). Frustrated, the *gobernadorcillo* sent the case to Leandro de los Rios, the Politico-Military Governor of the District of Surigao to conduct the *plenario*. In the court proceedings that began on 1 May 1890, Tomas remained silent. He did not want to reveal his personal background, his origin or when and how he came to the province. It was only to the *teniente del gremio de chinos* of Surigao, Francisco Valverde that Tomas confessed that his real name was Te Yco; that he used Tomas as his "Christian alias." The name Te Yco, however, was not listed in the provincial *padron de chinos*, or in any record under the custody of the provincial government.

Te Yco still refused to cooperate when Governor de los Rios pressed him to reveal more about himself. His non-cooperation led the Governor to seek advice from Manila on how to handle the case. In his

letter to the Intendencia General of 6 May 1890, de los Rios clearly states that there is a lack of data about Te Yco. The Chinese was unregistered and had no documentary identification whatsoever: no passport, no cedula personal, and no residence permit. The Governor, however, suspected that Te Yco must have fled from a neighbouring province and then settled illegally in Taganaan. It has to be noted that at the time, abaca was extensively cultivated in Surigao. One major textile company, the Aldecoa y Compania employed Chinese laborers in its abaca presses (NAP, *Chinos (Manila, 1891-1892)*, SDS 13044, S 26-28b). It is, therefore, possible that Te Yco was hoping to find work from the company. On 23 June 1890, the Governor received a reply. The Intendencia advised him to send Te Yco to Manila to be tried at the Tribunal de Sangleyes (NAP, *Chinos (Manila, 1890-1891)*, SDS 13066, S 25-26b).

The transcript of Te Yco's trial at the Tribunal is not included in his case file. We do not know whether he ultimately provided information at the Tribunal or continued to maintain his non-cooperation stance with the authorities. What we do know is that the trial was conducted between July and October 1890. During, this three-month period, the gobernadorcillo de sangleyes requested certifications from the Governor of Surigao and the Administrator of the Provincial Treasury based on the little information they had gathered about the defendant (NAP, *Chinos (Manila, 1890-1891)*, SDS 13066, S 27-27b). On 31 October 1890, the case's final resolution was released. Based upon the Tribunal's recommendation, the Intendencia General ordered Te Yco to be expelled from the Philippines after serving a period of time of hard labor in Bilibid (NAP, *Chinos (Manila, 1890-1891)*, SDS 13066, S 30-31).

The second case involved a Chinese vagrant arrested in Cabagan Nuevo, Isabela in June 1892. During the proceedings conducted by the alcalde mayor, the defendant claimed his name was Poa. The alcalde mayor was aware that this could be a nickname the Chinese used, so, he urged Poa to reveal his "legal" name. His suspicion was confirmed by the records of the Provincial Treasury which had no registered Chinese with the name "Poa." Poa, however, insisted that was his real name and refused to provide more information about his background. The teniente de chinos of the province also could not compel him to cooperate with the authorities. The extreme difficulty of obtaining information from Poa led the alcalde mayor to forward the case to the Tribunal de Sangleyes in Manila (NAP, *Chinos (Isabela de Luzon, Laguna, 1870-1898)*, SDS 13102, S 546-570b).

During his "second trial" at the Tribunal, Poa continued to insist he only had one "official" name and that was Poa. However, through the help of tenientes de chinos in various districts of Manila, the Tribunal located certain individuals who stated in court that the person being

prosecuted was none other than Tan Poaco. They said they used to know him when he was a day laborer and cargador in Manila. They had no further information after Tan Poaco decided to go to Isabela to seek work opportunities in the tobacco-producing province. Tan Poaco later confessed that what the witnesses said was all true (NAP, *Chinos (Isabela de Luzon, Laguna, 1870-1898)*, SDS 13102, S 546-570b).

### *Lies and Alibis*

In other cases, defendants deliberately gave false testimonies. Court officials were able to establish this fact through certain means. One was by not only taking into account the defendant's answers to the presiding officer's questions but also the manner in which the defendant responded to them. For example, in July 1888, the undocumented Tan Ymong was arrested in Bulacan. The cuadrilleros who apprehended Tan Ymong asked him why he was in the province without a travel permit and a cedula. This soap seller replied he only wanted to visit his parents. He gave the same reason during his trial in Malolos, the provincial capital. When the alcalde mayor who presided over the trial asked him to provide the names of his parents and their exact address in Bulacan, Tan Ymong was unable to answer. For the alcalde mayor, Tan Ymong's inability to provide a specific answer was proof that he was lying (NAP, *Chinos (Manila, 1885-1888)*, SDS 13081, S 19).

