

***THE FIRST CONTEST
FOR SINGAPORE***

1819-1824

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THE FIRST CONTEST FOR SINGAPORE 1819-1824

BY

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PREFACE

For directing my attention to the problem of the British acquisition of Singapore as a problem worth investigating, as well as for subsequent encouragement, I am deeply indebted to Professor Dietrich Gerhard, now of Washington University, St. Louis. For various acts of kindness I owe thanks to my colleague, Professor Fred A. Cazel, Jr.; to Dr. J. Norman Parmer, now of the University of Maryland; and most recently to Professor C. Northcote Parkinson, of the University of Malaya.

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The use of variants in the spelling of place names, as they appeared in the sources, may annoy but I trust not confuse the reader, whose indulgence I bespeak.

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INTRODUCTION

On the thirtieth day of January 1819, an official in the service of the East India Company signed an agreement with a Malay chief granting the Honorable Company the right to establish a commercial factory on the island of Singapore. This act kindled a controversy with the Netherlands which was only extinguished five years later by a comprehensive treaty.

The first narrative of the episode to appear between the covers of a book consisted of a paragraph in Peter Auber's *An Analysis of the Constitution of the East India Company . . .*, (London, 1826),¹ as follows:

In the year 1819, Sir Stamford Raffles, then Lieutenant Governor of Bencoolen,² was deputed by the Governor General the Marquis of Hastings to proceed to the Straits of Malacca with the view of fixing upon some settlement in the Eastern Archipelago which should present a favourable position for counteracting the efforts which the Dutch were exerting to engross the whole of the trade of the Eastern Islands, to the total exclusion of the British trader. The result was the acquisition of the island of Singapore.³ Considerable differences arose out of this transaction. . . . In order to adjust such differences and to remove all further causes of disagreement. . . in India, a negotiation was opened by Great Britain in 1823 and brought to a conclusion in 1824, when a treaty between His Britannic Majesty and the King of the Netherlands bearing the date of the 17th March in that year was concluded and signed; by which the British agreed to withdraw from the island of Suma-

¹ Peter Auber, *An Analysis of the Constitution of the East India Company and of the Laws Passed by Parliament for the Government of their Affairs at Home and Abroad, to which is Prefixed a Brief History of the Company and of the Rise and Progress of the British Power in India* (London, 1826), pp. 381—382.

² The variant spellings include Benkulen, Benkoelen, Bengkoelen, Bangkahulu, Bengkulen.

³ Variant spellings include Singapoer, Sincapoor, Sincapoora, Singapoora, Sincapoor, Singapoera, Sincapoera, Singapour, Singahpura, Sincapure, Sincapore.

tra, ceding (with the consent of the East India Company) the settlement of Bencoolen and its dependencies to the Dutch in exchange for which the whole of the Dutch possessions on the continent of India, as well as the settlement of Malacca, were transferred to Great Britain, with the undisputed possession of Singapore.

Peter Auber as Assistant Secretary to the Honorable Court of Directors could know the contemporary sources, and his reputation for reliability was good. Yet the errors in this brief statement foreshadow the inaccuracies of later accounts. In indisputable fact, Raffles received his authorization from Hastings not in 1819 but in the autumn of 1818. The negotiations were begun in 1820, not 1823, and were then dropped. They were resumed in 1823 not upon British but Netherlands initiative. In the light of British predominance in the trade of the Indies, including Java, Auber's accusation of Dutch efforts toward engrossment exhibits national bias, though not devoid of a basis in fact. More important than these details, the omission of the background of politics, economics, diplomacy, and personalities, completely excusable in Auber's concise paragraph, also invalidates more ample accounts.

The story of the acquisition of Singapore by the British deserves better treatment. From our perspective it appears as a transitional episode combining some of the traits of the colonial adventuring of earlier generations with harbingers of the imperialist rivalries of the future. The inadequacies of existing accounts would of themselves justify restudy of the acquisition of Singapore, but two additional considerations also encourage reconsideration. First, by shunning the temptation to write a general narrative of colonial competition in the Eastern Seas and by focusing attention strictly upon the issue of the acquisition of Singapore, one may hope to uncover the motivations behind decisions. In this sense, the data illustrate the nature of historical causation, the interplay of chance and cultural determinism and the role of the individual. A second product of the restriction of attention to the one issue is the depiction, step by step, of the negotiation of a dispute; and since one of the participants was George Canning, it is possible to contribute a fragment of detail to the understanding of that statesman in action.

CHAPTER I

BRITISH AND NETHERLANDS INTERESTS IN SOUTH-EAST ASIA

A. The Return of the Former Dutch Colonies

At the outbreak of the French Revolution, the Dutch had possessed an extensive colonial empire with possessions in both East and West Indies. When the Netherlands fell to France, the British seized these territories as a war measure to prevent the French from enjoying their fruits. Meanwhile, from his exile during the Napoleonic years, the Prince of Orange, who became the Stadhouder William VI upon the death of his father in 1806, had sought to assure his country's future status in various ways, eventually as a client of Britain's; and since Netherlands independence coincided with one of the objectives of British policy, it had received Lord Castlereagh's support. Thanks to the Dutch uprising against French domination in November 1813, Holland did not owe her liberation wholly to the arms of the allies and was therefore able to emerge among the victorious nations as an independent state. Completing the metamorphosis, on 16 March 1815, the head of the House of Orange, having previously (2 December 1813) taken the title of Sovereign Prince, now assumed royal rank as King William I.¹

On the disposition of the former Dutch colonies, the Peace of Paris, 30 May 1814, was silent.² A special treaty determining the restoration of colonial possessions was concluded between Great Britain and the Netherlands on 13 August 1814. The former engaged to restore the colonies, factories, and establishments held by Holland on 1 January 1803, after the Peace of Amiens (27 March 1802), and before the renewal

¹ Gustaaf Johannes Renier, *Great Britain and the Establishment of the Kingdom of the Netherlands, 1813-1815* (The Hague, 1930). Among older general accounts, see Henri Pirenne, *Histoire de Belgique*, vol. VI (Brussels, 1926), pp. 231—245; and Petrus J. Blok, *Geschiedenis van het Nederlandsche Volk*, vol. IV 2nd ed. (Leiden, n.d. [1915]), pp. 173—225.

² *Recueil des traités et conventions conclus par le royaume des Pays-Bas*, ed. E. G. Lagemans, 10 vols. (The Hague, 1858-1890), I, 10. Article 8 refers only to French and Spanish possessions.

of hostilities (16 May 1803), with the exception of the Cape of Good Hope and three West Indian territories (Berbice, Demerara, and Essequibo, now parts of British Guiana). In return, two million pounds sterling were to be made over to the Netherlands to be expended upon fortifications facing France. The eighth article of the treaty concerned the slave trade and obligated the King of the Netherlands to forbid his subjects "from taking any share whatever in such inhuman traffic."³

The restoration of the bulk of the former Dutch colonial empire conformed to certain British objectives which were more influential than any hypothetical immediate interests which a later age might envisage as calling for the retention of these valuable territories.⁴ It is clear, from the disposition of the Cape and the three West Indian posts, that the British government lacked neither power nor right to retain its conquests. The Cape was seen as an indispensable station along the sea route to India, while economic, political, and strategic considerations led to the retention of the Dutch territories in Guiana. The retrocession of the bulk of the Dutch colonies resulted from the acknowledgement of certain moral issues, a desire to prevent other European powers from presenting claims, and, most significantly, from the implementation of the general British policy toward the Netherlands.

The new state was to be provided with the means of effectively stalling French ambitions in the direction of the shores of the North Sea from which England might be threatened. To keep the balance in

³ *Ibid.*, I, 34—38.

⁴ J. J. Meinsma, *Geschiedenis van de Nederlandsche Oost-Indische Bezittingen*, 2 vols. in 3 parts (Delft, 1872-1875), II (Part 1), 132—133, attributes the return of the former Dutch colonies in part to ignorance of their value, and in demonstration of this refers to "the slight opposition to the cession even on the part of the Directors of the English Company." Their indifference "presumably" derived from an apprehension that the East Indies, especially Java, would be declared crown colonies, and from the circumstance that under British administration their expenses had exceeded revenues. See also *Lord Minto in India . . . 1807 to 1814*, ed. the Countess of Minto (London, 1880), pp. 99, 103, for evidence of indifference toward Indian matters in 1806 and 1808. In explanation of the retention of the three "West Indian" territories, the prime minister wrote to the Duke of Wellington in September 1814: "It has been determined to retain Demerary, Essiquibo, and Berbice. These settlements are most valuable to us, not only as they are occupied almost exclusively by British proprietors, but likewise as they contain the principal cotton establishments in America, for the use of our manufactures." *Correspondence, Despatches, and Other Papers of Viscount Castlereagh*, ed. Charles William Vane, 12 vols. (London, 1848-1853), X, 132—133. Lord Liverpool to the Duke of Wellington, Fife House, 23 September 1814.

Europe, some states of moderate size would be helpful, "not too powerful," as a Dutch historian has recently summarized the policy, "lest they undertake an active foreign policy on their own account, but above all, not too weak either, in order that they should be able to resist the early stages of an invasion until a great power could come to their aid, and so that they could maintain an independent existence."⁵ An enlarged, independent Netherlands fitted into this conception. For this reason, Castlereagh sponsored the addition of the former Austrian Netherlands to Holland; for this reason the two million pounds sterling were to be used to construct Dutch barrier fortresses against a French invasion; and largely for this reason the colonies were restored to the Dutch. As a British representative told the Sovereign Prince in another connection in 1813: "We wish you to enrich yourselves by trade, for it is to our advantage that you should again become rich."⁶ The sincerity of this desire is authenticated by the return of the colonies; yet it applied only within limits, and these limits were shortly to be reached.

B. The Economic Apathy of the Netherlands

The former Austrian Netherlands, hereafter termed Belgium, which were allocated to the Kingdom of the Netherlands, had formed a component in the French imperial economy. As such, Belgium had developed a considerable manufacturing industry and at the close of the wars probably constituted the most advanced industrial region on the continent. The former United Provinces, to the north, had been the great eighteenth century metropolis of finance and waterborne commerce. The amalgamation of production, finance, and commerce under one management, as it were, resembled a vertical combination predestined to be profitable.⁷ Yet the prosperity of the new state was far from assured. The former financial heart of Europe, Amsterdam, wrote a

⁵ C. Smit, *Diplomatieke Geschiedenis van Nederland inzonderheid sedert de vestiging van het Koninkrijk* (The Hague, 1950), p. 128.

⁶ Renier, *Great Britain and . . . the Netherlands*, p. 155.

⁷ Hajo Brugmans, *Geschiedenis van Amsterdam: Het nieuwe Amsterdam van 1795 tot op den tegenwoordigen tijd* (Amsterdam, 1925), p. 96. D. Kouwenaar, *Amsterdam, "Kroondraegster van Europe"* (Rotterdam-The Hague, 1947), p. 266. "At the time of the liberation from the French yoke, the Netherlander imagined the brightest future for himself owing to the revival of trade and shipping." Ulrich Gerard Lauts, *Geschiedenis van de vestiging, uitbreiding, bloei en verval van de magt der Nederlanders in Indië*, 7 vols. (Groningen-Amsterdam, 1852-1866), VI, 134.

contemporary, was a "ville morte."⁸ The Dutch provinces could not furnish the consumers capable of absorbing the output of Belgian textile mills which had developed to supply the markets of France. Nor were the Netherlands colonies immediately capable of replacing the lost markets of France: in 1815 there was virtually no contact with the colonies. Not only were there few seaworthy ocean-going ships,⁹ but "nobody in Amsterdam remembered how to fit out a ship for the Indies," a technological amnesia which was responsible for not a few misfortunes and wrecks.¹⁰

For want of the almost vanished merchant marine which had formerly engaged in the Indies trade, one might have expected feverish activity in the shipyards of Holland. The countervailing factors were formidable, however. In the eighteenth century, leadership in naval architecture had passed to France; the sanding up of Dutch harbors and river mouths had compelled the shipbuilders either to reduce the size of their vessels, or, if they constructed ships of larger cargo capacity, then to design them for shallow draft, with the result that they proved sluggish and poor sailers. Furthermore, while ships carpenters had emigrated and shipbuilding in other countries had multiplied, the naval architects at home had become captives of obsolete designs. It was indicative of the sad state of a once profitable branch of export industry that a decade after the new kingdom had been launched, more than a third of the Dutch overseas merchant marine, and four-fifths of the tonnage engaged in long voyages, had come from foreign yards.¹¹

The fisheries had formerly provided the Dutch shipping industry with a product suitable for sale in the Iberian peninsula and the Mediterra-

⁸ Quoted by J. H. Wijnand, *Het Schipryck Amsterdam* (Baarn, 1946), p. 20. An Englishman visiting Amsterdam in 1819 noted "its present depressed condition." William Jacob, *A view of the Agriculture . . . of Germany, and Parts of Holland and France* (London, 1820), p. 41.

⁹ There were more than a thousand vessels at the time of Napoleon's fall, but scarcely fifty suitable for oceanic traffic. Wijnand, *Schipryck Amsterdam*, p. 19.

¹⁰ Brugmans, *Het nieuwe Amsterdam*, pp. 116—117.

¹¹ J. W. Bonebakker, *De Scheepsbouwnijverheid in Nederland* (Haarlem, 1936), pp. 1—2. Before the French occupation, Amsterdam had 48 shipyards, each employing an average of 100 men; in 1816, forty yards employed a total of only 400 workers. In other words, some 4400 men with shipbuilding skills must have emigrated, found other employment, were unemployed, or had died, without being replaced. Émile Verviers, *De Nederlandsche Handelspolitiek tot aan de Toepassing der Vrijhandelsbeginselen* (Leiden, 1914), p. 191. Falck, the minister of education, colonies, and the national economy, wrote in 1821: "The yards, formerly so numerous and flourishing, were diminished [in number] and in a state of decline . . ." Anton Reinhard Falck, *Gedenkschriften*, ed. Herman Theodoor Colenbrander (The Hague, 1913), p. 255.

nean littoral. The government had hitherto assured the vessels engaged in this trade a return cargo by favoring the importation of Spanish and Portuguese salt. Now, however, the Kingdom of the Netherlands for political reasons yielded to English urging and placed upon English salt the same duty as that collected upon the southern product.¹² Since the distances were so unequal, the English salt became available at a lower price in Holland, and the shipment of fish to Spain and Portugal, for lack of a return freight, lost its savor.

It was not so much a deficiency in capital¹³ as the absence of a spirit of enterprise which characterized the business life of Holland. The king expected much from the prospect of Dutch capital flowing into the proper domestic channels, and in order to curb the export of capital he subjected the issuance of new securities to state supervision. Yet it proved impossible to coerce Dutch investment into following the desired direction.¹⁴ A decade after the expulsion of the French, a foreign observer noted the tendency (foreshadowing J. P. Marquand's Boston) of the Amsterdam investors to place their funds in government loans: "Amsterdam is the greatest market in Europe for this kind of business." But while the yields were profitable to the investor, they did not nourish domestic industry, to say nothing of shipping nor did the state benefit from the collection of customs receipts.¹⁵ Again: it was customary, prior to 1824, for ships to be owned jointly, by shares distributed among two or three dozen families. This spread the risks, to be sure, but at the cost of unified, enterprising leadership.¹⁶

One incident may epitomize the dearth of entrepreneurial zest. In the summer of 1815, two residents of Ghent came to Amsterdam with a plan to initiate a steamboat lighterage service to the roadstead at Texel. The Chamber of Commerce failed to perceive any merit in this plan, which was consequently dropped. As a result, the honor of exhibiting the first steamboat on the IJ fell to an Englishman (in 1816). It was not until 1823 that the first privately owned Netherlands steamer came into operation, and characteristically, the initiative emerged not at Amsterdam but at Rotterdam. It might be noted finally in this connection,

¹² Ernst Baasch, *Holländische Wirtschaftsgeschichte* (Jena, 1927), p. 427.

¹³ Lauts, *Geschiedenis*, VI, 134: "There was still much capital in the country."

¹⁴ Willem Maurits Frederik Mansvelt, *Geschiedenis van de Nederlandsche Handel-Maatschappij*, 2 vols. (Haarlem, n.d. [1924]), I, 19—20.

¹⁵ *Gedenkstukken der Algemeene Geschiedenis van Nederland van 1795 tot 1840*, Achtste deel, *Regeering van Willem I, 1815-1825*, ed. Herman Theodoor Colenbrander, 3 vols. (The Hague, 1915-1916), I, 680. Meyendorff to D'Oubril, The Hague, 23 October 1823.

¹⁶ Wijnand, *Schipryck Amsterdam*, p. 24.

that no Dutch firm was capable at that time of manufacturing steam powered marine propulsion equipment, the only concern in the kingdom exhibiting such evidence of modernity being the works of John Cockerill at Seraing, another instance of Belgian manufacturing leadership.¹⁷

The eighteenth century was gone forever but the inefficient, costly methods of conducting business remained. "Netherlands trade was wholly altered in character:" in place of playing the profitable role of Europe's middleman, the Dutch now sank to the level of local trade, with local Dutch industry but slightly developed. "The Baltic trade, formerly our most important source of earnings was totally lost;" and the Americans took over the shipping of Odessa granite. Rotterdam, whose activity in Rhine river traffic was still modest, conducted a reasonable amount of business with England.¹⁸ The only enterprising shipper in the entire country was Anthony van Hoboken of Rotterdam, originally a dealer in butter and cheese. The British had imposed a tariff upon these products deliberately to favor Irish dairy exports.¹⁹ Van Hoboken was the first Dutch business man, following the expulsion of the French, to send a ship to the East Indies, which after many mishaps reached Batavia with a cargo of stone, iron wares, butter, meat, dried fish, and gin, while homewardbound, it brought a cargo of coffee and sugar not to Amsterdam, one time sovereign city of the colonial trade, but to little Rotterdam.²⁰ Yet, if the number of ships entering and clearing the port of Rotterdam was any indication of its activity one can hardly perceive a constant improvement of business.²¹

The population statistics for Amsterdam reveal the extended de-

¹⁷ *Ibid.*, pp. 20—22. P. Mijer, *Jean Chrétien Baud* (Utrecht, 1878), p. 209.

