

P A P E R S

RELATIVE TO THE

EXECUTION OF THE TREATY OF 1824,

BY THE

NETHERLAND AUTHORITIES

IN THE

EAST INDIES.

*Presented to the House of Commons, in pursuance of their Address of the
5th October, 1841, by Command of Her Majesty.*

LONDON:

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P A P E R S

RELATIVE TO

THE EXECUTION OF THE TREATY OF 1824,

BY

THE NETHERLAND AUTHORITIES

IN

THE EAST INDIES.

No. 1.

Mr. Cabell to Mr. Backhouse.—(Received May 12.)

Sir,

India Board, May 11, 1840.

THE Commissioners for the Affairs of India direct me to request that you will call the attention of Viscount Palmerston to the letter of which a copy is inclosed, dated the 16th of March, from the Governor-General of India in Council, transmitting a representation from the Chamber of Commerce at Prince of Wales' Island, relative to certain aggressions committed by the Dutch in the Eastern Seas.

I am, &c.,
(Signed) WILLIAM CABELL.

Inclosure 1 in No. 1.

The Governor-General of India in Council to the Secret Committee of the Court of Directors of the East India Company.

March 16, 1840.

WE forward copies of a letter from the Secretary to his Excellency the Naval Commander-in-Chief, and of its inclosed representation, addressed by the Penang Chamber of Commerce to his Excellency the late Rear-Admiral Sir F. L. Maitland, on the subject of the alleged aggressions of the Dutch in Sumatra and the Eastern Archipelago, in contravention of the stipulations of the Treaty between the two Governments; and to request, that, should your Honourable Committee see fit, the communication referred to may be laid before Her Majesty's Principal Secretary of State for Foreign Affairs, in order that Her Majesty's Government may take such steps and may issue such instructions in the matter as they may think proper. We have, in the meantime, directed that information upon the facts alleged be collected by the Governor at Singapore, and that a copy of his report to us upon them be transmitted by him directly for your information.

(Signed)

AUCKLAND.
J. NICOLLS.
W. W. BIRD.
WM. CASEMENT.
H. T. PRINSEP.

Inclosure 2 in No. 1.

Mr. W. F. Lorrain to Rear-Admiral Sir F. L. Maitland.

Sir Frederick,

Penang, January 6, 1840.

THE members of the Penang Chamber of Commerce feeling it a duty unavoidably forced upon them, beg leave respectfully to convey to your

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Excellency their sentiments on the present aggressions of the Dutch, especially in the Island of Sumatra, as well as in the islands of the Eastern Archipelago generally.

The Chamber is desirous of bringing to your Excellency's especial attention the 4th and 6th Articles of the Treaty concluded between His Britannic Majesty and the King of the Netherlands, of the 17th of March, 1824, a copy of which is inclosed. By the above Articles it is expressly stipulated, first, in Article 4th, "Their Britannic and Netherland Majesties engage to give strict orders, as well to their civil and military authorities, as to their ships of war, to respect the freedom of trade established by Articles 1, 2, and 3, and in no case to impede a free communication of the natives in the Eastern Archipelago with the ports of the two Governments respectively, or of the subjects of the two Governments with the ports belonging to Native Powers;" and in the 6th Article, "It is agreed, that orders shall be given by the two Governments to their officers and agents in the East, not to form any new settlements on any of the islands of the Eastern Seas, without previous authority from their respective Governments in Europe." With reference to the infraction, by the Dutch, of the 4th Article, as above, the Chamber respectfully communicates to your Excellency, that it is in possession of depositions made before it by natives from Batu-Barah, in Sumatra, trading to this island, stating, that a naquodah, or captain, with a crew of five men, sailed in his prow from Penang, with merchandise, to Pannah, on the east coast of Sumatra. On her arrival at that place, the crew and cargo were immediately seized by the Dutch officer in command of the fort at that place, and the naquodah hung; during the night, the crew made their escape, and succeeded in reaching Batu-Barah. The Chamber, having this fact before it, exhibiting the savage, illegal, and inhuman murder of the naquodah, and the violence resorted to in impeding "a free communication of the natives in the Eastern Archipelago with the ports of the two Governments respectively, or of the subjects of the two Governments with the ports belonging to Native Powers," feel it imperative to solicit your Excellency's immediate attention to the transaction, and, if possible, to call on the Dutch Authorities for an explanation of the motives which dictated such inhuman conduct. In reference to the 6th Article of the above Treaty, it is only necessary to acquaint your Excellency, that the Dutch have recently taken Baroos; and it is expected shortly they will also seize on the neighbouring ports of Tapoos, Sinkel, and Trumon, all of which are on the west coast of Sumatra. The naquodah of the "Totally Halbaree," which arrived here on the 13th ultimo, communicated to the Chamber, that a Dutch force, consisting of one large and two smaller ships of war, with nearly 1500 European and native troops, landed about four months ago and took possession of Baroos, after a slight resistance, in which the Rajah and sixty men were killed. The Rajahs of Sinkel and Tapoos, who had, upon urgent solicitation, proceeded to his aid, with a body of followers, having escaped with difficulty, after erecting a temporary fortification at the mouth of the river, with a sufficient number of guns to defend that position from any attack from the interior, the ships proceeded to Sinkel, where they maintained a rigorous blockade; and the probability is, that before this time, that port and Tapoos have also fallen into their power. Notwithstanding, it was stipulated, "that orders shall be given by the two Governments to their officers and agents in the East not to form any new settlements on any of the islands in the Eastern Seas, without previous authority from their respective Governments in Europe." Believing the spirit and right meaning of this Article was intended to curb the disposition to aggrandizement in the islands of the Eastern Archipelago by one Power without the sanction of the other, we conceive the wording of it is somewhat at variance with our interpretation of its meaning and intent. If, however, the Contracting Parties of the Treaty meant that the officers and agents of the Netherland kingdom were to have a prescriptive right to take possession of any or all of the ports and places on the coasts of Sumatra, under the sanction of their Government, without reference to, or obtaining the sanction of, the British Government for such objects, and, moreover, their levying duties on the importation of British produce, or merchandise, at a rate exceeding "double" the amount of the duties levied on their own subjects, in further violation of the 2nd Article of the said Treaty, amounting to prohibition and non-intercourse; such terms of the

Treaty between the two countries are most deeply to be deplored, as leading to the entire destruction of the principal part of the trade of this island; for, eventually, when the whole of the ports of Sumatra shall have been taken possession of by the Dutch, and the probability, also, of their compelling the northern nations of the island to submit to their authority, they may prohibit all communication whatever with the British settlements in the Straits, and, having the monopoly of the whole produce of Sumatra at their disposal, effectually destroy their trade with that island.

The Chamber is also desirous of bringing to your Excellency's knowledge a practice, which at present very extensively obtains, of the Dutch exporting large quantities of spices from the Island of Java, and Bencoolen, in Sumatra, first to Holland, and from thence to the Cape of Good Hope, where they are landed, re-shipped on British bottoms, and sent again to our home markets as British produce, thereby escaping the payment of the protecting duties.

The Chamber needs scarcely enlarge on these subjects regarding the conduct of the Dutch towards British subjects or on their utter disregard of the terms of the existing Treaty of 1824, between the two Governments, and therefore most earnestly entreat your Excellency to take the foregoing circumstances into your early consideration, with the view of making such representations to the Home Government as, in your judgment, you may deem necessary concerning them. The Chamber has also respectfully to suggest to your Excellency the great advantage that would accrue to the British vessels frequenting the coasts of Sumatra, if a vessel of war were occasionally to visit the ports along its coasts, for the purpose of making inquiry as to any acts of aggression that may have taken place on the part of the natives against British subjects, as so many captains of vessels have of late been murdered without redress.

I have, &c.,
(Signed) W. F. LORRAIN,
Chairman of the Penang Chamber of Commerce.

No. 2.

Sir John Barrow to Lord Leveson.—(Received July 10.)

My Lord,

Admiralty, July 9, 1840.

I AM commanded by my Lords Commissioners of the Admiralty to send you herewith, for the information of Viscount Palmerston, copies of a letter from Commodore Sir J. G. G. Bremer, dated the 3rd of April last, and its inclosure, relative to the aggressions of the Dutch in the Island of Sumatra, as well as in the islands of the Eastern Archipelago generally.

I am, &c.,
(Signed) JOHN BARROW.

Inclosure 1 in No. 2.

Sir J. G. Gordon Bremer to Mr. More O'Ferrall.

Sir,

"Larne's" gig, Calcutta, April 3, 1840.

THE following letter is submitted for the consideration of the Lords Commissioners of the Admiralty. It has been already referred to the Right Honourable the Governor-General of India in Council, and his Lordship has instructed the Authorities in the Straits to institute inquiries into the circumstances therein noticed, with a view to such measures as the Government of India may see reason to adopt.

I have, &c.,
(Signed) J. G. GORDON BREMER,
*Commodore of the First Class,
and Commander-in-Chief.*

Inclosure 2 in No. 2.

Mr. W. F. Lorrain to Rear-Admiral Sir F. L. Maitland.

[See Inclosure 2 in No. 1, page 1.]

No. 3.

Viscount Palmerston to Sir Edward Cromwell Disbrowe.

Sir,

Foreign Office, September 3, 1840.

I TRANSMIT herewith to you a copy of a letter from the Admiralty, inclosing a letter which had been addressed to the British Commander-in-chief in the East Indies, complaining that impediments are thrown by the Netherland Authorities in the way of English subjects trading with the native Powers in the Eastern Archipelago, and also representing as contrary to the Treaty of 1824, the aggressions which the Netherland East India Authorities have made upon the territories of certain native Princes.

Although these papers do not appear to Her Majesty's Government to contain any specific allegation which could be made the subject of particular or formal remonstrance against the Dutch Government, I have to instruct you to state generally to Baron Verstolk de Soelen, the complaints which they contain; and to express the hope of Her Majesty's Government, that such instructions will be given to the Dutch Authorities in the East Indies, as will prevent any just complaints on the part of British subjects, that either the letter or the spirit of the Treaty of 1824 have been departed from.

I am, &c.,
(Signed) PALMERSTON.

No. 4.

Sir Edward Cromwell Disbrowe to Viscount Palmerston.—(Received September 18.)

My Lord,

The Hague, September 15, 1840.

I HAVE transmitted to Baron Verstolk a copy of the letter addressed by the Chamber of Commerce of Penang to the Commander-in-chief in the East Indies, and have accompanied it with a note which is a transcript of your Lordship's despatch of the 3rd instant.

I have, &c.,
(Signed) E. C. DISBROWE.

No. 5.

Mr. G. G. de H. Larpent to Viscount Palmerston.—(Received January 12.)

*London East India and China Association
Cowper's Court, Cornhill,
January 11, 1841.*

My Lord,

THE Committee, in accordance with the wishes of the Penang Chamber of Commerce, beg leave to lay before your Lordship copy of a correspondence which has recently taken place between the Authorities in India and that Chamber, relative to the alleged aggressions of the Dutch in the Eastern Archipelago, but especially in the Island of Sumatra.

The Committee beg me to call your Lordship's attention to that part which relates to the seizure of a vessel and crew from Penang, and the alleged

murder of the master; and the Committee feel assured your Lordship will consider it necessary, in order to satisfy the minds of the parties at Penang, to call upon the Authorities at the Hague for an explanation of a transaction bearing an appearance so unjustifiable. And the Committee would respectfully submit whether, in order to put an end to these and other complaints, especially with respect to the tariff of duties in Netherland India, it would not be desirable to reconsider the provisions of the Treaty of 1824, and endeavour, by negotiation with the Dutch Government, to place our relations in the East upon the footing which it was intended they should rest by that Treaty; namely, of being mutually beneficial to their respective possessions, and to the commerce of their subjects in the East Indies, "so that the welfare and prosperity of both nations might be promoted in all time to come without those differences and jealousies which have in former times interrupted the harmony which ought always to subsist between them." For it is notorious that the result has been a most painful contrast to the anticipations of the Contracting Parties; the Dutch having increased the imposts on British manufactures five or six fold beyond what they were before the said Treaty; and they have engaged in wars of many years' duration with the best customers of British subjects in the four chief islands of the Archipelago; they have infringed on the promised freedom of trade by the creation of a royal commercial monopoly, and subjected British commerce and intercourse to greater difficulties and restraints than they were liable to before any treaty existed; and the consequence has been, that British trade with the native States in those islands has been most injuriously effected; so that, instead of the ancient jealousies and differences having disappeared, according to the professed object of the Treaty of 1824, not a year has since passed without the British merchants having had incessant and substantial grounds of complaint.

I have, &c.,
(Signed) G. G. de H. LARPENT, *Chairman.*

Inclosure in No. 5.

Mr. W. F. Lorrain to Rear-Admiral Sir F. Maitland.

[See Inclosure 2 in No. 1, page 1.]

No. 6.

Mr. Cabell to Mr. Backhouse.—(Received January 14.)

Sir,

India Board, January 13, 1841.

I AM directed by the Commissioners for the Affairs of India to request that you will lay before Her Majesty's Secretary of State for Foreign Affairs, the inclosed copy of two letters from the Governor-General of India in Council to the Secret Committee, dated the 17th and 20th of November, with their inclosures, respecting the proceedings of the Dutch in the Eastern Seas.

I am, &c.,
(Signed) WILLIAM CABELL

Inclosure 1 in No. 6.

The Governor-General of India in Council to the Secret Committee.

Honourable Sirs,

Fort William, November 17, 1840

IN continuation of our letter dated 16th March, 1840, we have now the honour to forward copies of two despatches from the Governor of Prince of Wales' Island, Singapore, and Malacca, dated respectively the 22nd July and 27th September, reporting the result of the inquiries instituted by him into

the matter of the alleged aggressions on the part of the Dutch in Sumatra, and the case of the two individuals supposed to have been put to death by order of the Netherland Authorities.

We have not deemed it incumbent on us to issue any immediate instructions on the subject to the Authorities of the Eastern Settlements; but have considered it our duty to refer the case for the decision of the Home Authorities; and we shall await with anxiety the result of any communications your Committee may make to Her Majesty's Government on the matter, and the instructions you may be pleased to furnish us with for our guidance, with a view to the protection of British interests in the quarter indicated.

We have, &c.,
(Signed) AUCKLAND.
T. NICOLLS.
W. W. BIRD.
WM. CASEMENT.
H. T. PRINSEP.

Inclosure 2 in No. 6.

*The Governor of Prince of Wales' Island, &c., to Mr. Torrens,
Secretary to Government, Fort William.*

Sir,

Singapore, July 22, 1840.

I HAVE the honour to acknowledge the receipt of Mr. Secretary Maddock's letter of the 16th March, with an inclosure, being copy of a letter from the Secretary to the Naval Commander-in-Chief, forwarding to the Supreme Government copy of a representation made to his Excellency by the Penang Chamber of Commerce, relative to alleged aggressions on the part of the Dutch on Sumatra, and desiring that a report may be forwarded on the subject for the information of the Right Honourable the Governor-General in Council.

In reply, I have the honour to advise you that I am not aware of the Netherland Government having taken possession of any station in this vicinity for mercantile purposes, beyond those already brought to the notice of Government in my letter of the 21st July, 1838, in which I reported that the Dutch had occupied Barroos and Tappoos, on the west coast of Sumatra; and inclosed copy and translation of a letter on the subject from the Rajah of Sinkel, a port situated about a degree to the north-west of Tappoos; as also that the Dutch were making their way over from the west coast of Sumatra to the east, and it being rumoured that that Power intended to occupy Siac. Since that period, however, there are undoubted accounts of the Dutch having come across to Pannay, a place on the east coast of Sumatra, about 120 miles to the north-west of Siac, and where it is alleged by the Penang Chamber, that the Dutch have put to death two natives, who had been trading to Penang, and, as the Chamber would infer, for no other cause than for so acting.

That the Government may satisfy itself of the degree of credit that should be attached to so grave an imputation against a civilized nation in amity with Great Britain, I have the honour to inclose sundry depositions taken at Penang and Malacca on the subject. These depositions, I regret to say, are not so perfect as could be wished, but, nevertheless, it is clear that two men were put to death, but on what grounds it is at present difficult to decide.

The question, however, being involved in some obscurity, in consequence, be it remembered, of the Chamber at Penang not bringing the question to my knowledge when the depositions alluded to were taken, and at which time I was at that settlement, I thought it advisable to address the Resident of the neighbouring Dutch Settlement of Rhio on the subject, in a friendly way, and I beg to inclose copy of his reply, which, though in a confidential form, will at once show that, even if any enormity of the description complained of has taken place, it must be ascribed to private misconduct, and not be considered as an act of the Dutch Government.

I think, however, I may venture to say that, when the Resident at Rhio receives a reply to the communication he intends making to the Netherland

Government at Batavia, it will be proved that the persons who were put to death were executed for piracy and murder, and not unlikely by some military authority, who, very probably, was entirely ignorant of the local policy of this country; and should such prove to be the case, it must at once put an end to the idea which the Chamber appears to have imbibed, that the men were executed by the Dutch for the purpose of forwarding their mercantile views in this neighbourhood.

In Mr. Maddock's letter I was directed to send copy of this letter to the Honourable the Secret Committee directly from hence, but as the information now submitted appears to me unsatisfactory; and as I hope to receive in about two months, from the Resident at Rhio, a detailed statement of the transaction, I have thought it advisable to refrain from doing so, more especially as, should Government be pleased to make a communication on the subject to the Home Authorities in its present crude state, it will reach England by the overland mail before any letter that could be dispatched from hence.

I have, &c.,
(Signed) S. G. BONHAM,
*Governor of Prince of Wales' Island,
Singapore, and Malacca.*

Sub-Inclosure 1 in Inclosure 2 in No. 6.

Depositions taken at Penang and Malacca by directions of the Governor of Prince of Wales' Island, Singapore, and Malacca, touching the alleged execution of two men named Syed Mahomed and Naquodah Sennah, by the Dutch Authorities at Pannay, a place on the East Coast of Sumatra, and recently occupied by that Power.

*Prince of Wales' Island,
Police Office, June 4, 1840.*

See Barris, Sworn. I am an inhabitant of Battu Barra, near Delhi, under Rajah Seah. I am a seafaring man. I arrived here six days ago, in a prow commanded by Naquodah Jummahloodin. It is upwards of a year since I was one of the crew serving with one Naquodah Sennah, who was also an inhabitant of Battu Barra; we came to Penang, laden with pepper, and sailed to Pannay, with salt, cloths, &c., (Pannay is a day's sail from Battu Barra), we number six in the prow, including the Naquodah; when we arrived at Pannay, at the mouth of the River Quallah, we were hailed by the Dutch, who were entrenched within a stockade about two miles from the mouth of the river; when we got to the stockade, a Jurutoolis belonging to the Dutch spoke to the Naquodah, and asked him where we had come from? he answered Penang; whether we had a pass? Yes. What he was laden with? Salt, clothes, &c.; when the Naquodah, on being desired by the Jurutoolis, accompanied him into the stockade. Two hours after, the Naquodah and a Dutchman, (European,) came out of the stockade, and called to us all to come on shore, which we did, and were taken into the stockade; the same questions were put to us as were put to the Naquodah, by the Jurutoolis; and further, if we sold any of the articles on board? We said, Yes, a few cloths. And if we received our money? Yes. The Naquodah was then seized, and another Naquodah, Syed Mahomed, who arrived in the river half an hour after us, was also seized, and both immediately hanged in our presence, without cause or reason; we were then desired to go on board a sampan, and at night-fall they fired upon us, which obliged us to jump into the water, and make our escape in the best manner possible.

Before me, (Signed) W. T. LEWIS,
Justice of Peace.

Mark of
X
SEE BARRIS.

Che Ali. I am an inhabitant of Battu Barra. I belong now to the same prow with See Barris, commanded by Jummahloodin; we arrived at Penang six days ago. I was also one of those with Naquodah Sennah

upwards of a year ago. The Dutch seized and hung him without any cause, together with one Naquodah Syed Mahomed. I saw it done with my own eyes. Corroborates besides all that is stated by See Barris—they are related to each other.

Before me, (Signed) W. T. LEWIS,
Justice of Peace.

Mark of
X
CHE ALI.

Tuesday May 13, 1840.

Tutye Yat. States on oath that he is an inhabitant of Singah; that about two years ago, he was at Bulah, Seyd Oomar was going to Soongye Dawas: the Dutch hailed him from the stockade, and made him give up his arms; they succeeded in getting Syed Mahomed, but Seyd Oomar got off.

Naquodah Sennah from Penang came in, and they made him land all his arms, and they then arrested him, (Naquodah Sennah,) and the same day hung up both Syed Mahomed and Naquodah Sennah.

Before me, (Signed) W. T. LEWIS,
Superintendent of Police.

Malacca Police Office, June 21, 1840.

Moda Asseen. An inhabitant of Malacca. On oath, states that about a month and a half ago, he went to Penang to trade; on his arrival there, he saw a corpse leaning against a tree, and the day following it was thrown into the river. Whilst remaining at that place, he inquired into the cause of the man's death, and was told by a Madura soldier, whose name is unknown to deponent, that the man was condemned to be shot, for being concerned in an atrocious act of murder and piracy; to wit, that as a boat was coming down from the head-quarters, [Partive,] with the treasure for that station, [Pannay,] under the escort of an European corporal's guard, they were attacked and plundered by an armed Malay boat; four out of the five soldiers were killed, and the remaining one, with some of the crew, jumped overboard into the river, and when they reached the shore, they made their way through the jungle to Pannay, where they reported the dreadful catastrophe; a few days after the party's arrival at Pannay, a boat came in from Soongye Dahoon, and the man whose corpse was seen by deponent, was found in it. An order was immediately issued for his apprehension by the Commanding Officer; upon executing this order, the people of that boat rushed against the party sent, and would have run-a-muck, but the soldiers acted on their defence by firing at them. They made their way off to the jungle, but this man (the deceased) was seized, and, after a trial, sentence to be shot was passed upon him, which was duly executed.

Before me, (Signed) J. B. WESTERHOUT,
Justice of Peace. MODA ASSEEN.

June 27, 1840.

Seperiano Faria. An inhabitant of Malacca; on oath, states that in the month of January last, he went to Pannay and Bellah, and whilst he was there, he was told by an European serjeant and three Amboynist soldiers, that two days before deponent's arrival, ten or twelve large boats, and great numbers of small boats, had arrived from Soongye Dahoon, and afterwards, the men of some of the boats attacked the Dutch at Pannay and Bellah, and after the fight, a young Battah Amah Rajah, (whose name is unknown to deponent,) who was with the Dutch at the time, apprehended two persons, (whose names are unknown to deponent,) belonging to the boats, who were afterwards proved to be two of the pirates who attacked and plundered the treasure under the escort of the European corporal's guard, on their way from Partive; and on the following day, they were sentenced by the Dutch to be stabbed,

after their death the corpse to be hanged; which sentence was duly executed; and deponent saw the corpse of the two men hanged on a tree. Deponent was also informed that one of them was a Seyd and person of rank of Soongye Dahoon, and the other was a Malay Paughma of Soongye Dahoon; the names of the deceased are not known to deponent.

Before me, (Signed) J. B. WESTERHOUT, Mark of
✕
SEPERIANO FARIA.
Justice of Peace.

True Copies. (Signed) S. G. BONHAM,
Governor.

Sub-Inclosure 2 in Inclosure 2 in No. 6.

Mr. Garling to the Governor of Prince of Wales' Island, &c.

Sir,

May 13, 1840.

I HAVE the honour to acknowledge the receipt of your letter of the 2nd instant.

2. I had not heard anything of the occurrence referred to by the Penang Chamber of Commerce, neither could I at first discover any trace of it.