The alcalde mayor of Isabela also had the same impression when he prosecuted Tan Enchay in June 1892. During his trial, Tan Enchay, arrested for lacking a travel permit, claimed he was on his way to Isabela from Cagayan (where he originally resided) when he met Go Cunco, a fellow Chinese who was also going to Isabela. According to Tan Enchay, Go Cunco borrowed his travel document but his compatriot had suddenly disappeared. When asked by the alcalde mayor why he naively gave his document to someone he just met, Tan Enchay could not give an answer. Neither could he provide information about Go Cunco's background except that he was from Cagayan like him.<sup>29</sup> In another case, the undocumented Chua Chunco's long pause before responding to a question also led the gobernadorcillo de sangleyes Manuel P. Tan Yao to suspect he was lying. On 15 November 1893, Chua Chunco was tried at the Tribunal de Sangleyes. When asked why he had no cedula personal, the 46-year old cargador hesitated to reply. After a while, he claimed some individuals he did not know stole his cedula while he was walking in Sampaloc. However, he could not give the exact number of attackers or their physical descriptions (NAP, *Chinos (Manila, 1892-1896)*, SDS 13062, S 591b-592).

Court officials could also determine if a defendant was lying when testimonies from reliable witnesses contradicted what the defendant claimed. For example, on 6 April 1897, three unemployed

Chinese were arrested in Tambobong for being "suspicious." The apprehended Chinese Sy Chiengang, Sy Jioco, and Sy Juy were then tried at the Tribunal de Sangleyes. During the proceedings, witnesses from Tambobong testified they personally knew the defendants. They told the gobernadorcillo de sangleyes the defendants were a nuisance to the town because they were always drunk and involved in brawls. Some prominent members of the Chinese community in Tambobong also certified that the three Chinese were indeed of "wayward character." They pleaded with the gobernadorcillo de sangleyes, Juan Pina Tan Chuaco, to imprison the arrested Chinese. The accused, however, vehemently denied the accusations. They claimed drinking was just their pastime as they had no work. The gobernadorcillo recommended they be expelled from the Philippines because the testimonies against them were strong (NAP, *Chinos (Manila, 1894-1898)*, SDS 13049, S 205-209b).

On 8 April 1892, the 40-year old cargador Tiu Cuyco was arrested by the Guardia Civil Veteranas in Calle Anloague in Manila while fighting with a fellow Chinese. When tried at the Tribunal de Sangleyes for being a tax debtor and undocumented, he claimed he was not involved in the fight, despite the Veterana's report submitted to the Tribunal. Other witnesses, who knew him as a drunkard testified he actually started the brawl. When asked why Tiu Cuyco had no cedula personal, he confessed he had been out of work and had nothing else to do but drink. His "offenses," he said, should be blamed on him not having a stable job (NAP, *Chinos (Manila, 1892-1893)*, SDS 13068, S 93-94).

### *Hiding Information*

I also uncovered one case where the defendant attempted to hide vital information in his testimony. He did this not only to save himself from conviction but also to incriminate another individual whom he resented. In February 1880, At Tong, a 20-year old Cantonese cook from Hong Kong was arrested by a carabinero in Molo, Iloilo for being indocumentado and "suspicious." When he was tried, he told the Department Administrator that he arrived in Iloilo in 1876 on board the ship "*Magtan*"<sup>30</sup>. He claimed he had all the proper documents including a passport, residence permit, and cedula de capitacion personal but they were burned in a fire that broke out in Molo in 1877. After this unfortunate incident, he did not bother to apply for new papers because he believed he could still get work even without them. Although this was a clear violation of the law, he was, nevertheless employed as cook by Cornelio Mellissa, who did not inquire if he had proper documents. At Tong stressed that he should not be blamed for being an undocumented. He implicitly blamed Mellissa because if he had required him to present his papers beforehand, then he would have

been compelled to secure new ones (NAP, *Chinos (Iloilo, 1854-1898)*, SDS 13113, S 65-65b).