¹⁸ Mansvelt, *Nederlandsche Handel-Maatschappij*, I, 30; 40—41.

¹⁹ William Smart, *Economic Annals of the Nineteenth Century, 1801-1820* (London, 1910), pp. 483—485. Baasch, *Holländische Wirtschaftsgeschichte*, pp. 426—427. Apparently there was no Irish cheese industry at that time.

²⁰ Wijnand, *Schipryck Amsterdam*, pp. 19—20. A. Hoyneck van Papendrecht, *Gedenkboek A van Hoboken & Co. 1774-1924* (Rotterdam, 1924), Chap. 10, p. 84 ff.

²¹ *Number of ships entering and clearing the three sections of the port of Rotterdam.*

Year	Incoming	Cleaning
1816	1319	1502
1817	1731	1771
1818	1538	1586
1819	1197	1241
1820	1324	1401
1821	1216	1260

Source: *Kamer van Koophandel en Fabrieken te Rotterdam, 1803-1928. Gedenkboek*, ed. H. J. D. van Lier (Rotterdam, 1928), p. 157.

pression which afflicted the city, as well as the sluggish rate of recovery: they show that the city only recovered a population as large as that at the time of the first French invasion (1795) by the middle of the nineteenth century, or roughly two generations later. In 1814 the city still fitted within its seventeenth century walls.²² Antwerp, officially released from its Snow White-like suspended animation since 1585 by the opening of the Scheldt through a secret article of the Treaty of Paris,²³ was essentially Belgian and the natural outlet for Belgian industry. "Moreover, the vessels frequenting it were all either Dutch or foreign; it had no flourishing export houses, it possessed no shipping firms".²⁴

In a report addressed to the King on 12 July 1823 on "The State of Commerce at Amsterdam," Anton Reinhard Falck, the Minister for Colonies, National Industry, and Education, described two circumstances which appeared to him likely "in the long run [to] keep the trade of Amsterdam less lively than at Rotterdam and Antwerpen: 1st. the superb location of Rotterdam for transit [trade]. . . 2nd. that Antwerp has about it a prosperous population of fully three million accustomed to ample consumption [of goods,] whose needs in overseas products this port almost exclusively supplies."²⁵

To afford some measure of protection for Belgian industry, confronted with the output of Britain's factories, the Netherlands government adopted a moderate tariff law on 16 October 1816,²⁶ thereby vexing Dutch merchants who felt that the law protected the Belgian manufacturer at the cost of Holland's trade. Conversely, the Belgians complained that the protection afforded to Flemish manufactures was delusive. "The duties charged upon British manufactures and East India produce," wrote the English chargé d'affaires at The Hague in 1816, "are too inconsiderable to prevent the ruin of the Belgian establishments."²⁷

<i>Population of Amsterdam</i>		1826	200,000
1795	221,000	1840	211,000
1815	190,000	1850	222,000

Source: Brugmans, *Het nieuwe Amsterdam*, p. 104; p. 99.

²² Renier, *Great Britain and . . . the Netherlands*, p. 248.

²⁴ Pirenne, *Histoire de Belgique*, VI, 347.

²⁵ Anton Reinhard Falck, *Ambts-Brieven, 1802-1842* (The Hague, 1878), pp. 98-100.

²⁶ This tariff showed "a strong protectionist tincture, favoring the import of raw materials while impeding their export, and facilitating the export of finished goods." Baasch, *Holländische Wirtschaftsgeschichte*, p. 424. The implication in his statement that the tariff was protective was scarcely borne out in practice.

²⁷ Colenbrander, *Gedenkstukken*, I, 41. G. W. Chad to Castlereagh, The Hague, 27 September 1816. Mansvelt, *Nederlandsche Handel-Maatschappij*, I, 20.

Tariff protection at home and assured markets abroad appeared to be the prerequisites for the achievement of industrial and commercial prosperity of the Kingdom of the Netherlands. For the five surviving textile mills of Leiden in 1816, the sole hope for the future lay in the "new development of trade with their chief remaining markets: the Levant and the Indian colonies." "Protection and still more protection remained the watchword."²⁸ If this was the outlook of one of the few Dutch industrial centers, it is not surprising that the Belgians initially demanded nothing less than a flat embargo.²⁹ The tariff of 1816 failed to impose prohibitory duties: it was natural for the Belgians to expect government assistance in securing the colonial markets, yet the ascendancy of "liberal" ideas excluded the possibility of vigorous state intervention.³⁰ Yet in some manner, it might be possible to limit the extent to which foreigners were able to profit from the Netherlands East Indies and reserve this area to King William's subjects. The chief beneficiaries of trade in the Netherlands colonies were Englishmen: it was therefore evident that any policy seeking to reserve the colonies to the Low Countries would take the form of anti-British measures. Netherlands policy in the colonies during the post-war decade was hardly effective in achieving this purpose, it may have been confused, contradictory, and hesitant, but it was based neither upon royal ingratitude for past favors nor upon the petty malice of rapacious Dutchmen rampant in the Archipelago, as it appeared to some Englishmen. It corresponded loosely to some of the needs of the new state, as vaguely sensed rather than accurately analyzed. In short, it was no less rational than was British policy.

C. British Interests in South-East Asia

If the East Indies began to appear to Netherlanders as a region essential to the healthy development of their national economy, Asia was becoming increasingly important to the British as well. For present purposes, in the decade following the closing of the Napoleonic wars, three areas may be distinguished: India, China, and "the Archipelago", or "the Eastern Islands." Under the governance of the East India

²⁸ Petrus Johannes Blok, *Geschiedenis eener Hollandsche Stad. Een Hollandsche Stad in den nieuweren tijd* [i.e., vol. IV of Blok's history of Leiden] (The Hague, 1918), pp. 146—147.

²⁹ Robert Demoulin, *Guillaume Ier et la transformation économique des Provinces Belges, 1815-1830* (Liège-Paris, 1938), p. 124.

³⁰ *Ibid.*, pp. 147—150. Cf. Daniel Wilco van Welderen Rengers, *The Failure of a Liberal Colonial Policy: The Netherlands East Indies, 1816-1830* (The Hague, 1947).

Company, exercised through the Governor General in Council at Fort William, in Calcutta, British India had been opened to private trade by the Act of 1813 renewing the Company's Charter. A handful of petty enclaves on the continent of India constituted the Dutch factories. China at this time meant Canton, the only port at which foreigners were tolerated, and where the East India Company constituted the sole authorized English business enterprise.³¹ The Eastern Islands, an ambiguous term, sometimes synonymous with "the Archipelago", included Sumatra, where the East India Company held a post at Bencoolen (Fort Marlborough) and the Dutch had various claims; Java, under the Dutch Governor-General at Batavia; the Moluccas or Spice Islands likewise under the Dutch and only vaguely delineated; Borneo in which both English and Dutch asserted claims; and assorted other islands. In the Strait of Malacca, the East India Company held Prince of Wales Island (Pulo Penang, Fort Cornwallis), while under the treaty of 1814 they were to return Malacca, on the Malayan mainland.

With the conclusion of the Final Act of the Congress of Vienna, the opening of new markets to absorb the production of Britain's war-expanded industries became an issue of vital concern.³² Although protective tariffs were being adopted on the Continent and in America, there is scant evidence, at least to 1817, that such attempts to exclude British products had evoked alarm in government circles. There was, however, an awareness during the postwar distress that an expansion of foreign markets was essential. Early in 1820 Lord Castlereagh informed the Netherlands ambassador that this was the prevailing idea in England.³⁴ "One universal cry of distress is heard throughout the land," declared the *Edinburgh Review*, with hyperbole, in December 1816.³⁵ "The ordinary channels through which the various produce of art and industry was [sic] formerly distributed, are completely obstructed . . . All those manufactures which depended for support on the foreign market, were suddenly choked . . ." ³⁶ "The country is overloaded with super-

³¹ This is not precisely true, but can stand here. See below, pp. 147—148.

³² Smart, *Economic Annals . . . 1801-1820*, pp. 490—492; 529—530, referring to the year 1816.

³³ *Ibid.*, pp. 564—565.

³⁴ Pieter Hendrik van der Kemp, "De Geschiedenis van het Londensch Tractaat van 17 Maart 1824," *Bijdragen tot de Taal-, Land- en Volkenkunde van Nederlandsch-Indië*, vol. 56 (The Hague, 1904), pp. 205—206. Fagel to Van Nagell, London, 14 January 1820.

³⁵ p. 373.

³⁶ p. 378.

fluous goods for which its merchants can find no outlet; and hence their eagerness to pour them into every open market," viz. into Buenos Aires and Rio de Janeiro.³⁷ This melancholy picture of commercial stasis was hardly corroborated by the details which followed. "The markets of Britain have . . . been so overstocked that all these restrictions on the introduction of British goods [in Europe and America] have been found unavailing. Those goods have been poured into the markets of America and Europe, in spite of restrictions and heavy duties; and the consequence has been, that many late establishments in Europe have been ruined, and that a serious check has been given to the rising manufactures of America."³⁸ In Parliament, Brougham charged that "the Government had entirely abandoned all care for the commercial interest of this country,"³⁹ and in fact, the agricultural distress occasioned far more Parliamentary attention than the growing pains of commerce and industry.⁴⁰ In the quest for foreign markets, the continent, the United States, and South America all seemed promising,⁴¹ yet some voices were raised to herald the prospects in Asia.

The character and importance of British trade with India underwent a notable change with the reestablishment of peace. Prior to 1814 there had been virtually no exports of finished cotton cloth to the East; but in large part thanks to the increased use of machines to reduce costs, there resulted "a most extraordinary increase in the exports of cotton goods to India,"⁴² accompanied by the destruction of the Indian village textile producer.⁴³ India, formerly a notable exporter of fine cotton goods, was in the midst of a metamorphosis into a source of raw cotton and a market for Lancashire cotton cloth. "By the successful introduction of the British muslins," wrote Charles Watkin Williams Wynn, President of the India Board, in 1823, „you have completely destroyed that which till within a very short time has been their great

³⁷ p. 383.

³⁸ p. 384.

³⁹ Smart, *Economic Annals . . . 1801-1820*, p. 603. 13 March 1817.

⁴⁰ William Smart, *Economic Annals of the Nineteenth Century, 1821-1830* (London, 1917), p. 113.

⁴¹ *Edinburgh Review*, May 1820, pp. 343—344: "It is to France . . . that we should look for new channels of commerce." Smart, *Economic Annals . . . 1801-1820*, pp. 752-753, quoting Lord Liverpool: "America furnishes the best prospects of a ready market." Also, *Edinburgh Review*, December 1816, pp. 373—384, as noted above.

⁴² John Ramsay McCulloch, *A Statistical Account of the British Empire*, 2 vols. (London, 1837), II, 153.

⁴³ Smart, *Economic Annals . . . 1821—1830*, p. 161.

staple export and which now they have ceased to use themselves".⁴⁴ Yet "woollens" remained a larger item than cottons in Britain's exports to the East Indies and China through the year 1822; and the proportion of Britain's total exports going to the East, while far from negligible, was small. In 1816 the East Indies and China took 7.6% of England's exports, while the West Indies accounted for 17.2%. But by 1823 the East had topped 10% for three successive years while the West Indies' proportion was declining, in 1823 to 9.6%.⁴⁵ There were some spokesmen for the view that Asia east of India was important. The *Edinburgh Review* (November 1817) referred to "the Commerce of the Indian Islands" as "a subject particularly interesting to this country since the relaxation of the East India Company's monopoly has opened up the neighboring regions to the enterprise of English merchants — and still, we believe, very partially and imperfectly understood, even among commercial men."⁴⁶ Spices, coffee, pepper, and cotton were produced and sold to Europe, while the inhabitants of the islands would find "adapted to their versatile tastes" not only the wares of China and Hindustan and Arabia but "the hardware, cotton fabrics, broad-cloths

⁴⁴ *Memoirs of the Court of George IV. 1820-1830*, ed. Duke of Buckingham and Chandos, 2 vols. (London, 1859), I, 412. C. Wynn to the Duke of Buckingham, East India Office, 20 January 1823.

⁴⁵

British Exports, 1816-1823

Showing the Proportions Going to the East Indies
and China, and to the West Indies

Year	Total Exports	To East Indies and China	To West Indies
1816	£ 41,653,930	£ 3,166,961 (7.6%)	£ 7,093,087 (17.2%)
1818	46,470,863	4,022,642 (8.6%)	5,803,793 (12.5%)
1819	35,211,000	4,363,983 (11.3%)	5,871,096 (16.7%)
1820	36,423,000	3,025,950 (8.3%)	4,747,016 (13. %)
1821	36,655,000	3,987,528 (10.6%)	4,169,081 (11.1%)
1822	36,966,023	4,809,719 (13.0%)	4,349,390 (11.8%)
1823	35,357,000	4,089,586 (11.5%)	3,383,661 (9.6%)
1824	38,422,000		

Sources: The totals are taken, in order, from Smart, *Economic Annals . . . 1801-1820*, pp. 494; 653; 690; and Smart, *Economic Annals . . . 1821-1830*, pp. 21; 123; 148; 191. The exports to the East Indies and China come from *Accounts and Papers*, 1823, XVII, no. 130, pp. 2—3; and for the West Indies from the same document, pp. 4—5. In all instances, the "Declared" values, or values at current prices, are cited, rather than the "Official" values, which were based upon the prices current in 1696 or 1697. On this distinction, see Joseph Lowe, *The Present State of England*, 2nd ed. (London, 1823), Appendix 4.

⁴⁶ *Edinburgh Review*, November 1817, p. 36.

even the wines of Europe." Nor was this appetizing vision to be thought a small scale apparition: "Throughout the Archipelago there certainly cannot be less than ten millions of such customers." The staples of the trade were "iron, cotton-cloths, and broad-cloths," the sole source of iron being Europe, while "the chintzes of Britain" had largely supplanted the Bengal and Coromandel products. The Javanese, introduced to British textiles during the years of English rule, developed a lasting taste for them. For the establishment of a lucrative trade, "freedom and security to the merchant are alone necessary" but already the trade was considerable: "in one year, 15,000 tons of shipping cleared out from the port of Batavia for that of London only."⁴⁷ "New Commercial facilities in any part of the world are much to be desired," wrote an English official in a memorandum in 1820. Yet in discussing the prospect of establishing a commercial emporium in the East, specifically on the coast of Borneo, where British, Indian, Indonesian, and Chinese products could be collected and exchanged, he held that "the propriety of such an emporium for the purpose assigned, and the importance of the purpose assigned, and the importance of the purpose itself, are points upon which it is extremely difficult to form an opinion."⁴⁸

A writer in the *Asiatic Journal* likewise remarked upon "the extension of our foreign commerce" as "an object of high importance, at a season when our warehouses were overloaded with our own manufactures, and the lower classes were labouring under the direst distress from the want of a market for our commodities. No country was better calculated to afford these advantages than China . . ." ⁴⁹ China was indeed regarded with reverence as a source of wealth. The *Quarterly Review* (October 1815, p. 34) considered it "certain that, since its conquest, the commerce of India has never been an advantageous commerce," whereas "the privation of the China trade would provide a more severe calamity to Great Britain than the loss of India and its seventeen millions of revenue." The *Edinburgh Review* (February, 1818, p. 446) maintained that "it has long been perfectly well known and avowed, that the China trade of the East India Company is the only one that, for many years, has been in any degree profitable." The chief basis of that trade was tea, this "having become almost a necessity of life in England."⁵⁰

⁴⁷ *Ibid.*, pp. 45—49

⁴⁸ Dutch Records (Commonwealth Relations Office), vol. XXX, no. 12, insertion "B".

⁴⁹ *The Asiatic Journal and Monthly Register for British India and its Dependencies* (London), for May 1818, p. 481.

⁵⁰ McCulloch, *Statistical Account*, II, 153.

Lord Liverpool in 1820 put tea next to bread as the article of most widespread consumption among all classes of the country, exceeding 22 million pounds.⁵¹ The East India Company "was required by Act of Parliament to keep a year's supply always in stock Tea from China provided about one-tenth of the total revenue of England and the whole profit of the East India Company."⁵² In the instructions furnished to Lord Amherst, when he was appointed on 1 January 1816 to head what was to prove a futile mission to China, the Secret Commercial Committee of the Court of Directors of the East India Company noted the growth of its Canton trade: "In the last thirty years, the Company's trade has been increased more than four fold. They now send annually to Canton from 18 to 20 great Ships, equal to Sixty-Fours; and by them bring from thence about 30 Millions of pounds of Tea."⁵³

The gateways to the South China Sea, to China and its trade, were the Straits of Sunda and Malacca. The former, between Sumatra and Java, found the Dutch firmly entrenched on the Java side of the passage, while on the Sumatra side they asserted paper predominance over the districts known as the Lampongs, although this assertion was not beyond English challenge on the part of the Lieutenant Governor of Bencoolen. This passage was vital to the Dutch, for, as Van Hogen-dorp noted, "The Netherlands trade between Europe and Asia goes through the Sunda Strait."⁵⁴ But the Strait of Malacca between Malaya and Sumatra, the most direct route between India and China, was not yet, *de facto*, under Netherlands control. The value of the English station at the northern entry to the strait of Malacca, Prince of Wales Island, or Pulo Penang, close to the Malayan shore, as a possible center from which English influence might extend, appeared to be at least partially nullified by the retrocession to the Dutch of Malacca, to the south in the narrow part of the passage. "Prince of Wales Island," wrote Raffles of Penang in 1808, "although advantageously situated for commanding the bay and the northern entrance of the Straits, has by no means the same advantage and command within the Straits that

⁵¹ Smart, *Economic Annals . . . 1801-1820*, p. 752.

⁵² Michael Greenberg, *British Trade and the Opening of China* (Cambridge, 1951), p. 3.

⁵³ Hosea Ballou Morse, *The Chronicles of the East India Company Trading to China, 1635-1834*, 5 vols. (Oxford, 1926-1929), III, 285.