3. I am now informed, that a boat with treasure, under escort of a corporal's guard, was proceeding from one Dutch settlement to another, on the east coast, Sumatra. That a native boat attacked them, and killed three out of the five soldiers. That the remaining two precipitated themselves into the sea, and one of them reached the shore. An armed boat is said to have been sent after the people who made this deadly assault, and succeeded in capturing three or four of them. These men were hung. It is also reported that an attempt had been made by the natives on the fortifications of the Dutch, at one of their new settlements; that the natives were overpowered, and that the captives were hanged.

4. I do not esteem it advisable to put the State to the expense of sending over a boat and confidential messenger.

I have, &c.,
(Signed) S. GARLING,
Revenue Commissioner.

A true copy. (Signed) S. G. BONHAM,
Governor.

Sub-Inclosure 3 in Inclosure 2 in No. 6.

The Resident at Rhio to the Governor of Prince of Wales' Island, &c.

My dear Sir,

Rhio, July 10, 1840.

I HAVE been duly favoured with your kind letter of the 1st instant, which reached me on the 8th, with its inclosure, and in reply, I must state, that I regret, to learn that, agreeable to the depositions, the officer in charge of Pannay should have executed two natives without the least cause or reason, which however has not come to my knowledge before now; I shall, without loss of time, state the circumstance of the case to the Supreme Government, with request that a strict investigation may be done into the matter by the Governor of the Island of Sumatra, under whose immediate control and orders the establishment of Pannay stands, and shall not fail to communicate to you the result of the inquiry, as soon as it reaches me; in the mean time, I beg you will accept my sincere thanks for the communication of the matter.

I must confess that it is also for me incomprehensible what could have induced the Authorities at Pannay to such a transaction; the name of the Naquodah Syed Mahomed, however, puts me in mind of a man of that

name, who was an inhabitant of Jambi, and a notorious vagabond, who has committed murder, piracy, &c., &c., on the east coast of Sumatra, for whose apprehension a considerable pecuniary reward is offered by our Government, but even where he is, or can be taken alive, they have no right for not delivering him over to the lawful judge for trial.

I beg to remain, &c.,

(Signed) A. D. ANDREISSE.

A true copy.

(Signed)

S. G. BONHAM,
Governor.

Inclosure 3 in No. 6.

Mr. Torrens to the Governor of Prince of Wales' Island, &c.

Sir,

Fort William, August 17, 1840.

I AM directed to acknowledge the receipt of your despatch, with inclosures, under date 22d ultimo, regarding the alleged aggressions on the part of the Dutch, on Sumatra, and submitting depositions touching the alleged execution of two men by the Dutch Authorities at Pannay, and in reply, to state, that the Governor-General in Council concurs with you in deeming the information now before him insufficient and unsatisfactory, and approves your awaiting further communications from the Resident at Rhio, before addressing the Home Authorities, whose views on the subject of alleged previous encroachments of the Netherland Authorities, by the formation of fresh settlements in the vicinity of British Possessions have recently been communicated to you.

I have, &c.,

(Signed)

H. TORRENS,
Officiating Secretary to Government of India.

Inclosure 4 in No. 6.

The Governor of Prince of Wales' Island, &c., to Mr. Torrens.

Sir,

Singapore, September 27, 1840.

IN continuation of my letter of the 23rd July last, I have now the honour to advise you, for the information of the Right Honourable the Governor-General in Council, that recently, while I was at Malacca, the steamer "Diana" was directed to cross over to the east coast of Sumatra, in search of some pirates who were supposed to be in that neighbourhood, and the commander was instructed, while there, to send up a gun-boat to Pannay to see the nature and state of the Dutch force said to be at that place, and, if opportunity offered, to ascertain, as far as possible, under what circumstances Seyd Mahomed and Naquodah Sennah, the two men alluded to in the petition from the Chamber of Commerce at Penang, were put to death; and I now beg to inclose copy of the report of the master of the "Diana" on the subject.

Captain Congalton does not understand the Dutch language, but is perfectly acquainted with that of the Malays; and he appears to be of opinion that the explanations afforded to him by Lieutenant Nuggalmans, of the proceedings of his predecessor, are entitled to consideration, and from the manner they were given, to be fair representations of what had been written from the Authorities at Pannay to their superiors, relative to this transaction.

In my letter above alluded to, I mentioned that Mr. Andreisse, the Resident at Rhio, promised to furnish me with the particulars of this case, but I have not yet heard from him; as, however, the explanation of Lieutenant Nuggalmans appears to me entitled to credit, and if it be so, entirely to absolve the Dutch Authorities from the commission of any acts of aggression on British subjects, or on other persons who may be constructively so considered, I think it my duty to lose no time in bringing this subject again to the notice of the Government of India.

From Malacca I proceeded to Prince of Wales' Island; and on my

arrival at that island, having received further intelligence that pirate boats were still on the east coast of Sumatra, off the ports of Delhie and Battu Barrah, between which places and Penang considerable traffic is carried on, I again despatched the "Diana" to that quarter. The "Diana" returned after a week's absence, and Captain Congalton duly forwarded to me the result of his observations; copy of his letter with translations of the letters therein alluded to, and sent to me by the Dattoo Shabundar of Delhie, are herewith inclosed.

Captain Congalton had a conversation with a man called Seyd Akkil, who, as alleged by himself, is known to me. From his statement, the explanation of the Dutch officer relative to the attack on Pannay by the Malays is certainly corroborated, as Seyd Akkil admits he was there; and if his assertions are entitled to any weight, some such attack as described by Lieutenant Nuggalmans' predecessor must have taken place. Seyd Akkil does not assign any reason for the conflict, but simply states the Dutch are "Orang Tippoos," which, in the Malayan language, in the manner it appears to have been used, means that the Dutch are a designing people.

The first letter alluded to by Captain Congalton, sent to me by the Rajah of Delhie, is a letter to himself from Captain Linkum, who is not unlikely to have been Nuggalmans' predecessor, and to have been in charge of Pannay when the conflict between the Dutch and the Malays took place, and seems to be a reply from Captain Linkum to a letter from the Rajah at Delhie. It is to be regretted, from the style of the Dutch officer's communication, that a copy of the Rajah's was not sent to me also, as, in its present shape, it only tends to show that the Dutch and Seyd Akkil were not on very friendly terms, but it distinctly tends to prove the full intention of the Government of the Netherlands to subjugate as much of the northern parts of the large and valuable Island of Sumatra as it conveniently can do.

The second letter appears simply to be an authority from some other Rajahs to the Dattoo Shabundar of Delhie, for him to act for them in any way he may see fit in any communication that may take place between himself and the Dutch.

I have, &c.,
(Signed) S. G. BONHAM,
*Governor of Prince of Wales' Island,
Singapore, and Malacca.*

Sub-Inclosure in Inclosure 4 in No. 6.

Captain S. Congalton to the Governor of Prince of Wales' Island, &c.

Sir,

Malacca Roads, August 14, 1840.

I GOT up to the first Dutch station at Pannay on Wednesday, at 2, P.M., where I saw Lieutenant Nuggalmans, of the Artillery, at present commanding that station. After inquiring if they had heard anything about pirates of late along that coast, as I was sent on a cruize, I would be obliged if he could give me any information; he said a prow from Battu Barrah, a few days ago, with a letter from the Rajah, had reported there were pirates outside, but as he had no boats or prows to send out, and only soldiers with him, he could not say if there was any truth in it or not. I then inquired if he commanded there in 1839; he said he did not; that that officer had been taken very ill, and was obliged to go up in the interior, and that no European could live there; that he was also very unwell, and had applied to be relieved. I then told him that it was reported to the Government of the Straits of Malacca, that two Malays belonging to Penang, named Seyd Mahomed and Naquodah Sennah, who came there on a trading voyage, had been taken and hanged without any cause, by the commanding officer of the station at the time, and that I wanted to know if he could give me any information of what offence they had been guilty; he then referred to the letter book of 1839, in which there were several long letters, which he read and explained to me in Malay, and also in Dutch to a Mr. Myers, belonging to Malacca, which seems to be thus:—

In May, 1839, the Rajah Muda of Campony Belah, gave information that the Malays from Asahan, Siak, and Tauna Putie had come to Belah with a fleet of twenty prows, the whole under the control of a person who went by the name of Rajah Sout, and said they had come to trade; afterwards several other prows came, all armed and with the same pretence of trading, but with the intention of making an attack on the new Dutch stations, knowing the Dutch had no guns there at the time, only a few troops with muskets. The Dutch officer then told the Rajah of Belah to send them all away out of the river in four days; they all left Belah, and came down and entered Soongye Pannay, and got behind a small island close to the Dutch settlement, when they were again ordered out of the river, but would not go; afterwards five of the largest, mounting guns, were trying to escape without going to the Dutch station when called, the wind and tide being against them, rounding a point, they could not get a head; a boat was manned with troops, and brought them back, while they had the Naquodahs on shore questioning them regarding their not coming when called, the crew from the five prows jumped on shore, snatched the bayonets from the sepoys' muskets, and wanted to run a-muck, when they were fired upon by the other troops, when they jumped into the river, and a number of them were shot, and afterwards four of the Naquodahs were hanged; one of them said he was a Rajah from Siac; the names of the others are not known. This happened on the 20th of May, 1839, since which nothing has been seen in the river in the shape of a pirate prow, but several boats from Malacca, Siac, and Battu have been there.

I am, &c.,
(Signed) S. CONGALTON.

Inclosure 5 in No. 6.

The Governor-General of India in Council to the Secret Committee.

Honourable Sirs,

*Secret Department,
Fort William, November 20, 1840.*

IN continuation of our antecedent communications, regarding the proceedings of the Dutch Government in Sumatra and the Eastern Archipelago, we take this opportunity to forward a copy of a despatch from the Governor of Prince of Wales' Island, Singapore, and Malacca, dated 15th October, connected with the subject, and having reference to the view taken of the question in paragraphs 78 and 79 of a letter from the Court of Directors, dated the 2nd of June, 1840.

We have, &c.,
(Signed) AUCKLAND.
J. NICOLLS.
W. W. BIRD.
WM. CASEMENT.
H. T. PRINSEP.

Inclosure 6 in No. 6.

The Governor of Prince of Wales' Island, &c., to Mr. Maddock, Secretary to Government, Fort William.

Sir,

Singapore, October 15, 1840.

I HAVE the honour to acknowledge Mr. Officiating Secretary Torrens' letter of the 27th July last, with its inclosures; and I think it my duty to bring to notice certain transactions on the part of the Dutch nation, which probably may be considered infractions of the Treaty of 1824, but whether they be or not, there can be no doubt that the effects of them are very detrimental to the settlements in the Straits.

For easy reference, I beg to annex the Articles I., II., III. and IV., of the Treaty entered into at London, on the 17th of March, 1824, and which I

presume must be taken to govern the mercantile intercourse existing between the subjects of the two States.

By the 3rd Article, it is expressly stipulated the one party shall not enter into any treaty whereby the trade of the other party shall be excluded from the ports of any native Power; and by Article IV., it is further declared that the freedom of trade established by Articles I. II. and III. of the same Treaty, is in no case to be impeded; and that a free communication of the natives in the Eastern Archipelago, with the ports of the two Governments respectively is to be permitted.

Serious complaints have at times been made by the British merchants and others, of being compelled to pay at Dutch ports, duties at higher rates than stipulated for in Article II. of the Treaty; this question, has, however, been fully and often discussed in Parliament, and it is useless, therefore, for me here again to press the matter on Government.

The Dutch Government has at present on Borneo, three separate settlements: Pontianak, Sambas, Benjarmassin; it possesses the whole of the Island of Banca, and has a settlement at Macassar on the Celebes, where, and in the whole neighbourhood, it exercises over the natives very powerful influence; and finally, there can be little doubt it will have entire control over all the large and valuable Island of Sumatra. Previously to 1834, the merchants of this place, native and European, had free access to all ports then in possession of the Dutch, except the Moluccas, which were excepted from the operation of the 1st, 2nd, 3rd, and 4th Articles of the Treaty; but on the 14th November, 1834, an edict was published by the Government at Batavia, "declaring and ordaining, that the importation of cotton and woollen goods manufactured to the westward of the Cape of Good Hope into the dependencies of the Netherland Government, would not be permitted, except such importation should in the first instance have been made into either Batavia, Samarang, or Sourabaya; in which case, such woollens or cottons are to be accompanied by a certificate from the Comptroller of Customs of one of those places, that the same goods have been imported into and again exported from one of those ports."

I have not a copy of the Resolution at hand, nor have I the means of immediately procuring one; but I am satisfied that the spirit of the Resolution is to the above effect; a copy of the document itself, however, accompanied a petition from the merchants of this place to His late Majesty in Council, in April 1837, and will therefore, if requisite, be easily procurable in England. A copy of that Petition I beg leave to append, to which I understand no reply has been received, except a mere acknowledgment from the China and East India Association, through whom it was presented.

The effect of the above Resolution is, that no British cottons and woollens can be exported from Singapore or Penang to any Dutch settlements either in Borneo, Banca, Celebes, or Sumatra, under any pretence whatever, save by first importing them to either Batavia, Samarang, or Sourabaya, the principal ports of Java; and it is to this particular enactment that I think it my duty to draw the attention of Government, as it appears to me to be in direct variance, not only with the spirit, but with the words of the 4th Article of the Treaty, and with that freedom of trade which was understood at the time the Treaty was signed, should for the future exist.

In letters already before Government, I have reported that Troomon, on the Island of Sumatra, has lately been seized by the Dutch, and there is little or no doubt but that that nation will occupy the whole island; it becomes therefore more than ever essential, that our merchants should be allowed an unrestricted trade, subject of course to duties in conformity with the Treaty; but to insist on a vessel leaving Penang, situated in 5° 30" north latitude, on a voyage to one of the northern pepper ports on the north-west coast of Sumatra, say Troomon in 2° 40" north, first proceeding to Java, situated in 6° south, to land her cargo of cottons or woollens, to enable them to be imported in Troomon; or that a vessel leaving Singapore, bound for Pontianak, or Sambas on Borneo, or for the Macassar on the Celebes, under similar circumstances, should be compelled in the first instance to proceed to Java for the same purpose, can be viewed in no other light than a positive and direct prohibition of that freedom of trade agreed upon in the Treaty, and as it is so much at variance with our interests and fair claims, I would

respectfully submit, should not be tolerated: but his Lordship in Council will, under the explanation now offered, be better able to judge of the importance of the question now brought to notice, by a reference to the general map of the Archipelago.

To enable the Government to appreciate the value of the pepper ports to the trade of Prince of Wales' Island, I beg to inclose a memorandum of the estimated produce of eleven places situated between Acheen Head and Troomon, comprising two and a half degrees of latitude, which shows that in 1832, within this comparatively limited space, no less than 86,000 peculs of pepper were produced, besides other valuable articles, such as benjamin, camphor; &c., there is, however, every reason to believe that the produce of these places has since that period been much increased. On the east coast, again, the import and export trade, for the year 1839—40, between Delhi and other places subordinate thereto, and Penang, amounted to 559,093 rupees. This trade will of course cease, if the Dutch take possession of these places, and are permitted to prohibit the inhabitants of Penang and Singapore from trading there in cottons and woollens, without first proceeding to Java; as these articles always comprise a considerable portion of the traffic between the native ports and our settlements; in fact to prevent the trade between our settlements and those under Dutch influence, except under the restrictions now insisted on by the Authorities at Batavia, works a positive prohibition to all communication between Singapore and the various ports in the Archipelago, under Dutch supremacy.

The system pursued by the Dutch Government for the curtailment of our commerce has been constantly and deeply complained of by British merchants residing in the Straits, and I have no doubt whatever, that unless checked by the British Government by some means or other, the Government at Batavia will, in addition to those already in their possession, take possession of many small places in the Islands of the Archipelago, which they can maintain at a comparatively trifling expense; where, should the provisions of the Act now complained of, be permitted to continue in force, it is clear they will have the means of depriving British subjects of any participation in the trade of this quarter of the globe, which perhaps at present affords a brighter and larger field than any other for the disposal of British goods.

Our Office Establishment for registering the trade of Singapore, amounting during the past official year in imports and exports, to 40,425,583 rupees, is on too limited a scale to be able to keep a register of the trade of the settlement with each native port. The trade of Pontianak, Sambas, and Benjarmassin, has been therefore included in that shown under the head of "Borneo," under which are also included many native ports, over which the Dutch Government has no direct control; it is therefore out of my power to show the amount of loss sustained by this settlement, in consequence of the enactment now complained of; but that it appears to be the policy of the Dutch to exclude as much as they possibly can do, the English trade from that part of the Archipelago where they may at present be considered paramount, is I think obvious, from the feeling which would dictate and carry into effect a regulation of the nature of that which I have now brought to notice.

I have, &c.,
(Signed) S. G. BONHAM,
*Governor of Prince of Wales' Island,
Singapore, and Malacca.*

Sub-Inclosure 1 in Inclosure 6 in No. 6.

Extract of the four first Articles of the Treaty concluded between Great Britain and Holland, on the 17th of March, 1824.

Sub-Inclosure 2 in Inclosure 6 in No. 6.

TO THE KING'S MOST EXCELLENT MAJESTY IN COUNCIL.

The humble Petition of the undersigned Merchants and Inhabitants
of Singapore.

HUMBLY SHOWETH,

That a Treaty between the kingdoms of Great Britain and the Netherlands respecting Territory and Commerce in the East Indies was signed at London, on the 17th of March, 1824.

That, by Article I. of the said Treaty, it is provided and agreed that the subjects of the two nations shall be admitted to trade with their respective possessions in the Eastern Archipelago, and on the Continent of India and in Ceylon, upon the footing of the most favoured nation.

That by the Second Article it is also stipulated, that the subjects and vessels of one nation shall not pay upon importation or exportation at the ports of the other in the Eastern Seas, any duty at a rate beyond double of that at which the subjects and vessels of the nation to which the port belongs are charged; and that in regard to any article upon which no duty is imposed when imported or exported by the subjects, or on the vessels of the nation to which the port belongs, the duty charged upon the subjects or vessels of the other shall in no case exceed 6 per cent.

That, by Article IV. of the same Treaty, it is further provided and agreed, that nothing shall be done to impede a free communication of the natives of the Eastern Archipelago with the ports of the two Governments respectively.

That, by a proclamation of the Government of Netherlands of India, bearing date the 14th February, 1824, it was, among other things, resolved, that all cotton and woollen goods manufactured in foreign countries to the westward of the Cape of Good Hope, whether imported on foreign or Netherland bottoms, should therefore pay a duty of 35 per cent. when imported from any of the foreign settlements to the eastward of the Cape.

That, in pursuance of such proclamation, the said duty of 35 per cent. was levied upon all cottons and woollens of British manufacture imported from Singapore into all or any of the Netherland possessions in the Eastern Archipelago, until the beginning of the year 1834, at which time the duty upon the same goods so imported as aforesaid was increased to one of 70 per cent.

That, by a Resolution of the Government of Netherland India, dated the 14th November, 1834, the importation of British cottons and woollens from Singapore into any of the possessions or dependencies of the Netherland Government in the Eastern Archipelago, saving only the three principal ports of Batavia, Samarang, and Sourabaya, in the Island of Java, is totally and effectually prohibited, inasmuch as by the said Resolution it is declared and ordained, that the importation of cotton and woollen goods manufactured in the countries to the westward of the Cape of Good Hope into any other than the three said ports, shall not be allowed to take place, unless accompanied with a certificate from the Comptroller of Customs at Batavia, Samarang, or Sourabaya, that the same goods have been imported into, and again exported from, one of these ports; that, by the last-mentioned Act of the Government of Netherland India, cotton and woollen manufactures are excluded from all the ports in the Island of Sumatra, Banca, Borneo, and Celebes, subject to the Dutch Government; that their consumption is thus to a very great extent checked and limited throughout these extensive territories, and the trade of the place thereby most materially injured.

That the aforesaid duties of 35 and 70 per cent. thus successively imposed on the importation of British cottons and woollens from this settlement into all the Netherland possessions in the Eastern Archipelago, are directly opposed to the provisions of the aforesaid Treaty; and that the said Resolution of the Government of Netherland India, of date 14th November, 1834, is, if possible, still more so, inasmuch as it raised the greatest obstacles to native

intercourse with this settlement, and thus, in the strongest possible manner, militates against that free communication of the natives of the Archipelago with the British settlements, provided for in the 4th Article, as well as against the declared general spirit and intention of the said Treaty.

That the Undersigned beg respectfully to refer to the annexed extracts from the correspondence of the British and Netherland Plenipotentiaries, before proceeding to the signature of the Treaty, as declaratory of the principles and intentions recognized and admitted on both sides, and as calculated to place in a still stronger point of view the aggressions complained of by the Undersigned.

We, therefore, humbly pray that your Majesty in Council will be graciously pleased to adopt such measures as may be requisite to secure full effect being given by His Netherland Majesty to the commercial stipulations of the Treaty, the violation of which is above complained of, as also to its general spirit and intention in the premises.

And your Petitioners shall ever pray.

True copy. (Signed) S. G. BONHAM, *Governor*.

Sub-Inclosure 3 in Inclosure 6 in No. 6.

Memorandum of the estimated Annual Produce of Pepper of the ports between Acheen and Troomon, on the north-west coast of Sumatra, in the year 1832:—

Pro Rhio	-	-	-	Peculs 3,000
Analaboo	-	-	-	- 3,000
Taripa	-	-	-	- 4,000
Tiang	-	-	-	- 1,000
Lusu, or Loosoo	-	-	-	- 2,000
Manzin	-	-	-	- 1,500
Zaboan Hadjee	-	-	-	- 1,000
Mukki	-	-	-	- 3,000
Tellook Pow	-	-	-	- 2,000
Assahan	-	-	-	- 26,000
Troomon	-	-	-	- 40,000
				86,000

(Signed) S. G. BONHAM, *Governor*.

No. 7.

Mr. G. G. de H. Larpent to Viscount Palmerston.—(Received January 17.)

*London East India and China Association,
Cowper's Court, Cornhill, January 14, 1841.*

My Lord,

SINCE I had the honour to address your Lordship on the 11th instant, the overland mail has brought me a further letter from the Chairman of the Penang Chamber of Commerce, under date of the 15th October, complaining still further of the conduct of the Dutch in the Eastern Archipelago, which I hasten to lay before your Lordship, for such directions as you may deem the circumstances to require.

I have, &c.,
(Signed) G. G. de H. LARPENT,
Chairman

Inclosure in No. 7.

Mr. Nairne to Mr. G. G. de H. Larpent.

Sir,

Penang, October 15, 1840.

IN compliance with a Resolution passed by the Penang Chamber of Commerce on the 18th ultimo, to again address you on the subject of the Dutch aggressions in the Island of Sumatra, I have especially to refer you to the Chairman's letter of the 5th of June last, with its inclosures, a copy of which was also forwarded to the East India and China Association of Glasgow. In the latter paragraph of that letter, you will perceive reference was made to an extract of a letter which appeared in the *Penang Gazette* of the 16th May, 1840, received by a gentleman in this island from his friend at Padang, in Sumatra, stating that the Dutch had there taken possession of the ports of Baroos and Tapoos, and were going to attack Sinkel, all which places are on the west coast of Sumatra, and from which the camphor, barus, and gum benjamin trade is chiefly carried on. Sinkel, I lament to say, fell to the Dutch arms in July last, and, consequently, they have now the whole monopoly of the camphor and benjamin trade on that island.

Trumon, on the same coast, adjoining Sinkel, is reported to have also been taken by the Dutch; this is the first pepper port on that coast; and should the report prove correct, I fear that all the other pepper ports from thence to Acheen must soon fall into the hands of the Dutch.