The 54-year old businessman Cornelio Mellissa was then summoned to court and gave his testimony. He stated he did not ask At Tong for his documents before hiring him because the Chinese had previously worked for a certain Señor Palma. Mellissa added Señor Palma recommended At Tong so he (Mellissa) assumed Señor Palma had already checked At Tong's papers (NAP, *Chinos (Iloilo, 1854-1898)*, SDS 13113, S 66b). There is a clear discrepancy between At Tong's and Mellissa's testimonies. At Tong claimed Mellissa employed him even without proper documents. Mellissa, on the other hand, claimed he only employed At Tong after the Chinese cook left his job at Señor Palma's. After hearing Mellissa's testimony, At Tong requested the court provide him with an opportunity to elaborate on his earlier testimony. He also inquired whether it was possible to give his *ampliacion* (elaboration) the following morning because he needed additional time to recall what happened more than two years ago. At that point, the presiding officer suspected At Tong was suppressing some information pertinent to the case. Consequently, his request was granted (NAP, *Chinos (Iloilo, 1854-1898)*, SDS 13113, S 64).

On 17 February 1880, At Tong gave his *ampliacion*. He said that in his previous testimony, he "forgot to mention" that he was first employed first by Señor Palma before Mellissa hired him. He also admitted that after working for Mellissa, he was employed by several other Chinese businessmen in Iloilo. He confessed that he had a bad experience working for Mellissa so he tried to implicate him in the case. The documents, however, do not explain the basis of this "bad working experience" (NAP, *Chinos (Iloilo, 1854-1898)*, SDS 13113, S 73). After his *ampliacion*, all his former employers were summoned and testified in court. The presiding officer, upon hearing their testimonies, recommended that At Tong be fined and imprisoned in Iloilo. Moreover, At Tong's employers all had to pay fines, as well as At Tong's tax debts for the last two years. While the sentence meted out to his employers was upheld by the Intendencia General, the Intendencia found it necessary to expel At Tong from the colony for being "dangerous." He was expelled after three months incarceration in Bilibid (NAP, *Chinos (Iloilo, 1854-1898)*, SDS 13113, S 84-84b).

## Conclusion

The colonial court system played an important role in the lives of "undesirable" Chinese. Courts were in charge of prosecuting them after their arrest. They had to determine whether these individuals were guilty of the offenses they were charged with. If these offenders

were proven guilty, courts meted out the punishments they deemed appropriate. But besides the administration of justice, courts also had the primary purpose of maintaining the existing social order and promoting Spain's colonial project in the Philippines. Indeed, Spain's granting of special privileges to the Chinese, in the form of singular laws and a court with special jurisdiction, was aimed at utilizing the judicial system to "reward" the Chinese for their crucial contributions to the economy. However, behind this benevolent gesture was the goal of affirming Spanish control over the Chinese community, especially its "undesirable" members, who violated policies related to registration, taxation, and migration. The Tribunal de Sangleyes was not a totally autonomous institution but rather an integral part of the larger judicial apparatus controlled by the state. As such, the Tribunal was subordinate to the government agencies above it and had to abide by the regulations and decisions set by these agencies.

However, the colonial court system's authority over the Chinese was not absolute. Despite their limited judicial powers, officials of the Tribunal found ways to use their roles and status to protect the interests of the Chinese population. Although confirmation from higher authorities was required, the Tribunal's authority to either expel or allow Chinese offenders to remain in the colony was necessary in order to maintain order within their community. Some Chinese defendants themselves attempted to use the court system to their advantage by using false names, non-cooperation, lying, and hiding of information vital to their cases. And while the accused individuals evidently employed such strategies to avoid conviction, the authorities oftentimes viewed them as creative and skillful means to disrupt court proceedings.