⁵⁴ E. de Waal, *Nederlandsch-Indië in de Staten-Generaal sedert de Grondwet van 1814*, 3 vols. (The Hague, 1861), I, 102. See also Cyril Northcote Parkinson, *Trade in the Eastern Seas, 1793-1813* (Cambridge, 1937), pp. 115-116.

Malacca possesses. Every ship that passes up or down must be observed from the latter place, and should this station be ever held by an enterprising enemy, not only Penang, but our more important China trade would be materially endangered . . .”⁵⁵ To subordinate agents of the East India Company administering territories in the straits and the Archipelago, the decision of 13 August 1814 to restore the colonies to their former Dutch proprietors seemed shortsighted, and they were loathe to comply. “They took upon themselves to question the policy of the treaties,” George Canning told the House of Commons some years later, “by which the possessions had been surrendered to the Dutch, and looked rather to remedy what they conceived to be the error of the stipulations rather than to carry them into effect.”⁵⁶ It is scarcely surprising that the Netherlands officials were unable to relish the “patriotism, pride, and generous feelings” which Canning was able to perceive in the efforts of the servants of the Honorable Company to frustrate the fulfillment of their country’s treaty obligations, and they thereupon matched anti-Dutch with anti-English antipathies.

⁵⁵ Demetrius Charles Boulger, *Life of Sir Stamford Raffles* (London, 1897), p. 72. Report by Raffles under date of 31 October 1808.

⁵⁶ *Parliamentary Debates*, New Series, vol. XI (London, 1825), col. 1443. 17 June 1824.

CHAPTER II

ANGLO-NETHERLANDS RIVALRY IN THE EAST TO THE END OF 1819

A. Background of Instability

Article 36 of the constitution of the Netherlands assigned to the sovereign exclusive authority over the colonies,¹ thereby assuring a considerable degree of centralized direction of policy. More than Louis Philippe the Dutch William deserves the appellation of the Bourgeois King. As Blok put it, "he would have been taken for a Dutch burgher or merchant rather than for a monarch"² and such was his attention to detail, his sense of duty and responsibility, and his self-confidence, that, facing a public whose political apathy equalled its economic lassitude, he governed, even administered, as well as reigned. Yet however great a singularity of purpose might conceivably inspire the decisions of King William and his officials at home, attenuated in practice by administrative bungling, the remoteness of Batavia imposed on the Governor General the responsibility both of resolving immediate problems only imperfectly appreciated at The Hague or Brussels, and of adjusting the instructions from home to the conditions in the field. To Van der Capellen, the first governor-general, King William said before his departure: "Sir, you are going to have a power greater than mine, for you will not have the States General." The reply was: "Sire, although very powerful there, I shall never forget that I have Your Majesty above me." This was true, observed the king, "but at a distance of four thousand leagues, it is difficult to exercise control."³ In any event, although some slack was inherent in so long a line, there was a single chain of command.

¹ Herman Theodoor Colenbrander, *Willem I. Koning der Nederlanden*, 2 vols. (Amsterdam, 1931-1935), I, 314.

² Petrus Johannes Blok, *History of the People of the Netherlands*, 5 vols. (N.Y., 1898-1912), V, 339.

³ C. F. Sirtema de Grovestins, *Notice et souvenirs biographiques du comte Van der Duyn de Maasdam et du Baron de Capellen* (St.-Germain-en-Laye, 1852), p. 448.

No such measure of unity guided the eastern colonial empire and trade of Great Britain. The East India Company⁴ governed British India, but since 1813 possessed no exclusive trading rights there; in China the Company did not govern, but possessed the commercial monopoly among his Britannic Majesty's subjects at Canton. In the islands, the Company governed and traded at its posts, but showed little or no interest in the trade among the Javanese and other Indonesians. Nor was the Honorable Company sovereign: since 1784, the government had asserted its ultimate authority through the Board of Control,⁵ whose President enjoyed cabinet rank. The effective administration reached its peak in the Court of twenty-four Directors at the East India House, responsible to the Court of Proprietors, or shareholders in the Company. In general, the Court of Directors dealt with its business through a system of committees in London, transmitting its wishes, after approval by the Board of Control, to its Governor-General of Bengal, at Fort William, Calcutta, to whom were subordinated various dependencies. Two of these have already been mentioned, Prince of Wales Island, under a Governor, Colonel John Alexander Bannerman, who in 1817 had "been dispatched from a seat on the Court of Directors in London,"⁶ and Bencoolen, on the west coast of Sumatra, Fort Marlborough, since 1818 under Lieutenant Governor Sir Thomas Stamford Raffles. In view of the slowness of communications between officials separated by considerable distances, the subordinate officers, as Canning had observed, exercised a considerable degree of pre-telegraphic autonomy, whereby they sometimes could affect the general policy. Some public opinion, both in India and England, expressed the concerns of private merchants and shippers. Consequently, although individual appreciation of the importance of the trade with China was occasionally evident, and the Honorable Company was well aware of the source of its profits, there were in London only the private trading interests who were eager to push the government toward support of their business activities in the Archipelago: the East India Company's interest was still latent.

For various reasons the situation in the East was unstable. Years

⁴ In general, see Cyril Henry Philips, *The East India Company, 1784-1834* (Manchester, 1940), Chapter I.

⁵ The Board of Commissioners for the Affairs of India, or India Board, consisted of two commissioners and the president.

⁶ C. D. Cowan, "Governor Bannerman and the Penang Tin Scheme, 1818-1819," *Journal of the Malayan Branch of the Royal Asiatic Society*, vol. XXIII (Singapore, 1950), p. 56. Bannerman took his oath of office on 24 November 1817. *Ibid.*, p. 72.

before Raffles set foot upon Singapore Island the territorial disposition evoked discontent. On 17 June 1814, or two months before the conclusion of the Anglo-Netherlands colonial treaty, one of the most distinguished Dutchmen of the day, Gijsbert Karel van Hogendorp, a leader of the recent insurrection against the French, expressed the opinion widely held among the experts, that the handful of scattered duodecimo Dutch possessions on the continent of India were "not only completely useless, but even injurious and costly," and he proposed arranging an exchange of territories. The Dutch should quit India proper and concentrate their strength in the Archipelago, reserving to themselves the region south of the Strait of Malacca and east of the Strait of Sunda, thereby removing the English from the Archipelago save for their posts on the west coast of Sumatra.⁷ Van Hogendorp's principle of territorial exchange and concentration persisted intermittently in the views of the Dutch officials, until it was incorporated, with significant modifications, a decade later, in the Treaty of 17 March 1824.

On the very same day that Van Hogendorp was formulating his principle of territorial readjustments, the British ambassador to the court of King William, Lord Clancarty, who might be termed with pardonable hyperbole the godfather of the new Netherlands state, reported to Lord Castlereagh that "upon a suggestion made long since by Lord Liverpool," he had discussed with the Netherlands foreign minister the possibility "of throwing open the Dutch colonies, or some of them, to British trade."⁸ Thus was introduced a persistent objective of British diplomacy, despite Lord Brougham's charges of governmental indifference.

A third matter requiring Anglo-Netherlands negotiation was, like the unsatisfactory territorial delimitations, a product of the treaty of 13 August 1814. This convention had left to future settlement a tangled controversy over financial claims and counter-claims arising out of the British occupation of Java.

Divergent estimates of the value of the military stores left to the Dutch, and even as to what constituted military stores, currency questions, real estate transactions, the allocation between the two states of government revenues in the fiscal year during which the cession occurred,

⁷ Pieter Hendrik van der Kemp, "De Geschiedenis van het Londensch Tractaat van 17 Maart 1824," *Bijdragen tot de Taal-, Land- en Volkenkunde van Nederlandsch-Indië*, vol. 56 (The Hague, 1904), pp. 41—42.

⁸ *Correspondence, Despatches, and Other Papers of Viscount Castlereagh*, ed. Charles William Vane, 12 vols. (London, 1848-1853), X, 55. Clancarty to Castlereagh, The Hague, 17 June 1814.

even the distinction between private and public funds, constituted issues requiring adjustment.

Finally, and this was to become the source of greatest vexation, beginning with the transfer of the designated areas from English occupation to Netherlands possession, the ambitions of the two sets of rival officials in the East brought about disputes which had to be referred to the home governments for settlement. The Netherlands government had appointed three Commissioners-General to go with full powers to the East to repossess the former Dutch colonies. They were A. A. Buyskes, Cornelis Theodorus Elout, a colonial expert, and Baron G. A. G. P. van der Capellen, who was to remain at the conclusion of the mission as Governor-General at Batavia. Their journey to the islands is a story of long delays, and when in May 1816 they reached Java, the English official in charge, John Fendall, refused to yield up his authority to them until he received explicit orders from Calcutta. In this he was quite correct, but the orders were slow in arriving, and the three Commissioners-General cooled their heels but not their impatience.⁹ Before Malacca was finally turned back to the Dutch four years after the convention of 13 August 1814 had been concluded, a number of disputed issues had arisen which were reserved for decision by the home governments in Europe. Anton Reinhard Falck, who in 1818 became Minister of Education, National Industry, and Colonies, was in no wise distressed at the delay in adjusting these differences. The English Government had made no move, he reported to his king, and heretofore, "as far as I am concerned, I had no grounds to hasten the time for this consideration."¹⁰ But his report, dated 18 November 1818, is headed, "Behavior of Sir T. S. Raffles," and the reason is thereby indicated for his unwillingness to acquiesce further in the tenuous status quo.

Thomas Stamford Raffles had been Lieutenant Governor of Java and dependencies from its conquest in 1811 to its return to the Netherlands in 1816. After an interlude in England, where he was knighted and wrote his *History of Java*,¹¹ he returned to the East in the capacity of Lieutenant Governor of Bencoolen (March, 1818), a decrepit, unprofitable station on the southwest coast of Sumatra, a position "which

⁹ *Gedenkstukken der Algemeene Geschiedenis van Nederland van 1795 tot 1840*, Achtste deel, *Regeering van Willem I, 1815-1825*, ed. Herman Theodoor Colenbrander, 3 vols. (The Hague, 1915-1916), II, 41—43. Elout to Fagel, Batavia, 5 June 1816.

¹⁰ Anton Reinhard Falck, *Ambts-Brieven, 1802-1842* (The Hague, 1878), p. 112.

¹¹ *The History of Java*, 2 vols. (London, 1817; 2nd ed., London, 1830).

implied nothing more than a superintendent of pepper.”¹² In view of the temperament and capacities of the man, this was equivalent to penning up a lion in a dog kennel. Accounts of the acquisition of Singapore have most often been told in English as part of the life story of Sir Stamford Raffles. No fewer than seven biographies, an average of one every twenty years since his death, testify to the interest evoked by this turbulent, versatile man; while the presence in Singapore of Raffles Square with his statue in the center, the Raffles Museum, Raffles Hotel, and Raffles Lighthouse in Singapore Strait, hail him as the founder of the modern city.¹³ An imaginative, vigorous though not always realistic administrator, an unruly subordinate, a practicing free-trade economist, in his opposition to slavery and cruelty an enthusiastic humanitarian, yet prepared to push the sale of opium, an amateur naturalist and collector fascinated by the botanical and zoological marvels of the Indies, a precursor of the anthropologists in his ardent attention to the cultures of the primitive peoples among whom he lived, an early student of the Malay language and history, indefatigable as letter writer and promoter, he was in his private life a devoted husband and father, suffering the loss of his first wife, Olivia, and four of his children to the hazards of the tropics. With all his universal interests, he was a passionate champion of the advance of the British flag for the sake of alleviating the misfortunes of mankind. In pursuit of this objective, he found himself impeded by the Dutch.

Raffles reached Bencoolen on 22 March 1818. On 7 April he was writing: “I am already at issue with the Dutch Government about their boundaries in the Lamponn¹⁴ country . . . I demand an anchorage in Simangka Bay, and lay claim to Simangka itself. If we obtain this, we

¹² Canning’s words. *Parliamentary Debates*, New Series, vol. XI (London, 1825), col. 1444. 17 June 1824.

¹³ Sophia Raffles, *Memoir of the Life and Public Services of Sir Thomas Stamford Raffles . . . by his Widow* (London, 1830; 2nd ed. which omits material included in 1st ed., 2 vols. [London, 1835]); Demetrius Charles Boulger, *Life of Sir Stamford Raffles* (London, 1897); Hugh Edward Egerton, *Raffles* (London, 1900); John Angus Bethune Cook, *Raffles* (London, 1918); Reginald Coupland, *Raffles, 1781-1826* (Oxford, 1926); Emily Hahn, *Raffles of Singapore, A Biography* (Garden City, N. Y., 1946); Charles Edward Wurtzburg: *Raffles of the Eastern Isles*, ed. Clifford Witting (London, 1954). Thanks to the researches of a friend, Dr. J. Norman Parmer, it can be reported that the Singapore telephone directory issued in January 1954 “reveals 14 commercial undertakings bearing the name *Raffles*,” ranging from Raffles Cold Drinks and Bar to Raffles Stenographers.

¹⁴ Also spelled Lampongs, Lampong, Lampoeng, etc.; it is the south-eastern part of the island of Sumatra.

shall have a convenient place for our China ships to water; and should we go no further within the Archipelago, be able to set up our shop next door to the Dutch. It would not, I think, be many years," he added with his characteristic optimism, "before my station in the Straits of Sunda would rival Batavia as a commercial *entrepôt*." ¹⁵ The geography is as follows. At the southeastern tip of Sumatra, which gapes at Java across Soenda Strait like a fish with its mouth open, are two bays, or, if this is clearer, three peninsulas, with the central promontory which separates the bays, resembling the tongue in the mouth. The bay from the lower (southern) jaw to the tongue (or from Tandjoeng [i.e. Cape] Tjina to Tandjoeng Toentoengkalik) is Semangka Baai. The Hydrographic Office's *Sailing Directions for Soenda Strait* . . . ¹⁶ from which these data are gleaned, cautions that although there are several anchorages in Semangka Baai, "when winds of any force are from south-eastward, anchorage is possible only in the northern part."

Whether Raffles' judgment was sound concerning the economic potentialities of the territory to which he laid claim may be questioned, ¹⁷ especially since a station on the Soenda Strait would hardly benefit the shipping between India and China, but the motive of the claim was indisputable. Raffles had presented his demand in writing to the Governor General at Batavia, but without awaiting an answer, it appeared that early in May he sent a British official with a military guard in the Lampoons where he discourteously dismissed the protests of the Dutch Assistant Resident at Bantam and raised the English flag. The Dutch official thereupon filed written protest, and his superiors, the Commissioners-General, decided to see how Raffles responded to Van der Capellen's answer to his letter. The Netherlands Colonial Minister was irked at this laxity on the part of this subordinates in the Indies. He recognized that the authorities at Batavia had been unable "for several years" to exercise supervision over the Lampong Districts, but this was no reason for a foreign power to seek to take them over.

Raffles was also making trouble in the opposite direction. About 240 miles up the coast of Sumatra to the northwest lay Padang, "a very old Netherlands possession." Taken by the English in 1795, it had not been re-occupied by the Dutch after Amiens. When the Commissioners-

¹⁵ Lady Raffles, *Memoir*, pp. 293—294. All references are to the first edition.

¹⁶ H. O. Pub. No. 126, 5th ed., issued by the Hydrographic Office under the authority of the Secretary of the Navy (Washington, D. C., 1951), pp. 41; 47. The northern "extensive indentation" is Lampoeng Baai.

¹⁷ For what it is worth, it may be noted that up to the present, the shores of the bay support nothing but small native villages. *Ibid.*, pp. 41—45.

General tried to reoccupy Padang in the summer of 1818, "the expedition . . . returned to Batavia, its mission not completed." Apparently Raffles "refused to turn over Padang until on our part we acknowledged the demands of the English with respect to the expenses of administration since 1795," although all financial issues were to be settled by the home authorities. Relations between the two states in the Indies had deteriorated, "in those places, namely, in which authority was confided to the injudicious zeal of Mr. Raffles."

The Netherlands representatives had been excessively cautious. "The Commissioners General," wrote Falck with evident annoyance, "seem to have harbored an exaggerated notion of the disadvantage that a forceful vindication of our rights in other parts of the globe might create with respect to the good understanding between the two governments in Europe." Yet Falck's recommendations could scarcely be termed forceful. He proposed making serious representations to the English government "concerning the conduct of Mr. Raffles," coupled with an urgent request that he be ordered not merely to quit Padang and evacuate the Lampongs, but also to refrain from encroaching upon Netherlands rights altogether; and second, that the Governor-General be instructed to avoid as far as possible any discussion with Raffles, especially concerning territorial exchanges and boundaries, but to assert the demonstrable rights of the Netherlands Empire "with dignity and emphasis."¹⁸ But in the bubbling kettle in the East, more troubles were already brewing.