On the north-east coast of Sumatra, which, with the Peninsula of Malacca, forms what is termed the Straits of Malacca, the Dutch, according to their usual encroaching system, have sent a small detachment from the Residency of Padang, on the other side of the island, and formed a settlement at Pannay, the place referred to in the Chamber's letter to the Admiral, a copy of which was forwarded to you; and the consequence is, that Lankat and Delhi, very large pepper districts, and Assahan and Battu Barah, all places adjoining that settlement, have been in constant dread of being attacked, so much so, that the Rajah of Delhi had applied to this Government for assistance in the event of being attacked by the Dutch. The kingdom of Siac, on the same coast, you will perceive, by the Malacca newspaper of the 1st instant, herewith forwarded, has been threatened, and serious fears are entertained, as from this territory a quantity of coffee collected from the natives in the interior still finds its way into the Straits settlements; and unless the British Government will immediately remonstrate with the Dutch Government on these encroachments, contrary to the spirit of the Treaty of 1824, little doubt can exist but in a short time they will shut out the pepper trade and all other products from the Straits settlements, and the trade of this island in particular will be ruined; for if the Dutch be permitted to go further in the subjugation of the remaining ports of Sumatra, they will obtain the entire monopoly of every article of native produce, and, consequently, shut out our British manufactures by the imposition of the same prohibitory duties they have already established in Java. The Chamber, therefore, most earnestly importunes the Association, "that it will exert its utmost influence with Members of Parliament (more especially with those gentlemen who have already taken such an active part by their efforts to protect our trade in the Eastern Seas) to bring to the notice of the House of Commons the conduct of the Dutch Authorities in the East, in their infraction of the Treaty of 1824," with the view of preventing, if possible, any further encroachments of the Dutch in taking possession of any other ports on the Island of Sumatra, especially those of the northern and eastern districts, from whence its natural products find an outlet to the Straits settlements, and our British manufactures a ready sale.

The Chamber also requests that you will particularly urge upon the Government, that the infraction of the Treaty by the Dutch, by their having imposed heavier duties and restrictions upon British manufactures imported into their settlements in the East, than the Treaty allowed of, (the view taken by Lord Palmerston in his speech in the House of Commons,) a strong plea is afforded to the British Government (particularly as the restrictions are still

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continued) for interference with the acts of the Dutch Government in seizing and occupying the territories of independent native States, and for setting aside the Treaty altogether. In addition to what has already been stated upon this subject, the Chamber has information, and can bring proof, that Chinese junks have been allowed under a foreign native flag to enter Dutch ports, and pay the same duties on their goods and produce, as are paid by the Dutch themselves; that some of these junks have loaded at this port, and then, having procured a flag and pass from the neighbouring Siam territory, have proceeded to Padang and the other Dutch ports on the west coast of Sumatra, where they have been allowed a similar indulgence, which has always been denied them when sailing with a British pass; and further, that all prows and boats belonging to independent native States are placed upon the same footing as the Dutch themselves, with regard to duties on goods and produce, in direct contravention of the Treaty, which states, "that the High Contracting Parties engage to admit the subjects of each other to trade with their respective possessions in the Eastern Archipelago, and on the Continent of India, and in Ceylon, upon the footing of the most favoured nation."

I have, &c.,
(Signed) LAW. NAIRNE,
Chairman of the Penang Chamber of Commerce.

Sub-Inclosure in No. 7.

Extract from the "Malacca Register" of October 1, 1840.

SIAC.—By private letters received here from Rhio, the authenticity of which may be relied upon, we learn that the authorities at that place have deputed an influential native, well known in the Straits, to the Rajah of Siac, demanding the surrender of that State to their Government, peaceably, if they will, but compulsory, if they hesitate. It has been also notified to the Chiefs, that a period of two months will be allowed them for deliberation on this proposition; and if, by the end of that period, the country is not formally delivered up to the Dutch power, a strong armament will be sent to take forcible possession. We also understand, that this emissary is the bearer of letters from the Rajah of Lingey and the native Chiefs of Bintang, strongly recommending to the Rajah and Chiefs of Siac their acquiescence with the demands of the Dutch Authorities. The continued aggressions of this Power on the opposite coast can have no other object but the entire occupation of the Island of Sumatra and its dependencies, which will thus enable it to exclude our merchants from the most valuable ports in the Archipelago.

If the Rajah of Siac is left by us to his own unaided resources, we predict, that ere three months shall have elapsed, the Dutch will be possessed of one of the most flourishing sea-ports in the Straits, which will inflict an irreparable injury upon the trade of these settlements.

No. 8.

Memorial of the East India Association of Glasgow.

*East India Association, Glasgow,
January 23, 1841.*

To the Right Honourable Lord Viscount Palmerston, Her Majesty's Principal Secretary of State for Foreign Affairs, &c.

The Memorial of the Glasgow East India Association

RESPECTFULLY SHOWETH,

That your memorialists have had occasion frequently to complain of the encroachments of the Dutch Government on the rights of British trade in the Indian Archipelago. The papers recently laid before Parliament relative to the execution of the Treaty of 1824 afford proof of the unsuccessful attempt

of the British Government to obtain from the Authorities at the Hague the recognition of the just interpretation of that Treaty, for which your Lordship publicly contended in Parliament; viz., that the flag under which goods are introduced into Dutch India should be the criterion of the duty to be charged on them. It also appears that the claims for compensation to the merchants for duties unjustly levied must be considered to have been departed from, principally because the Customs' regulations of the Supreme Government of Bengal are inconsistent with the provisions of the Treaty of 1824, and in so far are opposed to the rights of British trade with Java. Under these circumstances, the mercantile and manufacturing classes of this city have only to express their deep regret that so little hope now remains of a beneficial trade with the populous and rich Island of Java, and the other Dutch dependencies in these seas. They would, however, earnestly call your Lordship's attention to the continued and still more formidable encroachments of the same Power, by which they are gradually extending their influence over the independent native States of the Archipelago. Your Lordship is aware that the commerce of the British settlements in the Straits of Malacca mainly depends on intercourse with the native traders from the Islands of Sumatra, Celebes, Borneo, and others. Since the cession of Fort Marlborough and the other British possessions in Sumatra to the Dutch, pursuant to the Treaty of 1824, no opportunity has been omitted by that Power to divert the trade of the natives from Penang and Singapore. Complaints of such interference have been repeated for many years, but more recently these aggressions have assumed a serious aspect. According to the papers laid before Parliament, the Dutch have taken possession of the territory of the Rajah of Sinkel on the west coast of Sumatra, as well as of Baroos, thereby effecting a monopoly of the valuable trade of these districts. By very late information, which has been received by the last overland mail from India, they have taken possession of the port of Troomon, and fears are entertained of a like occupation of all the ports between Sinkel and Acheen, from whence the Straits' settlements draw large supplies of pepper, betel-nut, &c. They have even pushed forward a settlement to the north-east coast by which Lankat, Delhi, and the kingdom of Siac are threatened, and the utmost alarm prevails among the native Rajahs. There is reason to apprehend that the whole Island of Sumatra will be subjugated, and its valuable commerce rendered inaccessible to British subjects, except upon such terms as the monopolizing jealousy of the Dutch shall be pleased to allow.

The 6th Article of the Treaty of 1824 declares that the Contracting Parties agree not to form any new settlement on any of the islands in the Eastern Seas without previous authority from their respective Governments in Europe; and it appears from your Lordship's despatch to Sir E. C. Disbrowe, dated 29th August, 1839, and more particularly from your reply to the inquiries of Mr. Colquhoun, during last session of Parliament, in regard to the execution of this Treaty, that your Lordship has interpreted the above clause as a justification of the Dutch Colonial Authorities in their aggressions on the native States of Sumatra, because such proceedings had been sanctioned by the Government at the Hague.

Your Lordship seems thus to have admitted a construction of the Treaty, by which any future occupation of independent native territory on the part of the Dutch will be in like manner justified, if it shall only have received a similar sanction in Europe, and this, notwithstanding that Great Britain by the same Treaty has renounced all right to acquire territory in these seas. Even the Dutch Minister, while he states that his Government had approved of the occupation of Sinkel, does not rest the justification of that act upon the clause which has satisfied your Lordship, but attempts to defend the proceeding upon other grounds.

It humbly appears to your memorialists that the whole scope of the Treaty implies a mutual obligation to abstain from any act by which the free commerce of the Archipelago might be impeded, and that without the concurrent sanction of the Contracting Parties, no new settlements can be formed by either of them.

In the note of the Dutch Minister addressed to Sir A. Malet, dated the Hague, August 18th, 1839, the following expressions occur: "If the High Contracting Parties have, by Articles IX. and X., respectively renounced the right to conclude any treaty with the States in the Island of Sumatra and the

Peninsula of Malacca, they are still more interdicted from sending assistance to these States."

If that argument applies respectively to both Powers, by what right do the Dutch Authorities make war in the independent States of Sumatra, seeing that they even renounce the right to make treaties? But M. de Zuylen de Nyevelt alleges further, in justification of the occupation of Sinkel, that it, as well as Baroos, constituted part of a territory acquired by the Dutch East India Company in 1666, by means of a formal agreement with the natives of the west coast of Sumatra. If so, this agreement ought to have been communicated to the British Government in the terms of Article III., which provides as follows:—

"It is understood that, before the conclusion of the present Treaty, communication has been made by each of the Contracting Parties to the other, of all treaties or engagements subsisting between each of them respectively and any native Powers in the Eastern Seas; and that the like communication shall be made of all such treaties concluded by them respectively hereafter."

If, therefore, such communication had been made regarding Sinkel, it appears strange that it should have been uniformly regarded as independent territory by the British in the Straits, and moreover, that this error should have been participated in by Messrs. Bonham and Garling, the highest civil authorities in that quarter, by the Supreme Government of India, and also, as appears from your Lordship's despatch, 25th June, 1839, by the British Government.

Your memorialists have respectfully to urge upon your Lordship the propriety of ascertaining whether any such agreement as has been alluded to, was communicated to the British Plenipotentiaries in 1824, and if it shall be found that it was not so communicated, they hope that the cession of Sinkel and the other ports enumerated will be demanded from Holland.

Your memorialists regard it as of paramount importance to Britain to fix definitively the nature and extent of the pretensions of the Netherland Government in the Indian Seas. It is probably not unknown to your Lordship, that pretensions exactly of the same kind as in Sumatra have been brought forward by the Dutch, to justify their territorial acquisitions in the Island of Celebes, where, according to the impartial testimony of Mr. Brooks,—a member of the Geographical Society of London, now prosecuting scientific inquiries in the Indian Seas,—a system of encroachment on the native Rajahs is followed out, pretending to be founded on ancient treaties, and for the purpose of securing commercial monopoly in favour of Dutch subjects. As part of the same system, a Dutch gun-brig has, within a few years, visited various other ports and stations in the Islands of Borneo, Timor, &c., unfurling the flag of Holland, and thereby, as it is alleged, constituting claims on native territories to be enforced at such time as it may be hereafter found convenient.

Should it unfortunately prove that the Dutch are entitled to take possession of native territory in the manner stated, it becomes of consequence to British subjects to know upon what terms they may be entitled to claim access to those Indian ports which are now or may hereafter become subject to Dutch authority.

The Treaty of 1824 purports to have had for its object to establish freedom of trade between the dependencies of the Contracting Parties, subject to such regulation as the Treaty enjoins. The trade of Singapore with Macassar may be taken as a specimen of the manner in which the Dutch have carried out their engagements under that Treaty. A duty of 35 per cent. was in the first place levied on all goods imported from Singapore by the native prowes; this was afterwards raised to 70 per cent., and soon thereafter a prohibitory edict was passed, forbidding manufactured goods to be introduced into the Dutch ports of Celebes, excepting such as had been cleared out from a Dutch custom-house at Batavia, Samarang, or Sourabaya.

Your memorialists humbly conceive that such enactments are in violation of the Treaty of 1824, by which it is provided, that British subjects may import goods into Dutch Indian ports, such as Macassar, at double the duties charged on importations by Dutch subjects, much more does that right belong to the native Buyis and Macassarees, subjects of Holland.

At all events such encroachments are at utter variance with the proposed object of the Treaty, which was to promote freedom of trade, as fully expressed

in the preliminary notes of the Plenipotentiaries, and also in Article IV., viz., "Their Britannic and Netherland Majesties engage to give strict orders, as well to their civil and military authorities as to their ships of war, to respect the freedom of trade established by Articles I., II., and III.; and in no case to impede a free communication of the natives in the Eastern Archipelago with the ports of the two Governments respectively, or of the subjects of the two Governments with the ports belonging to native Powers."

If the above or similar regulations shall be introduced into Sumatra and other Dutch dependencies, British commerce will be destined to receive another grievous blow, scarcely surpassed by the impediments thrown in the way of our trade with Java, and all this from the unfair interpretation of a treaty which purports to provide for freedom of trade.

Your memorialists have only further to express a hope that your Lordship will take advantage of the presence of a British Admiral in the China Seas, to institute such inquiries as to your Lordship may seem necessary, that redress may be obtained and future encroachments prevented throughout the Eastern Archipelago.

May it therefore please your Lordship to take this very important subject into your immediate consideration, and give such orders thereon as the case may require.

And your memorialists will ever pray.

(Signed in name and on behalf of the
Glasgow East India Association,)

WALTER BUCHANAN,
Chairman.
A. WARDROP,
Secretary.

No. 9.

Viscount Palmerston to Sir E. C. Disbrowe.

Sir,

Foreign Office, January 29, 1841.

I HEREWITH transmit to you a copy of a despatch addressed by the Governor of Prince of Wales' Island, Singapore, and Malacca, to the Governor-General of India, complaining of the proceedings of the Dutch Authorities in the Indian Archipelago, with regard to the British trade.

You will state, in writing, to the Dutch Government, the substance of these complaints, and you will request the repeal of the edict prohibiting the importation of British manufactures into the Netherland possessions in the Eastern Seas, unless such commodities shall first have been landed at Batavia, Samarang, or Sourabaya; such edict appearing to Her Majesty's Government to be inconsistent with the spirit of the 4th Article of the Treaty of 1824, by which the authorities of each party are bound "in no case to impede a free communication of the natives in the Eastern Archipelago with the ports of the two Governments respectively, or of the subjects of the two Governments with the ports belonging to native Powers."

In making this request, you will at the same time call the serious attention of the Dutch Government to the general question touched upon in the numerous and frequent complaints which have been made to Her Majesty's Government both by the Commercial body in the United Kingdom and by the East Indian Authorities, against the hostile spirit and tendency of the proceedings of the Dutch Authorities in the Indian Seas, with respect to British commerce in that quarter of the globe.

The manifest aim of the Treaty of 1824 was to put an end to those mutual jealousies and vexatious interferences of the authorities and merchants of the two countries in the Indian Seas, which had in former times been the cause of much controversy between the two Governments in Europe; and to establish full and fair freedom of commerce in the East between the subjects and possessions of the two Powers; and between the subjects and possessions of each Power and the natives of the islands in the Indian Archipelago.

But for several years past, the Dutch Authorities in India have acted in a

spirit of hostility to British commerce entirely inconsistent with the intention of the said Treaty; and while on the one hand, those authorities have endeavoured, by various oppressive and vexatious regulations, to exclude British commerce from all places in which Netherland authority is established, they have systematically continued to establish Netherland settlements, (some of which are merely nominal,) at a great variety of places where no real sovereignty could be exercised by the Netherland Government, but where considerable commercial intercourse had previously been carried on between British merchants and the natives of those places; and then the Netherland Authorities, pretending to apply to such places all the vexatious and prohibitory regulations which have been promulgated by them for the real Netherland possessions in India, have endeavoured step by step to curtail and destroy British commerce with the natives in those quarters.

The Netherland Government must be sensible that this course of proceeding on the part of its authorities in the Indian Seas, cannot fail to lead to discussions between the two Governments in Europe not in unison with those friendly relations which both Governments are so anxious to maintain and improve; and, therefore, Her Majesty's Government most earnestly intreat the Netherland Government to give without delay to its Colonial Authorities, such instructions as will tend to redress the injuries already suffered by British interests, and to prevent any just grounds of complaint in future.

I am, &c.,
(Signed) PALMERSTON.

Inclosure in No. 9.

The Governor of Prince of Wales' Island, Singapore, and Malacca, to the Governor-General of India.

[See Inclosure 6 in No. 6, page 12.]

No. 10.

Lord Leveson to Mr. G. G. de H. Larpent.

Sir,

Foreign Office, February 4, 1841.

I AM directed by Viscount Palmerston to acknowledge the receipt of your letter of the 11th, communicating a correspondence which had taken place between the Authorities in India and the Penang Chamber of Commerce, relative to the seizure of a Penang vessel by the Dutch Authorities, and the alleged murder of the captain; and suggesting, whether, in order to put an end to these and other complaints, especially with respect to the Tariff of Duties in Netherland India, it would not be desirable to reconsider the provisions of the Treaty of 1824.

With reference to the seizure of the Penang vessel adverted to in the first part of your letter, I have to inform you, that as early as September last, Her Majesty's Minister at the Hague was instructed to call upon the Dutch Government to cause inquiries to be made with respect to the circumstances of that seizure; that the Dutch Government promised so to do, but that since that time, Her Majesty's Government have received intelligence from the British Authorities in the East Indies, which gives every reason to suppose that what befel the Penang Captain and his crew was the consequence of their having committed acts of piracy and murder.

With respect to your suggestion that a revision should be made of the Treaty of 1824, I have to point out to you that it is not in the power of a Contracting Party to a treaty to insist upon a revision of its stipulations, unless there be a condition to that effect, and there is no such condition in the Treaty of 1824.

I am, &c.,
(Signed) LEVESON.

No. 11.

Mr. Cabell to Mr. Backhouse.—(Received February 10.)

Sir,

India Board, February 10, 1841.

WITH reference to my letter of the 13th ultimo, I am directed by the Commissioners for the Affairs of India to transmit to you, for the information of Her Majesty's Secretary of State for Foreign Affairs, a copy of a further letter from the Governor-General of India in Council, dated the 22nd of December last, with its inclosure, relative to the proceedings of the Dutch in the Eastern Seas.

I have, &c.,
(Signed) WILLIAM CABELL.

Inclosure 1 in No. 11.

The Governor-General of India in Council to the Secret Committee.

Honourable Sirs,

Fort William, December 22, 1840.

IN continuation of our previous communications regarding the proceedings of the Netherland Government in Sumatra, we now forward copy of a despatch from the Governor of Prince of Wales' Island, Singapore, and Malacca, dated 5th November, with its inclosed translation of a letter addressed by the Rajah of Siac to the Resident Councillor at Malacca, indicative of the designs of the Dutch towards that State, and a transcript of the Treaty entered into by our Government with Siac in 1818.

We have, &c.,
(Signed) AUCKLAND.
J. NICOLLS.
W. W. BIRD.
WM. CASEMENT.
H. T. PRINSEP.

Inclosure 2 in No. 11.

The Governor of Prince of Wales' Island, &c., to Mr. T. H. Maddock.

Sir,

Singapore, November 5, 1840.

REFERRING to my letter of the 15th ultimo to your address, I have now the honour to inclose, for the information of the Right Honourable the Governor-General in Council, translation of a letter to the Resident Councillor at Malacca, from the Rajah of Siac.

2. The proceedings of the Dutch Government on Sumatra have of late been such as to leave no doubt on my mind of its being its intention to subjugate Siac by some means or other.

3. By Article IX. of the Treaty of London, of 1824, it is expressly stipulated, that the British Government shall not form any British settlement on Sumatra nor conclude any Treaty with any Prince or Chief thereof; but whether these provisions are tantamount to insisting on our abandoning engagements already formed with such native Princes, previously to the execution of the Treaty, being a matter perhaps of doubt, I think it my duty to forward the Rajah's letter, and copy of a Treaty entered into by Major Farquhar, when Resident at Malacca, with the State of Siac, in 1818, which will enable the Government to take such steps as may appear requisite on the occasion.

I have, &c.,
(Signed) S. G. BONHAM,
Governor of Prince of Wales' Island,
Singapore, and Malacca.

Sub-Inclosure 1 in No. 11.

Translation of a Letter from the Tang dipertuam Siac Padu Ra Sri Sultan Abdul Julil Jalaludin to Mr. Samuel Garling.

After usual compliments.

WHEREAS we send this letter to our friend, to inform him that the Tang dipertuam Suiga and Jam Tuam Muda Rhio sent us letters by Syed Hasan Menuam and Mahi Ismael in a cruizer gun-boat of Rhio, the purport of which letter is, that the Dutch Government wish to renew their good faith and contract, and continue in friendly intercourse with us all at Siac. We have replied to the Tang dipertuam Suiga and Jam Tuam Muda Rhio, stating we would by no means alter the act and agreement of our forefathers. We give our friend this information, that our friend may not be informed of it by other persons. Hereafter we do not know what they may impose upon us.

We have nothing to send our friend excepting our compliments.

This letter is written on the 29th day of the month Rajab, on Friday, in the year 1256, [corresponding to the 25th September, 1840.]

A true translation.

(Signed)

J. B. WESTERHOUT,
Assistant Resident.

Sub-Inclosure 2 in No. 11.

Treaty of Commercial Alliance between the Honourable English East India Company and His Majesty Padut Ra Sri Sultan Abdul Julil Haliludin Henub Sultan Abdul Jullil Syphudin, King of Siac Sri Endrapoora and dependencies, settled by Major W. Farquhar, Resident of Malacca, in virtue of powers delegated to him by the Honourable John Alexander Bannerman, Governor of Prince of Wales' Island and its dependencies.

ARTICLE I.

THE peace and friendship now happily subsisting between the Honourable the English East India Company and His Majesty the Sultan of Siac Sri Endrapoora, shall be perpetual.

ARTICLE II.

The vessels and merchandise belonging to British subjects or persons being under the protection of the Honourable East India Company shall always enjoy in the ports or dominions subject to His Majesty the Sultan of Siac Sri Endrapoora, all the privileges and advantages which are now, or may at any time hereafter be, granted to the subjects of the most favoured nations.

ARTICLE III.

The vessels and merchandise belonging to the subjects of His Majesty the Sultan of Siac Sri Endrapoora shall always receive similar advantages and privileges in the harbour of Fort Cornwallis, and in all other places dependent on the British Governor of Prince of Wales' Island.

ARTICLE IV.

His Majesty the Sultan of Siac Sri Endrapoora shall not renew any obsolete and interrupted treaties with other nations, public bodies, or individuals, the provisions of which may, in any degree, tend to exclude or obstruct the trade of British subjects, who further shall not be burdened with any impositions or duties not levied on the subjects of other States.

ARTICLE V.

His Majesty the Sultan of Siac Sri Endrapoora further engages that he will, upon no pretence whatever, grant a monopoly of any articles of trade or commodities, the produce of his territories, to any person or persons, Europeans, Americans, or native.

ARTICLE VI.

It is finally declared, that this Treaty, which, according to the foregoing Articles, is meant for promoting the peace and friendship of the two States, and securing the liberty of commerce and navigation between their respective subjects, to the mutual advantage of both, shall last for ever.

In token of truth, and for the satisfaction of both parties we have hereunto affixed our signatures and seals, at Buket Bater, in the kingdom of Siac, this thirty-first day of the month of August, in the year of our Lord 1818, answering to the twenty-seventh day of the month Sawab, in the year of the Hejira 1233.

Seal of
Major Farquhar.

(Signed)

W. FARQUHAR,

*Major of Engineers, Resident of Malacca,
and Commissioner on the part of the British Government.*

Chop of
the King of Siac.

(Signed)

S. G. BONHAM,

*Governor of Prince of Wales' Island,
Singapore, and Malacca.*

No. 12,

Sir E. C. Disbrowe to Viscount Palmerston.—(Received February 14.)