## Endnotes

- <sup>1</sup> This referred to the padron general de chinos. All Chinese arriving at the port of Manila had to register in this padron.
- <sup>2</sup> This was the output the National Treasury required from the Tribunal de Sangleyes.
- <sup>3</sup> They were referring to the Guardia Civil Veterana, the urban police of the city of Manila.
- <sup>4</sup> Generally, a gremio was organized along racial lines, similar to an occupational guild. In Manila, there were three gremios (naturales, chinos or sangleyes, and mestizos), each headed by a gobernadorcillo, whose office was equivalent to that of a municipal leader.
- <sup>5</sup> I put the words “undesirable” and “criminals” in quotable marks when referring to this specific section of the Chinese community to highlight the need to problematize these socially-constructed words. See O’Brien (1978).
- <sup>6</sup> For a general overview of the political, socio-economic and cultural conditions of the Chinese in the Philippines during the nineteenth century, see Wickberg (2000).
- <sup>7</sup> In 1606, the state granted a special privilege to the Chinese in Manila by prohibiting high court judges to intervene in the affairs of this mercantile sector of the city (Bankoff, 1996, p. 128).
- <sup>8</sup> This term can literally be translated as “special privilege for strangers.” In the context being discussed here, however, it meant “special court for strangers,” the Chinese being the “strangers.” See de los Monteros, 1897, Part 1, pp. xiii-xiv, 8-9; Rodriguez Berriz, 1887-1888, vol. 5, pp. 342-345.
- <sup>9</sup> In pre-1850 archival documents, cases involving Chinese offenders in Manila were prosecuted “within their community” but the specific name of the institution that conducted the trials was not explicitly mentioned. Only documents after 1850 clearly state that this institution was the Tribunal de Sangleyes.
- <sup>10</sup> This was understandable since Chinese junk traders were important in bringing Oriental merchandise needed for the galleon trade.
- <sup>11</sup> These were the cabecillas de tributo, cabecillas de los oficios, and cabecillas de champanes. Buzeta y Bravo, 1850, vol. 1, p. 105.
- <sup>12</sup> These cases are contained in the following bundles at NAP: Chinos (Manila, 1853-1895), SDS 13045; Chinos (Manila, 1858-1877), SDS 13078; Chinos (Manila, 1837-1898), SDS 13123; Chinos (Manila, 1832-1842), SDS 13124; Chinos (Miscellaneous Documents, 1832-1843), SDS 13125; Chinos (Manila, 1837-1849), SDS 13126; Chinos (Manila, 1841-1892), SDS 13127.
- <sup>13</sup> The anti-Chinese campaigns in Manila during that period was caused by various factors such as the economic depression of the 1880s, widespread unemployment in Manila, and the influx of Chinese coolies. See Wickberg, 2000, pp. 151-154.
- <sup>14</sup> This was the criminal procedure followed in regular courts throughout the nineteenth century. See Arellano, 1901, p. 237; Bankoff, 1996, pp. 107-115; Bankoff, 1993; Buzeta y Bravo, 1850, vol. 1, pp. 109-110; Foreman,

1906, pp. 241-242; Mallat, [1846] 1983, pp. 230-231.

<sup>15</sup> The main primary sources of this interesting information were the works of Buzeta y Bravo (1850) and, Mallat ([1846] 1983). Archival materials, however, do not mention this ritual.

<sup>16</sup> Witnesses' appearance before the court was officially called *comparecencia*.

<sup>17</sup> The elaboration on the earlier testimony of the accused was called *ampliacion*.

<sup>18</sup> These materials were collectively called *diligencias* or *actuaciones*.

<sup>19</sup> A *corregidor* was a politico-military governor of an un-pacified province. After pacification, he was replaced by an *alcalde mayor* who was a civilian official. In the case of Manila, after 1859, the head of the province was called *gobernador civil* (civil governor).

<sup>20</sup> *Corregidores* and *alcaldes mayores* also functioned as "Subdelegado de Hacienda Publica." As such, they were the provincial treasurers, accountants, and revenue collectors.

<sup>21</sup> For a discussion on the history, functions, and structure of the *Intendencia General de Hacienda*, see Robles, 1969, 141-145; See also Roldan de Montaud, 2001, pp. 495-539; and, Roldan de Montaud, 1998, pp. 399-427.

<sup>22</sup> In some parts of Visayas and Mindanao, provinces and districts were headed by military officials, the Politico-Military Governors.

<sup>23</sup> Provincial governments had translators but their role was to make sure official correspondence and documents to be submitted to Manila were properly written in formal Spanish (Robles, 1969, p. 108).

<sup>24</sup> This fund was from the 5% surtax imposed upon the Chinese *cedula de capitacion personal* in the 1880s.

<sup>25</sup> For a discussion on name changing practices of Chinese in the Philippines, see Chu, 2012, pp. 111-115.

<sup>26</sup> The following were the 7 Hokkien Chinese from Chincan and their respective ages: Ong Tiengco (28), Sy Sienco (41), Co Tenco (22), Yu Nayco (54), Uy Sengsang (48), Chan Jico (26), and Chua Pianco (58).

<sup>27</sup> After 1845, the Superior Government ordered the appointment of two interpreters (*traductores*) in each provincial capital. These interpreters, however, were only responsible for translating documents to Spanish and were not involved in court proceedings (Robles, 1969, p. 108).

<sup>28</sup> The prevailing language in Camarines Sur, according to Jagor (1859), was "Bicol." Cited in Robles, 1969, p. 99.