In June 1818 the government of Prince of Wales Island, to which Malacca under British authority was subordinate, anticipating "the probability of an early cession of Malacca to the Dutch Government and the propriety of obviating any disadvantages to the British trade which such an event might occasion," undertook to secure "the unrestricted liberty of commerce" by making treaties with the neighboring native princes of Perak and Selangore. For this purpose Walter Sewell Cracroft was assigned to visit the princes. At Malacca itself, where Major William Farquhar of the Madras Engineers was Resident, need for haste was even more urgent. "The early resumption of Malacca by the Dutch confirmed as it lately was by Mr. Commissioner Van Braam (when touching at this port on his passage to Java)" led Bannerman to hope that the Supreme Government would recognize "that the extreme urgency of the case" would pardon his failure to procure the approval of Fort William before taking steps. He directed Farquhar personally

¹⁸ Falck, *Ambts-Brieven*, pp. 112—118. Report to the king, 18 November 1818.

to "undertake the mission to the Malay States further to the Eastward," to achieve the same objects as Cracroft. Finally, Bannerman sought permission to send a mission to Siam "with a view to anticipate the American traders" and in general promote British interests, political as well as economic.¹⁹ Cracroft fulfilled his mission to the extent that he secured two treaties, on 30 July 1818 with the Rajah of Perak, on 22 August 1818 with the Rajah of Selangore, identical in form, providing for most favored nation treatment. By the 4th Article, each Rajah agreed "that he will not renew any obsolete and interrupted Treaties with any 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 burthened with any impositions or duties not levied on the subjects of other States."²⁰

Major Farquhar meanwhile was executing his orders: on 19 August he concluded a treaty with His Highness Jaffir Rajah Mudah of Rhio, acting in behalf of his nephew, His Majesty Sri Sultan Abdul Rachman Shaw, King of Johore, Pahang, and Dependencies, which included Lingen, the site of the Sultan's residence.²¹ He also concluded a treaty with Siack (31 August 1818),²² for Siak Sri Indrapoera, located on Sumatra, due west of Singapore. These treaties are virtually identical with the text of Cracroft's, and might have almost been printed forms

¹⁹ "Early Penang and the Rise of Singapore, 1805-1832," ed. C. D. Cowan, *Journal of the Malayan Branch of the Royal Asiatic Society*, vol. XXIII, Part 2 (Singapore, 1950), pp. 76-77. Secretary, Prince of Wales Island, to the Secretary to the Government, Fort William, 26 June 1818. The source of information about Van Boekholz's expedition to Borneo was an English business house at Batavia. P. H. van der Kemp, "De commissiën van den Schout-bij-nacht C. J. Wolterbeek naar Malakka en Riouw in Juli-December 1818 en Februari-April 1820," *Bijdragen tot de Taal-, Land- en Volkenkunde van Nederlandsch-Indië*, vol. 51 (The Hague, 1900), p. 5.

²⁰ Copies of the treaties are included in Dutch Records, XXXI, no. 52 and no. 58. They are printed in *Treaties and Engagements Affecting the Malay States and Borneo*, ed. William George Maxwell and William Sumner Gibson (n.p. [London], 1924), pp. 20-21; 30-32. Cowan, "Early Penang and the Rise of Singapore," pp. 79-80, reprints five of the eight articles, attributing them to Maxwell and Gibson, from which source, however, Cowan's text diverges in minor details.

²¹ Text of the treaty is in Maxwell and Gibson, pp. 115-116. Farquhar's report is printed in P. H. van der Kemp, "De Singapoorsche Papieroorlog," *Bijdragen tot de Taal-, Land- en Volkenkunde van Nederlandsche-Indië*, vol. 49 (The Hague, 1898), pp. 444-446. When Farquhar got to Pontianak, on Borneo's west coast, he found a flotilla anchored there, the expedition under Van Boekholz. Farquhar therefore turned back to Riouw. Van de Kemp, "De Commissiën van . . . Wolterbeek." p. 7. See note 30 below.

²² Dutch Records, XXXI, no. 56, 2nd part.

torn off the same pad. While Farquhar was busy negotiating his treaties with a view to forestalling the Dutch, the Dutch showed up at Malacca.

Four years after they were authorized to resume possession, on 17 August 1818, two commissioners, Rear Admiral C. J. Wolterbeek and J. S. Timmerman Thijssen appeared at Malacca. The Resident alone, according to instructions from Prince of Wales Island dated 25 July 1818, was empowered to transfer the settlement to the Dutch commissioners, and in the event of his absence, the acting resident was directed to provide for their comfort and convenience while awaiting the Resident's return. Farquhar was undeniably absent, and had they then known what was detaining him, their vexation would no doubt have mounted to even greater heights. As it was, they took umbrage at having to wait for Farquhar and addressed themselves to Pulo Penang. Bannerman with what appears to be studied delay replied about the beginning of the third week in September, and alluded to the three years the Dutch had kept the English waiting, trusting that the return of Farquhar on 1 September had not inconvenienced them; and he pointed out that they had not taken the trouble to notify the Government of Prince of Wales Island of their impending arrival.²³

In the course of October, Farquhar and the commissioners discussed the British claims to the east of Malacca. On 22 October he wrote to them:

Adverting to the tenor of the conversation which took place at the Government house on the evening of the 16th instant between Your Excellencies and myself relative to the probable views of the British Government, of forming a settlement at the Carimon islands²⁴ or at some other eligible situation to the eastwards of Malacca, I am most solicitous to prevent any misunderstanding arising from ambiguity of expression upon such a subject. I therefore conceive it proper to apprise your Excellencies officially that

²³ Van der Kemp, "De Singapoorsche Papieroorlog," pp. 443; 446—447. The acting Resident was Kenneth Murchison, collector of customs.

²⁴ *Sailing Directions for Malacca Strait and Sumatra*, H. O. Pub. No. 162, 4th ed., issued by the Hydrographic Office under the authority of the Secretary of the Navy (Washington, D. C., 1952), pp. 175; 177, describes Great and Little Karimon Islands, which are west and somewhat south of Singapore Strait, as hilly, on the whole not unhealthy in climate, and with few inhabitants. Little Karimon is "a high, bold island, 2.5 miles in length." Great Karimon is 10 miles long and described as having "a good anchorage during the southwest monsoon," but there is no mention of any harbors currently in use.

friendly communications have already been made with the constituted authorities of Linga and Riouw²⁵ and their permission obtained for examining and surveying the Carimon and neighboring islands and also with a general concurrence in the views of our Government and that the subject is at present under reference of the Supreme Government at Bengal.²⁶

Officially notified of the reason for Farquhar's absence at the time of their arrival, the commissioners took nine days to file their protest (31 October 1818). They acknowledged receipt of the copies of the treaties that Farquhar had sent them, but they maintained that "this disclosure seems to us a bit strange, seeing that the agreements concluded with the Sultan of Riouw contain several articles which he had not the right to sign without having previously notified the Netherlands Government." They felt that the Major had ignored the relationship subsisting between the sultan and their government, and undertook most courteously to instruct him briefly as follows:

That the entire kingdom of Riouw, Johore, Pahang, after having revolted and committed many hostile acts against us, was wholly subjugated and conquered by force of arms by the [Dutch] East India Company in 1784, and by agreement of 2 November 1784 given as a feudal fief to his Highness Prince Alsoe, Padoeka Sri Sultan Mahmoed and his ministers, and that in the same agreement the said Sultan formally declared himself and his descendents to be vassals of Holland

In view of the fact that since that time nothing has occurred which could have nullified the said treaty, we make it a point of requesting you, Sir, to convey this information on this matter officially to your Government in order to avoid a period of misunderstanding which might become the cause of many disagreements between our Governments.

As for ourselves, we are obliged in our capacity as Commissioners to inform you, Sir, that we cannot permit the Sultan of Riouw, Johore, Pahang, etc., to cede the least bit of territory of Riouw, Johore, Pahang, etc., or of the neighboring islands which formed part of the former kingdom of Johore and Riouw.²⁷

²⁵ Variant spellings include Lingga, Lingen, Lingin, etc.; Riau, Rhio, Rio, etc.

²⁶ Van der Kemp, "De Singapoorsche Papieroorlog," pp. 447—448.

²⁷ *Ibid.*, pp. 448—449.

Farquhar replied at once (1 November 1818). He directed attention to the capture of Malacca by Britain in 1795, and to "the measures that were adopted at that time for giving entire and complete effect to the absolute independence of Sultan Mohammed at Riouw, Lingen etc. and that the exclusive control and hereditary possessions were secured to him by a pledge of British authority. No circumstance", he added, mocking the Netherlanders' statement, "has since occurred to invalidate such definitive negotiation; it will therefore be obvious to your Excellencies that any references to arrangements respecting the former Dutch Company (which has long ceased to exist),²⁸ have no relative analog to the present subjects . . ." Finally, Farquhar drew their Excellencies' attention to the fourth article of the standard treaty of commercial alliance that he and Cracroft had been negotiating, "in which it is expressly stipulated, that the latter [i.e., the Sultan of Johore, Pahang, etc.] shall not renew any obsolete or interrupted treaties with other nations, the provisions of which may in any degree exclude or obstruct the free trade of British subjects."²⁹

Farquhar's communication of his treaties to Wolterbeek and Timmerman Thijssen had been at Bannerman's direction. The governor of Prince of Wales island congratulated himself upon the fruits of Cracroft's and Farquhar's negotiations and regarded his precautionary measures, "undertaken from no improper views of ambition, or unjust aggrandisement" but solely to guarantee freedom of trade in the neighboring Malay states, as justified by the exhibition of Dutch "measures of force and violence" in seizing control over Pontianak,³⁰ where the Equator crosses the western coast of Borneo. In a communication to the Calcutta authorities, Bannerman sketched a potentially critical situation:

The extraordinary assumption of the place [Pontianak] by the Netherlands Government at Java, contrary to the will of its monarch,³¹ will no doubt prove to His Lordship in Council the

²⁸ The Company was several years in dying. Its charter expired 31 December 1799.

²⁹ Van der Kemp, "De Singapoorsche Papieroorlog," pp. 449—451.

³⁰ The Commissioners General had named J. van Boekholz commissioner to re-establish Netherlands authority at Pontianak. He arrived there on 18 July. Farquhar presently showed up. On 10 August the Netherlands flag was hoisted. J.J. Meinsma, *Geschiedenis van de Nederlandsche Oost-Indische Bezittingen*, 2 vols. in 3 parts (Delft, 1872-1875), II (1), 153. See note 21 above.

³¹ The basis for this statement is obscure even, or especially, if it is realized that "its monarch" means the local chief of Pontianak.

necessity of the British Government in India, watching with some care and jealousy, the powerful efforts which the Dutch are now making in every part of the Eastern seas, to extend their influence and possessions, and supplant the credit and trade of every other European nation. To accomplish these ends, they are in possession of abundant means, by the arrival of a large reinforcement of troops from Europe, and as it appears by the last accounts from Java, that this power has already interposed an European force of upwards of 12,000 men between China and our Indian possessions, it need not be pointed out to His Lordship in Council, that the high road to our great China trade will soon be effectually commanded by the Dutch, if they pursue their present system of conquests, and continue to multiply their establishments to the Eastward.

While reporting the recommendation to him of "the occupation of Carimon Island as a protection and balance against the growing influence and power of the Dutch in the Straits of Malacca," Bannerman admitted that "the expence of forming a Settlement on an uninhabited Island would be enormous, and the insulated situation of Carimon and its remoteness from all support would require a considerable military force to protect it . . ." He therefore referred the subject "entirely to the superior judgment of the Supreme Government," but emphasized "his decided conviction" that something ought to be done at once to prevent the Dutch at Malacca from resuming their former practice of compelling all native craft traversing the strait to touch at that port.³²

The Dutch were shortly to justify Bannerman's alarms. According to the instructions issued to Wolterbeek and Timmerman Thijssen in July 1818, Wolterbeek was to proceed to Riouw and environs to negotiate

³² Cowan, "Early Penang and the Rise of Singapore," pp. 80—82. The Secretary, Prince of Wales Island, to the Chief Secretary to the Government, Fort William, 19 September 1818. This document printed in full by Cowan is taken as more authoritative and accurate than the statement by W. Roose-gaarde Bisschop, "Onderzoek van Stukken in het India Office," *Bijdragen tot de Taal-, Land- en Volkenkunde van Nederlandsch-Indië*, vol. 47 (The Hague, 1897), p. 199: "Already on 17 October 1818 the President in Council of Prince of Wales' Island reported to the Governor General that in view of the mission of Van Braam to the Straits, an embassy was sent by him to the courts of Perak and Selangor and Colonel Farquhar was designated to promote British interests on Borneo, at Riouw, and in Siak 'for fear that

with the native princes to renew treaties formerly binding them to the Netherlands East India Company. In Riouw it was important to remember that these engagements had been abandoned by the Netherlands authority at Malacca (meaning the decision in 1795 of Governor Couperus), "but that this act was never recognized by the Government, let alone approved."³³ Leaving Malacca, on his way to Riouw, on 6 November 1818 Wolterbeek entered the strait of Singapore, presently to see the expedition of Raffles, and two days later anchored near the Riouw Archipelago. The underking Djafar came from Lingen, equipped with plenipotentiary powers by the sultan, and declared himself ready to negotiate. He emphasized that he represented an independent power on the basis of the declaration of 1795 by the governor of Malacca. He was unable to act, however, without the tumungong of Johore, who showed up on 21 November. It took a week to negotiate the agreement, the delay being caused by the Dutch desire to have Riouw pay for a Dutch garrison to be established there. By 28 November everything was completed and the treaty signed with due ceremony. It annihilated Farquhar's treaty of scarcely three months before, and while guaranteeing freedom of commerce at Lingen and Riouw proper, closed all other ports in the kingdom to all save native and Netherlands vessels. Wolterbeek quit Riouw on 3 December 1818 leaving Artillery Captain Königsdörffer as Resident, and reached Batavia on the 17th where he found lying in the roads the ships which were to bring the Commissioners General back home.³⁴ The Underking had explained his now voided treaty with Farquhar on the ground that the British had tricked him into thinking that the Dutch were about to take his country; but he also wrote to Farquhar that he had signed with the Dutch because they had threatened him with force.³⁵ Confronted by two European

the Dutch might re-establish their monopoly of former years.' " The date of this report from Bannerman is a month later than Cowan's document. Prince of Wales Island was to be sure a Presidency at this time, but its head was customarily termed the Governor in Council. Farquhar in 1818 was still a major, as is shown by the title he used in signing treaties. Rosegaarde Bisschop was summarizing a document received in London from Bengal, apparently reporting a dispatch from Penang. Cowan's document is direct from Penang and is reproduced in toto.

³³ Van der Kemp, "De commissiën van . . . Wolterbeek," pp. 77—78.

³⁴ *Ibid.*, pp. 26—39. See below, p. 45.

³⁵ Richard O. Winstedt, "A History of Malaya," *Journal of the Malayan Branch of the Royal Asiatic Society*, vol. XIII (Singapore, 1935), p. 170. Winstedt puts Wolterbeek (with initials reversed) at Riouw in September, at which time he was actually at Malacca.

powers, he dealt with each, and awaited the outcome. It was not long in emerging.

While Farquhar's measures, originating in the Government of Penang, to head off the Dutch, had received the approbation of the Supreme Government,³⁶ Raffles' steps toward expanding English influence in Sumatra at Dutch expense had produced nothing but reprimands from the Governor General, repudiation of his endeavors, and in London vigorous denunciation. He was ordered to cede Padang to the Dutch and to evacuate the Lampongs, renouncing hopes for a station on Semangka Bay. In connection with his effort to win influence at Palembang, whither he had dispatched a small military force which was ignominiously coralled by the Dutch and deported to Java, he was again repudiated.³⁷

While still in England, in 1817, Raffles in letters to Dutch officials had voiced his continuing interest in Java, although he insisted that his concern was "the cause of humanity and the improvement of society," rather than "any immediate interest in Java as a colony."³⁸ These high-minded asseverations did not relieve the nervousness of Netherlands officials in the East. In the same month that he took up his post at Bencoolen, Elout wrote from Batavia: "Governor General van der Capellen . . . has the same feeling as I that the proximity of Mr. Raffles in these Straits pleases us not. He doesn't take his eyes off Java."³⁹ And a month later, referring to Raffles' efforts to expand in Sumatra, Elout sounded troubled, "His being in the neighborhood bodes us no

³⁶ Cowan, "Early Penang and the Rise of Singapore," p. 85. Secretary to the Government, Fort William, to Major Farquhar, 27 November 1818.

³⁷ Cf. P. H. van der Kemp, "Sumatra's Westkust naar aanleiding van het Londensch Tractaat van 13 Augustus 1814," *Bijdragen tot de Taal-, Land- en Volkenkunde van Nederlandsch-Indië*, vol. 49 (The Hague, 1898), pp. 205—306. This has been ignored, e.g., by Lady Raffles, Boulger, and Egerton; but see Wurtzburg, *Raffles*, pp. 475—478, for instances of the repudiation of Raffles' zeal by the authorities in England. Bernard H. M. Vlekke, *Nusantara. A History of the East Indian Archipelago* (Cambridge, Mass., 1944), p. 260. General interest in England may be inferred from the appearance of Raffles' protest to the Dutch against their "aggressions" in the *Malayan Archipelago* in the *Annual Register* for 1819 (London, 1820), pp. 216—232.

³⁸ Colenbrander, *Gedenkstukken*, III, 281. Raffles to Van Hogendorp, 3 November 1817: "You will at all events give me credit for not acting upon so narrow a principle as national prejudice." See also *ibid.*, II, 160—161. Raffles to Falck, 3 November 1817. Raffles was recommending two Dutch officials to Falck.

³⁹ *Ibid.*, II, 183—184. Elout to Hendrik Fagel, 29 March 1818.

good." But he added cheerily: "I hear that the Marquis of Hastings is not his friend."⁴⁰ Raffles in the course of the year came to realize that this was a fact, and presently saw that he could do nothing until he had won the Governor General to his side. Nor was Raffles any more highly regarded by the Foreign Secretary in London. In the course of a conversation with the Netherlands ambassador, Castlereagh went out of his way to repudiate Raffles. "He has gone *ultra crepidem* [beyond the limit]. This was the expression he used. I can tell you that these few words," added the ambassador with obvious sincerity, "(not provoked by me but issuing spontaneously from the lips of Lord Castlereagh) gave me the more pleasure in so far as they confirm all that I've been sending you on the subject of *sieur* Raffles."⁴¹ If Castlereagh had known what Raffles was then doing in the East Indies, it might have placed his lordship's Latin under a severe strain.

B. Raffles Occupies Singapore

Raffles decided that he must visit Calcutta, assuage the annoyance of the Governor General, the Marquis of Hastings, and win his approval of a bold move against the Dutch. It took several months. From the unquenchable optimism of his letters it is difficult to piece together what happened, but he was able to write on 16 October 1818 to William Marsden, his admired friend, a distinguished scholar and author of a *History of Sumatra*, (published in London, 1783): "You will be happy to hear that I have made my peace with the Marquess of Hastings I am now struggling hard to interest the Supreme Government in the Eastern Islands" ⁴² A month later he was able to record progress in indoctrinating the Calcutta authorities with some of his ideas about the aggressive intentions of the Dutch and the need to offset them by prompt action. Since the reports coming from Bannerman's government at Penang were of the same tenor, they helped reinforce Raffles' arguments, but of this there is no acknowledgment in his letters. He wrote to Marsden from Calcutta on 14 November 1818:

"All parties [in the Government here] are now united in opposing the grasping and excluding policy of the Dutch . . . and to bring the results of my visit to a conclusion, I have now to inform you, that it is determined to keep the command of the Straits of

⁴⁰ *Ibid.*, II, p. 190. Elout to Fagel, Batavia, 27 April 1818.

