

The Examiner (London),  
Saturday, December 22, 1855

SIR JAMES BROOKE AND THE FOREIGN  
OFFICE.

Last week we briefly adverted to the indiscreet attempt of the Foreign Office to exculpate Sir James Brooke by wholesale, but the silly attempt deserves further exposure. Let us premise that the Secretary of State's despatch would appear to imply that the decision come to had been founded on a report made by the Commission of Inquiry: but it so happens that no such report was made at all. The Commissioners, two in number, could not agree. Often, indeed, they drew diametrically opposite conclusions from the evidence. One of them was an experienced lawyer, being the principal law adviser of the Indian Government; while the other and younger was no lawyer at all, and little known for any other accomplishment. The Secretary of State never refers at all to the opinions of the senior Commissioner, and quotes the junior only to approve of his declining to enter on one branch of the inquiry which had been expressly submitted by the Foreign Office itself as a proper subject for investigation.

The first question to which the attention of the Commissioners was directed, was the nature of Sir James Brooke's position at Sarawak. On this important question Sir James offered no explanation, and the Commissioners called for no documents. The last indeed would have been difficult, since it so happens that the documents in question are impounded in England, to be produced in a court of justice on a question relating to Sir James Brooke's trading transactions. The common sense of the senior Commissioner, however, enabled him readily to give an opinion without explanation or document, and here it is:—"I find that position to be no other than that of a vassal of the Sultan of Borneo, holding, indeed, by a tenure very lax and easy to be thrown off altogether, but which in the existing relations between the Sultan and Great Britain, contracted by Sir James Brooke himself as representative of the British Crown, it would be impossible for the latter power to overlook or disregard, &c. &c."—p. 6. Sir James Brooke himself, we need hardly remark, let judgment by default on this point go against him by tendering his resignation of his public functions. Thus he not only admitted that for years together he had held positions which were incompatible with his duties as an officer and a subject, but that the Government had appointed and paid him for the performance of duties which it was impossible for him to discharge with honour or efficiency.

On the subject of his trading while a public officer, the Secretary of State observes as follows:—"They (her Majesty's Government) also learn with satisfaction that the Commissioners were of opinion that Sir James Brooke had not traded in the produce of the territory under his control, in any manner incompatible with his duties as Consul-General and Commissioner." Now we do not see what right the Commissioners had to vouchsafe an opinion on this subject, since they not only made no inquiry into it, but even refused to take evidence on the subject when it was offered, as appears by the published evidence, page 124. "Mr Woods, (the law agent) states that Mr Brown can speak of the trading of Sir James Brooke. The Commission refuse to hear Mr Wood examine him on that head." We must here hold the testimony of Sir James Brooke himself to be better than that of the Secretary of State, or of Commissioners who arrive at conclusions without taking evidence. It is contained in his correspondence, published rather indiscreetly by his friend Mr Templer in 1853. "I would not," says he, "wish you to conclude anything, but if I remain in my present trading concern, I must have a partner with a small capital, and well acquainted with the native trade." Considering that the whole question of Sir James Brooke's trading concerns is at the present moment under litigation in the Court of Chancery, would it not have been more decorous not to attempt to prejudice it by a high official opinion?

The third subject submitted by the Secretary of State to the Commissioners was, "to inquire into the accusations brought against Sir James Brooke by British subjects, of having sought to injure their interests, with a view to the promotion of his own." Charges were brought forward by two different parties, but the Commissioners refused to entertain them, and this without alleged reason. The Secretary of State thinks "they acted rightly in declining to go into the charges;" that is, acted rightly in disobeying his own express instructions.

The last inquiry ordered by the Foreign Office was "into the relations of Sir James Brooke with and towards the native tribes on the North-west Coast of Borneo, with a view to ascertain whether it is necessary that he should be entrusted with a discretion to determine which of those tribes are piratical, or, taking into view the recent operations on the coast, of calling for the aid of her Majesty's naval forces, for the punishment of such tribes." On this, perhaps the most important subject of the whole the letter of indiscriminate approval from the Secretary of State observes a discreet silence, from which one might suppose that the subject had never been mooted at all.

Nevertheless the junior Commissioner, as far as can be judged from the following dark oracle, would seem to be of opinion that Sir James Brooke ought to be still entrusted with the power in question. "Whether," says he, "it is necessary that Sir James Brooke should be entrusted with a discretion to determine what tribes are piratical, and to call for the aid of her Majesty's naval forces for their punishment, must depend on the position, if any, which Sir James Brooke may hold in her Majesty's service." (!)—p. 11.

The senior Commissioner is more explicit, and indeed not at all oracular. "It is, in my opinion," says he, "neither necessary nor prudent that he should be entrusted by the British Crown with any discretion to determine which of those tribes are piratical, or with any power to call for the aid of her Majesty's naval forces for their punishment or coercion. Indeed, his own tender of resignation of the offices of Consul-General and Commissioner of Trade was made, as stated by himself, under the conviction of their incompatibility with his position at Sarawak."—p. 6. After his own admission of incompatibility, the Government could not decently have continued Sir James Brooke as her Majesty's representative: but they have done the next worst thing to it. They have appointed as his successor his private secretary, a man living for the most part in his family, and imbued with all his opinions.

Whether Sir James Brooke be a British subject or a Malay Rajah, the expensive Commission did not succeed in determining. Whichever he may have been, however, he has proved a costly subject to the British Treasury, having drained it for the last fifteen years of a sum, in naval expeditions, in head-money, in salaries absent and present, in printing, and in the Commission, which a quarter of a million sterling would hardly cover. And our agreeable return for this outlay has been the slaughter of some thousands of savages, proved by the evidence taken under the Commission, as well as by the opinion of the Commissioners themselves, never to have attacked a ship or a cock-boat under the British flag;—the establishment of Sir James Brooke as Rajah of Sarawak;—and the acquisition of the island of Labuan, which has some good coal, but no trade. We doubt if the bargain has been a good one, especially when we consider that genuine Malay piracy has continued to be a good deal more rife since than before the advent of Sir James Brooke.

One palpable advantage, however, it may be admitted, has ensued from mere agitation of the question at issue in this inquiry. It produced an act of Parliament for the abolition of "head-money," and the consequence has been that in the five years which have transpired since the repeal, no Dyak pirate has been slaughtered, captured, or even heard of. The last sum paid was in 1849. That amounted to no less than 20,700*l.*; and it is a curious result of the Commission of Inquiry that this is proved to have been in excess by 4,000*l.*, since competent witnesses deposed that the number sworn to as killed on the 31st of July was not 500, but 300 only, the difference at 20*l.* a head making the sum in question, which ought in justice to be disgorged.

Such a despatch as that on which we have been commenting never would have been penned had Joseph Hume been living. Every one that knew him, and knows the House of Commons, will admit that truth. Was the Foreign-office despatch meant merely as a kick, then, at the dead lion?