直辖殖民地：1867年后的政府、法院与商法

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1867年4月1日，海峡殖民地不再是英属印度的附属地，而成为直辖殖民地，由伦敦通过殖民地部管辖。新加坡以烟火和市政厅落成典礼庆祝这一变化。对为此奔走了十年的商人来说，这标志着由加尔各答统治的时代结束了；在他们看来，加尔各答的政府遥远、不了解当地情况，也不关心他们的利益。就金融中心的历史而言，这次移交开启了一个长达七十五年的时期。在此期间，殖民地立法机构、经过改组的最高法院以及日益增多的条例，为新加坡奠定了现代商业城市的法律基础设施。

本章考察这一基础设施。首先讨论导致移交的不满以及移交本身。接着介绍直辖殖民地的政制、立法议会以及一系列立法计划，殖民地借此获得了刑法典、诉讼程序法典和证据法典，以及商法框架。随后追溯法院和法律职业的发展，再转向公司法和货币，最后评价法律作为殖民地商业资产的作用。

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本章延续了A部分的论述。A部分把英属新加坡的法律基础追溯到1824年的条约和1826年的《特许状》（Charter）。这些基础使这一殖民地有了主权者、法院和法律。直辖殖民地在此基础上建立起一套法律体系，足以服务于这样一个港口：整个殖民地的人口从1871年的约30万增长到1901年的远超50万，其贸易把它与世界经济的各个角落连接起来。

要点

1857年，新加坡商人请愿，要求从印度统治转为王室直辖，理由包括货币政策、罪犯、警力薄弱以及加尔各答的忽视。1866年8月10日的《海峡殖民地法》（Straits Settlements Act）促成了1867年4月1日的移交，设总督、由官员组成的行政议会，以及官方议员占微弱多数的立法议会。殖民地于1871年参照印度模式颁布《刑法典》，于1872年9月16日生效，随后又制定了刑事诉讼法典和1893年的《证据条例》，而商法继续沿用英国法。海峡殖民地最高法院于1868年取代司法法院（Court of Judicature），并于1873年成为上诉法院。海峡元于1867年成为殖民地货币，1897年成立的货币局（Board of Commissioners of Currency）自1899年起发行政府纸币。

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