⁴¹ *Ibid.*, II, p. 205. Fagel to Van Nagell, London, 12 January 1819.

⁴² Lady Raffles, *Memoir*, p. 369.

Malacca by forming establishments at Acheen⁴³ and Rhio, and that I leave Calcutta in a fortnight, as the agent to effect this important object. Acheen I conceive to be completely within our power, but the Dutch may be before-hand with us at Rhio — they took possession of Pontiano and Malacca in July and August last;⁴⁴ and have been bad politicians if they have so long left Rhio open to us.⁴⁵

In the estimate of time needed to conclude his visit, he was as usual optimistic, since he wrote to Marsden from the ship *Nearchus*, "off the Sandheads,"⁴⁶ on 12 December 1818:

We are now on our way to the eastward, in the hope of doing something, but I much fear the Dutch have hardly left us an inch of ground to stand upon. My attention is principally turned to Johore, and you must not be surprised if my next letter to you is dated from the site of the ancient city of Singapura.⁴⁷

Raffles had succeeded in establishing, at least temporarily, better relations with Hastings, although not as cordial as he thought them to be,⁴⁸ and he evidently had sought and failed to persuade the Governor General to share his ambitions for the extension of British influence in Sumatra;⁴⁹ but he brought away with him instructions tailored to his taste. From the pen of J. Adam, "Chief Secretary to Government,"

⁴³ Also spelled Achin, Atjeh, Acheh, Atsien. To the historian of Sumatra he did not need to locate Acheen as he did in a letter to Colonel Addenbrooke as "the most Northern Kingdom of Sumatra and which commands the Northern entrance" to the Strait of Malacca. "The Founding of Singapore," *Journal of the Straits Branch of the Royal Asiatic Society*, vol. I (Singapore, December, 1878), p. 178. The letter is dated Singapore, 19 June 1819.

⁴⁴ Not merely is the month wrong for Malacca, but the Dutch took possession legally, by virtue of a treaty, which is hardly a sign of aggressive intent.

⁴⁵ Lady Raffles, *Memoir*, p. 371.

⁴⁶ A pilot station off the entrance to the Hooghly River, which is "the means of access of ocean-going vessels to Calcutta," about 83 miles upstream. *Sailing Directions for the Bay of Bengal*, H. O. Pub. No. 160, 4th ed., issued by the Hydrographic Office under the authority of the Secretary of the Navy (Washington, D. C., 1951), pp. 69; 71.

⁴⁷ Lady Raffles, *Memoir*, p. 374.

⁴⁸ Boulger, *Raffles*, p. 297. Wurtzburg, *Raffles*, pp. 460—461, quotes a dispatch from Hastings to the Secret Committee (25 November 1818) containing a generous appreciation of his motives, expressing "general confidence" in Raffles.

⁴⁹ Lady Raffles, *Memoir*, p. 370.

under date of 28 November 1819, he received instructions of which the relevant paragraphs follow, showing the extent to which a community of outlook had been achieved.

2. The proceedings of the Dutch Authorities in the Eastern Seas, as represented to this Government by your dispatches, and those of the Governor in Council of Prince of Wales' Island, leave no room to doubt that it is their policy, by possessing themselves of all the most commanding stations in that quarter, to extend their supremacy over the whole Archipelago. The success of this project would have the effect of completely excluding our shipping from the trade with the Eastern islands, except on the terms which the Dutch Authorities might impose, and would give them the entire command of the only channels for the direct trade between China and Europe, which, under circumstances easily supposeable, without contemplating actual hostilities, would greatly impede the prosecution of that valuable commerce.

3. Under these impressions it appears to the Governor-General in Council to be an object of essential importance to our political and commercial interests, to secure the free passage of the Straits of Malacca, the only channel left to us It is chiefly with this view that the proposed arrangement at Acheen has been determined without further reference to the authorities at home; but the most material point to attain, and that which will indeed constitute the only effectual means of accomplishing the object of securing a free passage, is the establishment of a station beyond Malacca, such as may command the southern entrance of those Straits.

To achieve these ends, the Port of Rhio appeared most suited: "Its position, just beyond the entrance of the Straits, exactly in the track of shipping passing in or out of them, enables it effectually to command both the Straits of Malacca and of Singapore." This is the first mention in the official documents of 1818 of Singapore Strait. Denying the right of the Dutch to Rhio, the instructions referred to Farquhar's recent treaty with Rhio as jeopardized by the exclusive policy of the Dutch. Should Rhio still be free of Dutch authority, "measures should immediately be taken for permanently establishing the British interests at that port." The objective was "not the extension of any territorial influence" but the promotion of commerce. "Acheen and all interests within the

Straits of Malacca" were to be subordinated to Prince of Wales' Island, but "our relations with Rhio and Lingen, and the general management of our interests beyond the Straits of Malacca" were to be "under your immediate control as Lieutenant-Governor of Bencoolen." Should the Dutch have established themselves at Rhio, "you will, of course, abstain from all negotiation and collision."⁵⁰

One week later, supplementary instructions were issued from the same pen, since it subsequently had "occurred to the Governor General in Council, that in the event of the previous occupation of Rhio by the Dutch, or other circumstances preventing the accomplishment of our views at that port and at Lingen, it might be expedient to establish a connection with the Sultan of Johor on the same footing as is now contemplated with Rhio and Lingen." It is clear from this that the relations between Johore and Rhio and Lingen were not at all grasped at Calcutta, and the instructions admit "the imperfect information" both of geography and "the conditions and relations of the State of Johor." Hence the Supreme Government would "prefer a connection with the Chief of Rhio and his immediate superior, the Rajah of Lingen, if it be practicable." For this reason, "caution and circumspection" were urged if Raffles had to deal with the little known state of Johore, and he was to make preliminary inquiries, both with respect to a possible suitable location and regarding "the degree of independent authority exercised by the Chief," and his relations to the Dutch and Siamese. "There is some reason to think," continued the instructions in words which Raffles was presently to ignore and defy, "that the Dutch will claim authority over the State of Johore by virtue of some old engagements, and though it is possible the pretension might be successfully combatted, it will not be consistent with the policy or present views of the Governor General in Council to raise a question of this sort with the Netherlandish Authorities."⁵¹

On the same day that Adam drafted the initial instructions given to Raffles, he addressed a letter to Farquhar:

It is the wish of His Lordship in Council to secure the benefit of your experience & talents, in confirming and improving the rela-

⁵⁰ Printed in Boulger, *Raffles*, pp. 298—301. The document containing Hastings' grant of plenipotentiary authority to Raffles, under date of 5 December 1818, designating him as the Governor General's agent to negotiate "with the states of Johore, Lingen, and Rio," is reprinted by Van der Kemp, "Sumatra's West-kust," p. 269.

⁵¹ Reprinted in Boulger, *Raffles*, pp. 301—302. 5 December 1818.

tions thus established through your Agency. I am accordingly directed to request that you will accompany Sir Stamford Raffles on the Mission to which he is about to proceed to Rhio with a View to your remaining in the Local charge of British Interests in that quarter under the general Superintendence of the Lieut. Governor of Fort Marlbro', after the conclusion of the further arrangements which Sir Stamford Raffles has been instructed to endeavor to accomplish.⁵²

Précisely two weeks after the Calcutta authorities had issued these orders to Raffles and Farquhar, they were writing (19 December 1818) in reassuring terms to the Netherlands Commissioners General that all the matters still at issue would be settled in Europe: "We are persuaded, that no measures will be taken by your Excellencies any more than by the British Government, calculated to anticipate or embarrass the decision of our respective Sovereigns."⁵³

At Penang word had come in reporting "the actual and (as it may seem) the forcible possession by the Dutch of the ports of Rhio, Lingen, Johore and Pahang and of their dependencies." This was not accurate, neither Johore nor Pahang were actually occupied by the Dutch, but the news produced in Colonel Bannerman a sense of hopelessness: there was not a single port open to British merchants which was not now under the superior military and naval power of the Dutch. To attempt to negotiate any political arrangements among the states in the Eastern seas to offset the power of the Dutch, "it is needless to disguise, is now beyond the power of the British Government in India."⁵⁴ Raffles, too, sounded discouraged: to a correspondent he wrote: "God only knows where next you may hear from me By neglecting to occupy the place we lost Rhio." But whereas Bannerman saw the situation as past retrieving, Raffles remained in character: "I shall persevere steadily in what I conceive to be my duty. I think I may rely on the Marquess; his last words were, — 'Sir Stamford, you may depend upon me.'"⁵⁵

⁵² Cowan, "Early Penang and the Rise of Singapore," p. 85. The Secretary of the Government, Fort William, to Major Farquhar, Late Resident of Malacca, 28 November 1818.

⁵³ Van der Kemp, "Sumatra's Westkust," pp. 264—266.

⁵⁴ Cowan, "Early Penang and the Rise of Singapore," p. 87. The Secretary, Prince of Wales Island to the Secretary of the Government, Fort William, 30 December 1818. Raffles arrived at Penang the day after Bannerman composed this doleful message.

⁵⁵ Lady Raffles, *Memoir*, p. 374. The addressee is not noted in this letter dated Penang, 16 January 1819.

Apparently Raffles depended upon the Marquis of Hastings' overlooking his supplementary instructions of 5 December, for according to those terms, with Rhio, Lingen, Pahang, and Johore all reportedly under Dutch control, he should have refrained from eastern entanglements.⁵⁶

Instead, scarcely two weeks later, Raffles addressed Marsden on a note of triumph: "Here I am at Singapore, true to my word, and in the enjoyment of all the pleasure which a footing on such classic ground must inspire. The lines of the old city, and of its defences, are still to be traced, and within its ramparts the British Union waves unmolested." The Dutch assuredly had never had a factory there, "and it does not appear to me that their recent arrangements with a subordinate authority at Rhio can or ought to interfere with our permanent establishment here."⁵⁷

In the many published letters which Raffles wrote advertising his foundation of Singapore, to Marsden who was notable among British orientalisks, to the Duchess of Somerset, to Sir Robert Harry Inglis who upon his election to the House of Commons in May 1824 was to be identified as part of the East India Company interest,⁵⁸ and to Colonel John Peter Addenbrooke, "late Equerry to Her Royal Highness Princess Charlotte," the reader can learn of the superb prospects for the future of Singapore and of the wickedness of the Dutch, but it is impossible to discover from them precisely what their author had done. The letter to Addenbrooke is most informative, if not respecting actions, then in revealing Raffles' interpretation of what he had done and of the problems as he wished to see them. He set the stage in a romantic, exotic style. After directing the Colonel to the map to locate the island on which "are the ruins of the ancient Capital of 'Singapura,' or 'City of the Lion' as it is called by the Malays," he continued with dramatic license four months after the event: "Here I have just planted the

⁵⁶ Such was the subsequent interpretation of the Calcutta authorities. See their letter to Van der Capellen of 26 June 1819, below, pp. 55—56.

⁵⁷ Lady Raffles, *Memoir*, p. 376. Singapore, 31 January 1819. The date on this letter makes Lady Raffles' repeated misstatement that her husband "ten days after quitting Penang hoisted the British flag, on the 29th of February 1819, at Singapore . . ." (p. 375; 2nd ed., II, 11) doubly absurd. A recent Dutch history, H. J. de Graaf, *Geschiedenis van Indonesië* (The Hague, 1949), p. 383, says that Raffles hoisted the British flag at Singapore on 20 February 1819. This is wrong without being absurd. It is possible that Raffles hoisted the British flag on various days from the end of January to the end of February, but Lady Raffles' authority for making 1819 a leap year is not disclosed.

⁵⁸ Philips, *East India Company*, p. 328.

British Flag . . .” Ever since his return to the East he had observed the Dutch, who were not merely seeking supremacy over the whole of Borneo and Sumatra “and to exclude our nation from all intercourse with the other States of the Archipelago,” but in addition “they seem to have considered the degradation of the English character as necessary to their own Establishment. You may easily conceive how much annoyance this has given to me, and prepared as I was to remain a quiet spectator of all their actions, I have not found it possible to continue entirely neutral.” The irony in this picture was probably unintentional; the image of a patient, magnanimous Raffles tolerantly viewing the actions of the Dutch may have served as a tactical defense against his detractors, but it hardly corresponds to his behavior, which to a Netherlands official must have seemed to approach the paranoid. Raffles granted the Netherlands the right to the possessions assigned to them by treaty with “unparalleled generosity,” “and they were of course at liberty to act in them as they thought proper without reference to our interests.” Addenbrooke was doubtless unaware of Raffles’ letters of 3 November 1817 to Van Hogendorp and Falck, in which he offered them his advice in behalf of “the cause of humanity,”⁵⁹ which to the recipients might have seemed superfluous and meddling.

The injuries inflicted upon “*our* interests” were not all, he continued to Addenbrooke. “Those of humanity and civilization suffer more deeply.” The period in which British replaced Dutch control saw the rise of numerous independent states in the Archipelago which “advanced considerably in civilization” and in proportion their commercial needs and activity increased. “The latter is suddenly arrested by the withering grasp of the Hollanders.” Lord Hastings, appalled at the “moral turpitude” of the Dutch in threatening British trade and trade routes through the Strait of Malacca, had authorized Raffles to establish British influence at Acheen at the northern end of the strait, “and to fix upon some Station that might equally command the southern entrance.” And so he took up his post at Singapore. “It is a child of my own. But for my Malay studies I should hardly have known that such a place existed; not only the European but the Indian world also was ignorant of it As the Malays call it, it is ‘the Navel of the Malay countries.’” In this umbilical location, Raffles expected to see “a great commercial Emporium” radiating British political influence “as circumstances may hereafter require One Free Port in these Seas must

⁵⁹ See above, p. 30.

eventually destroy the spell of Dutch monopoly; and what Malta is in the West, that may Singapore become in the East.”⁶⁰

Before considering the obstetrical details in the birth of this child of Raffles, over which he passed without reference in his letter to Addenbrooke, a note would not be superfluous on the possible sources of his knowledge of the existence of the City of the Lion. Contrary to what Raffles wrote, Singapore was not wholly unknown to Europeans. In 1703, wrote Captain Alexander Hamilton in a book published at Edinburgh in 1727,

I called at *Johore* on my way to *China*, and he [the king of Johore] treated me very kindly, and made me a Present of the Island of *Sincapure*, but I told him it could be of no Use to a private Person, tho’ a proper Place for a Company to settle a Colony on, lying in the Center of Trade, and being accomodated with good Rivers and safe Harbours, so conveniently situated, that all Winds served Shipping both to go out and come into those Rivers. The Soil is black and fat: And the Woods abound in good Masts for Shipping, and Timber for building.⁶¹

Raffles may have been acquainted with this incident. In 1816 in his Berners street home in London working on his history of Java, he could very well have had occasion to consult a recent two volume work entitled *Oriental Commerce*,⁶² by William Milburn, like himself a servant of the Honourable Company. The book devotes a chapter to Java, which might have been a reason for Raffles to examine it, as well

⁶⁰ “The Founding of Singapore,” *Journal of the Straits Branch of the Royal Asiatic Society*, vol. I (Singapore, December, 1878), pp. 175—178. The letter is dated Singapore, 10 June 1819. Lady Raffles, *Memoir*, p. 379, reprints only some half-dozen sentences from this letter.

⁶¹ *A New Account of the East Indies*, original edition, Edinburgh, 1727; reprinted edition, ed. Sir William Foster, 2 vols. (London, 1930), II, 52—53.

⁶² The title continues: *Containing a geographical description of the principal places in The East Indies, China, and Japan, with Their Produce, Manufactures, and Trade, including the coasting or country trade from port to port; also the rise and progress of the trade of the various European nations with the eastern world, particularly that of the English East India Company, from the discovery of the passage round the Cape of Good Hope to the present period; with An Account of the Company’s Establishments, Revenues, Debts, Assets, Etc., at Home and Abroad*, 2 vols. (London, 1813). The possibility that Raffles might have been acquainted with Milburn’s book is pointed out by C. E. Wurtzburg, “Early References to the Suitability of Singapore,” *Journal of the Malayan Branch of the Royal Asiatic Society*, vol. III (Singapore, 1925), p. 105.

as a chapter on the Malay Peninsula in which (II, 320) the author refers to Captain Hamilton's visit to Johore in 1703: "The King made him a present of the Island of Sincapore, situated near the entrance of the River; ⁶³ but he declined taking possession of it, notwithstanding its convenient situation for trade, and the surrounding country being well supplied with excellent timber ⁶⁴ and trees fit for masts." On the same page Milburn describes the island of Bintang as "situated at the entrance of the Straits of Sincapore," and describes the sultan as having been "under the controul of the Dutch; but on the capture of Malacca by the English (in 1795), their influence was done away." Finally, a map facing page 295 of the same volume shows the island of "Sincapore" and also an island labeled "Carimon."

There is no compelling reason to assume that Raffles was familiar with Milburn's book or Hamilton's rejected gift: their names do not appear in Lady Raffles' memoir of her husband. But the name of William Marsden appears frequently, and he is acknowledged to be the author of a history of Sumatra.⁶⁵ Marsden had resided at Bencoolen long before Raffles reached that post. He had been secretary to the President and Council of Fort Marlborough prior to the appearance of *The History of Sumatra* (London, 1783). Although one may search in vain for mention of either Singapore or Johore, the map which forms the frontispiece shows opposite the mouth of the Johore River one unnamed island and another labeled Panjang (unmentioned in the index), a name which is borne today by two spots on maps of Singapore Island. More pertinent, however, is the new cartographic frontispiece printed in the third edition of this work, which appeared in London in 1811. The island labeled Panjang in the first edition is now identified as Singapura, and the text (page 327) relates that Malays moving from Palembang in Sumatra to the Malayan Peninsula "built their first city, which they called Siŋgapura (vulgarly Sincapore)..." It is far easier to believe that Raffles was familiar with this book than with the other works in which the island was mentioned, and this would, in one sense,

⁶³ The river could be the Johore, but Hamilton does not mention it; which might suggest that Milburn may have had in dependent knowledge of Singapore. Or, alternatively, Milburn may have garbled Hamilton's reference to "good Rivers."