<sup>29</sup> Tan Enchay's case file is incomplete. It is possible, however, the *alcalde mayor* of Isable, where he was tried, requested the Administrator of the Hacienda Publica or the *teniente de chinos* of Cagayan to provide information about this Go Cunco.

<sup>30</sup> This was the Spanish steamer "Mactan" operated by Macleod, Pickford, and Company. The *Chronicle and Directory for China, Japan and the Philippines* for the year 1877, 1877, 370. But since the Mactan was only

used for inter-island shipping, it is very likely that At Tong arrived from Hong Kong to Manila where he boarded the Mactan on his way to Iloilo.

## References

National Archives of the Philippines (NAP), Manila,  
Philippines

*Chinos (Manila, 1891), SDS 12997.*

*Chinos (Manila, 1891-1892), SDS 13044.*

*Chinos (Manila, 1853-1895), SDS 13045.*

*Chinos (Manila, 1894-1898), SDS 13049.*

*Chinos (Manila, 1877-1895, 1862-1869), SDS 13053.*

*Chinos (Manila, 1889-1892), SDS 13061.*

*Chinos (Manila, 1892-1896), SDS 13062.*

*Chinos, (Manila, 1865-1898, 1896-1898), SDS 13063.*

*Chinos (Manila, 1890-1891), SDS 13066.*

*Chinos (Manila, 1891-1892), SDS 13067.*

*Chinos (Manila, 1892-1893), SDS 13068.*

*Chinos (Manila, 1893-1894), SDS 13070.*

*Chinos (Manila, 1889-1897), SDS 13076.*

*Chinos (Manila, 1858-1877), SDS 13078.*

*Chinos (Manila, 1781-1898), SDS 13080.*

*Chinos (Manila, 1885-1888), SDS 13081.*

*Chinos (Bulacan, Cagayan, 1866-1898), SDS 13094.*

*Chinos (Isabela de Luzon, Laguna, 1870-1898), SDS 13102.*

*Chinos (Pampanga, Pangasinan, 1856-1898), SDS 13106.*

*Chinos (Paragua, Surigao, Zamboanga, Pampanga, Bulacan, Manila,  
Capiz, Cebu, etc., 1870-1898), SDS 13120.*

*Chinos (Manila, 1888-1889), SDS 13021*

*Chinos (Provincias: Marianas, Masbate y Ticao, Mindoro, Antique, Bohol,  
1857-1898), SDS 13110.*

*Chinos (Iloilo, 1854-1898), SDS 13113.*

*Chinos (Miscellaneous Documents, 1832-1893), SDS 13122.*

*Chinos (Manila, 1837-1898), SDS 13123.*

*Chinos (Manila, 1832-1842), SDS 13124.*

*Chinos (Miscellaneous Documents, 1832-1843), SDS 13125.*

*Chinos (Manila, 1837-1849), SDS 13126.*

*Chinos (Manila, 1841-1892), SDS 13127.*

Archivo Histórico Nacional (AHN), Madrid, Spain

*Ultramar 5203, Expediente 14, No. 4, Article 5. Decree of Narciso Claveria (Manila, 20 December 1849).*

*Ultramar 5203, Expediente 14, No. 15, Article 7, No. 3. Circular No. 82 of the Administracion General de Tributos y Rentas No Estancadas de Filipinas (1852).*

*Ultramar 5217, Expediente 43, Proyecto de reforma de la legislacion sobre los chinos.*

### Published Works

Alvarez Guerra, J. (1878). *Viajes por Oriente: De Manila a Tayabas*. Manila: Estab. Tip. de C. Miralles Escolta.

Arellano, C. (1901). Historical resumé of the administration of justice in the Philippine Islands. *Reports of the Taft Commission. Message from the President of the United States transmitting a report of the Secretary of War, containing the reports of the Taft Commission, its several acts of legislation, and other important information relating to the conditions and immediate wants of the Philippine Islands*. Washington: Government Printing Office.

Avecilla, F. (1893). *Los chinos fuera de China y el antagonism de razas*. Habana: Miranda y Compania.

Bankoff, G. (1992). *In Verbo Sacerdotis: The Judicial Powers of the Catholic Church in the Nineteenth-century Philippines*. Darwin, Australia: Centre for Southeast Asian Studies, Northern Territory University.

\_\_\_\_\_ (1996). *Crime, Society and the State in the Nineteenth Century Philippines*. Quezon City: Ateneo de Manila University Press.