(Extract.)

The Hague, February 7, 1841.

I HAVE the honour to inclose the copy of a note which, in obedience to your Lordship's commands, I have addressed to Baron Verstolk on the subject of the complaints of British subjects in the Eastern Archipelago against the conduct of the Netherland Authorities in that quarter of the globe.

Inclosure in No. 12.

Sir E. C. Disbrowe to Baron Verstolk de Soelen.

The Hague, February 5, 1841.

THE Undersigned, &c., is under the necessity of again calling the attention of the Netherland Government to the complaints of British subjects trading in the East Indies against the conduct of the Netherland Authorities in that quarter of the globe.

The complaints to which the Undersigned now particularly alludes, are contained in a Report addressed by Mr. Bonham, Governor of Prince of Wales' Island, the British possessions at Singapore, and the Malaccas, and which have received the deliberate attention of Her Britannic Majesty's Government.

The complaints relate principally to the conduct of the officers of the Netherland Government, in throwing impediments in the way of the legitimate trade of British subjects (particularly since 1834) in those ports of the Indian Archipelago which have fallen under their influence and control,—a conduct directly at variance with the Treaty of 1824. The 3rd Article of that Treaty stipulates against the impositions of unequal duties, or the adoption of regulations to exclude the trade of the other party from the ports of such native Power; and the High Contracting Parties engage to give strict orders to their civil, military, and naval officers, to respect the freedom of trade established by the preceding Articles.

The manifest aim of this Treaty was to put an end to all those mutual jealousies and vexatious interferences with each other on the part of the authorities and merchants of the two countries in the Eastern Seas, which had in former times been the cause of much controversy between the Governments in Europe, and to re-establish a full and fair freedom of commerce between

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the subjects and possessions of the two Powers, and between the subjects and possessions of each Power and the natives of the islands in the Indian Archipelago.

At the commencement, the Treaty had the desired effect; but it is with great regret that the British Government is compelled to remark, that for several years past, and particularly since 1834, the Netherland Authorities in India have acted in a marked spirit of hostility to British commerce in the Indian Archipelago. Duties calculated on a scale almost amounting to a prohibition, have been established not only in Java and in the old dependencies of that colony, but all the vexatious regulations adopted in the original colonies have been strictly applied to the newly-acquired establishments throughout the Archipelago, some of which may be considered as merely nominal.

In 1834, the duties on all British manufactures were suddenly raised from 35 to 70 per cent.

These duties, also, were so levied in the Netherland settlements, in Borneo, Sumatra, &c., as to impede the trade of British subjects with native Powers, in manifest violation of the Treaty of 1824.

And, indeed, from some information which has reached the British Government, it would almost appear as if the Netherland Authorities were pursuing measures to expel British trade from the whole Island of Sumatra; a possibility which is so completely provided against in the Treaty of 1824, that the Moluccas are stipulated as the only port in which British commerce was not to have free access.

It is very possible that some of the subordinate officers, actuated by a zeal to raise the amount of duties which they contribute to the general colonial revenue, may have been hurried beyond what the consideration due to existing engagements with other Powers ought to have dictated; and the Undersigned flatters himself that orders will be issued to the Governor-General of the Netherland possessions in India, to take measures for redressing all the just complaints of British subjects, and to take care that, in future, proper measures are adopted to prevent the regulations of those ports from interfering with the fair share of commerce to which British subjects are entitled.

The British Government claims no exclusive commerce for itself; but it cannot turn a deaf ear to the just complaints of its subjects, or subscribe to the continuation of a system calculated to exclude them, step by step, from all participation in the commerce of the Indian Archipelago.

It is the duty of the British Government to point out, without further delay, these proceedings, in order to avoid every possibility of unpleasant discussion with a Government for which it entertains the most friendly feelings.

These details, relative to the minor and more distant settlements of the Dutch in the East Indies, the Undersigned has no doubt may be easily remedied and settled on a friendly footing, by applying the spirit of the Treaty of 1824 as a solution of the difficulties.

Before, however, concluding this note, the Undersigned is instructed to call the attention of his Excellency Baron Verstolk, &c., to an edict of the Governor-General of Batavia, dated November 14, 1834, declaring and ordaining, that "the importation of cotton and woollen goods manufactured to the westward of the Cape of Good Hope, into the dependencies of the Netherland Government, would not be permitted, except such importation should, in the first instance, have been made either in Batavia, Samarang, or Sourabaya, in which case, such woollens and cottons are to be accompanied by a certificate from the comptroller of customs of one of these places, that the same goods have been imported into, and again exported from, one of those ports."

The effect of the above edict is, that no British cottons or woollens can be exported from Singapore or Penang to any Dutch settlements, either in Borneo, Banca, Celebes, or Sumatra, or to any other port in which the Netherland officers may make a temporary or nominal settlement, under any pretence whatever, save by first importing them either to Batavia, Samarang, or Sourabaya, the principal ports of Java.

Any person casting an eye upon the map of this hemisphere, will at once

perceive that such a regulation puts a complete stop to the old established British commerce in several ports of the Archipelago.

For instance, to compel a British ship, loaded with British woollen and cottons, leaving Penang, situated in 3° 30' north latitude, destined for Trocomon, in latitude 2° 40' north, first to proceed to the 6th degree of southern latitude, must act as a direct prohibition; nor can such an edict be defended under the 1st Article of the Treaty of 1824.

For, although one of the Articles stipulates "their respective subjects conforming themselves to the local regulations of each settlement," it is quite impossible to admit, from the tenor of the whole Treaty, that the High Contracting Parties had in their contemplation any regulation destined to put a stop to commerce altogether; particularly to a commerce already in existence previous to the signature of the Treaty; nor does the effect of the edict apply, merely to articles which might find a sale in the towns or ports actually taken possession of by the Netherland Government, but it directly militates against that free commercial intercourse with the native Powers, to maintain which, in all its freedom, was one of the main objects of the Treaty.

In submitting these remarks to his Excellency's consideration, the Undersigned, in consequence of the direct instructions which he has received from his Government, requests that orders will be sent out immediately to repeal the edict prohibiting the importation of British manufactures into the Netherland possessions in the Eastern Seas, unless such commodities shall first have been landed at Batavia, Samarang, or Sourabaya, as such an edict is inconsistent with the 4th Article of the Treaty of 1824, by which the authorities of each party are bound, in no case, to impede a free communication of the natives of the Eastern Archipelago with the ports of the two Governments respectively, or of the subjects of the two Governments with the ports belonging to native Powers.

The Undersigned, &c.,

(Signed)

E. C. DISBROWE.

No. 13.

Mr. Backhouse to Mr. Buchanan.

Sir,

Foreign Office, February 27, 1841.

I AM directed by Viscount Palmerston to acknowledge the receipt of a memorial signed by you, as Chairman to the Glasgow East India Association, complaining of the proceedings of the Dutch Authorities in the Eastern Seas, and calling for the active interference of Her Majesty's Government in putting an end to those proceedings; and I am in reply directed by Viscount Palmerston to make to you the following observations upon the statement contained in that memorial.

The reasonings upon which, the memorialists rest their appeal to Her Majesty's Government, are the following:—

First, that the terms of the Treaty of 1824 imply an obligation on the part of each of the Contracting Powers, not to form any new settlement in the Eastern Archipelago, without the sanction of the other Contracting Power; and that, as the attempts made by the Netherland Authorities in India to extend Netherland dominion in Sumatra and other islands in the Eastern Archipelago, have not received the sanction of Great Britain, such attempts are infractions of the Treaty, and ought to be resisted.

Secondly, the parties to the memorial quote a passage of a note which was addressed by the Dutch Minister for Foreign Affairs to Her Majesty's Chargé d'Affaires at the Hague, and which they consider as a renunciation, on the part of the Dutch Government, of the right, not only to form new settlements in the Island of Sumatra, but even to make treaties with the independent States in that island; and the memorialists argue, that such renunciation on the part of the Dutch Government, implies also a renunciation of the right to make war on those independent States.

Thirdly, the memorialists refer to the Article of the Treaty of 1824 by which the Contracting Parties bind themselves to communicate to each other

all treaties then actually subsisting between either of them and any native Power; and the memorialists argue, that, if the Treaty of 1666, under which the Netherland Government now claims the territory of Sinkel, was not communicated to the British Government in 1824, such omission would render the stipulations of that Treaty invalid, and would justify Her Majesty's Government in demanding the evacuation of that territory by the Dutch Government.

Lastly, the memorialists maintain, that the interpretation of the Treaty of 1824, according to which the duties are at present levied by each of the Contracting Powers on the commerce of the other in the Indian Seas, is an erroneous and unfair interpretation; that such an interpretation must annihilate all expectation of that beneficial trade with the Dutch East India possessions which was contemplated by the framers of the Treaty; and that, if a system similar to the one acted upon in the present East India possessions of Holland, were to be introduced into the new acquisitions of that Power, "another grievous blow" would be inflicted upon British commerce, scarcely to be surpassed by the one which the memorialists represent British commerce to have already sustained in those quarters.

In reply to the first-mentioned argument, namely, that the terms of the Treaty of 1824 imply an obligation on the part of each of the Contracting Parties to abstain from acquiring any new possessions in the Eastern Seas, without the sanction of the other party, Viscount Palmerston directs me to observe, that a treaty can only be interpreted according to the literal meaning of the terms in which it is written, and not according to what either party may choose to infer to have been the original intention with which such treaty was concluded. But the Treaty of 1824 does not contain any stipulation by which the general right of every independent nation to form new settlements is renounced by either of the Contracting Parties. It is true that certain limitations and exceptions to the exercise of that right, with respect to certain specified districts, are recorded in Articles VI. and X.; but those limitations cannot be strained by interpretation beyond their expressed and specified extent.

In the next place, Viscount Palmerston directs me to observe, that he is at a loss to understand how the passage which the memorialists quote from the note of the Dutch Minister for Foreign Affairs, can be construed as implying a renunciation, on the part of the Netherlands, of their right to conclude treaties with the native States of Sumatra.

The passage is as follows:—

"If the High Contracting Parties have, by Articles IX. and X. respectively, renounced the right to conclude any treaty with the States in the Island of Sumatra, and the Peninsula of Malacca, &c."

And the most cursory examination of the Articles referred to in this passage, will show, that the engagement here spoken of by Baron Zuylen de Nyevelt, only binds the Dutch Government not to conclude treaties with the States in the Peninsula of Malacca, but by no means prevents that Government from concluding treaties in Sumatra.

With respect to the Treaty of 1666, under which the Dutch Government lays claim to the territory of Sinkel, and to the opinion expressed by the memorialists, that, if such Treaty was not communicated to the British Government in 1824, Great Britain ought now to demand from Holland the relinquishment of the territory in question: Viscount Palmerston desires me to observe, that the treaties referred to in Article III. of the Treaty of 1824, were treaties regulating the commercial intercourse between either of the Contracting Parties and any of the independent native States; and that it cannot well be contended, that the 3rd Article of the Treaty of 1824 had reference to treaties by which, before that time, either of the Contracting Parties may have acquired cessions of territory from any native Powers.

With respect to the system according to which the British and Netherland Authorities in the East Indies at present levy the duties on Dutch and British commerce respectively, Viscount Palmerston directs me to observe, that, whatever may be the opinion of Her Majesty's Government as to the correctness of the interpretation on which such system is founded, the papers laid before Parliament, and to which the memorialists refer, show that this interpretation was sanctioned by the Administration under which the Treaty was negotiated and concluded, as well as by the Court of Directors of the

East India Company, and it would be impossible for Her Majesty's Government to insist that the Netherland Government should adopt an interpretation differing from that which is acted upon within a portion of the dominions of the British Crown.

In reply to the assertion made by the memorialists, that the duties levied in Netherland India are already so high as to frustrate all hope that Her Majesty's subjects should be able to carry on a beneficial trade to those quarters, Viscount Palmerston directs me to refer you to the official returns of the value of British and Irish manufactures annually exported to Java and Sumatra. From these returns, it appears, that although the amount of these exports has, from year to year, undergone much fluctuation, yet the aggregate amount of their declared value, during the last ten years, exceeds the aggregate amount of their declared value, during the preceding ten years, by 50 per cent.; and the aggregate value of the exports in the three years, 1837, 1838, 1839, is as 5 to 3 to the value of the aggregate amount of the value of the exports in the three years, 1821, 1822, 1823,—the years immediately preceding that in which the Treaty of 1824 was concluded.

It must, moreover, be remembered, that these returns by no means include the whole amount of British manufactures imported into the Netherland possessions in the East Indies. On the contrary, it is notorious, that since the separation of Belgium from Holland, large quantities of British manufactures have annually been exported to Holland for re-exportation to the Dutch East India possessions; a fact which accounts, in part, for the remarkable increase in the value of British exports to the Netherland dominions in Europe during this period.

It would obviously be impossible, therefore, to allege a diminution of British trade with the Dutch East India possessions as a ground of remonstrance with the Government of Holland, inasmuch as that Government would refer to the British official returns of trade, as disproving the assertions on which such remonstrance would be founded.

I am, &c.,
(Signed) J. BACKHOUSE.

No. 14.

Viscount Palmerston to Sir E. C. Disbrowe.

Sir,

Foreign Office, March 8, 1841.

WITH reference to my despatch of the 25th of June, 1839, inclosing copy of a Treaty of Commercial Alliance between the East India Company and the King of Siac, I have to instruct you to communicate the same to the Dutch Government, and to express the hope of Her Majesty's Government, that no further attempts may be made by the Netherland Authorities in India to conquer the territories of that Sovereign, and thus to deprive British subjects of the commercial advantages which are secured to them by this Treaty. If the Dutch Government should urge that, by the Treaty of 1824, Great Britain bound herself to conclude no treaties with any of the Chiefs in Sumatra, you will reply, that the engagement of 1824 was prospective, and did not bind Great Britain to annul treaties then existing, and you will point out, that this Treaty with Siac was concluded in 1818.

I am, &c.,
(Signed) PALMERSTON.

*Memorial of the East India Association of Glasgow.**East India Association, Glasgow,
April 17, 1841.**To the Right Honourable Lord Viscount Palmerston, Her Majesty's Principal
Secretary of State for Foreign Affairs, &c.*

The Memorial of the Glasgow East India Association

HUMBLY SHOWETH,

That your memorialists lately addressed your Lordship with renewed complaints of the injuries received by British commerce from the illegal acts of the Dutch Government in the Eastern Seas, and your Lordship has been pleased to reply to their memorial through Mr. Backhouse, for which they beg to return to your Lordship their most sincere thanks.

The arguments contained in this reply being unsatisfactory to your memorialists, and at variance with the interpretation of the obligations of the respective parties to the Treaty of 1824, as hitherto understood by them, they humbly beg that your Lordship will excuse the liberty which they now take of again calling your attention to the subject. They feel justified in adopting this course, as well in consideration of the position which this Association holds, as representing a large class of merchants, over whose interests they are bound jealously to watch, as from a conviction of the importance of the question they are called to discuss, to the general commerce of the United Kingdom.

Your Lordship has stated, *seriatim*, the various arguments contained in the former memorial of the Association, and the grounds upon which they have been considered, as insufficient to justify the inferences which have been drawn from them. It will be most convenient to adhere to the same arrangement, and your memorialists request your Lordship's attention to the various points, in the order in which they were noticed in the reply.

In the first place, it is objected to the conclusion of the memorial, viz.: that the terms of the Treaty of 1824 *imply* an obligation on the part of each of the Contracting Parties to abstain from acquiring new possessions in the Eastern Seas, without the sanction of the other party. Your Lordship has objected to this conclusion, on the ground that treaties must be literally interpreted, and that Article VI. of the Java Treaty prescribes no limit to acquiring territory by either party, excepting that the sanction of their respective Governments in Europe shall have been previously obtained. It would be difficult to call in question a position so obvious as the necessity of construing treaties according to their literal meaning; nor does it require the high authority of your Lordship in diplomatic matters to induce your memorialists to submit to such a conclusion. It cannot, however, have escaped your Lordship's observation that, though Article VI. of the Treaty confers an unlimited power of acquiring territory, and must be so construed, there are other Articles which tend to modify this right, and specially reserve existing interests of a commercial kind to the respecting Contracting Parties. In so far it must be held that there is a mutual obligation implied, that no act of either party shall interfere to obstruct the commerce of the other. It appears from Article I., as well as more fully from the diplomatic notes of the Plenipotentiaries, that the Treaty of 1824, had a primary reference to commercial rights and privileges, and that in the territorial changes and arrangements which were established by its provisions, the interests of commerce were intended to be principally cared for. While, therefore, it is true that by Article VI. the Netherland Authorities possess the right of acquiring territory by conquest, it is equally clear, from Article III., that all commercial rights and privileges enjoyed by Great Britain are to be preserved inviolate.

Your Lordship will admit that this is a modification of the right of conquest of no small importance. Should it really be the case that there is no power in the Treaty entitling this country to check the aggressive policy of Holland, there is assuredly a prohibition of all aggression on her part tending to interfere with British rights of trade with the native Powers. This country

has renounced her right to form settlements in Sumatra, Borneo, and Celebes, the richest and most important islands in the Archipelago; but she has distinctly provided that Holland shall not interfere with the freedom of her commerce to these quarters. To the extent of preserving her trade, Britain is entitled to interfere in Dutch conquest. Should it unfortunately be the case that your Lordship's interpretation of Article VI. is correct, and that it confers on the Dutch an exclusive right of acquiring any and all territory which their Government in Europe shall approve, it follows as a consequence, that that Power is at liberty to extend its conquests over the whole Archipelago, and, in conformity with its invariable practice, to subject all conquered States to the stringent regulations of its illiberal commercial policy. It would thus appear that the Treaty of 1824, which, according to the diplomatic note of the British Plenipotentiaries who framed it, contained "a disavowal on the part of the Netherland Government, of any design to aim either at political supremacy or commercial monopoly," contained an Article expressly empowering that Government to compass both these objects.

In 1824, Britain traded largely with the independent States of Sumatra, Borneo, and Celebes, subject to such moderate duties as the native Rajahs imposed, and it surely was not intended that the Dutch should have the power of forcibly acquiring these territories, and introducing their own exorbitant and exclusive tariff. To enable your Lordship to judge of the disadvantage to which British trade would be exposed by the introduction of the Dutch Tariff, your memorialists have to bring before your Lordship's notice the existing rates of duty in several of the States in Sumatra, and for the sake of brevity they will only mention the duty on British manufactures. At Siac the duty is 5 per cent., *ad valorem*, on the introduction of European cotton or woollen goods. At Assahan there is no duty; Batic Baru is a free port; at Sirdang there is no duty; at Balu China and Lankat there are no duties; and at Delhi the duties vary from 3 to 5 per cent. These are the principal pepper ports on the east coast of Sumatra, towards the acquisition of which the Dutch are now using all their efforts, and where, if successful, they would be entitled, according to your Lordship's reading of the Treaty, to impose on British trade duties of 25 per cent. *ad valorem*.

But your Lordship does not require to be reminded that even that rate of duty, unfavourable as it would be regarded in comparison to the moderate charges of the native Rajahs, would not satisfy the Netherland Government. If your Lordship will consult pages 178 and 179 of the Parliamentary Papers relating to the execution of the Java Treaty, you will find detailed the successive steps, every one of them infringing the Treaty, by which the Colonial Government has shut out all other States from intercourse with her minor dependencies. In February, 1824, a duty of 35 per cent. was imposed on all cotton and woollen goods imported from the eastward of the Cape; in the beginning of 1834 this duty was raised to 70 per cent.; and in the end of the same year, by an edict of the Netherland Government, dated the 14th of March, 1834, all importation was interdicted in the ports of Netherland India, excepting such goods as should have cleared out from one or other of the three principal ports in Java, viz., Batavia, Sourabaya, or Samarang. Your Lordship will thus perceive that, in proportion as the Dutch acquire territory in Sumatra, in like proportion will British trade cease.

But your memorialists cannot believe that your Lordship is willing to adopt an interpretation of Article VI., tending to establish the supremacy of the Dutch over the Archipelago. It is obvious that the Plenipotentiaries who framed the Treaty contemplated no such absolute right of conquest. On the contrary, the diplomatic note already quoted, contains explanations regarding the dependents and allies of England in Sumatra. These related to Acheen and Bencoolen, stipulating, with the characteristic fairness of British statesmen, that a treaty with the former kingdom, by which exclusive privileges were granted to British trade, should be abrogated, in so far as inconsistent with the engagements of the Treaty of 1824, but retaining, as before, conditions for the hospitable reception of British ships in the port of Acheen. It is obvious such condition was of no avail, if the Dutch are entitled to attack that friendly State, and, in right of their conquest, to interdict the commerce of Britain.

But the principal ground on which your memorialists would rest their

argument that Holland has no right to extend her commercial system to the detriment of Britain, is in Article III., by which the High Contracting Parties mutually bind themselves to abstain from all interference with the trade carried on by each respectively, to frame no treaties, and to impose no unequal duties to the prejudice of the commerce carried on by either with native States. Your memorialists venture to hope that your Lordship will be induced to give effect to this Article, by insisting that the Dutch shall so far modify their right of conquest as not to interfere with the commerce of this country.

In the second place your Lordship has objected to the interpretation which the memorialists have attached to a passage quoted from a note of the Dutch Minister for Foreign Affairs, as if it contained a renunciation of the right of the Dutch Government to conclude treaties in the Island of Sumatra. In so far as the above meaning is conveyed by the memorialists, they admit that they have been in error, as the language of M. de Zuylen de Nyevelt does not bear such a construction.

Your memorialists would not have again adverted to the note of the Dutch Minister, did they not see in it an assumption that British subjects have no right or interest of any kind in reference to the independent States of Sumatra. It is even made a subject of reproach against the agents of the British Government, that they have listened to the complaints of native Chiefs; and it is plainly intimated that all interference in Sumatra must cease, while the same line of conduct is promised to be observed by the Dutch as regards Malacca. It is no doubt true that, according to the Treaty, and so long as it shall remain in force, Britain can neither make settlements nor conclude treaties in the Island of Sumatra, but she nevertheless has important interests involved in the prosperity of the native States and the free commercial intercourse which she has hitherto enjoyed with them. It remains for your Lordship to judge whether the subjugation of these States, and the exclusion of British commerce, amount to an infraction of treaty, and as such, whether it may not be resisted by armed interference, as was proposed to the Authorities at Penang by the Rajah of Sinkel. The question is a grave one, for it does not refer to Sumatra alone, but to all the other territories enumerated in Article VI., embracing the largest and richest islands of the eastern Archipelago, to the conquest and commercial monopoly of which the same right may be maintained as has been done in regard to Sumatra. It is no doubt argued by the Dutch, that they are in like manner debarred from the Peninsula of Malacca. There can, however, be no difficulty in allowing to them all the privileges claimed by the British in Sumatra, while it is worthy of remark, that the chief British settlements in the Straits of Malacca are free to all nations, and in the native ports of the peninsula the Dutch flag enjoys the same advantages as the British. But were it not so, there can be no comparison between the Peninsula of Malacca and the vast regions to which the Netherland Government lay claim.

Your Lordship has further remarked, in reply to the memorialists, that the Treaty of 1666, under which the Dutch lay claim to the territory of Sinkel, having reference to territorial arrangements, and not to commercial intercourse, did not fail to be communicated to the British Plenipotentiaries in virtue of Article III. Your memorialists can only repeat, what they have already stated, that the acquisition of territory has been principally sought after by the Dutch for the purposes of commerce, and it appears on that account unlikely that any territorial treaty should be so divested of commercial stipulations as to make its production unnecessary for the purposes of Article III. Even granting that the Treaty of 1666 was purely territorial in so far as regarded the conflicting claims of the Dutch Government and the Rajah of Sinkel, it was in the strictest sense a commercial treaty as regarded British subjects, for on the question of Dutch or native occupancy of that district depended the important issue, whether they should be subjected to the stringent conditions of the Dutch Tariff, or trade as heretofore with an independent State.