⁶⁴ Again, Milburn may have had independent information, or he may have carelessly transcribed Hamilton's statement. Hamilton refers to "good Masts" but adds without adjectives "and Timber." How did Milburn know that the timber was "excellent?"

⁶⁵ Lady Raffles, *Memoir*, passim, e. g., p. 9.

not contradict that part of his statement in which he remarked that but for his Malay studies, which need not mean exclusively studies in Malay language, he "should hardly have known that such a place existed," although the ignorance of the European world, to say nothing of the navigators of the East India Company's China ships, was not as complete as he indicated. Nor were the Dutch ignorant of the existence of Singapore. Couperus had praised it.⁶⁶

In the midst of a letter requiring more than sixteen pages to print, to Sir Robert Harry Inglis,⁶⁷ dated Singapore, 12 June 1819, Raffles included his version of what he had done, as part of an "account of Singapore, our title to the place, its present condition and advantages, as well immediate as prospectively:

The Dutch in occupying Rhio had considered the Sultan of Lingen as the legitimate Sovereign of Johore. We found, however, that there was an older brother, who by the laws and usages of the monarchy laid claim to this distinction, and that in consequence of these disputed claims, neither of them had been regularly installed, and that consequently since the death of the father, which happened about six years ago, there had been actually no regularly constituted King of Johore. The elder brother's claims were admitted to be just, and the cause of his not being regularly crowned attributed to the intrigues of the Vizier or Rajah Moodah of Rhio, who had nearly usurped all authority, and who of course preferred a nominal superior to a real one. The empire of Johore was once one of the most extensive of this part of the world, even in its most limited extent: it included the southern part of the Peninsula, and all the Islands which lay off it. The Bandahara of Pedang and the Tumungung of Johore are the principal officers and hereditary nobles, and the acknowledgment of these two is essen-

⁶⁶ Similarly, he failed to acknowledge previous European contributions to knowledge of Java. See Vlekke, *Nusantara*, pp. 252—253, Couperus thought Singapore valuable. See Karel Maximiliaan Smulders, *Geschiedenis en Verklaring van het Tractaat van 17 Maart 1824, te Londen gesloten tusschen Nederland en Groot Britannië ter regeling van de wederzijdsche belangen en regten in Oost-Indië* (Utrecht, 1856), p. 33.

⁶⁷ Characterized in *DNB* as "an old-fashioned tory, a churchman, with many prejudices and of no great ability," Inglis (1786—1855) was the son of Sir Hugh Inglis, a director of the East India Company for six years between 1784 and 1809, and twice deputy chairman. Cf. also Philips, *East India Company*, pp. 336; 338. Lady Raffles listed Sir Hugh Inglis as one of the directors of whom he "had the happiness to possess the friendship." *Memoir*, pp. 597—598.

tial to the establishment of a new Sovereign. When I arrived off Singapore, I received a visit from the Tumungung, who represented to me the recent conduct of the Dutch, and stated that as the Dutch had treated with an incompetent authority, it was still left for us to establish ourselves in this division of the empire, under the sanction of the legitimate Sovereign. This Sovereign soon made his appearance, and though not yet formally installed, was recognized by us in that capacity, on his being acknowledged as Sovereign by the Bandahara and Tumungung. Fortunately also we discovered at Singapore a harbour more convenient, and a port more commanding than Rhio itself, and as no European authority had ever set foot on the Island, and the land was the property of the Tumungung, we did not hesitate to treat for the occupation of the port, and to establish ourselves pending the reference to Bengal. I have just received letters from Lord Hastings, conveying his entire approval of my proceedings, and an assurance that he is too well aware of the importance of the position, and of the necessity of opposing the encroachments of the Dutch, not to be deeply interested in the success of the establishment.⁶⁸

It was not merely the Dutch who “had considered the Sultan of Lingen as the legitimate Sovereign of Johore.” Major Farquhar on 19 August 1818, not half a year back, had signed a treaty with His Highness Jaffir Rajah Mudah of Rhio, identified as agent for his nephew, His Majesty Sri Sultan Abdul Rachman Shaw, King of Johore, Pahang, and Dependencies, including his residence, Lingen. (See p. 24, above). Even more embarrassing was the fact that Raffles himself (in 1813) had acknowledged Abdul Rachman as sovereign of Johore, Pahang, and all their dependencies. But both he and his uncle, Rajah Mooda of Rhio, were now under Dutch eyes. Abdul Rachman was the younger son of the last sultan, who had died in 1812, although of the more distinguished mother. His elder brother, Tenku Husain, was living quietly at Riouw. It was this elder brother whom Raffles called to mind, and while reneging on the previous uncontested recognition of Abdul Rachman, he determined, in the words of Sir Richard Winstedt, the noted British historian of Malaya, “to install Tenku Husain as the rightful Sultan of the old Empire of Johor. Evidently the Temenggong abetted him and apparently the . . . Underking at Riau [Jaffir Rajah

⁶⁸ Lady Raffles, *Memoir*, pp. 397—398. The entire letter covers pp. 384—401.

Mudah] gave his tacit consent, glad to satisfy so easily Husain and his friend the Temenggong and to trim so conveniently between the Scylla of Holland and the Charybdis of Great Britain.”⁶⁹

The Londoner reading *The Times* on Monday, 6 September 1819, could learn some details, thanks to the arrival of a batch of Calcutta papers. “On the 19th of January the expedition that had been prepared at Penang, took its departure, with Sir Stamford Raffles, for Johore in the straits of Sincapore. Major Farquhar embarked with the expedition, to command the troops that are employed. The vessels which composed it are, the *Indiana*, Captain Pearl, (having Sir Stamford Raffles on board), the *Nearchus* and *Minto* (cruisers), the *Mercury*, Beaumont, brig *Ganges*, and schooner *Enterprise*.”⁷⁰ Having landed at Singapore

⁶⁹ Winstedt, “History of Malaya,” p. 171. H. H. Dodwell, “The Straits Settlements, 1815—1863,” *The Cambridge History of the British Empire*, vol. II (Cambridge, 1940), p. 604, writes: “Singapore had in 1819 been granted to Raffles by Sultan Husain of Johore and the local chief who was actually ruling the island when the transfer was made.” This assumes that Husain was the genuine sultan of Johore, and erroneously describes the transaction as amounting to a transfer of Singapore in 1819. “The Dutch alleged that Husain was not the rightful sultan,” continues Dodwell, adding however, “but a younger brother whom Raffles had recognized as sultan in order to obtain a grant.” Husain was the *elder* brother of the sultan recognized by the Dutch (and Winstedt) as the legitimate ruler.

⁷⁰ The only satisfactory account of the events comprising the founding of Singapore is given by Wurtzburg, *Raffles*, 468—501, based upon much unpublished manuscript material. The ships were the *Nearchus*, *Minto*, *Mercury*, *Indiana*, *Ganges*, and *Enterprise*, as reported in *The Times*, plus the two survey ships, *Discovery* and *Investigator*, which joined the expedition at the Carimons. The *Discovery* was under the command of Captain Daniel Ross, “the famous hydrographer,” the *Investigator* under Captain J. G. F. Crawford whose manuscript diary Wurtzburg was able to use. The account of the expedition in Hosea Ballou Morse, *Chronicles of the East India Company Trading to China, 1635—1834*, 5 vols. (Oxford, 1926—1929), III, 364, lacks documentation and even plausibility: “On January 26, 1819, Major Farquhar and a detachment of troops, joined the next day by Sir Thomas Raffles, then Governor of Prince of Wales Island (Penang), proceeded in the cruisers *Investigator* and *Discovery* from Malacca to establish a settlement in the Straits. They first examined the Carimon Islands, but finding them unsuitable, they then, on the suggestion of Captain Ross, went to Singaporea Island. There they found a good anchorage with mud holding ground, and there they established the settlement.” Raffles, of course, was not Governor of Prince of Wales Island: this was Bannerman. The expedition could not have proceeded from Malacca: Morse’s source was unaware that this port was in Netherlands possession. There were two cruisers in the expedition, but they were the *Nearchus* and *Minto*, not the two survey ships. Finally, if the expedition had left Penang on 26 January, it could not have sailed the four hundred miles to Singapore, with a side trip to the Carimons, and been there by the 29th. In the favorable monsoon, Penang was six days from Singapore. See *Lady Raffles, Memoir*, p. 375.

on 29 January 1819, after a detour by way of the Carimons to satisfy Farquhar, Raffles on the following day (30 January) concluded five "Preliminary Articles of Agreement" with His Highness Datoo Tumungung⁷¹ Sree Maha Rajah Abdul Rahman Rajah of Singapoora, acting in behalf of himself "and for His Highness Sree Sultan Hussein Mahumud Shah Sovereign of Johore."⁷²

The first article granted the East India Company the right "to establish a Factory or Factories at Sincapoora or on any part of the Dominions over which the authority of His Highness extends." This would appear to embody a certain irony, since it was not past imagining that His Highness Datoo Tumungung Sree Maha Rajah Abdul Rahman might incur deposition and have no dominion at all. To offset this possibility, the Company in Article 2 engaged to take the Rajah of Singapoora under their protection. In compensation for the land the Company might occupy, they agreed to pay Abdul Rahman three thousand Spanish dollars a year. He bound himself, by Article 4, as well as his heirs and successors as follows: "That for as long a time as the Honorable the English East India Company shall continue to hold a Factory or Factories in his dominions and shall afford to His Highness its protection and support, His Highness will not enter into any treaty with any other Nation and will not admit or consent to the settlement in any part of his dominions of any other power European or American." If these terms had been part of a Netherlands treaty, it is reasonable to suppose that Raffles would have denounced them as exclusive. In the final article the contracting parties agreed that the details of the preliminary agreement should await "the arrival of His Highness Sree Sultan Hussein Mohammed Shah Sovereign of Johore who is understood to be now on his way hither."⁷³ As Raffles put it, "this Sovereign soon made his appearance," though he neglected to note that he had hired two

⁷¹ Also spelled Tammungung, Toomengoeng, Temennong, Toemengoeng, Toemengoeng, etc.

⁷² The text followed here is in Dutch Records, XXXI, no. 56. The version in Maxwell and Gibson, pp. 116—117, is evidently a summary.

⁷³ The terms of this preliminary treaty hardly amounted to "transferring the island of Singapore to the East India Company," as Dodwell, "Straits Settlements," p. 600, states. Vlekke, *Nusantara*, p. 261, the best treatment in English before the publication of Wurtzburg's book, says that Raffles "bought from the same sultan who a few months before had recognized the overlordship of Batavia, the island of Singapore." Like Dodwell, Vlekke mixes sultans, and alleges purchase of the island. In the subsequent revised Netherlands version, *Geschiedenis van den Indischen Archipel* (Roermond, 1947), p. 321, this misstatement is not revised by the author but simply translated into Dutch.

Malays at five hundred dollars each to fetch him from Rhio, which he left under the pretext of going fishing.⁷⁴

Several days after Hussein reached Singapore, a formal treaty of friendship and alliance was concluded (6 February 1819) between Raffles for the East India Company and their highnesses the brand new sultan and the chief of Singapore.⁷⁵ This treaty confirmed the preliminary articles of 30 January and provided for an annual payment of five thousand Spanish dollars to the sultan, as well as for the three thousand to the chief of Singapore. The Company pledged their protection to the sultan "so long as he may continue to reside in the immediate vicinity of the places subject to their authority," but disemboweled this guarantee in the next breath by making it clear that this protection did not mean that the Company was to be considered in any way "bound to interfere with the internal politics of his States or engaged to assert or maintain the authority of His Highness by force of arms." The sultan and chief however agreed "to aid and assist" the Company "against all enemies that may assail the Factory or Factories of the said Company," and engaged to exclude any other power, European or American, from settlement in any part of their territories. The Malay signatories did not renounce sovereignty over the island, as is evident from a stipulation (Article 7) providing for future arrangements for the administration of justice to the native population. While the expenses of the port were "to be defrayed by the British Government," the chief of Singapore was to be entitled to one-half of whatever duties should be levied on native vessels. On the same day (6 February 1819) Raffles issued a proclamation announcing the treaty, certifying the appointment of Major William Farquhar as Resident and in command of the military, "and all persons are hereby directed to obey Major Farquhar accordingly."⁷⁶

A third agreement, dated 26 June 1819,⁷⁷ between the Sultan and Tumungong on the one hand and Raffles and Farquhar on the other, specified the location of the factory and the governance of the settle-

⁷⁴ Winstedt, "History of Malaya," p. 172.

⁷⁵ The text, with minor variations, in Dutch Records, XXXI, no. 54; printed in Maxwell and Gibson, pp. 117—119 and in *A Collection of Treaties, Engagements, and Sunnuds, Relating to India and Neighboring Countries*, ed. Charles Umphertson Aitchison, 7 vols. (Calcutta, 1862; rev. ed., 1876), I, 327—329, contains only the agreement of 6 February confirming the first preliminary agreement. Subsequent editions, e.g. 4th, of 1909, II, 496—498, likewise reprint only the treaty of 6 February.

⁷⁶ Cowan, "Early Penang and the Rise of Singapore," pp. 89—90.

⁷⁷ Printed in Maxwell and Gibson, pp. 120—121; and in Aitchison, 3rd ed., I, 426—427; 4th ed., II, 498—500.

ment under the joint administration of both parties. It must be mentioned here that the East India Company only received the island of Singapore in full sovereignty by a treaty dated 2 August 1824, in consideration of which both the Sultan and Tumungong received monetary compensation.⁷⁸ This part of the story may well conclude with Winstedt's judgment upon the legal propriety of the agreements of 1819: "That Raffles had any shadow of right so to interfere in the domestic politics of a Malay empire bound for two centuries by intimate ties to the Dutch, no one can for a moment contend." In extenuation of the illegality of Raffles' ruse, he adds: "However the Eastern Seas had never been a school for fine sentiment and Raffles was not only sore at the loss of Java and Britain's place in the Malayan sun but felt honest indignation at the wretchedness Dutch tyranny and Dutch monopoly of trade had brought to the Malays."⁷⁹

C. The "Paper War" Over Singapore

The news of the British coup at Singapore reached Batavia two weeks after the event. Its reception is depicted in the journal of Rear Admiral C. J. Wolterbeek. As January 1819 was drawing to a close, one of the three Commissioners General, Baron van der Capellen, in accordance with previous instructions, was prepared to remain at Batavia as Governor General, while the other two, A. A. Buyskes and C. T. Elout, were on board the *Evertsen*, the ship that had brought them out to the Indies, in the roadstead of Batavia awaiting fair weather and a favorable wind to begin their homeward journey. The use of towing cables, anchors, and winches to snake the ship out of the harbor had failed or been frustrated by contrary winds, and hence on 13 February Elout and Buyskes were still on shipboard in the roadstead north of the city.⁸⁰ On this day the Rear Admiral wrote in his log:

The 13th, the wind in the morning being southerly, with moderate coolness, sent longboats and tow cables to help the *Evertsen* and *Prins Frederik*, on which ships they worked the winches (and also set sail), but quiet about six o'clock, and afterward cool westerlies; once more let things rest.

⁷⁸ Printed in Maxwell and Gibson, pp. 122—126; and in Aitchison, 3rd. ed., I, 428—431.

⁷⁹ Winstedt, "History of Malaya," p. 171.

⁸⁰ The port of Batavia and the prevailing winds for January-February are described in *Sailing Directions for Soenda Strait*, pp. 73—78.

Prow arrived from Malacca with letters for the Governor General. H. E. the Governor General informed me that the letters from the Governor of Malacca contained the news of the occupation of Singapore by the English. Proposed tomorrow to go once more to the roads to discuss it with Commissioners Elout and Buyskes.⁸¹

The Governor of Malacca, Timmerman Thijssen, had been co-commissioner with Wolterbeek the previous year when they had received the port from Farquhar. (See above, p. 25). On 14 February, Wolterbeek accompanied Van der Capellen to the roadstead, and being invited to participate in the conference as an expert, was asked "for information as to how far Singapore must be reckoned as belonging to the territory of the Sultan of Linga, Riouw, etc." Wolterbeek asserted "with complete certainty that Singapore island belongs to the territory of the sultan of Linga," of which Johore was an important part, and stated that the island of Singapore lay "no further from the coast than the breadth of a creek, affording small vessels a safe berth. And in all respects the population is subject to the Toemmengoeng of Djohor." Wolterbeek evidently knew of Johore Strait by hearsay only, since the relevant *Sailing Directions* describes "the channel between Singapore Island and the Malay Peninsula, formerly the passage by which all vessels proceeded between India and China when the main strait at present in use was not known to be navigable," as about 1500 yards wide. This old channel had been abandoned about 1785 in favor of Singapore Strait.⁸²

The Rear Admiral also gave it as his opinion "that as concerns the occupation of that island by the English, this was something that never in the world need have happened if only they had given heed to the letter written by Mr. Farquhar last year to the commissioners for the reception of Malacca and dependencies, dated 22 October . . ." (See above, pp. 25-26). As Wolterbeek reconstructed it, Farquhar must have succeeded in conveying to the government of Bengal the idea that Linga was independent, and in this conviction they must have authorized him to set up and maintain a port eastward of Malacca. He asserted that the English detour to the Carimons had only been a subterfuge, that the island of Singapore had been "already surveyed

⁸¹ Wolterbeek's journal is extensively reproduced by Van der Kamp, "De Singapoorsche Papieroorlog." pp. 410—412.

⁸² *Sailing Directions for Malacca Strait*, p. 221; John Cameron, *Our Tropical Possessions in Malayan India* (London, 1865), p. 29.

with precision by the English Company's sea captain Ross and found excellent for such an establishment."