Blanco, J. D. (2009). *Frontier Constitutions: Christianity and Colonial Empire in Nineteenth-Century Philippines*. Berkeley: University of California Press.

Buzeta, M. O. S. A. y Felipe Bravo, O. S. A. (1850). *Diccionario Geografico Estadistico Historico de las Islas Filipinas*. 2 vols. Madrid: Imprenta de D. Jose C. de la Peña.

*Catalogo Alfabético de Apellidos* ([1849] 1973). Manila: Philippine National Archives.

*China en Filipinas: Coleccion de articulos publicados en el Diario de Manila acerca de la inmigracion Asiatica en el archipiélago* (1889). Manila: Establecimiento Tipografico de Ramirez y Compania.

- Chinos. Sus reglamentos y sus contribuciones, comp. El Faro Administrativo* (1893). Manila: Establecimiento Tipo-Litografico de Ramirez y Ca.
- Chu, R. (2012). *Chinese and Chinese Mestizos of Manila: Family, Identity, and Culture, 1860s-1930s*. Mandaluyong City: Anvil Publishing, Inc.
- Cunningham, C. H. (1919). *The Audiencia in the Spanish Colonies as Illustrated by the Audiencia of Manila, 1583-1800*. Berkeley: University of California Press.
- de los Monteros, D. E. (1897). *El Procedimiento Criminal: Compilacion de disposiciones sobre el enjuiciamiento en Filipinas*. Manila: Imprenta Litografia Partier.
- Foreman, J. (1906). *The Philippine Islands: A historical, ethnographical, social and commercial sketch of the Philippine archipelago and its political dependencies*. New York: The Scribner Book Company.
- Huang Hsiao-ts'ang (ed.) (1936). *Fei-lü-p'in Min-li-la Chung-hua Shang-hui san-shih chou-nien chi-nien k'an* [Philippine Manila Chinese Chamber of Commerce 30th Anniversary Commemorative Publication]. Manila: Chinese Chamber of Commerce.
- Jordana y Morera, R. (1888). *La Inmigracion China en Filipinas* Madrid: Tipografia de Manuel G. Hernandez.
- Los Chinos en Filipinas: Males que se experimentan actualmente y peligro de esa creciente inmigracion* (1886). Manila: Establecimiento tipografico de "La Oceania Española.
- MacLachlan, C. M. (1974). *Criminal Justice in Eighteenth Century Mexico: A Study of the Criminal of the Acordada*. Berkeley: University of California Press.
- Mallat, J. ([1846] 1983). *The Philippines: History, Geography, Customs, Agriculture, Industry and Commerce of the Spanish Colonies in Oceania*, translated by P. Santillan-Castrencia & L. Castrencia. Manila: National Historical Institute.
- O'Brien, P. (1978). Crime and Punishment as Historical Problem. *Journal of Social History*, 2 (4), 508-520.
- Recopilacion de leyes de los reinos de las Indias* (1841). 4 vols. Madrid: Boix.
- Robles, E. G. (1969). *The Philippines in the Nineteenth Century*. Quezon City: Malaya Books, Inc.
- Rodriguez Berriz, M. (1887-1888). *Diccionario de la Administracion en Filipinas*, 15 vols. Manila: Establecimiento Tipo-Lit. de Ma. Perez (Hijo).

Roldan de Montaud, I. (2011). La Hacienda Publica Filipina de 1800-1898. In Maria Dolores Elizalde Perez-Grueso, Josep Maria Fradera, Luis Alonzo Alvarez (eds.) *Imperios y naciones en el Pacifico*, vol. 1 (La formacion de una colonia Filipinas). Madrid: CSIC, 495-539.

---

(1998). La Hacienda Publica Filipina hace un siglo: en torno a los problemas financieros en la colonia Oriental durante la guerra (1896-1898). *Revista de Indias*, LVIII (213), 399-427.

Serrano Laktaw, P. (1889). *Diccionario hispano-tagalo*. Manila: Estab. Tipografico "La Opinion" la cargo de G. Bautista.

*The Chronicle and Directory for China, Japan and the Philippines for the year 1877* (1877). Hong Kong: "The Daily Press" Office.

Wickberg, E. (2000). *Chinese in Philippine Life, 1850-1898*. Quezon City: Ateneo de Manila University Press.

Zamora, J. (1845). *Biblioteca de Legislacion Ultramarina en Forma de Diccionario Alfabético*. 3 vols. Madrid: Imprenta de J. Martin Alegria.

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