Your memorialists have no intention again to revive the much-agitated questions regarding the true meaning and purpose of the Java Treaty of 1824; but, seeing that your Lordship has adverted to the subject, they cannot help stating that, according to their understanding of the Parliamentary Papers,

the Administration under which the Treaty was negotiated objected, from the very beginning, to the interpretation of its provisions adopted by Holland, and, through Mr. Canning, conveyed these sentiments to the Court of the Hague. Neither can they agree in the conclusion to which, they regret to observe, your Lordship has given your sanction, but to which they supposed you were hostile, viz., that the non-compliance of the Government of India with the terms of this Treaty should be a reason for relinquishing its beneficial provisions, embracing, as they do, national interests of the first importance, and involving the claims of compensation for duties unjustly levied of a large body of British merchants. The argument that the British-Indian Tariff is at variance with the Treaty of 1824, may justify reclamations on the part of the Dutch, but ought not to preclude the British merchant from receiving compensation for the illegal duties which he has been subjected to.

The subject of paramount importance in the late memorial addressed by this Association to your Lordship, and to which your memorialists could have wished that attention had been especially directed in the reply, is the system of utter exclusion from all the Dutch dependencies in the Eastern Seas of British and native trade, as well from Britain as from British ports in India, excepting upon certain prescribed conditions, for which no sanction can be formed in the Treaty. By edict of the Colonial Government at Batavia, already alluded to, British merchandise imported into the minor Dutch dependencies from ports to the eastward of the Cape has been charged with duties of 35 per cent., and latterly with 70 per cent.; and finally, a prohibition has been issued against all vessels trading to these ports which shall not have obtained a port-clearance from Java. In this manner the commerce of the valuable ports of Palembang, Padang, Bencoolen, and others in Sumatra, as well as the ports in Banca, Borneo, and Celebes, is shut against all trade but such as passes through a Dutch custom-house. The effect of this is to prevent the resort of native traders to British-Indian ports, seeing that cargoes cleared out thence are inadmissible at the various marts in those seas under the protection of Holland, while, as regards import trade in British shipping to these ports, it may be said to have altogether ceased. The whole system is evidently dictated by a narrow jealousy of British trade, more resembling the ancient spirit of monopoly which animated the colonial regulations of Netherland India, than the liberal professions of her recent treaties. But the point for your Lordship's consideration is, whether or not these regulations are consistent with the Treaty of 1824. Article IV. of the Treaty provides for the free passage of native traders to all ports of the two Governments respectively, and enjoins all civil and military authorities to respect freedom of trade. Much more must this Article be held as stipulating for like free access of the Contracting Parties themselves to the ports of each other. Article III. provides that no treaty shall be formed with any native Power tending to exclude the trade of the other party from the ports of such native Power, much more must it be held to prohibit the Contracting Parties from imposing differential duties in their own ports, tending to obstruct the trade of the other, or divert it from its usual channels. It appears to your memorialists that both of these Articles have been contravened in letter as well as in spirit, and if your Lordship do not find a remedy, they will continue to be contravened on a much larger scale. In proportion as the career of Dutch aggression shall proceed, in like manner will monopoly be extended, and your memorialists cannot but predict a "grievous blow" as impending to British commerce.

Your memorialists have further to observe, that your Lordship appears to them to have formed an estimate of the prosperity and extent of British trade to Java which is not borne out by facts. The increased value of the official returns of British and Irish manufactures exported to Java and Sumatra, as stated by your Lordship, does by no means afford a complete index of the amount of trade to these quarters. In the first place there are no vessels cleared out for Sumatra, neither can there be, according to the Dutch Colonial Ordinance already mentioned. Moreover, not one in ten of the vessels which proceed to Java contain cargoes solely destined for the ports of that island. Batavia being the port first made by ships proceeding through the Straits of Sunda to Singapore, Manilla, and China, whole cargoes are frequently entered at the custom-house for that port, of which a very small part only may be destined to be delivered there. In some instances, shippers

manifest their goods for Java with the intention of offering for sale whatever may be found suitable on arrival of the ship, and in other cases it is a matter of policy to conceal the ultimate destination of cargoes; so that from these two causes, a much greater exportation to Java appears upon the custom-house books than is justified by the corresponding entries for consumption in that island. There will be found a true criterion by which to judge of the amount of British trade in the returns of goods declared by the Java custom-house for consumption, of which regular and accurate accounts are kept by the Government, and which are little liable to error, in so far as duties of 25 per cent., *ad valorem*, have been actually levied upon the values specified. Various causes have combined to render the British trade to Java very irregular. In 1835, the value of British goods imported into Java was 2,168,161 florins; in 1834, after the separation of Belgium and Holland, the amount was 3,870,911 florins; while, on the other hand, during the period from 1829 to 1832, when Belgium goods were imported freely, there was a proportionate decrease of British importations. For the thirteen years ending with 1839 the returns of the Java custom-house give the following results:—

	British Manufactures.			Dutch Manufactures.		
In 1827	-	F. 2,094,825	-	-	F. 3,263,677	
1828	-	- 2,165,723	-	-	- 6,459,852	
1829	-	- 1,899,200	-	-	- 6,708,822	
1830	-	- 1,711,852	-	-	- 6,305,797	
1831	-	- 2,000,816	-	-	- 4,564,354	
1832	-	- 976,567	-	-	- 3,608,491	
1834	-	- 3,873,911	-	-	- 330,480	
1835	-	- 2,429,579	-	-	- 1,293,583	
1836	-	- 2,826,641	-	-	- 3,205,688	
1837	-	- 2,845,161	-	-	- 3,647,303	
1838	-	- 3,151,047	-	-	- 5,410,631	
1839	-	- 3,497,510	-	-	- 7,637,151	

From the year 1834 to 1839, a deduction must be made for manufactures of foreign Europe, which are included in the above returns, but which will not average above a tenth part of the annual amount.

Your memorialists regret that they are not in possession of the official returns of the trade in Java, previous to 1827; but they venture to state, that in various years, both before and after the Treaty of 1824, it exhibited a larger amount than it has done since. If your Lordship will take into account, that the China trade has been opened up since 1833, and that the exportations to Singapore, as well as to Manilla, have greatly increased of late years, the cause of the apparent discrepancy between the statement now submitted, and that contained in your Lordship's note, will be apparent. It is not pretended that the trade with Java is at an end,—the official returns, as above stated, prove the contrary; but your memorialists have to complain, that their operations are limited, and their profits reduced, by the unfair and arbitrary proceedings of the Dutch Colonial Government. It is sufficient to advert to the gradual increase of the latter goods, as exhibited in the above returns, to prove that British manufactures are subjected to great disadvantages in competing with the same goods of Dutch origin.

Your memorialists have observed, that your Lordship considers the increased amount of British exports to the Netherland dominions in Europe, as affording ground for believing that British manufactures are sent to Java by that indirect route. Whatever source of congratulation it may afford to the British manufacturer to find this demand for his goods, it is discouraging in the highest degree to the upright merchant, to know that a system of false certificates of origin, combined with fraud and perjury, have raised up a class of unscrupulous and dishonest men as his commercial rivals; neither can they entertain respect for a Government which connives at this wholesale system of fraud.

Your memorialists would finally call the attention of your Lordship to the circumstance, that the Government at the Hague is at present engaged with the consideration of the affairs of Java, and that, in the opinion of many competent judges, both in Britain and Holland, the present would be a

favourable moment for urging upon the Dutch Government the reconsideration of the Treaty of 1824, and substituting in its stead such commercial arrangements as shall be mutually approved of. At all events, an opportunity is afforded to your Lordship, by the many official persons at present in China and the neighbouring seas, of making such inquiries as shall test the truth and justice of those complaints which have been made against the Dutch Government for so many years, and which your memorialists have now reiterated.

May it, therefore, please your Lordship to institute such inquiries, and take such further steps, in the premises, as to your Lordship may appear fit.

And your Memorialists will ever pray.

(Signed in name and on behalf of the Glasgow East India Association)

WALTER BUCHANAN, *Chairman*.
A. WARDROP, *Secretary*.

No. 16.

Sir E. C. Disbrowe to Viscount Palmerston.—(Received April 22.)

My Lord,

The Hague, April 17, 1841.

I HAVE the honour to inclose the copy of a note which I have received from Baron Verstolk de Soelen in reply to mine of the 6th of February, relative to the impediments thrown in the way of British trade with the Netherland possessions in India.

The note itself, after entering into an explanation of the circumstances under which the duties were suddenly raised in 1834, from 35 to 70 per cent., his Excellency declares the measures to have been confined in its operation to Belgian productions, and adds, the decree was abolished in June 1839; and he concludes with informing me that the Edict of November 14, 1834, ought to have been abolished at the same time, and that, at all events, orders have now been sent to the Governor-General of India to recal it if it has not already been done.

With regard to the Island of Sumatra, M. de Verstolk communicates to me the copy of a Treaty of Commerce with the Prince of Jambi, and declares it to form the basis of all other treaties with the native Powers of that island. The Treaty dated in 1834, grants among other things the right of fixing all duties on imports and exports in the State of Jambi, and in fact renders the whole trade of that and other States in the interior contiguous to Jambi subject to Dutch duties and regulations.

With regard to the share of commerce enjoyed by the British, I believe the statements to be correct.

Your Lordship will observe, that his Excellency treats some of the complaints which I forwarded as rather too vague to admit of a direct answer, but he expresses a great willingness on the part of the Netherland Government to examine into and redress any grievance of which the British Government may complain, as the Netherland Government is actuated by the best feelings towards that of Great Britain.

Since I read the Treaty with the Prince of Jambi, I have seen Baron Verstolk, as I thought it right to explain to him verbally that he had mistaken my meaning when he asserts that it is "impossible au Gouvernement des Pays-Bas de partager l'opinion émise dans la note de Sir Edward Cromwell Disbrowe" [vide page 37], for I had made no allusion to the Coasting Trade with the Netherland possessions, which is a distinct question, but to our relations with the native Powers with whom we had free access for the purposes of trade from 1824, and that I had confined myself to claiming under the Treaty of 1824, that no impediments should be thrown in our way, or duties levied by the Netherland Authorities in countries with which we had free access for the purposes of trade, previous to 1824,

and I thought I might perhaps find it necessary to explain myself hereafter, by a note to that effect.

In making this observation, I had in my contemplation the Treaty of the Prince of Jambi, the 6th and more particularly the 9th Article of which appears to me to militate against the 3rd and 4th Articles of the Treaty of 1824; but although I thought it advisable to explain without delay that the British Government had claimed nothing not justified by our treaties, I have no intention of stirring any further in the question unless instructed to do so by your Lordship.

I have, &c.,
(Signed) E. C. DISBROWE.

Inclosure 1 in No. 16.

Baron Verstolk de Soelen to Sir E. C. Disbrowe.

La Haye, le 10 Avril, 1841.

LE Soussigné, Ministre des Affaires Etrangères, ayant reçu la note que Sir Edward Cromwell Disbrowe, &c., a bien voulu lui adresser le 6 Février dernier, concernant des griefs des sujets Britanniques, commerçans dans les Indes Orientales, relativement à des mesures prises par les Autorités Néerlandaises, sur lesquelles un rapport de Mr. Bonham, Gouverneur de l'Île du Prince de Galles et des possessions Britanniques à Singapore et dans les Moluques, avait plus particulièrement appelé l'attention de son Gouvernement, se trouve aujourd'hui à même d'avoir l'honneur de lui communiquer les observations suivantes sur cette matière.

Le début de la note sus-mentionnée parle de plaintes générales relatives à des déviations de la lettre et de l'esprit du Traité de Londres de 1824, qui auraient été commises surtout depuis 1834.

Il est impossible de réfuter des plaintes conçues en termes aussi généraux; et ce n'est que sur des faits articulés que l'on peut provoquer une enquête, et procurer, s'il y a lieu, la réparation demandée.

Quant à ceux que la note de M. l'Envoyé Extraordinaire et Ministre Plénipotentiaire de Sa Majesté Britannique spécifie, et notamment quant au grief au sujet d'une prétendue augmentation de droits, qu'on affirme équivaloir presque à une prohibition totale, et de la mise en vigueur dans tout l'Archipel, des mesures gênantes déjà établies pour Java, on semble avoir perdu de vue, que les tarifs des droits d'entrée et de sortie dans toute l'Inde Néerlandaise n'y ont été introduits que conformément aux dispositions de l'Article II. du Traité de Londres de 1824, et qu'à l'exception de la différence qui y est fondée entre les droits pour les navires Néerlandais et ceux pour les navires étrangers, les navires Britanniques n'y éprouvent pas plus de difficultés que ceux des Pays-Bas mêmes. Par sa lettre du 27 Mai, 1838, le Soussigné a eu l'honneur de remettre à Sir Edward Cromwell Disbrowe un exemplaire authentique de l'ordonnance du Gouverneur-Général des Indes Néerlandaises en date du 25 Septembre, 1837, portant fixation des nouveaux tarifs des droits d'entrée et de sortie pour Java et Madura. Le Cabinet Britannique a donc eu connaissance de ces tarifs, et a pu se convaincre que l'on ne s'est écarté en aucun point des dispositions du Traité de Londres.

La plainte de ce que les droits sur les marchandises Anglaises auraient été, en 1834, portés tout-à-coup de 35 à 70 pour cent, ne peut reposer que sur des renseignements inexacts. Une détermination fut prise à la vérité à cette époque d'assujettir à un droit de 50 à 70 pour cent de la valeur, selon que l'importation serait directe ou indirecte, l'entrée d'étoffes de laine et de coton provenant de pays qui n'étaient point en relations d'amitié avec le Royaume des Pays-Bas, et arrivant, soit sur des bâtimens Néerlandais, soit sur des bâtimens étrangers. Cette mesure, toute de circonstance, avait pour but d'empêcher que pendant l'état de guerre avec la Belgique, les fabricans Belges ne continuassent à exploiter à leur profit les colonies Néerlandaises; elle a cessé par suite du Traité du 19 Avril, 1839; et une publication du Gouverneur-Général des Indes Néerlandaises, en date du 30 Octobre, 1839, a aboli celle du 1er Juin,

1834, et l'augmentation de droits, dont celle-ci avait exceptionnellement frappé les laines et les cotons Belges, et laquelle évidemment n'avait jamais pu concerner les marchandises Britanniques. Il se pourrait, que l'un ou l'autre des plaignans eût tenté pendant la durée de cet impôt, d'introduire des marchandises Belges sous le nom de marchandises Anglaises, et que dès-lors cette tentation eût échoué. Car si ces objets n'appartenaient réellement pas à cette catégorie plus imposée, rien n'était plus facile que de le prouver, puisque d'après l'Article 3 de la Résolution de l'Administration des Indes du 1er Juin, 1834, sus-mentionnée, les factures originales et les lettres de commerce, pourvu qu'elles portassent des marques certaines d'authenticité, devaient suffire pour prouver l'origine des marchandises qu'elles concernaient.

Il eut sans doute été impossible d'adoucir davantage dans son exécution cette formalité onéreuse, mais commandée par les circonstances ; et l'on croit pouvoir assurer qu'il ne s'est pas présenté un seul cas des marchandises Anglaises qui auraient été frappées de la surtaxe, faute d'avoir pu produire les certificats requis.

Aucun projet n'a jamais existé, comme on paraît le supposer, d'exclure le commerce Britannique de l'Île de Sumatra. Les conventions conclues avec les princes de la côte orientale de l'île fournissent la preuve de ce que l'Administration des Indes n'a en aucune manière l'intention d'empêcher, ou même de limiter, le débit des marchandises Anglaises dans Sumatra. Ces conventions au contraire sont basées sur le principe de la liberté du commerce en général, ainsi qu'il est avéré par le Traité conclu avec le Prince de Jambie, dont ci-joint une copie. Le Soussigné se flatte que la lecture de ce document fera disparaître l'opinion erronée que l'on paraît avoir conçue des véritables intentions du Gouvernement des Pays-Bas, en prouvant au même temps que ses arrangemens et sa conduite à Sumatra ont été une suite nécessaire de l'attaque à laquelle il avait été exposé, et du besoin d'assurer sa propre conservation. Les autres conventions conclues avec les princes de la côte orientale sont semblables à celle que le Prince de Jambie a obtenue, et les mêmes principes de modération seront observés à la côte occidentale.

Il est impossible au Gouvernement des Pays-Bas de partager l'opinion énoncée dans la note de Sir E. C. Disbrowe, suivant laquelle l'Article VII. du Traité de Londres de 1824 aurait ouvert au commerce Britannique le libre accès de tous les ports des Indes Néerlandaises, à la seule exception de ceux des Îles Moluques. Il est généralement reconnu, qu'il n'y a ouvert au grand commerce, que les ports où se trouvent établis des bureaux de douane, et que la navigation et le commerce dans et entre les autres ports n'est libre que pour le cabotage. Ce principe, le seul assurément qu'il soit possible de suivre dans les colonies, existe depuis nombre d'années aux Indes Néerlandaises, et il y a été également observé pendant l'occupation Britannique. Les navires Néerlandais sont assujettis sous ce rapport aux mêmes restrictions que ceux des autres nations Européennes, il n'est permis qu'aux caboteurs et aux navires et bâtimens indigènes qui leur sont assimilés, d'aborder dans les ports non pourvus de bureaux de douane. Tous les réglemens du Gouvernement arrêtés à, et depuis, la reprise de possession, tant en général, que sur les droits d'entrée et de sortie, ont maintenu ce principe, et indiquent positivement les ports ouverts au grand commerce, et ceux qui sont destinés uniquement au cabotage et aux bâtimens indigènes. L'Article 106 de celui qui est aujourd'hui en vigueur s'exprime ainsi :—

“Tous les ports de l'Inde Néerlandaise qui de temps en temps sont ouverts au grand commerce par des réglemens ou arrêtés spéciaux sont dès-lors accessibles à tous les peuples amis du Royaume des Pays-Bas, tandis que le contraire a lieu dans les ports affectés uniquement au petit commerce, et dans lesquels les cabotiers et bâtimens indigènes sont seuls admis. Les Îles Moluques restent expressément comprises parmi ces derniers, jusqu'à ce que le Roi en ait autrement ordonné.” Du reste, ce principe n'a jamais reçu une application fort rigoureuse ; la récapitulation suivante des ports successivement ouverts au grand commerce en fait foi, savoir : les ports de Batavia, Samarang et Soerabaya, dans l'Île de Java ; le port de Riouw dans l'Île de Bintang ; celui de Muntok dans l'Île de Banka ; ceux de Palembang, Benkoelen, Padang, et Tappenoelie, dans l'Île de Sumatra ; ceux de Benjarmassing, Pontianak, Sambas, et Sœkadana, dans l'Île de Bornéo ; celui de Makassar dans l'Île de Célèbes ; et celui de Koëpang dans l'Île de Timor. De plus, diverses dispositions successives ont déclaré ports

libres ceux de Riouw, Pontianak, Sambas, et Soekdana ci-dessus nommés ; les droits de port et d'ancrage ont été supprimés à Timor, principalement dans l'intérêt des pêcheurs Anglais de la Mer du Sud. On a aussi accordé aux navires étrangers qui pendant leur route traversent l'Archipel des Moluques, et se trouvent par cause d'avaries et de défaut de vivres, ou autres cas légitimes, forcés de chercher un port, la permission d'entrer dans ceux d'Amboine, de Ternate, d'Alenado, et de Hema.

Dans cet état de choses avéré, le Gouvernement du Roi ne voit pas qu'il y ait lieu pour le moment d'adresser au Gouverneur-Général des Indes Néerlandaises une nouvelle invitation, à l'effet de faire jouir les sujets Britanniques de la part à laquelle ils ont droit dans le commerce de ces parages, attendu qu'il n'y a aucun exemple d'irrégularités qui auraient été commises à cet égard au préjudice des sujets de Sa Majesté Britannique. Finalement, Monsieur l'Envoyé Extraordinaire et Ministre Plénipotentiaire de Sa Majesté Britannique a bien voulu appeler l'attention du Soussigné sur la Résolution du Gouvernement des Indes, en date du 14 Novembre, 1834, statuant que l'importation première dans les Indes Néerlandaises d'étoffes de laine et de coton fabriquées dans les pays situés à l'ouest du Cap de Bonne Espérance, ne pourra avoir lieu, jusqu'à nouvel ordre, que par Batavia, Samarang, et Soerabaya, et que ces marchandises ne pourront entrer dans les autres ports de l'Inde Néerlandaise, qu'accompagnées d'un certificat du contrôleur des droits d'entrée et de sortie de Batavia, de Samarang, ou de Soerabaya, constatant leur entrée dans un de ces ports, et qu'elles en sont sorties.

A ce sujet le Soussigné aura l'honneur de faire observer, que la disposition dont il s'agit, connexe avec la mesure transitoire ci-dessus expliquée, qui avait été établie en 1834 contre l'importation de marchandises Belges dans les Indes Néerlandaises, était alors absolument indispensable pour atteindre le but qu'on se proposait, vu qu'il n'y avait que ces trois ports qui eussent des établissemens qu'on ait pu charger des opérations particulières nécessaires pour l'exécution de la mesure en question. Plus tard lorsque le bureau des douanes de Padang, dans l'Île de Sumatra, eût reçu un accroissement suffisant d'employés, un arrêté de l'Administration des Indes du 16 Mai, 1837, accorda également l'importation première dans ce port. Il est à croire, que lorsque les événemens eurent permis le retrait de la mesure de circonstance dont il s'agit, l'Administration aura aussi fait cesser cette obligation de première importation dans un des quatre ports sus-mentionnés ; quoiqu'il en soit, le Département des Colonies s'empressera d'écrire au Gouverneur-Général, et de lui rappeler, pour le cas où cela aurait échappé à l'intention de l'Administration, que la mesure prise en Novembre, 1834, doit cesser d'avoir son effet, aussi bien que celle du mois de Juin précédent.

Tout en satisfaisant par là au désir du Gouvernement de Sa Majesté Britannique, il importe néanmoins de faire remarquer, que la disposition dont il s'agit n'a pu être considérée comme contraire au Traité de Londres de 1824. Le but de ce Traité n'ayant été autre que de placer les sujets Britanniques, relativement au commerce des Indes Néerlandaises, sur le pied de la nation la plus favorisée, on ne s'est point écarté de ce principe par une mesure qui s'appliquait non-seulement aux navires des Pays-Bas, puisque certes les Parties Contractantes n'ont point eu l'intention de favoriser les étrangers de préférence à leurs propres sujets, ni d'accorder aux premiers plus de privilèges qu'aux derniers. L'obligation de première importation d'ailleurs a bien pu avoir spécialement quelque influence sur le commerce de Singapore et de l'Île du Prince de Galles, mais elle n'a pu en exercer sur le débit des manufactures Anglaises en général ; et on ne sache pas que les maisons Anglaises établies à Java se soient jamais plaintes de ces difficultés commandées par la nécessité. Le Soussigné a la pleine confiance, que les éclaircissemens qui précèdent satisfairont complètement le Gouvernement Britannique par rapport aux griefs mentionnés dans la note du 6 Février ; toutefois, comme on a appris, que récemment l'Association des Indes Orientales de Glasgow a porté plainte au sujet de prétendus empiètemens sur le commerce Britannique dans l'Archipel Indien, il a paru essentiel d'ajouter un mot à cet égard.