The Asiatic Journal and Monthly Register for November 1819 (page 512) followed the reprinting of an unofficial report of the founding of Singapore taken from the *Calcutta Times* of 30 March 1819, with an item headed: "Survey of the New Settlement," consisting of Captain Ross's "nautical and topographic description." In it he refers to "Singapoora harbour," "the town of Singapoora," and a tower which would serve as a landmark. All of this strongly suggests that the "survey of the new settlement" was made after and not before the settlement existed, which seems in fact to be correct.⁸³

Wolterbeek appears to have been over suspicious. If he detected the alleged duplicity of Farquhar, to whom he assigned the leading role, he also recognized the innocence of the Supreme Government at Calcutta. "It appears to me thus that they managed to persuade the English government in Bengal (having kept it totally uninformed about all this) to grant its consent to such an occupation." He foresaw that having once granted its consent, the Bengal Presidency would not be able to order a withdrawal from Singapore without negotiations with Batavia. "Their Excellencies the Commissioners General seemed to share this conception," and Van der Capellen subsequently engaged in a singular correspondence.

Elout and Buyskes must not be left, like Flying Dutchmen, for eternity trying to round the cape out of the roadstead. Wolterbeek's journal recounts the slow removal of the ships. On 16 February they "set sail, but had to anchor again S. W. of the Island of Hoorn." Bad weather prevailed until the 22nd, when they were able to inch along about a mile and a half to the vicinity of the islet called Haarlem. Finally, on the 26th the wind shifted to the north and the ships passed the western point of the entrance to the bay. Fortune continued to withhold her favors. It took them over three weeks to get beyond the Sunda Strait; then, in the Indian Ocean the *Evertsen* sprang leaks which

⁸³ The *Calcutta Journal* of 19 March 1819 wrote of Singapore: "The bay is well known to our eastern navigators, and a survey of it has lately been made by Captain Ross of the Honourable Company's Marine." Quoted by Van der Kemp, "De Singapoorsche Papieroorlog," p. 471. What is meant by lately must be inferred. The survey of 1818 was made by Captain Crawford. See footnote 70, above. Wurtzburg, *Raffles*, p. 486, after describing the landing of troops and supplies says: "Captain Ross commenced a survey of the harbour . . ." And on p. 489: "During the first three days of February the survey of the anchorage continued."

were unstoppable. Thanks to two of the latest model French pumps and the seamanship of Buyskes, they managed to keep afloat for ten days and to come in sight of the island of Diego Garcia. Unable to sail into the bay, they would have been lost if it had not been for the American brig *Pickering*, out of Boston, Captain Edes. Without loss of life they transferred to the American vessel and two days later reached Diego Garcia. The *Evertsen* took fire and sank. Thanks to the *Pickering*, Elout and Buyskes were able to reach Mauritius by the middle of May. They were not to reach home until October.⁸⁴

Even before Timmerman Thijssen's report reached Batavia, he had taken some independent measures. He protested (10 February) both to Bencoolen and Penang, but Raffles was at the latter island, and Bannerman turned over to him the protest from the governor of Malacca. Raffles replied, thoroughly unrepentant, on 17 February. He had just been on the verge, he wrote, of apprising his excellency of the establishment of a British factory at Singapore. He now formally communicated that information, and notified the governor of Malacca that the protection of the British flag had been extended over Singapore port and island, "but as the views of our Government are strictly commercial⁸⁵ and as I was earnestly desirous of avoiding collision with the subjects of our ally, His Majesty the King of the Netherlands, whom I understand to be established at Rhio, it has been provided by the treaty, and form a part of it, that the British government is in no way bound to interfere with the politics of the adjacent states of Rhio, Linga etc or to assert the Sultans authority beyond that portion of the empire, in which it is now voluntarily acknowledged." Such was Raffles' interpretation of the clause of the treaty which stipulated that by the alliance with Sultan Hussain and the promise of protection, the Company was "to be considered in no way bound to interfere with the internal politics of his States or engaged to assert or maintain the authority of His Highness by force of arms." (See above, p. 44). The admission, implicit in the letter to Timmerman Thijssen that there had been a unified empire, only part of which acknowledged Hussain

⁸⁴ Van der Kemp, "De Singapoorsche Papieroorlog," pp. 411—412; Colenbrander, *Gedenkstukken*, II, 209—210. Elout to H. Fagel, Mauritius, 19 May 1819. The movements of the ships in the bay may be traced in *Sailing Directions for Soenda Strait*, pp. 67—70.

⁸⁵ Cf. the instructions of 28 November 1818, paragraph 3 (see above, p. 33): "... it appears to be an object of essential importance to our *political and commercial interest*, to secure the free passage of the Strait of Malacca . . ." (My italics).

as sultan, corroborates the Dutch thesis of territorial integrity, while by Raffles' interpretation of the treaty, Hussain was not forbidden to claim the whole empire of Johore, although the English were not pledged to uphold such a claim by military action. Finally, Sir Stamford rejected Timmerman Thijssen's effort to "invalidate the arrangements" he had made at Singapore and referred him to his superior at Bengal, while asking him "to transmit a copy of this dispatch to His Excellency the Governor-General at Batavia by the earliest opportunity."⁸⁶

By this time, of course, Van der Capellen had heard of the British occupation of Singapore and had discussed it with Elout, Buyskes, and Wolterbeek. On 25 February 1819 he drew up a document summarizing his views and decisions. "From the somewhat confused reports sent in by the Governor of Malacca," Van der Capellen concluded that "it appears almost certain" that a British force under Raffles and Farquhar "has indeed set foot upon the island of Singapore." This island was "a dependency of the empire of Linga, Djohor, Pahang, Riouw, etc.," with which on 28 November 1818 the Netherlands government had signed a treaty wherein the sultan "acknowledged being a vassal of H.M. the King of the Netherlands and as receiving his empire as a lawful and permanent feudal tenure." This document perpetuated the treaty of 1784 which had "never been nullified or altered," as the action of former Governor Couperus in ceding Riouw was null and void, never having been ratified by the government.⁸⁷ Malacca upon reverting to the Dutch therefore included all the prewar dependencies. Farquhar's "so-called treaty" of the previous August was null and void, the sultan lacking authority to sign such an agreement, and it was expressly outlawed when the sultan in the treaty of 28 November 1818 (Articles 22 and 23) obligated himself never to cede any part of his territories nor to conclude treaties with other powers without consent of the Netherlands government, and abrogated all prior treaties. "From the above, it is sufficiently obvious that we have good reason for complaint against the actions of the British authorities." Van der Capellen adopted Wolterbeek's thesis of the innocence of the British governor general, who was therefore to be informed of the illegal actions of his subordinate and requested to issue orders to stop the

⁸⁶ Van der Kemp, "De Singapoorsche Papieroorlog," pp. 456—457. Raffles to Timmerman Thijssen, Prince of Wales Island, 17 February 1819.

⁸⁷ This was in reference to the point made by Farquhar in his letter of 1 November 1818 to the two commissioners at Malacca. See above, p. 27.

meddling with territories directly or indirectly under Netherlands authority. The Toemengoeng of Johore was to be "called to order as to his behavior and warned about his duty" by the governor of Malacca, who was to be chided for his hasty and ill-considered actions as well as for his failure to keep Batavia properly informed.

Timmerman Thijssen was to be instructed to discover precisely where the British had violated Netherlands rights, and he was "to send thither a trustworthy and capable person with a courteous letter" to inform them that they were trespassing, together with a request that they withdraw. Should evacuation not ensue, the trustworthy and capable bearer of the courteous letter was "to protest most emphatically in writing" and return to Malacca. A naval demonstration, "as soon as the monsoon permits," was "to remind the Native Princes of their obligations," and the garrisons at Malacca and Riouw were to be kept up to a satisfactory strength. Finally, the Colonial Minister at home was to be informed about the situation.⁸⁸ In view of the restrained nature of the proposals of the Supreme Government at Batavia, it seems inconsistent for it to have reproached the governor of Malacca with failure to show greater strength. Yet it was Timmerman Thijssen who thereafter drew condemnation for failing to retrieve Singapore for the Dutch, although P. H. Van der Kemp held that there was little that he could have done. He was an easygoing man, and the worst thing that could be said of him was that even the English liked him.⁸⁹

In accordance with the relevant decisions, Van der Capellen on the same day, 25 February 1819, addressed a letter to Hastings. His tone was one of profound regret at having to complain once more about Raffles. He rehearsed the course of events, enclosed a copy of Wolterbeek's treaty with Sultan Abdul Rahman of the previous November, whereby the empire of Johore, Pahang, Rhio, Lingen, etc., was forbidden to alienate any of its dependencies without Netherlands approval, and, setting forth the doctrine of the revival after 1814 of all Dutch rights arising out of the treaty of 1784, sought to controvert Farquhar's argument in justification of his treaty of the previous August. Van der Capellen referred to the non-ratification of Couperus's actions.

⁸⁸ Van der Kemp, "De Singapoorsche Papieroorlog," pp. 463—467. On p. 463 the date is given as 25 February 1829, although the text, p. 419, cites the correct date.

⁸⁹ *Ibid.*, pp. 404—405.

It remains for me only to mention one fact... which is so directly opposed to that spirit of fair play which marks every measure of your Excellency and of the nation whose affairs you so gloriously direct in the Indies, that I am persuaded that it will be sufficient to point it out to your Excellency for you to disapprove independently the main question at stake. It seemed that sir [T. S.] Raffles and major Farquhar were accompanied by a certain Toekoelon [Husain], brother of the reigning Sultan of Linga, etc., and a pretender to the throne which the latter has occupied for several years. The presence of a discontented chief raising pretensions to the throne, surrounded by a display of force, and supported by British officials, could have troublesome consequences, and in any case gives these officials the appearance of wishing to foment trouble and discord.

"With entire confidence," Van der Capellen ended his letter, "I rely upon the measures which your Excellency without doubt will take as a result of the representations which are the subject of this dispatch."⁹⁰

It would be easy on the basis of this dispatch to characterize Van der Capellen as a naive man and certainly too artless to be the chief field officer of a colonial empire; and in the light of the ultimate retention of Singapore by the British one might be tempted to claim for this verdict the endorsement of history. Yet read in 1819 with a mind free of the contamination of hindsight, this dispatch sounds not at all artless or naive; and as for the appeal to the high court of history, it is worth noting that the bench is not of one opinion. In the judgment of Bernard H. M. Vlekke, hardly a partisan of Raffles, Singapore was intended to become "an anti-Batavia," but "in our time it has been Batavia's citadel;"⁹¹ and surely British power was better able to guarantee this citadel than the Dutch would have been. The early months of 1942 made the issue academic for the moment, while Indonesian independence made even the name of Batavia vanish from the map. The verdict of history seems to depend, like the judgments of other courts, upon the moment in time when the court convenes.

If the probable considerations in Van der Capellen's mind can be inferred from the events with which his familiarity can be assumed, his

⁹⁰ *Ibid.*, pp. 480—483.

⁹¹ Vlekke, *Nusantara*, p. 264.

dispatch appears reasonably realistic.⁹² In the first place, he must have known that the Kingdom of the Low Countries had only been erected with British support. It was even viewed by a foreign observer as a sort of subsidiary of the London cabinet.⁹³ The British government regarded the maintenance of the Netherlands as essential to their own policies.⁹⁴ In execution of this principle, had not the British turned back to the Dutch the colonies they might very well have kept? On general principles, Van der Capellen was entitled to expect the British to respect Netherlands colonial possessions without being regarded as an irrational dreamer. Second, he was aware that Hastings had not merely passed on to his bothersome subordinate the scoldings of London but had also personally found him difficult. For this reason, the British Governor General might well take offense at having been deceived⁹⁵ by Raffles. Finally and most important of all, Van der Capellen had previously protested to Calcutta about Raffles, and in each instance, with respect to Padang, Palembang, and the Lampongs, the Bengal Presidency had rebuked its overzealous agent and ordered him to renounce his gains in favor of the Dutch. Why should not Van der Capellen therefore expect the pattern to be repeated? Indeed, he may be credited with genuine and not merely diplomatic sincerity in his tone of distress at having to bother Hastings once again, just as he was sincere and not childish in his belief that the noble lord, once the facts were made known to him, would snap Raffles back to Bencoolen in disgrace.

Furthermore, although on 25 February 1819 no word of it was likely to have reached Batavia, there was opposition to the foundation of Singapore within the English ranks. Hastings' first reaction was hostile.

⁹² There is no intention here of characterizing Van der Capellen but only to indicate the probable basis of his thinking. He was capable of indignation and naivité: see below, pp. 59-60. A subordinate of Raffles, Captain Thomas Otho Travers, who met Van der Capellen found him to be formal, "not a man of talent, ability, or business;" while Elout in contrast he thought "one of the keenest, sharpest, offhand men" he had ever met. Wurtzburg, *Raffles*, p. 438.

⁹³ Thus on 1 July 1817, Czernicheff, a Russian general and adjutant to the tsar, wrote to Alexander I from The Hague: "The Kingdom of the Netherlands can only be considered a province of England The King has subordinated his policies wholly to those of the London cabinet." Colenbrander *Gedenkstukken*, I, 636.

⁹⁴ Against the danger of France, wrote Wellington from Paris on 19 March 1818, "the truth is that the Netherlands are the advanced post of Europe." Colenbrander, *Gedenkstukken*, I, 108-109.

⁹⁵ And disobeyed, although this could not have been known at Batavia.

On 20 February 1819 he wrote to Bannerman: "Sir Thomas Raffles was not justified in sending Major Farquhar eastward after the Dutch protested; and, if the Post has not yet been obtained, he is to desist from any further attempt to establish one."⁹⁶ Colonel John Alexander Bannerman, although demonstrably no partisan of the Dutch, as Governor of Prince of Wales Island regarded his station as a sufficient English settlement on the Strait of Malacca. Singapore was therefore redundant and its founder an interloper. Was not Penang situated in the strait, which might therefore justifiably be thought its arena, while Bencoolen was on the far side of Sumatra? Unaware of the secret orders given to Raffles, Bannerman refused to send reinforcements to Farquhar's troops at Singapore, and he advised him that if the Dutch appeared with a larger force, it would be no loss of a soldier's honor to evacuate the post.⁹⁷ Bannerman held that Raffles had infringed upon the Dutch sphere, and he communicated these views to Calcutta where they were not without support. Simultaneously he attempted to expand Penang's influence by means of treaties with the mainland princes, but in this he was very careful. In sending an agent to Salangore, about two-fifths of the way down the peninsula toward Singapore, to obtain the island of Pancore, he gave instructions under date of 20 March 1819 that the agent was to inform himself as to the rights of the reigning prince over the island, so "that the Netherlands Government

⁹⁶ Boulger, *Raffles*, p. 318.

⁹⁷ Raffles wrote to Marsden from Singapore, 31 January 1819, "I have however, a violent opposition to surmount on the part of the Government of Penang." Lady Raffles, *Memoir*, p. 376. Boulger, *Raffles*, pp. 320-323, reprints Bannerman's minute of 14 March 1819, confirming the Dutch understanding of the legitimate sultan, and proposing to induce Farquhar to withdraw and evacuate Singapore to avoid bloodshed with the Dutch. Hastings (*ibid.*, pp. 324-325) censured Bannerman for forsaking his fellow countryman. Hastings entertained doubts as to the legitimacy of Raffles' transactions, which he he thought might "have unjustifiably placed us in a most awkward position." His confidence in the accuracy of his rejoinders to Batavia lacked complete conviction: "I am inclined to believe that the exposition which I make respecting Singapore is correct, though I still hold a reservation in my mind for particulars which Sir S. Raffles may have neglected to state." On the other hand, "the station appears to be exceedingly important for the security of our shipping. . . . Our present debate [with Van der Capellen] on the right of occupation could not be brought to anything like a decision for many months. . . . The litigation appears likely to be interminable. In the mean time, we are in possession." Historical Manuscripts Commission, *Report on the Manuscripts of Earl Bathurst Preserved at Cirencester Park* (London, 1923), pp. 468-471. Hastings to Bathurst, Calcutta, 23 March 1819, 11 April 1819, and 11 May 1819.

could not raise an equitable claim to it afterwards.”⁹⁸ This was, however, no more than the caution that Hastings had enjoined upon Raffles.

Bannerman offered Raffles a well-equipped force for his expedition to Acheen, which Raffles declined on the ground that it was unseemly “for a great power to come and treat with an independent prince, when accompanied by a great force.”⁹⁹ (18 February, 1819). Evidently the eight ships of the expedition to Singapore did not in Raffles’ mind constitute “a great force.”¹⁰⁰ Raffles went to Acheen, and by a treaty signed 22 April 1819, secured various exclusive rights for his countrymen.

Bannerman and Raffles were divided not merely in policies but also in personalities. There is considerable exaggeration in the statement by a Dutch investigator of the India Office archives: “If Bannerman had not died at a moment so inopportune for the Netherlanders, perhaps the negotiations in London would have turned out more favorably for the Netherlands government,”¹⁰¹ but there is no doubt that the decease of the Honorable Colonel Bannerman, “which melancholy event occurred on the evening of Sunday the 8th instant” (August, 1819),¹⁰² removed the single most vigorous opponent of Raffles’ settlement at Singapore among Britain’s eastern officials. The opposition in London was more widespread, more potent, and higher in rank. Bannerman’s death did not seriously deplete the array of those who considered Raffles a vexation.

Considering Van der Capellen’s previous experiences with Calcutta, and adding to this the strong support by Bannerman of the Netherlands

⁹⁸ W. Roosegaarde Bisschop, “Onderzoek van Stukken in het India Office,” p. 200, refers to Bengal Political Consultations, 7 August 1819 and 1 January 1820.

⁹⁹ *Ibid.*, p. 201. Bisschop refers to Bengal Political Consultations, 31 July 1819.