On a déjà fait observer, que les conquêtes du Gouvernement Néerlandais dans l'Île de Sumatra avaient été provoquées par les attaques des Padries, et par le besoin bien éprouvé de soumettre ces peuples à l'autorité des Pays-Bas, pour assurer la tranquillité dans l'île.

Il n'a donc nullement été question, comme le prétendent les négocians Anglais, d'un projet de faire prospérer le commerce des Pays-Bas au détriment du leur. Les preuves de la vérité de cette assertion se trouvent et dans la teneur des traités conclus avec les princes indigènes, dont celui que le Sultan de Jambie a obtenu est un exemple, et dans les mesures prises en 1828, 1833, et 1837, pour déclarer ports libres ceux de Riouw, de Pontianak, de Sambas, et de Soekadana (Bornéo), et pour abolir les droits de port et d'ancrage qui se prélevaient dans l'Ile de Timor, le tout principalement dans l'intérêt du commerce Anglais. L'indépendance de l'Empire d'Atssen sera respectée aux termes du Traité de Londres de 1824, et l'occupation de Singkel et Baros ne porte aucune atteinte à ce Traité, attendu que le territoire d'Atssen ne commence qu'au nord de Singkel.

Selon les rapports officiels, la valeur des marchandises importées à Java, de 1835 à 1839 sous pavillon Britannique—

Pour 1835 à la somme de florins	2,840,684
1836 „ „	2,747,298
1837 „ „	2,931,312
1838 „ „	4,237,895
1839 „ „	3,517,765

Le commerce Britannique s'est donc sensiblement accru pendant ces dernières années, et il est dès-lors inexplicable de voir ce même commerce se plaindre précisément à cette époque de traitemens indus qu'il aurait éprouvés de la part des autorités des Pays-Bas.

Il convient aussi de remarquer, qu'outre le commerce qu'elle entretient directement avec les possessions Néerlandaises d'outremer, la Grande Bretagne jouit encore d'une part indirecte très considérable dans ce commerce, en fournissant presque tout le fil de coton qui sert dans les Pays-Bas à la fabrication des étoffes destinées aux Indes ; on évalue cette quantité de fil à 1,800,000 livres des Pays-Bas au moins par an, ce qui représente une valeur d'environ 2,500,000 florins.

Il n'y a dans les Pays-Bas que trois filatures de coton qui ne produisent qu'une très petite partie du fil que les tisseranderies Néerlandaises consomment. Comme il n'y a pas d'apparence qu'il sera donné plus d'impulsion ou d'extension à ces filatures, il s'ensuit, que les manufactures de la Grande Bretagne sont très intéressées à l'accroissement du débit des produits de la fabrique des Pays-Bas aux Indes. Si l'on considère avec cela, que suivant des renseignemens authentiques, le fil Anglais propre au tissage revient dans les Pays-Bas de 13 à 15 pour cent plus cher qu'en Angleterre, et que la fabrique Néerlandaise est encore bien en arrière de celle d'Angleterre, il sera évident que le droit différentiel de 12½ pour cent, existant dans l'Inde Néerlandaise sur l'introduction des cotons, n'offre pas une protection trop forte aux manufactures des Pays-Bas, et que l'industrie Anglaise peut concourir dans les possessions Néerlandaises d'outremer pour ainsi dire sur un pied égal avec celle des Pays-Bas.

L'état comparatif suivant des importations Néerlandaises et Anglaises dans l'Ile de Java achèvera de prouver l'injustice des doléances que l'on produit aujourd'hui :—

Pendant les années 1837, 1838, et 1839, il est entré à Java des toiles et cotons Néerlandais pour une valeur de fl. 18,081,969

La valeur du fil Anglais employé à la fabrication de ces marchandises montant à	7,500,000
il en résulte, que l'industrie des Pays-Bas a eu dans cette importation un intérêt de	fl. 10,581,969

La valeur des cotons Anglais entrés à Java pendant ces mêmes années, s'élève à la somme de	fl. 8,746,959
à laquelle il faut ajouter celle du fil Anglais employé dans les Pays-Bas à la fabrication des toiles et cotons Néerlandais expédiés pour Java	7,500,000

Ce qui donne pour la part des manufactures Britanniques dans le commerce de Java, pendant les trois années en question, une somme de	fl. 16,246,959
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L'industrie Britannique a donc eu dans la consommation des étoffes de coton à Java, pendant les trois années indiquées, une part plus forte de près de six millions, que l'industrie des Pays-Bas, et rien ne justifie les griefs qui tendent à faire croire que la première y aurait éprouvé une diminution considérable, et moins encore une exclusion totale. Toutes ces considérations donneront sans doute au Gouvernement de Sa Majesté Britannique l'entière conviction de la bonne foi que le Gouvernement Néerlandais met à exécuter le Traité de Londres de 1824; et le Soussigné se félicite de pouvoir ajouter, que son Gouvernement s'empressera toujours d'examiner les plaintes qui lui seront adressées, et de remédier sans perte de temps aux abus dont l'existence lui aura été démontrée.

Le Soussigné, &c.,

(Signé)

VERSTOLK DE SOELEN

(Translation.)

The Hague, April 10, 1841.

THE Undersigned, Minister for Foreign Affairs, having received the note which Sir E. C. Disbrowe was pleased to address to him on the 6th of February last, relative to the complaints made by British subjects trading to the East Indies, with respect to the measures of the Netherland Authorities, to which complaint the attention of the British Government had been more particularly called by a report from Mr. Bonham, Governor of Prince of Wales' Island, and of the British possessions at Singapore and the Malaccas, is now enabled to communicate to Sir E. Disbrowe the following observations on this matter:—

The first part of the above note alludes to general complaints of deviations from the letter and the spirit of the Treaty of London of 1824, which are stated to have been committed more especially since 1834.

It is impossible to refute complaints conceived in such general terms, and it is only with respect to specific facts that an inquiry can be instituted, and that the required reparation, if due, can be obtained.

With respect to those complaints, which are specified in the note from the Envoy Extraordinary and Minister Plenipotentiary of Her Britannic Majesty, and more particularly with respect to the complaint of an alleged increase of duties, amounting, as is asserted, nearly to entire prohibition, and of the introduction within the whole extent of the Archipelago, of the vexatious measures already established in Java, it appears to have been forgotten that the tariffs on importation and exportation in all Netherland India have been only introduced there, in conformity with the provisions of the IInd Article of the Treaty of London of 1824; and that, with the exception of the distinction therein contained between the duties on Netherland and foreign ships, British ships do not experience in Netherland India any greater difficulties than the ships of the Netherlands themselves. The Undersigned has had the honour to transmit to Sir E. C. Disbrowe, in his letter of the 27th of May, 1838, an authentic copy of the decree of the Governor-General of Netherland India, dated 25th of September, 1837, establishing the new tariffs of duty on imports and exports for Java and Madura. The British Cabinet has, therefore, been made acquainted with those tariffs, and has been enabled to convince itself; that the provisions of the Treaty of London have in no wise been departed from.

The complaint which has been made, that the duties on British merchandise, in 1834, had been suddenly raised from 35 to 70 per cent., can only have its origin in error. It is true, that at that period it was resolved to levy an *ad valorem* duty of from 50 to 70 per cent., according as the importation was direct or indirect, upon woollen and cotton goods coming from countries not in amity with the kingdom of the Netherlands, and arriving either in Netherland ships or in foreign ships. This measure, originating entirely in the circumstances of the date, was intended to prevent Belgium manufacturers from continuing to carry on a profitable intercourse with the Netherland colonies, during the continuance of a state of war with Belgium, and has ceased in consequence of the Treaty of the 19th of April, 1839; and an

edict of the Governor-General of the Netherland East Indies, dated the 30th of October, 1839, has abolished the Edict of the 1st of June, 1834, and the augmentation of duties which was thereby exclusively imposed on Belgian cottons and woollens, and which could evidently never have effected British merchandise. It is possible that one or the other of the complaining parties may, while that impost was in force, have endeavoured to introduce Belgian merchandise, under the name of British merchandise, and that the endeavour may consequently have failed. For if the articles in question did not really belong to the class on which heavier duties had been imposed, nothing could be easier than to prove such fact, inasmuch as by the 3rd Article of the Resolution of the Indian Government of the 1st of June, 1834, above referred to, the original invoices and bills of lading, provided they bore the evident marks of being genuine, were deemed sufficient to prove the origin of the merchandise to which they referred.

It was, probably, impossible further to lighten this onerous but necessary formality in its execution; and it may be asserted, that not one case has occurred of English merchandise having been subjected to the additional duty in consequence of the requisite certificates not being forthcoming.

There has never been any design, as appears to be supposed, to exclude British trade from the Island of Sumatra. The Conventions which have been concluded with the Princes of the eastern coast of the island furnish the proof, that the Indian Government has no intention whatever to prevent or even to limit the sale of British merchandise in Sumatra. On the contrary, those Conventions are based on the principle of general freedom of trade, as is proved by the Treaty concluded with the Prince of Jambi, of which a copy is herewith inclosed. The Undersigned flatters himself, that this document will efface the erroneous impression that appears to be entertained relative to the true intentions of the Government of the Netherlands, by proving both that the measures of that Government, and its conduct in Sumatra, have been the necessary consequence of the aggressions to which it had been exposed, and of the obligation to provide for its own safety. The other Conventions concluded with the Princes of the eastern shore, are similar to the one obtained by the Prince of Jambi; and the same principles of moderation will be observed on the western coast.

It is impossible for the Government of the Netherlands to agree in the opinion expressed in Sir E. Disbrowe's note, that the VIIth Article of the Treaty of London of 1824, has opened all the ports of Netherland India to British commerce, with the sole exception of the ports of the Moluccas. It is generally acknowledged, that only such ports are open to foreign trade as are provided with Custom-houses, and that the navigation and commerce with and between the other ports is only open to the coasting trade. This principle, which assuredly is the only one which can be followed in the colonies, has been in force for years within the Netherland Indies; and it was equally acted upon during the British occupation. Netherland ships are, in this respect, subjected to the same restrictions as the ships of other European nations; and only coasters and the ships and boats of the natives, which are treated on the same footing, are allowed to enter ports unprovided with a Custom-house. All the regulations of the Government adopted at the time of the re-occupation, and acted upon since, have recognized this principle; and distinctly name the ports which are open to foreign trade, and those which are only open to the coasting trade and to the trade of native vessels. Article CVI. of the regulation at present in force expresses itself in the following manner:—

“All the ports of Netherland India, which from time to time shall be opened to foreign trade by regulations or special enactments, shall from thenceforward be open to all nations in amity with the kingdom of the Netherlands, while the contrary practice shall be followed in those ports in which the coasting trade and native vessels are alone admitted. The Moluccas are especially comprized within the latter as long as the King shall not order otherwise.” This principle has, moreover, never been carried into very rigorous execution; the following enumeration of the ports successively opened to foreign trade proves this fact; namely, the ports of Batavia, Samarang, and Sourabaya in the Island of Java; the port of Rionw in the Island of Bintang; the port of Muntok in the Island of Banca; the ports of Palembang, Bencoolen, Padang, and Tappenoolie in the Island of Sumatra;

those of Benjarmassing, Pontianak, Sambas, and Soekadana in the Island of Borneo; the port of Macassar in the Island of Celebes; and the port of Kœpang in the Island of Timor. Various successive regulations have, moreover, declared the ports of Riouw, Pontianak, Sambas, and Soekadana, named above, free ports; the port and anchorage duties have been abolished at Timor principally in the interest of the English South Sea fisheries. Permission has, likewise, been given to foreign ships which may pass through the Archipelago of the Moluccas, and which, on account of damage or want of provisions, or other legitimate causes, may be obliged to seek a harbour to enter those of Amboyna, Ternate, Alenato, and Hema.

Under these well-known circumstances the Government of the King does not see that it is necessary for the present to address to the Governor-General of Netherland India any further instruction to allow British subjects to enjoy the share in the trade of those seas to which they are entitled, seeing that no irregularity has in this respect been committed to the prejudice of the subjects of Her Britannic Majesty. Finally, the Envoy Extraordinary and Minister Plenipotentiary of Her Britannic Majesty has been pleased to call the attention of the Undersigned to the Resolution of the Indian Government of the 14th of November, 1834, providing that the primary importation into Netherland India of woollen and cotton goods, manufactured in countries to the west of the Cape of Good Hope, should not take place until further orders, except through the Ports of Batavia, Samarang, and Sourabaya; and that such merchandise should not be allowed to be imported in the other ports of Netherland India without a certificate from the Comptroller of Export and Import Duties of Batavia, Samarang, or Sourabaya, proving their entry into one of those ports, and their re-exportation from thence.

With respect to this the Undersigned has the honour to observe, that the arrangement referred to, akin to the temporary measure explained above, which was adopted in 1834, against the importation into Netherland India of Belgian manufactures, was at that period absolutely necessary for the attainment of the proposed end. At a later period when a sufficient number of officers had been appointed to the Custom-house at Padang, in the Island of Sumatra, a decree of the Indian Government, dated 10th of May, 1837, extended the permission to import directly to that port likewise. It is presumed that when events rendered a revocation of the temporary measure in question practicable, the Government will likewise have revoked the decree making it obligatory to import, in the first instance, into one of the four above-mentioned ports. Whether this be so or not, the Colonial Department will not delay to write to the Governor-General to remind him, in case this should have escaped the attention of the Government, that the measure adopted in November, 1834, ought no longer to be carried into effect as well as the one of the preceding June.

In satisfying thus the wishes of the Government of Her Britannic Majesty, it is nevertheless of consequence that it should be understood that the arrangement in question cannot be considered as contrary to the Treaty of 1824. The object of that Treaty having merely been, to place British subjects, as regards the trade with Netherland India, on the footing of the most favoured nation, a measure cannot be considered as a deviation from this stipulation, which was not applied exclusively to Dutch ships, because the Contracting Parties had certainly not the intention to prefer foreigners to their own subjects, or to grant to the former greater privileges than to the latter. The measure relative to primary importation may certainly have had some partial influence upon the trade of Singapore and Prince of Wales' Island, but it could not have any influence on the sale of British merchandise in general; and it is not known that the English houses established in Java have ever complained of these impediments which had been dictated by necessity. The Undersigned is fully persuaded that the foregoing explanations will completely satisfy the British Government with respect to the complaints mentioned in the Note of the 6th of February; nevertheless, as it is understood that the Glasgow East India Association has recently preferred complaints on the subject of the supposed encroachments upon British trade in the Indian Archipelago, it has been thought necessary to add a word on that matter.

It has already been observed, that the Netherland conquests in the Island of Sumatra have been provoked by the aggressions of the Padries, and the

very evident necessity of subjecting these people to the authority of the Netherlands, in order to insure tranquillity in the island.

There has been, therefore, no question, as is asserted by the English merchants, of causing the trade of the Netherlands to flourish at the expense of their trade. The proof of the truth of this will be found as well in the tenor of the Treaties concluded with native Princes, of which the one obtained by the Sultan of Jambi is a specimen, as in the measures adopted in 1828, 1833, and 1837, for declaring the Ports of Riouw, Pontianak, Jambi, and Soekadana, (Borneo,) free ports, and for abolishing the port and anchorage dues levied in the Island of Timor; the whole of which measures are principally in the interest of British trade. The independence of the Empire of Acheen shall be respected in conformity with the terms of the Treaty of London of 1824, and the occupation of Sinkel and Baroos does not in any manner militate against that Treaty, seeing that the territory of Acheen commences to the north of Sinkel.

According to official reports, the value of merchandise imported from 1835 to 1839 into Java, under the British flag, amounts

In 1835	to florins	2,840,684
1836	" "	2,747,298
1837	" "	2,931,312
1838	" "	4,237,895
1839	" "	3,517,765

British trade has therefore sensibly increased during the latter of those years; it is therefore inexplicable that those engaged in that trade should precisely, during those periods, complain of the unjust treatment which they state themselves to have experienced at the hands of the Authorities of the Netherlands.

It is, moreover, necessary to remark, that in addition to the trade which Great Britain enjoys directly with the foreign possessions of the Netherlands, she at the same time enjoys a very considerable indirect share in that trade by furnishing almost all the cotton yarn used in the Netherlands for the manufacture of the goods destined for India. The amount of the cotton yarn is calculated at 1,800,000 Netherland pounds at least annually, which represents a value of about 2,500,000 florins.

There are only three cotton spinneries in the Netherlands which produce a very small portion of the yarn consumed by the Netherland looms. As there is no likelihood that a greater impulse or extension will be given to these spinneries, it follows that British manufacturers are greatly interested in the increase of the sale in India of the productions of the Netherland factories. If it be moreover considered that, according to authentic information, English yarn fitted for weaving costs in the Netherlands from 13 to 15 per cent. more than in England, and that Netherland manufacture is still greatly behind British manufacture, it is evident that the differential duty of 12½ per cent. levied in Netherland India, on the importation of cotton goods, does not give to the manufacture of the Netherland any inordinate protection, and that English industry is able to compete, it may be said on equal terms, in the foreign Netherland possessions, with the industry of the Netherlands.

The following comparative statement of Netherland and English importations into Java will conclusively prove the injustice of the complaints which are at present preferred:—

During the years 1837, 1838, and 1839, Netherland cloths and cottons have been imported into Java to the value of fl. 18,081,969

The value of English yarn used in the manufacture of these articles amounts to 7,500,000

The industry of the Netherlands has therefore been interested in these importations to the amount of fl. 10,581,969

The value of English cottons entered at Java during the same years, amounts to fl. 8,746,959

To this must be added the value of the English yarn employed in the Netherlands in the manufacture of the cloths and cottons shipped for Java 7,500,000

which gives as the share enjoyed by British manufacturers in the trade of Java during the three years in question . . . fl. 16,246,959

British industry has therefore had a share in the consumption of cotton goods in Java, during the three specified years, exceeding the share of Holland by near six millions, and there is nothing whatever to warrant complaints which would make it to be believed that the former has experienced any considerable diminution, and still less total exclusion. These considerations will doubtless fully convince the Government of Her Britannic Majesty of the good faith shown by the Netherland Government as regards the execution of the Treaty of London of 1824; and the Undersigned is happy to be able to add, that his Government will always be ready to examine the complaints which may be brought to its knowledge, and to remedy without loss of time any abuse which may be proved to exist.

The Undersigned, &c.,

(Signed)

VERSTOLK DE SOELEN.

Sub-Inclosure in No. 16.

Treaty of Peace and Friendship contracted and concluded between Johannes Wilhelmus Boers, Resident of Palembang, and acting in that capacity, as Commissary of the Netherland Government, for the regulation of the affairs of Jambi, by order of the Government of Netherland India on one part; and His Highness Mahomed Phaharoedin, Sultan of Jambi, together with the Panguan Ratoe, Marta Ningrat Abdul Rachman, on the other part.

ARTICLE I.

AS in the month of June of the year 1833, His Highness Mahomed Phaharoedin, Sultan of Jambi, together with his partisans, without any provocation whatever on the part of the Netherland Government or its subjects, broke the peace which had always existed between him and the Netherland Indian Government, by openly making war against it by invading the Netherland territory of Palembang with an armed force, and by committing vast devastation; in consequence of which the subjects of that Government suffered considerable injury, and the Indian Government was obliged to take up arms for the purpose of repressing those hostilities, and driving the enemies from its territory, and subsequently, for the preservation of tranquillity, to place a military garrison at Soeralangoen; all which gave rise to many difficulties and sacrifices:

Nevertheless, desirous of acting up to the principles of magnanimity which have at all times characterized that Government, in the conviction which it has obtained that His Highness the Sultan above-mentioned, with his said adherents, sincerely regret having given the Netherland Government any cause of dissatisfaction, and of His Highness's and the Panguan Ratoe's well-meaning inclination to enter into an everlasting treaty of friendship with that Government, it consequently now approves the provisional Treaty which was concluded at Soingri Bawang, on the 14th of November, of the year 1833, between His said Highness and the Lieutenant-Colonel J. V. Michiels, Adjutant to his Excellency the Commissary-General of Netherland India, and declares its readiness to enter into a definitive contract, on the basis thereof, with His Highness and the Panguan Ratoe, Marta Ningrat Abdul Rachman.

ARTICLE II.

His Highness Mahomed Phaharoedin and the Panguan Ratoe hereby solemnly promise, as well for themselves as for their successors, that they will never more abuse their power against that Government; but that, on the contrary, they and theirs will ever be mindful of the magnanimous manner in which that Government grants them full pardon for their hostile invasion of the Palembang territory, and the injury thereby done to its subjects, and will act with good faith and candour towards it; so that an eternal friendship may exist between the Netherland Government and His Highness, together with the Panguan Ratoe and their descendants.

ARTICLE III.

His Highness Mahomed Phaharoedin and the Panguan Ratoe, sensible of the obligations they owe to that Government, to which they are indebted for the possession of their dignities, place themselves, their descendants, and the State of Jambi, henceforth and for ever, under the immediate protection and sovereignty of the Netherland Indian Government, and promise not to contract any bonds of amity with the enemies of that Government.

ARTICLE IV.

On the other hand, the Netherland Government takes His Highness Mahomed Phaharoedin and the Panguan Ratoe, their descendants, and the State of Jambi, under its immediate protection, and promises to maintain them and theirs in their rights, both within and without the State; and even, if they should require it, to afford them personal support. Further, the Netherland Government assures to His Highness and the Panguan Ratoe an annual income of 8,000 guilders to be paid quarterly; the Resident Commissary aforesaid promising to make known to that Government their request that this sum may be increased to 15,000 guilders a year; and that, on any considerable increase of the revenues from the taxes to be laid on navigation and trade in their country, it may moreover be augmented in a just proportion.

ARTICLE V.

For the protection of navigation and trade in the State of Jambi, and as a security against all further hostilities from that quarter, on the part of the malevolent there, the Netherland Government will remain in the possession of the present fort and the territory occupied by Government troops at the Mocara Kompeh; and afterwards, should it be judged proper, be allowed to establish other fixed points at the chief place itself, or in the upper lands. This latter measure will, however, not take place for the present, and only if circumstances should require it, when it will be made known by publication, and preconcerted with His Highness and the Panguan Ratoe.

ARTICLE VI.

The Netherland Government will not interfere with the interior administration of the country, nor infringe its customs, it being agreed that the now existing laws, usages, and institutions, shall be preserved inviolate.

Further, it will not levy any direct taxes, but only provide for the safety of the garrison at the Mocara Kompeh, or other places, according to what is prescribed in Article V., and likewise exercise a control over the navigation and trade, and the interior administration, particularly with regard to illicit attempts at eluding the public duties on trade.

ARTICLE VII.

At the Mocara Kompeh, or any other part of the State of Jambi where the Government shall be established, there will constantly be a functionary present, on the part of the Netherland Government, provisionally under the orders of the Resident of Palembang, who will be considered by His Highness Mahomed Phaharoedin as his, the Resident's, Representative, and with whom he can consult in all affairs relating to the Administration.

His Highness may, in cases of extraordinary difficulty in particular, and concerning all affairs in general, make immediate application to the Resident of Palembang, whose wish it is to live on terms of fraternity and confidence with His Highness, that the friendship and good understanding between the Netherland Government and the Sovereign of Jambi, may continue undisturbed, and become more and more cemented.

When the Government considers it necessary, His Highness and the Panguan Ratoe will have it in their power to send an embassy to Batavia, in order to do homage to the Netherland Government.

ARTICLE VIII.

The Netherland Government reserves to itself the levying of the inward and outward duties on the trade carried on from and in the State of Jambi, in conformity with the existing Tariff of Duties levied at Palembang, which Tariff shall be notified to His Highness Mahomed Phaharoedin and the Panguan Ratoe; and, consequently, no one, whoever it may be, shall, after the conclusion and signature of this contract, be allowed to continue levying that duty under any denomination whatever.

The period at which the levying of these duties is to commence, will be on the 1st of January of the following year, 1835, with the exception, however, of such vessels as belong to inhabitants of Jambi and are now absent, which, on their return, will not be subject to the payment of the said duties, as they could not be acquainted with the present stipulations.

ARTICLE IX.

The Netherland Government also reserves to itself the right of levying a duty of 6 guilders per pecul on the foreign salt that shall be imported into the State of Jambi; whereas the salt prepared in Java will be obtainable at Palembang, or from the public stores at Mantok, or it may, on demand, be imported from the chief depôts in Java.

Yet, should the Government wish to introduce a salt monopoly into the State of Jambi, His Highness the Sultan and the Panguan Ratoe give their consent to it, requesting however, in that case, that the price of salt may not be fixed at too heavy a rate for the consumer, and that from the profits arising from that monopoly their own interests in that respect may be taken into consideration.

ARTICLE X.

His Highness Mahomed Phaharoedin and the Panguan Ratoe promise to counteract with all their might and all their means of superintendence, the introduction of articles of commerce into the State of Jambi through illicit channels, (by which are understood all the accesses to the capital of that country, such as Tomkal, Saba, and others,) and to support the measures that shall be taken by the Netherland Government for preventing smuggling, and likewise to co-operate towards the punishment, according to the severity of the laws, of those who transgress the regulations adopted on that head by the Netherland Government; for which purpose a written communication of those regulations shall be made to His Highness and the Panguan Ratoe.

ARTICLE XI.

Merchants and vessels from the State of Jambi shall, on the other hand, in the trade with Java, or other Government possessions, enjoy all the privileges granted to subjects or Allies of the Netherland Government, and have the faculty of hoisting the Netherland flag.

ARTICLE XII.

As the wealth of the Sovereign, and also the welfare and improvement of his country depend on the prosperity of his subjects, and the latter especially on their diligence and industry, His Highness and the Panguan Ratoe, convinced of the beneficial tendency of this stipulation, promise to use all their efforts towards promoting, encouraging, and protecting the cultivation of the productions of the State, and more particularly that of pepper.

ARTICLE XIII.

His Highness Mahomed Phaharoedin and the Panguan Ratoe engage henceforth, after the conclusion and signature of the present contract, strictly and rigorously to forbid all new supplies of slaves obtained by piracy; and, if possible, to seize all such persons, and deliver them up to the functionary esta-

blished at the Mocara Kompeh; the faithful accomplishment of which promise will be considered by the Netherland Government as a particular mark of the well-disposed feelings of His Highness and the Panguan Ratoe towards that Government, which desires nothing so much as to extirpate all sorts of piracy; all those, however, who are now slaves shall remain so.

ARTICLE XIV.

Whenever the Government may wish to order troops to march through the State of Jambi against any hostile tribes of the west coast, or to send missionaries thither, His Highness Mahomed Phaharoedin and the Panguan Ratoe, and their subjects, will afford all the necessary aid and assistance, with respect to the furnishing both of men and provisions, the Government engaging to defray the expense thereof.

ARTICLE XV.

His Highness Mahomed Phaharoedin and the Panguan Ratoe promise once more that they will give orders, and cause them to be enforced, to the end that all the subjects of Palembang who have formerly emigrated, shall return to their doessoens, full pardon being granted them for what they have done.

ARTICLE XVI.

When hereafter, mutineers or other malefactors may escape from the territory of Palembang, and take refuge in that of Jambi, His Highness and the Panguan Ratoe shall be bound to cause them to be delivered up immediately; which will reciprocally be done by the Netherland Government with regard to fugitives from Jambi, whether slaves or bondmen.

Thus contracted and settled at Jambi, in the Island of Sumatra, the 15th December, of the year 1834, or, according to the Mahomedan era, on the 13th day of the month of Shaban, of the year 1250, in the presence of the witnesses, who have also signed this contract.

(Signed) J. W. BOERS.

[Here follow the seals of the Sultan of Jambi and of the Panguan Ratoe.]

A true copy.

*The Second Secretary Adjunct of
the Government,*

(Signed) P. JUREL.

We, Mahomed Phaharoedin, Sultan of Jambi, and Marta Ningrat Abdul Rachman, Panguan Ratoe, declare and swear by the Almighty God and his Prophet Mahomed, that we have, with perfect sincerity, entered into the Treaty this day concluded with the Resident of Palembang, Commissary on the part of the Government of Netherland India; and that we shall fulfil, and at all times faithfully observe, the promises therein made.

May the anger of the Most High and of the Prophet descend on us and our posterity, if we do not remain faithful to this oath.

[Here follow anew the seals of the Sultan of Jambi and the Panguan Ratoe.]

A true and correct copy.

*The Secretary-General at the Ministry of Marine
and Colonies,*

(Signed) QUARLES VAN UFFORD.

Sir E. C. Disbrowe to Viscount Palmerston.—(Received May 20.)

My Lord,

The Hague, May 15, 1841.

I HAVE the honour to inclose the copy of a note which I have received from Baron Verstolk de Soelen, on the subject of the commercial relations of British subjects with the territories of the Sultan of Siac.

His Excellency having adopted the line of argument which your Lordship had foreseen, I have this day, in conformity with the eventual instructions contained in your Lordship's despatch of the 7th of March, 1841, addressed to his Excellency the reply of which I have the honour to forward a copy.

I have, &c.,
(Signed) E. C. DISBROWE.

Inclosure 1 in No. 17.

Baron Verstolk de Soelen to Sir E. C. Disbrowe.

La Haye, ce 11 Mai, 1841.

LE Soussigné, Ministre des Affaires Etrangères, a l'honneur de répondre à la note reçue le 16 Mars dernier, par laquelle Sir Edward Cromwell Disbrowe, Envoyé Extraordinaire, &c., de Sa Majesté Britannique, a bien voulu lui communiquer un traité conclu en 1818 entre le Gouverneur de l'Ile du Prince de Galles et le Sultan de Siac, et lui exprimer l'espoir que les Autorités Néerlandaises aux Indes s'abstiendront en conséquence de toute attaque ultérieure sur le territoire du dit Sultan, ainsi que de toute mesure tendant à priver les sujets Britanniques des avantages commerciaux qui leur sont assurés par ce traité. Une communication du même genre, qui avait été faite en 1839 au département des Affaires Etrangères, par la Légation de Sa Majesté Britannique, avait déjà donné occasion à ce Ministre d'exposer par sa note verbale du 18 Août, combien il lui paraissait être essentiellement dans l'esprit du Traité conclu le 17 Mars, 1824, entre les Pays-Bas et la Grande Bretagne, et des notes échangées entre les Plénipotentiaires respectifs, le jour même de la signature du Traité, que les Autorités Britanniques s'abstinssent de toute espèce d'immixtion dans les affaires de l'Ile de Sumatra, avec laquelle elles ne devaient avoir désormais d'autres rapports que les relations commerciales expressément garanties par ces documens.

Maintenant qu'il s'agit plus spécialement du Traité de 1818 sus-mentionné, le Soussigné ne saurait se dispenser de faire observer, qu'il lui semble impossible de considérer ce dernier Traité comme étant encore en vigueur après la disposition expresse de l'Article IX. de celui de Londres de 1824, portant qu'aucun comptoir Britannique ne sera établi dans l'Ile de Sumatra, et qu'aucun traité n'y sera conclu par l'Autorité Britannique avec les Princes, Chefs, ou Etats indigènes. Ce n'est certes pas attribuer à cette disposition un effet rétroactif, que d'y voir un engagement de la part du Gouvernement de Sa Majesté Britannique de renoncer non seulement à toutes possessions à Sumatra, mais encore à toutes relations directes résultantes de traités même antérieurs avec les Princes indigènes de cette Ile. S'il n'en était pas ainsi, la stipulation entre les Pays-Bas et la Grande Bretagne aurait pu se trouver tout-à-fait sans objet, si indépendamment du Traité avec le Prince de Siac, les Autorités Britanniques en avaient conclu précédemment aussi avec les autres Princes indigènes de Sumatra non soumis à l'Autorité Néerlandaise.

Mais cette interprétation devient surtout incontestable, lorsqu'on rapproche le contenu de cet Article IX. de celui de l'Article X., le pendant du premier, et dont le but est d'imposer au Gouvernement des Pays-Bas, relativement à la Péninsule de Malacca, les mêmes obligations que celles que le Gouvernement Britannique contracte par l'Article précédent pour l'Ile de Sumatra. Le Gouvernement Britannique n'admettrait certainement pas, que nonobstant cet Article X., les traités et conventions qui auraient pu être conclus avant le 17 Mars, 1824, entre le Gouvernement des Pays-Bas et les Princes indigènes de

Malacca, pussent encore être valables, et ce dernier Gouvernement n'a jamais prétendu non plus pouvoir continuer des relations avec cette péninsule.

Il résulte de la concordance de ces deux Articles, qu'ils doivent être entendu l'un et l'autre de la même manière, et, s'il est vrai que les Pays-Bas aient, par suite de l'Article X., perdu tous leurs droits dans la Péninsule de Malacca, il est impossible de ne pas reconnaître que le Gouvernement Britannique se trouve obligé de son côté par l'Article IX., de s'abstenir de toutes relations directes qu'il a pu avoir avec les Princes indigènes de Sumatra; sauf, néanmoins, l'exception relative du royaume d'Achien d'après ce qui est mentionné à cet égard dans les notes explicatives qui furent échangées le 17 Mars, 1824, entre les Plénipotentiaires respectifs au moment de la signature du Traité de Londres.

Si l'intention des Hautes Parties Contractantes eut été d'admettre d'autres exceptions basées sur les traités antérieurs à celui du 17 Mars, 1824, les notes explicatives en question n'auraient certainement pas manqué d'en faire mention, comme elles ont fait de ce qui est relatif au royaume d'Achien.

Le Soussigné a eu l'honneur de développer dans sa note du 10 du mois passé, que le Gouvernement des Pays-Bas n'entreprend d'autres conquêtes à Sumatra que celles qui sont commandées par la nécessité, afin de pouvoir se conserver et se maintenir dans l'île. Si cette nécessité est réelle, quant à l'intérieur du pays, ainsi que l'a démontré la note verbale antérieure sus-rappelée du 18 Août, 1839, elle ne l'est pas moins pour les ports de la côte est de l'île.

Les menées perfides des Sultans de Palembang en 1821, et années suivantes, avaient placé le Gouvernement Néerlandais dans l'alternative, ou de devoir abandonner cette possession, ou bien de la soumettre toute entière à sa domination. Les attaques à main armée entreprises en 1833 par le Prince de Jambie, voisin des établissemens Néerlandais permanens à Palembang, ont rendu nécessaire de faire reconnaître là également l'autorité des Pays-Bas. L'établissement Néerlandais à Indragirie, petit royaume attenant à Jambie sur la côte orientale de Sumatra, se fonde sur le même principe. On savait que Linga était le siège principale des pirateries dans l'Archipel Indien, et comme le Sultan de Linga exerçait sur Indragirie des droits de souveraineté, dont il profitait pour protéger les pirates, il était devenu indispensable de recourir à des mesures énergiques pour arrêter le mal.

On ne saurait dès à présent décider, d'ici surtout, si la même nécessité existera relativement à Siac, mais si d'après le principe précité de leur propre conservation, les Autorités Néerlandaises se trouvaient dans le cas de s'y établir, il paraît évident, que ce n'est pas le Traité de Commerce de 1818 dont il s'agit, qui devait les empêcher, attendu que ce Traité est à juste titre considéré comme étant annulé par celui de 1824. Le Soussigné croit toutefois pouvoir ajouter, que le Gouvernement des Pays-Bas n'ambitionne pas du tout cet établissement de Siac. On a expédié, il y a quelques mois, des instructions dans ce sens à l'Administration des Indes, et l'on vient encore de les renouveler récemment, d'une manière plus positive, quoique l'on ait tout lieu d'être persuadé d'avance, que cette Administration ne suivra, par rapport à Sumatra, d'autre règle que celle de ne chercher aucun accroissement d'autorité territoriale, à moins d'y être contrainte par les hostilités ou autres raisons majeures semblables.

Tels sont les motifs qui ne permettraient pas, le cas échéant, au Gouvernement des Pays-Bas de reconnaître comme étant encore valable, le Traité conclu en 1818 par le Gouverneur de l'Île du Prince de Galles avec le Sultan de Siac, et tel est aussi le point de vue sous lequel doivent être considérés les progrès du Gouvernement Néerlandais dans l'Île de Sumatra, qui n'ont été amenés que par la force des événemens, et ne sont nullement provoqués, on aime à en donner l'assurance renouvelée, ni par un manque de déférence, ni par des intentions hostiles aux intérêts de la Grande Bretagne.

Le Soussigné se flatte que ces explications seront trouvées satisfaisantes par le Gouvernement de Sa Majesté Britannique, et il saisit &c.,

(Signé) VERSTOLK DE SOELEN.

(Translation:)

The Hague, May 11, 1841.

THE Undersigned, Minister for Foreign Affairs, has the honour of replying to the note received on the 16th of March last, by which Sir E. C. Disbrowe, Her Britannic Majesty's Envoy Extraordinary and Minister Plenipotentiary,

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has been pleased to communicate to him, a Treaty concluded in 1818, between the Governor of Prince of Wales' Island and the Sultan of Siac; and to express to him the hope that the Netherland Authorities in the Indies, will, in consequence, abstain from all further attack upon the territory of the abovementioned Sultan, as well as from every measure tending to deprive British subjects of the commercial advantages which were assured to them by that Treaty. A communication of the same nature, which was made in 1839 to the Department of Foreign Affairs, by Her Britannic Majesty's Legation, has already given occasion to the Minister of that department to express, by his note verbale of the 18th of August, how much it appeared to him to be essentially in the spirit of the Treaty, concluded on the 17th of March, 1824, between the Netherlands and Great Britain, and of the notes exchanged on the same day, by the respective Plenipotentiaries, that the British Authorities should abstain from all interference in the affairs of the Island of Sumatra, with which they ought not henceforth to have any other relations than those commercial ones expressly guaranteed by these documents.

Now that the abovementioned Treaty of 1818 is more particularly brought into question, the Undersigned cannot refrain from observing, that it seems to him impossible to consider this Treaty as being still in force, after the express provision of the IXth Article of the Treaty of London of 1824, which stipulates, that no British counting-house shall be established in the Island of Sumatra, and that no Treaty shall be concluded by a British Authority with the native Princes, Chiefs, or States. It surely cannot be maintained that we attribute to this provision a retrospective effect in considering it as an engagement, on the part of Her Britannic Majesty's Government, to give up not only all its possessions in Sumatra, but also all direct relations resulting even from former treaties with the native Princes of the island. If it were not so, the engagement in question between the Netherlands and Great Britain might have been found altogether without object, supposing that, in addition to the Treaty with the Prince of Siac, the British Authorities had also previously concluded treaties with other native Princes of Sumatra not subject to Netherland authority.

But this interpretation becomes more especially incontestible when the substance of Article IX. is taken in conjunction with that of Article X., which cannot be separated from the former one, the object of which is to impose on the Government of the Netherlands, with reference to the Peninsula of Malacca, the same obligations as those which the British Government contracts, by the former Article, for the Island of Sumatra. The British Government will undoubtedly not admit that, notwithstanding this Xth Article, the treaties and conventions which may have been concluded before the 17th of March, 1824, between the Government of the Netherlands and the native Princes of Malacca, still remain available, and the Netherland Government has never claimed the right to continue its relations with that peninsula.

It results from the similarity of these two Articles that both the one and the other should be interpreted in the same manner; and if it be true that the Netherlands have, in consequence of Article X., lost all their rights in the Peninsula of Malacca, it is impossible not to admit that the British Government is bound, on its part, by Article IX. to abstain from all direct relations which it may have had with the native Princes of Sumatra, saving, however, the exception relative to the kingdom of Acheen, in conformity with what is stated in this respect in the explanatory notes exchanged on the 17th of March, 1824, at the time of the signature of the Treaty of London, between the respective Plenipotentiaries.

If it had been the intention of the High Contracting Parties to admit of other exceptions, based on treaties prior to that of the 17th of March, 1824, the explanatory notes in question would certainly not have failed to make mention of those treaties, as they have done of that which relates to the kingdom of Acheen.

The Undersigned has had the honour to show in his note of the 10th of last month, that the Government of the Netherlands has undertaken no other conquests in Sumatra than those forced upon them by the necessity of providing for the maintenance of their authority in the island. If this necessity be admitted, as regards the interior of the country, which has been proved by the note verbale previously alluded to, of the 18th of August, 1839, it is not less so as regards the ports of the eastern coast of the island.

The treacherous proceedings of the Sultan of Palembang in 1821 and the

following years, have placed the Netherland Government in the alternative either of being obliged to abandon that possession, or of entirely subjecting it to their authority. The attacks by armed bands undertaken in 1833 by the Prince of Jambi, a neighbour of the permanent Netherland Establishment at Palembang, have rendered it necessary to cause the authority of the Netherlands to be recognized there also. The Netherland establishment at Indragirie, a small kingdom next to Jambi, on the east coast of Sumatra, is based upon the same principle. It is known that Lingin was the head-quarters of the piratical proceedings in the Indian Archipelago; and as the Sultan of Lingin exercised over Indragirie rights of sovereignty, of which he availed himself for the protection of the pirates, it became indispensable to have recourse to energetic measures to put an end to this evil.

It is not possible at the present moment to decide, more particularly from hence, whether the same necessity may arise with reference to Siac; but if, according to the principle above alluded to, namely, that of self-preservation, the Netherland Authorities should feel themselves under the necessity of establishing themselves there, it is clear that the Treaty of Commerce of 1818, of which mention is made, will not prevent them; inasmuch as that Treaty is justly considered as being annulled by that of 1824. The Undersigned, however, believes he may add, that the Government of the Netherlands does not in the least desire to possess these establishments of Siac. Instructions to this effect have some months since been despatched to the Government of the Indies, and these instructions have recently been renewed in a still more positive manner, although little doubt can be felt even now, that that Government will not follow, with respect to Sumatra, any other rule than that of not seeking any increase of territory, unless compelled so to do by hostilities, or by other reasons equally imperative.

These are the motives which will not permit the Netherland Government, in case the question should arise, to recognize the Treaty concluded in 1818 by the Governor of Prince of Wales' Island with the Sultan of Siac, as still valid; and this is also the true light in which the proceedings of the Netherland Government in the Island of Sumatra ought to be considered; proceedings which have only been brought about by the force of circumstances, and which the Undersigned has great pleasure in being able again to assure you have not been provoked either by a want of consideration for, or by hostile intentions to, the interests of Great Britain.

The Undersigned flatters himself that these explanations will be found satisfactory to the Government of Her Britannic Majesty, and takes this opportunity, &c.

(Signed)

VERSTOLK DE SOELEN.

Inclosure 2 in No. 17.

Sir E. C. Disbrowe to Baron Verstolk de Soelen.

The Hague, May 15, 1841.

THE Undersigned, &c., has the honour to acknowledge the receipt of the note of his Excellency Baron Verstolk de Soelen, &c., on the subject of the commercial relations between the British subjects and the Sultan of Siac.

In this communication his Excellency is pleased to refer to his note verbale of the 18th August, 1839, and to express his surprise that the British Government should in any manner interfere with the transactions between the Dutch Authorities and the inhabitants of the Island of Sumatra, "avec laquelle elles ne doivent avoir désormais d'autres rapports que les relations commerciales expressément garanties par ces documents," namely the Treaty of the 17th of March, 1824, and the notes exchanged on the same day between the British and Netherland Plenipotentiaries.

The Undersigned is bound to observe, in reply, that by these very documents, the claims of the British Government are rather confirmed than shaken.

By the 9th Article of the Treaty of London to which his Excellency Baron Verstolk refers, "the factory of Fort Marlborough and all the English

possessions in the Island of Sumatra are ceded to the King of the Netherlands; and the British Government further engages that no British settlement shall be formed on that island, nor any treaty concluded by British Authority with any native Prince, Chief, or State therein." The expression "shall be formed" is in the future tense, and the whole engagement with regard to settlements and treaties on the part of the British in that island is entirely prospective, and by no means engages Great Britain to annul treaties in existence prior to the 17th of March, 1824.

The exception relative to the Kingdom of Acheen in the note of the British Plenipotentiaries annexed to the Treaty of the 17th of March, does not appear to the Undersigned to bear the meaning attributed to it by his Excellency Baron Verstolk. The note of the British Plenipotentiaries refers to the Treaty with the King of Acheen, because one of its stipulations is incompatible with the 3rd Article of the Treaty of 17th March, and the British Plenipotentiaries undertake that the Treaty with Acheen shall as soon as possible be modified into a simple arrangement for the hospitable reception of British vessels and subjects into the ports of Acheen.

The other treaties between the British Authorities and the Princes and States in Sumatra are not mentioned, merely because they were not supposed to contain stipulations incompatible with the Articles of the Treaty. It appears, therefore, to the Undersigned to follow, that the Plenipotentiaries intended to respect all existing treaties; for if the abolition of existing treaties had been contemplated, the future tense "shall" would not have been employed in the 9th and 10th Articles, and the care which the British Plenipotentiaries took to explain that they would as soon as possible modify the Treaty with the King of Acheen, clearly demonstrates that they did not consider themselves entitled by a new treaty with the Netherlands, to abrogate every existing treaty with third Powers who were not parties to, or even consulted on the occasion.

The object of the High Contracting Parties, is as his Excellency observes in his note verbale of the 18th of August, 1839, that all occasions of misunderstanding between their respective Agents may be, as much as possible, prevented.

It is in furtherance of so desirable an object, that the British Government have always acted, and the Undersigned has no doubt that the British Government will fully appreciate the friendly assurances of that of the Netherlands, as conveyed in the note of his Excellency of the 11th of May, and give ample credit to the assurances that the Netherland Government have no wish or intention, except in the case of necessity and of self-defence, to extend their conquests in the Island of Sumatra, or to injure the British commerce in that quarter.

Both Governments being, evidently, animated with a strong desire of preventing every misunderstanding, it would have been extremely agreeable to the Undersigned to have been enabled to have informed his Government that no necessity existed, and, consequently, no intention was entertained by the Netherland Government, of pushing their conquests against the Sultan of Siac, or of impeding the long-established commerce of Great Britain in that quarter; but although he is satisfied of the friendly feelings of the Netherland Government, still he cannot subscribe to the argument that the Treaty of 1824, (which he maintains is merely prospective, and contains no engagement to abolish existing treaties with the native Powers,) can be considered as having done such an act by implication. He is, therefore, under the necessity of referring to his note of the 26th of March, 1841; and in confident reliance on the justice of the Netherland Government, he trusts that no steps will be taken by the Netherland Authorities to deprive British subjects of those commercial advantages which are secured to them by the Treaty of 1818.

The Undersigned, &c.,

(Signed) E. C. DISBROWE.

Lord Leveson to the Chairman of the Glasgow East India Association.

Sir,

Foreign Office, May 27, 1841.

I AM directed by Viscount Palmerston to acknowledge the receipt of your letter of the 17th ultimo, stating the reasons which induce the Glasgow East India Association to consider the tenor of Mr. Backhouse's letter of the 27th of February, on the subject of the proceedings of the Dutch Authorities in the Eastern Seas, as unsatisfactory.

The points adverted to in your letter, which appear to Viscount Palmerston to require notice, are,—first, the complaints preferred by you of the edicts issued by the Netherland Authorities in India, in June and November, 1834.

Secondly, the impression which you still appear to entertain, that the Ministers of this country, under whom the Treaty of 1824 was negotiated, considered as erroneous the interpretation of the IInd Article, according to which the duties are at present levied both in the British and Netherland East Indies; and, finally, the statement made by you, that the amount of duties as at present levied by the Netherland Authorities in India, must tend to the destruction of British trade in the Eastern Archipelago; and that the introduction of the Netherland Tariff in native ports, consequent on the Dutch conquest of those ports, must tend to hasten this consummation.

With reference to the first point, I have to inform you that the Netherland Government assert, that the Decree of June, 1834, imposing additional duties on cottons and woollens, imported into Netherland India from countries eastward of the Cape, was never practically applied to British cottons and woollens, of which the origin could be proved by the exhibition of the usual documents; that that decree was applicable only to cottons and woollens the produce of countries not in amity with Holland; and that it was issued for the purpose of preventing, during the continuance of the late differences between Holland and Belgium, the introduction of Belgian woollens and cottons into the Netherland East Indies. The Dutch Government moreover, states that this Edict was revoked on the 30th of October, 1839, immediately after the arrangement of those differences. Should it be in your power to disprove any of these statements, and to show that the additional duties imposed by the Decree of the 1st of June, 1834, have been actually charged on British woollens and cottons which were accompanied by proper certificates of origin, Her Majesty's Government will not fail to represent such facts to the Netherland Government.

With respect to the second of the decrees in question,—that of the 14th of November, 1834,—the Netherland Government states that it was issued with the same view as the former one; the custom-houses at Batavia, Samarang, and Sourabaya, being the only ones sufficiently organized to admit of the proper examination of the proofs of origin brought forward; and as Dutch ships were equally liable to the provisions of this decree, with British ships, the Netherland Government do not consider that British subjects have just cause of complaint. Orders have, however, on the demand of Her Majesty's Government, been sent to the Netherland East Indies, for the revocation of this decree likewise.

With respect to the impression entertained by you, that the British Administration under which the Treaty of 1824 was concluded, considered as erroneous the interpretation of Article II., as it is now acted upon; I am directed by Viscount Palmerston again to inform you that you are in error; and that Mr. Canning did, by a note dated the 16th of April, 1826, communicate to the Netherland Ambassador at this Court, the existing Bengal Customs Regulations, as exemplifying the British interpretation of the IInd Article of the Treaty of 1824.

With respect to the last point adverted to by me at the commencement of this letter, Viscount Palmerston directs me to observe, that on an examination of the data furnished by you, it appears that the value of British importations into the port of Java, in the six years from 1834 to 1839, both inclusive, has

increased, as compared with the value of such imports during the preceding six years, from 10,000,000 of florins to 18,000,000 of florins, while the value of Dutch imports during the two same periods, decreased from near 31,000,000 of florins to 21,500,000 florins; and that the value of British imports during the latter of the periods above alluded to, was, as compared with the value of Dutch imports during the same time, as 6 to 7; and it appears to Lord Palmerston, that if any foreign nation enjoyed a similar share, and such an increasing share, of the trade to any British colony, the Government of that country would not be justified in representing the prospects of its merchants engaged in such trade, as threatening those merchants with ruin. In the face of these facts, furnished by yourself, it is obviously impossible for Her Majesty's Government to ground their remonstrances to the Dutch Government, upon a supposed decrease of British trade in the Netherland East Indies.

Her Majesty's Government have, on every occasion, supported such portions of the complaints preferred by British subjects against Foreign Governments, as to them seemed founded in reason and justice; and they will always be ready to give their best attention to the representations of such of Her Majesty's subjects as may justly think themselves aggrieved. They will moreover, be thankful for any information and for any suggestion that may tend to show more clearly, the nature of any grievance complained of; but it is for Her Majesty's Government, and not for individuals, however respectable, to interpret the treaty engagements of the Crown, and to determine whether Great Britain is, or is not, entitled to claim redress from foreign Governments.

I am, &c.,
(Signed) LEVESON.

No. 19.

Viscount Palmerston to Sir E. C. Disbrowe.

Sir,

Foreign Office, May 31, 1841.

I HAVE received and laid before the Queen, your despatches to the 25th of May inclusive.

With reference to your despatch, of the 17th ultimo, inclosing a copy of the reply returned by Baron Verstolk de Soelen to the remonstrances which you had been directed to make, with respect to the proceedings of the Netherland Authorities in the Eastern Archipelago, I have to instruct you to address a note to Baron Verstolk de Soelen, expressing the satisfaction with which Her Majesty's Government have learnt that the Edicts of the Netherland East India Authorities, of June and November, 1834, of which Her Majesty's Government have had so much cause to complain, have been revoked; and you will state to Baron Verstolk, that in compliance with the desire expressed by his Excellency, to be furnished with specific cases of grievance, rather than with general statements of complaints, the British Authorities at Singapore, and at Prince of Wales' Island, and the India Associations of London and Glasgow, shall be called upon to bring forward instances in which British woollens and cottons, imported into Netherland India from places eastward of the Cape of Good Hope, and furnished with proper certificates of origin, have been charged with the higher rates of duty, contrary to the intention with which, as Baron Verstolk states, the above-mentioned edicts were framed.

You will, at the same time, however, clearly explain to Baron Verstolk de Soelen, that whatever may have been the proposed bearing of those edicts, Her Majesty's Government cannot consider the reason assigned by the Netherland Government for having issued them, as valid. That reason is stated to have been the wish to prevent the introduction of Belgian manufactures into Netherland India, during the continuance of the differences between Holland and Belgium. But nothing but war with a foreign Power can release a State from the obligation to execute its treaty engagements with such Power; and while, on the one hand, the Kingdom of the Netherlands was not at war with Great Britain, on the other

hand, the impediments which were thrown in the way of British trade, by the edicts in question, were at variance both with the letter and with the spirit of the Treaty of 1824. Her Majesty's Government are, moreover, unable to understand why custom-house establishments, such as those existing in the ports which were closed by the latter of those edicts, and which, under ordinary circumstances, were considered competent to receive, and to account for, the differential duties levied on Netherland and foreign trade respectively, should have been deemed by the Netherland Government as not sufficiently organized for the examination of those certificates of origin, which Baron Verstolk states, were required.

You will further point out to Baron Verstolk de Soelen, that the Treaty of 1824 makes no distinction between importations from the eastward, and importations from the westward, of the Cape of Good Hope, into Netherland India; and that the establishment of such a distinction, although nominally applied to Dutch as well as to British vessels, is, in practice, exclusively detrimental to the trade of the British East India possessions; and as no distinction is made by the Treaty of 1824, between the treatment to which the inhabitants and vessels of Her Majesty's European dominions are to be entitled, and that to which the inhabitants and vessels of Her Majesty's Asiatic dominions are to have a right to, Her Majesty's Government may justly consider regulations which, as Baron Verstolk de Soelen admits, "may have been attended with injury to the trade of Singapore and of Prince of Wales' Island," as inconsistent with the engagements of the Treaty.

You will moreover, inform Baron Verstolk, that as the tariffs of duties levied in the Netherland East Indies, which were communicated to you by his Excellency, on the 27th of May, 1838, do not appear to Her Majesty's Government to be sufficiently explicit with respect to the system which may be at present pursued in this respect, Her Majesty's Government requests from the Netherland Government an assurance, that no distinction is at present made in the Netherland East Indies, between importations from the eastward, and importations from the westward, of the Cape of Good Hope.

With respect to the Treaty concluded between the Netherlands and the Sultan of Jambi, which Baron Verstolk de Soelen communicates in his note of the 16th ultimo, as the model on which all other treaties with native Princes have been framed, you will express to Baron Verstolk the great regret of Her Majesty's Government, that the provisions of that Treaty should so fully confirm the complaints made by British subjects of the proceedings of the Dutch Authorities in the Eastern Seas; and you will inform Baron Verstolk, that Her Majesty's Government consider Articles VI., VIII., and IX., as being directly at variance with the IIIrd Article of the Treaty of 1824, in as much as by those Articles, the Netherland Government imposes on the Sultan of Jambi the obligation to levy within his ports the unequal duties, as regards British and Dutch commerce respectively, which are established by the Netherland Tariff, instead of the equal duties formerly levied in Jambi on the trade of both nations, and, thereby, manifest injury is occasioned to British trade.

The obvious intention of the Treaty of 1824 was to define the actual state of possession and jurisdiction of the Contracting Parties at the time of its conclusion, and to guard against any injury arising to the commercial interests of either party, from the extension of the influence or dominion of the other. Great Britain has scrupulously performed her part of the contract, both by imposing moderate duties within her own dominions, and by abstaining from all hostile rivalry with the Dutch, within the precincts of the Indian Archipelago. The treaties, on the other hand, which Holland has concluded with the Sultan of Jambi, and with other native Princes, and the heavy duties with which the Dutch Government burthens trade, have a direct tendency to inflict on British commercial interests, the injury against which the Treaty of 1824 was intended to guard. You will, therefore, for the above reasons, distinctly intimate to the Netherland Government, that if that Government perseveres in the system it has adopted in the East, such a course must lead Her Majesty's Government to consider what measures may be best calculated to afford to British commerce that protection which the proceedings of the Netherland Authorities will have rendered necessary.

I am, &c.,
(Signed) PALMERSTON.

Viscount Palmerston to Sir E. C. Disbrowe.

Sir,

Foreign Office, May 31, 1841.

WITH reference to your despatch of the 15th instant, transmitting the copy of a note which you had received from Baron Verstolk de Soelen, in reply to the communication which you were instructed to make to his Excellency on the subject of the Treaty of Commercial Alliance between the East India Company and the King of Siac; I have to instruct you to state to the Netherland Government by note, that Her Majesty's Government cannot by any means admit the doctrine laid down by Baron Verstolk de Soelen, that the British Treaty with Siac was renounced or rescinded by the Treaty which Great Britain concluded in 1824 with the Netherlands; on the contrary, Her Majesty's Government consider Great Britain bound by all the obligations, and entitled to all the advantages, resulting from the Treaty of 1818 with Siac. The stipulations in Article IX. of the Treaty of 1824 are distinctly prospective and applicable to the future, and not retrospective and applicable to the past. The English text says, that "no British settlement *shall be* formed on the Island of Sumatra, nor any treaty concluded by British authority with any native Chief or State therein;" now the word "concluded" is, by grammatical construction, necessarily governed by the preceding words "shall be," and therefore applies to the time future, and not to the time past. In the same manner in the Dutch text, the word "gesloten" is governed by the preceding words "zal worden," equally expressing prospective, and not retrospective application. But the declarations which were exchanged by the Plenipotentiaries of the Contracting Parties at the time of exchanging ratifications, and which have been quoted by Baron Verstolk, are decisive upon this point. For the British Declaration is totally incompatible with Baron Verstolk's present interpretation. Baron Verstolk says, that the IXth Article of the Treaty of 1824 necessarily annulled all treaties then existing between Great Britain and any Chief or State in Sumatra. If that was the understanding of the two Parties at the time when the Treaty of 1824 was concluded, or if that was really the effect of the IXth Article of that Treaty, it would have been perhaps natural that the British Plenipotentiaries, on exchanging ratifications, should have mentioned the treaties then existing between Great Britain and any of the Sumatra States, for the purpose of recording, that those treaties were considered as abolished by virtue of the engagements of Article IX. of the Treaty just concluded with the Netherlands; that is to say abolished, as far as such treaties conferred any privilege or advantage upon Great Britain; for it is plain that they could not be abolished, as far as they imposed on Great Britain any obligation towards such native States; because no Power can, by contracting new engagements towards one party, discharge itself from treaty obligations previously contracted towards another party.

But did the British Plenipotentiaries do any such thing? Quite the contrary. They did indeed mention a treaty then existing between Great Britain and Acheen, a State in the Island of Sumatra. But did they mention it with reference to Article IX. of the Treaty of 1824? or for the purpose of recording that, in virtue of that Article, the Treaty with Acheen would be rescinded? Not at all. They mentioned the Acheen Treaty with reference to Article III. of the Treaty of 1824, and for the purpose of declaring that the Acheen Treaty would continue in existence. Not indeed that it would continue in existence in the shape in which it then stood, because some of its stipulations were inconsistent with the engagements contained in Article III. of the Treaty of 1824, which stipulates, that if either Party should have at that time, in existence, any treaty with any native Power in the Eastern Seas, containing any Article tending either expressly, *or by the imposition of unequal duties*, to exclude the trade of the other Party from the ports of such native Power, such Article *should be abrogated*.

The British Plenipotentiaries therefore declared, that the British Treaty with Acheen should be modified, so as to be consistent with the IIIrd Article of the Treaty of 1824, but they also declared that such Treaty, in its modified shape, *would be permanently maintained*.

Now the Treaty of 1818 with Siac contains no stipulation inconsistent with the IIIrd Article of the Treaty of 1824, and therefore that Treaty was not mentioned by the British Plenipotentiaries in their declaration; and therefore also that Treaty of 1818 with Siac has been, and will be, maintained in the shape in which it was concluded; and Her Majesty's Government cannot be expected to remain indifferent to any proceedings on the part of the Dutch Authorities in the East, which would tend to deprive British subjects of the benefit of that Treaty, by destroying or by encroaching upon the independence of Siac.

For Her Majesty's Government can by no means admit that either the spirit or the letter of the Treaty of 1824 went, as represented by Baron Verstolk, to establish the position that Great Britain abandoned all interests in the maintenance of the independence of the native States of Sumatra, and engaged not to interfere in support of that independence. On the contrary, the Declaration of the British Plenipotentiaries of the 17th of March, 1824, contains a passage directly at variance with that interpretation, for it distinctly expresses the confidence of the British Government, that no measures hostile to the King of Acheen, and which there was then reason to apprehend were in contemplation, would be taken by the Dutch Authorities in Sumatra: and now, upon the same principle, and equally in consonance with the stipulations of the Treaty of 1824, Her Majesty's Government express their hope that no measures will be undertaken by those authorities, for destroying the independence of the State of Siac.

But the proceeding of the British Government in regard to the British Treaty with Acheen, and the reference made by the British Plenipotentiaries to the engagements of the IIIrd Article of the Treaty of 1824, appear to Her Majesty's Government to have a direct and indisputable application to treaties existing between the Netherland Government and some of the native States in Sumatra and in other places in the Indian Seas. By the IIIrd Article of the Treaty of 1824, each Party engaged, that it would neither thenceforward and for the future conclude any new treaty, and that it would not maintain any Article in any then existing treaty, which would tend, *by the imposition of unequal duties*, to exclude the trade of the other Party from any of the native ports. Now the Dutch Authorities and Government have concluded with Jambi, and probably also with other native States, treaties by virtue of which, the *unequal duties* of the Dutch Tariff are applied in the ports of those States, to British and to Netherland trade; and as such a state of things is inconsistent with the letter of the IIIrd Article of the Treaty of 1824, and with the manner in which the British Government executed the engagements of that Article in the case of the British Treaty with Acheen, Her Majesty's Government now call upon the Government of the Netherlands to abrogate without delay, any Articles of its treaties with any native State in the Eastern Seas, which tend, *by the imposition of unequal duties*, to exclude British trade from the ports of such State.

I am, &c.,
(Signed) PALMERSTON.

No. 21.

Mr. Backhouse to Mr. Cabell.

Sir,

Foreign Office, May 31, 1841.

WITH reference to Lord Leveson's letter of the 19th of February last, I am directed by Viscount Palmerston to transmit to you copy of a further correspondence which has taken place between this Department and Her Majesty's Mission at the Hague on the subject of the proceedings of the Dutch Authorities in the Eastern Archipelago; and I am to request that you will lay the same before the Board of Commissioners for the Affairs of India, and that you will move that Board to cause copies of the same to be transmitted to the Governor-General of India for his information and guidance.

I am, &c.,
(Signed) J. BACKHOUSE.

No. 22.

Sir E. C. Disbrowe to Viscount Palmerston.—(Received June 6.)

My Lord,

The Hague, June 2, 1841.

I HAVE the honour to acknowledge the receipt of your Lordship's despatches of the 31st ultimo, and I have this day presented a note to Baron Verstolk de Soelen, of which I have the honour to inclose a copy.

I have, &c.,
(Signed) E. C. DISBROWE.

Inclosure in No. 22.

Sir E. C. Disbrowe to Baron Verstolk de Soelen.

Monsieur le Baron,

The Hague, June 2, 1841.

ALTHOUGH I had the honour in a note which I addressed to your Excellency on the 15th of May, to explain the views of the British Government on the subject of the existing relations between the British possessions in the East Indies and the Sultan of Siac, still as it is a matter of great importance that no misunderstanding of the opinion of the British Government should exist, I think it right to communicate to your Excellency the copy of a despatch which I have received on the subject.

I avail myself, &c.,
(Signed) E. C. DISBROWE.

No. 23.

Sir E. C. Disbrowe to Viscount Palmerston.—(Received June 17.)

(Extract.)

The Hague, June 14, 1841.

I HAVE the honour to inclose a note which I have presented to Baron Verstolk de Soelen, in conformity with the first of your Lordship's instructions of the 31st ultimo.

Inclosure in No. 23.

Sir E. C. Disbrowe to Baron Verstolk de Soelen.

The Hague, June 14, 1841.

THE Undersigned, Her Britannic Majesty's Envoy Extraordinary and Minister Plenipotentiary, lost no time in transmitting to his Government the note which his Excellency Baron Verstolk de Soelen, Minister of State and for Foreign Affairs of His Majesty the King of the Netherlands, did him the honour to address him on the 10th of May, and in which his Excellency inclosed the copy of a Treaty between the Netherland Authorities in India and the Prince of Jambi.

The Undersigned is now directed to express to his Excellency the satisfaction with which Her Majesty's Government have learnt that the Edicts of the Netherland East India Authorities, of June and November, 1834, of which Her Britannic Majesty's Government have had so much cause to complain, have been revoked; and the Undersigned has to state, that in compliance with the desire expressed by his Excellency to be furnished with specific cases of grievance, rather than with general statements of complaint, the British Authorities at Singapore and at Prince of Wales' Island, and the India Associations of London and Glasgow, shall be called upon to bring forward instances

in which British woollens and cottons, imported into Netherland India, from places eastward of the Cape of Good Hope, and furnished with proper certificates of origin, have been charged with higher rates of duty, contrary to the intention with which, as Baron Verstolk states, the above-mentioned edicts were framed. Whatever may have been the intention of the Netherland Government in issuing those edicts, Her Majesty's Government cannot consider the reason assigned for having issued them as valid. That reason is stated to have been the wish to prevent the introduction of Belgian manufactures into Netherland India, during the continuance of the differences between Holland and Belgium; but nothing but war with a foreign Power can release a State from the obligation to execute its treaty engagements with such Power; and while, on the one hand, the Kingdom of the Netherlands was not at war with Great Britain, on the other hand, the impediments which were thrown in the way of British trade by the edicts in question, were at variance both with the letter and spirit of the Treaty of 1824. Her Britannic Majesty's Government are, moreover, unable to understand why custom-house establishments, such as those existing in the ports which were closed by the latter of those edicts, and which, under ordinary circumstances, were considered competent to receive, and to account for, the differential duties levied on Netherland and foreign trade respectively, should have been deemed by the Netherland Government as not sufficiently organized for the examination of those certificates of origin, which Baron Verstolk de Soelen states, were required.

The Undersigned further begs to point out to Baron Verstolk de Soelen, that the Treaty of 1824 makes no distinction between importations from the eastward, and importations from the westward, of the Cape of Good Hope, into Netherland India; and that the establishment of such a distinction, although nominally applied to Dutch as well as British vessels, is, in practice, exclusively detrimental to the trade of the British East India possessions; and no distinction is made by the Treaty of 1824 between the treatment to which the inhabitants and vessels of Her Britannic Majesty's European dominions are to be entitled, and that which the inhabitants and vessels of Her Britannic Majesty's Asiatic dominions are to have a right to, Her Majesty's Government may justly consider regulations, which Baron Verstolk de Soelen admits "may have been attended with injury to the trade of Singapore and of Prince of Wales' Island," as inconsistent with the engagements of the Treaty of 1824.

His Excellency, on the 17th of May, communicated to the Undersigned the tariff of duties levied in the Netherland East Indies, but this communication does not appear to the British Government to be sufficiently explicit with respect to the system which may be at present pursued in this respect; and the Undersigned therefore requests from the Netherland Government an assurance that no distinction is at present made in the Netherland East Indies, between importations from the eastward, and importations from the westward, of the Cape of Good Hope.

With respect to the Treaty concluded between the Netherlands and the Sultan of Jambi, which Baron Verstolk de Soelen communicates in his note of the 10th ultimo, as the model on which all other treaties with native Powers have been framed, the Undersigned is ordered to observe, that the British Government sees with great regret, that the provisions of that treaty fully confirm the complaints made by British subjects of the proceedings of the Netherland Authorities in the Eastern Seas, and Her Majesty's Government cannot but consider Articles VI., VIII., and IX., as being directly at variance with the IIIrd Article of the Treaty of 1824; inasmuch as by those Articles the Netherland Government imposes on the Sultan of Jambi the obligation to levy within his ports the *unequal* duties as regards British and Dutch commerce respectively, which are established by the Netherland Tariff, instead of the equal duties formerly levied at Jambi on the trade of both nations; and thereby, manifest injury is occasioned to British trade.

The obvious intention of the Treaty of 1824 was, to define the actual state of possession and jurisdiction of the Contracting Parties at the time of its conclusion, and to guard against any injury arising to the commercial interests of either party, from the extension of the influence or dominion of the other. Great Britain has scrupulously performed her part of the contract,

both by imposing moderate duties within her own dominions, and by abstaining from all hostile rivalry with the Dutch, within the precincts of the Indian Archipelago. The treaties, on the other hand, which Holland has concluded with the Sultan of Jambi, and with the native Princes, and the heavy duties with which the Netherland Government burthens trade, have a direct tendency to inflict on British commercial interests the injury against which the Treaty of 1824 was intended to guard.

Her Britannic Majesty's Government recognize the promptitude with which His present Majesty the King of the Netherlands has given orders for revoking the Edicts of June and November, 1834, and they hail with satisfaction every appearance of a disposition on the part of the Netherland Government to return to that system of mutual goodwill and harmony in the arrangement of the relations between the British and Netherland possessions in the East Indies, which it was the object of the Treaty of 1824 to establish. It must not, however, be forgotten that these decrees have been so long in operation as to prove highly injurious to British trade. The same remark as to the injury done to British commerce holds good with most of the other decrees regarding foreign trade, issued for many years past by the Governors-General of the Netherland possessions in India.

Whether we regard the excessive duties with which the British trade is loaded,—the arbitrary mode in which the valuations are made,—the distinctions between goods coming from the east or west of the Cape of Good Hope,—or the treaties imposed on the Princes of Sumatra by which they are compelled to charge unequal duties on British goods, and other numberless grievances, it is evident, that a system has been long adopted in the Netherland East Indies, and has been acted upon up to the close of the autumn of last year, by which it was attempted to expel British trade, not only from the ports of Netherland India, but from every district over which its influence could be exerted.

If such a system had been persisted in, it must necessarily have compelled Her Majesty's Government (whatever reluctance it might have felt) to have considered what measures were best calculated to afford to British commerce the protection which British subjects have a right to demand.

The British Government has, however, too much reliance on the justice and policy of His Netherland Majesty, not to look forward with confidence to an amicable arrangement of all these difficulties.

The verbal assurances which His Majesty was graciously pleased to give to the Undersigned on this point, afford ample proof of a most friendly disposition: and he is convinced that British subjects may look forward to a redress of their grievances, and that the British Government will shortly be informed of the transmission of such orders to the East Indies as shall render any recurrence of such causes of complaint impossible.

The Undersigned, &c.,

(Signed)

E. C. DISBROWE.