¹⁰⁰ Raffles spent seven weeks in Acheen and eventually concluded a treaty dated 22 April 1819. By the sixth article of this treaty, the sultan recognized by Raffles “agrees, promises, and engages himself, his heirs and successors, to exclude the subjects of every other European power, and likewise all Americans, from a fixed habitation or residence in his dominions: he also engages not to enter into any negotiation, or to conclude any treaty, with any power, prince, or potentate whatsoever, unless with the knowledge and consent of the British Government.” The text of the treaty is given in Smulders, *Geschiedenis en verklaring van het Tractaat van 17 Maart 1824*, pp. 163-165. It may be added that all subsequent powers, including the Republic of Indonesia, have had trouble in their relations with Acheen.

¹⁰¹ W. Roosegaarde Bisschop, “Onderzoek van Stukken in het India Office,” pp. 200-201.

¹⁰² Cowan, “Early Penang and the Rise of Singapore,” p. 101. 11 August 1819.

contention concerning the integrity of the kingdom of Johore, the question to be raised is rather why Hastings failed to fulfill expectations. Van der Capellen appears to have underestimated the effectiveness of Raffles' several months of lobbying in Calcutta the previous year; but his chief mistake was an error of omission. He failed to recognize the degree to which commercial and industrial rivalry had developed between his country and Britain, and the consequent introduction of this new factor into the relations between the two states. In this neglect, the Governor General may perhaps be pardoned, since with less excuse most of the historians dealing with Singapore have done the same.

The Calcutta authorities appear to have been in no great haste to answer Van der Capellen's dispatch of 25 February 1819. Their voluminous and repetitive response was dated 26 June 1819. Signed by Hastings and three of his council, G. Dowdeswell, J. Stuart, and J. Adam, the document in lofty tones of complacent righteousness opened with an explanation "in the most frank and open manner" of the reasons for the occupation of Singapore: "The spirit of agrandizement, evinced in the proceedings of the Commissioners-General of His Netherlandish Majesty, and their manifest endeavors to establish the absolute supremacy of the Netherlands in the Eastern seas, made it necessary for us to adopt precautions with a view to avert the injury and degradation, which could not fail to ensue from a listless submission to the unbounded pretensions displayed on the part of your nation."

The statement set forth the generous British renunciation of self-aggrandizement during the years when their power in the Eastern seas was unrivalled and unassailable. But in restoring the Dutch colonies.

We had not to expect that you would assume as restored what we never received from you, and never occupied ourselves. We little thought that some of the first acts of your Government after the restitution would be to reduce to vassalage the states, which we had treated as perfectly independent, and to impose treaties on those states, having for one of their principal objects the exclusion of our commerce from all ports, except when admitted by your permission.

There should be no surprise that such a policy "should excite our anxiety for the safety of our commerce, and induce us to turn our

thoughts to the means of preserving it." With this concern in mind the British sought "precautionary engagements with the independent ¹⁰³ governments of Rhio, Lingin, and Johor." Strict orders were issued "to avoid the least collision with the Netherlandish authorities," to steer clear of Rhio if the Dutch were there, even though they believed they held a prior claim, and warning Raffles that even if the Dutch were to have raised the dubious claim to the whole of Johore, he was not to dispute this pretension but should refer such a question to the home governments.

Having learned at Prince of Wales Island that Dutch agents were already at Rhio, Raffles "very properly avoided that port." He subsequently concluded a treaty at Singapore "with a chief, whom he describes as the rightful sovereign of Johor, as well as with the local Government, which he represents as being independent of that established at Rhio." They granted that Raffles had

not sufficiently explained to us why he proceeded to Singapoer, after learning the extent of the pretensions advanced by your agents at Malacca. A strict attention to our instructions would have induced him to avoid the possibility of collision with the Netherlandish authorities on any point. (See above, p. 34). And so sincere is our desire to bar the possibility of any altercations with your Excellency's Government that the occupation of Singapoer has been to us a source of unfeigned regret.

In fact, after learning of the extent of the Dutch pretensions, and before hearing of the occupation of Singapore, "we had issued instructions to sir T. S. Raffles directing him, if our orders should arrive in time, to desist from every attempt to form a British establishment in the Eastern archipelago." (See above, p. 53). Since these orders did not arrive in time, the question was whether to maintain the establishment "or carry a complimentary deference for the Netherlandish authorities so far as to withdraw it."

They appealed to Van der Capellen's candor, which would perceive the dilemma in which the actual occupation of Singapore had placed them. On the one hand, there were "the exorbitant pretensions" of the Dutch, which they could not feel obliged to acknowledge, yet they wished to maintain "the cordiality and harmony of sentiment" between

¹⁰³ This of course assumes what is to be proved.

the two governments. And now they had incurred obligations toward the native government. They could not withdraw without forestalling the judgment of the home authorities to whom they had referred the issue, or without irretrievably impairing their local prestige by sacrificing the interests of the native authorities who had signed their treaties. If it could be shown that in establishing a factory at Singapore they had infringed upon the rights of the Netherlands government, "we should immediately withdraw our establishment," but on this point they "at present entertain the strongest doubts."

The statement of the Calcutta authorities proceeded at length and in detail to analyze the Dutch claims, and since essentially the same views were maintained at later dates by British officials, it is worth condensing here. The argument was rejected that Rhio, Linga, Johore, and Pahang were dependencies of the Batavian government: they had not been restored to the Dutch as dependencies of Malacca because the British, never having held them as such, could not turn over to the Dutch what had never been in their possession; and any claims anterior to 1795 were obsolete. The only basis for the Netherlands claim, therefore, would depend upon the treaty of 26 November 1818, which was subsequent to the treaty concluded by Major Farquhar with the independent government of Rhio. "The conciliatory spirit in which we sought to avoid all differences here, and to leave all points to adjustment at home, is sufficiently proved by our not having remonstrated against this most extraordinary and injurious proceeding." (This is a long step toward admitting that the English authorities had a weak case and knew it: if the Netherlands treaty was so unusually harmful, they ought at least to have entered a formal demurrer).

With respect to Van der Capellen's argument that no validity was to be attached to the Dutch acknowledgment in 1795 of the independence of the state in question because it had been made by a subordinate official and was never ratified by the constituted authorities of the Dutch East India Company, Hastings retorted that throughout twenty-three years of occupation (1795 to 1818), during which time these states were treated as in fact independent, the Dutch had made no effort "to undeceive us," and "after so long an interval of disuse" it would be too much to expect the English to acknowledge such claims. Furthermore, what evidence was there that Singapore was a dependency of Rhio? Whether the chiefs who signed the treaties at Singapore were competent to do so was another matter; they were so represented to the Calcutta government. "We expect further infor-

mation on this subject, by which our decision respecting Singapore may be materially guided." Meanwhile their information exhibited the chiefs as independent of Rhio and Linga and contradicted Van der Capellen's allegation "that some adventurer . . . had been brought forward as a pretender to the throne." However, they would investigate the powers of the chiefs with whom Raffles had treated, and should they stand revealed as incompetent, they would instantly abandon Singapore, although this was none of Batavia's business and only mentioned for Van der Capellen's information. Contrariwise, if investigation should "confirm our present apprehensions," they would hold Singapore while referring the issue to London.

The remainder of the dispatch indicted the actions of "the Netherlandish authorities" which "have created a strong impression on our minds, that those proceedings have been actuated by a spirit of ambition, by views of boundless aggrandisement, and especially by a desire to obtain the power of monopolising the commerce of the Eastern Archipelago, and of excluding us from those advantages which we have so long enjoyed, and which we only wish to share in common with the other nations of the earth." They could neither submit to the pretensions of the Dutch, "which our interests and our honour alike forbid," nor could they "oppose them by systematic counteraction and resistance, which friendship and courtesy prohibit." The only course was "to refer all questions for the decision of our respective governments in Europe," the British meanwhile continuing in possession of Singapore.¹⁰⁴

Van der Capellen was unable to await the arrival of this dispatch. One month after his first dignified protest to Calcutta, on 25 March 1819, having received a copy of Raffles' letter of 17 February to the Governor of Malacca, Van der Capellen again addressed Hastings, now in a spirit emotionally overwrought. "What I have just learned confirms what I foresaw, that sir [T. S.] Raffles, seeing his projects miscarry in Palembang and the Lampongs, thanks to your Excellency's steps, hastened to throw the brand of discord, which seems to light his way wherever he sets foot, into another part of these peaceful lands. I shall try to repress the sense of indignation which fills me in describing to your Excellency the thoughtless conduct of this tempestuous man and the conspiracy which he is engaged in plotting." Raffles' reasoning in his letter was "as specious as it was crafty." Van der Capellen reaffirmed the integrity of the empire of Linga, Riouw, Pahang, and Johore,

¹⁰⁴ The whole dispatch is contained in Van der Kemp, "De Singapoorsche Papieroorlog," pp. 484-493.

"all subject to a single prince under the title of sultan; Singapore and several other islands constitute part of it." Prior to Raffles, he asserted, no one would have argued that this single empire could have two sovereigns. In all this, Van der Capellen has been upheld by Sir Richard O. Winstedt.¹⁰⁵

The only ground for Raffles' rejection of the legitimacy of the ruling sultan, "whose deeds and seals the British government has constantly respected and recognized his authority on different occasions," according to the Governor General, was "his sole desire to dethrone a prince or deprive him of one of this states." To accomplish this, Raffles "declares Prince Toekoelon,¹⁰⁶ brother of the Sultan, to be the legitimate heir of their father, names him sultan of Singapore, and concludes a treaty with him." This Toekoelon, he said, had been residing at Riouw as a pensionary of the reigning sultan, under the care of the underking, "and there he was living quietly and so far as I know never harbored any grievance concerning his position." In proof of the illegitimacy of Toekoelon's new title, the Governor General cited a letter written by Toekoelon "himself to the Underking of Riouw after his investiture at the hands of sir [T. S.] Raffles." This letter showed that Toekoelon, "although interested in enjoying the titles and power with which they honored him, felt ashamed of himself at the role which they were having him play, and begged the indulgence and forgiveness of one whom he considered and would always consider as his protector and father."

According to Van der Capellen, Raffles had also suborned the Tumengong of Johore, and had him sign a treaty in violation of his obligations. Like Toekoelon, he wrote to the underking at Riouw, declaring "that he had been forced to the agreement which he had just concluded with sir [T. S.] Raffles by the violence employed by the latter against him. He writes this of his own volition," so Van der Capellen observed. "One must therefore lend it credence and find there a motive excusing the perfidy of which he appeared to have rendered himself culpable." Apparently espousing the somewhat tarnished notion of the noble savage, the Governor General overlooked the hypothesis that the not wholly unsophisticated Tumengong as well as Prince Toekoelon might have written these letters as a means of taking out insurance against deposition and retribution should the Dutch dispossess the English at Singapore.

¹⁰⁵ "History of Malaya," Chapter VII, "The Johore Empire."

¹⁰⁶ Also spelled Tookoo Long, etc.

Once more Van der Capellen acquitted Hastings of knowledge of his agent's abuse of the powers granted to him, and complained of Raffles: "He does not . . . communicate his hostile plans to the Government of Malacca; he prefers to employ secrecy, deceit, and intrigue lest he be forestalled . . ." P. H. van der Kemp comments: "That is pretty naive!" The Governor General, "sadly afflicted," considered Raffles' behavior unprecedented: "I appeal to all Governments, to all countries: has comparable conduct ever been seen in a time of peace? Would civilized nations permit themselves to behave thus even in time of war?" In a footnote to this question Van der Kemp asks: "How did it occur to our Governor-General to ask this question?" In his distress, Van der Capellen's faith in mankind seems to have been strained, but he yet retained his faith that once the Marquis of Hastings was informed, he would promptly extinguish his firebrand. Once more he affirmed his determination, despite repeated and intensified provocations, not to "swerve one iota from the calm and measured pace followed by our Government . . . rather than institute local reprisals . . ." ¹⁰⁷

When the Calcutta authorities replied to Van der Capellen's letter, on 21 August 1819, they boldly adopted the insurance hypothesis to explain the letters from the chiefs to the underking of Riouw. They denied that "any compulsion or menace was used" to coerce the chiefs into signing, and as to their legitimacy, they had instituted an inquiry into that matter. If it should turn out that they had been "grossly deceived on that point," they promised indignation at the authors of that deception. They added, however, that this question was irrelevant to the real issue. (This reversed their position of 26 June 1819, less than two months before, when they had declared that they would at once abandon Singapore if it turned out that Raffles had negotiated with incompetent chiefs). Conforming to the tone of their previous communication, they expressed "unfeigned regret" at finding themselves "involved in this sort of correspondence with your Excellency," but it was the fault of the alarming pretensions of the Dutch and none of their own. If these boundless claims were admitted, "our free trade must be professedly at the mercy of the latitude, which any commander of a Netherlandish ship of war might be pleased to put upon that assumed supremacy." ¹⁰⁸

The arguments reaching the Bengal Presidency in behalf of Singapore were neither historical nor moral. On 1 March 1819 Farquhar

¹⁰⁷ Van der Kemp, "De Singapoorsche Papieroorlog," pp. 493-498.

¹⁰⁸ *Ibid.*, pp. 499-501.

reported to Calcutta that pursuant to instructions, he had "assumed charge of the new settlement of Singapore on the 6th Ultimo, since which period every thing has gone in the most prosperous manner. Inhabitants are flocking in from every quarter," despite the hostile measures adopted by the Dutch at Malacca. On the basis of his month's residence, he wrote that "the climate here is, as far as we have experienced it, extremely healthy and the settlement possesses every other advantage likely to render it a most flourishing colony."¹⁰⁹ The general public, by which no more is meant than the readers of the press, began to be involved in the dispute over Singapore. In Calcutta, Raffles had not merely talked to the officials, he had consorted with commercial leaders who had interests in the Eastern trade.¹¹⁰ It is not surprising that the *Calcutta Journal* of 19 March 1819¹¹¹ embroidered what seems to have been the first public report of the founding of Singapore with glowing rhetoric. It projected a rosy view of the settlement and its prospects for "very great commercial and political importance." The value of the port in thwarting Dutch efforts to exclude the English from the Eastern Archipelago led the paper to "congratulate our Eastern friends, and the commercial world in general on the event which we this day report to them;" and the rhapsody culminated in an elegant though undeserved tribute to the Marquis of Hastings, the reluctant and largely unintentional sponsor of Singapore, although the triumphant victor over the Mahratta Confederacy on the continent of India.

The spell of Dutch monopoly, so justly reviled and detested, and which had nearly been again established, has been dissolved by the ethereal touch of that wand which broke in pieces the confederacy that lately threatened our continental possessions; and while we are indebted to the noble ruler of these dominions for the peace and security of our homes, we have not the less reason to admire and applaud that extensive foresight by which another and nearer link has been added to connect us with China, and by which our Eastern commerce has been secured.¹¹²

¹⁰⁹ *Ibid.*, p. 472.

¹¹⁰ Lady Raffles, *Memoir*, p. 370.

¹¹¹ Reprinted in *The Times*, 7 September 1819.

¹¹² This interpretation has been echoed, for example by Vincent A. Smith, *Oxford History of India*, 2nd ed. (Oxford, 1923), p. 640: "The occupation of Singapore by Lord Hastings was a service to the empire hardly second to his unification of India and the consolidation of British authority in that country." See above, pp. 53, 56.

The paper believed and earnestly hoped that the settlement "will receive all the support which is necessary to its progress."

"Progress" became the recurrent note of all reports from Singapore. Raffles returned to the settlement on 31 May 1819, and on 22 June reported to his Calcutta superiors that "the progress and success of the Establishment has in every respect been most satisfactory." He continued:

The port has already become the general resort of the native trader, and the population of the place has increased beyond my most sanguine expectations During the first three months, no less than one hundred and sixty seven vessels entered at the port of Singapore (exclusive of small prows from Rhio), upwards of a hundred of which arrived in one day and the population which has already accumulated under the protection of our flag is estimated to exceed five thousand souls.¹¹³

The lengthy report continued, giving details of the settlement's relations with the native states, the intrigues of the Dutch working through Rajah Mooda of Rhio, but the portion of the dispatch which induced "much satisfaction" in His Lordship in Council, according to the response from Calcutta dated 31 July 1819, was "the favourable report which you have furnished of the rapid progress of the establishment at Singapore in population and commercial consequence." While "conveying the approbation of the cautious manner" in which Raffles had dealt with the native princes, a rebuke was administered for sending a mission to Pahang, which His Excellency in Council "deeply regretted" as "likely to involve us in further discussions with the Netherlandish authorities," and it was "entirely disapproved."¹¹⁴ Without subscribing to a *post hoc* argument, it may nevertheless be remarked that the Calcutta authorities had received an impression of optimistic nature in the report from Farquhar before they wrote their reply to Van der Capellen's first protest over Singapore, and Raffles' enthusiastic report of concrete progress before they answered the second remonstrance from Batavia.

To his dispatch of 26 June 1819 to Van der Capellen, Hastings

¹¹³ Van der Kemp, "De Singapoorsche Papieroorlog," p. 473. The whole dispatch runs from p. 473 to p. 480, although Van der Kemp's notes occupy much space.

¹¹⁴ *Ibid.*, pp. 498-499.

received two replies, and it should not prove difficult to judge which exerted the greater influence. On 16 December 1819 Van der Capellen once again addressed Calcutta in a dispatch which the Netherlands authorities in Europe were repeatedly to regard as irrefragable. Van der Capellen regretted that all his efforts and reasoning had failed to convince the English governor general of "the validity of our rights over the kingdom of Djohor." Filling him "with a still more painful sentiment" was the accusation that the Netherlands government was actuated by "a boundless ambition" and "a disposition to establish a commercial monopoly in this Archipelago." On the contrary, asserted the Baron, "liberal principles" inspired the policies of his government, and a desire for harmony and good neighborliness. He invited the English to examine his correspondence with the native princes "and tell me in good faith in which article you can find a single phrase aiming at what we are accused of, so unjustly, I venture to state. Everywhere freedom of trade without exception, save in the monopoly of salt which we have reserved to ourselves in a few of our establishments, everywhere equality of customs duties for our own vessels as for those of other nations; everywhere the same advantages without any difference." He remarked that when he received the government of Java from England, he found that the British had imposed a discriminatory tariff upon vessels other than their own. "This difference was immediately removed and up to the present our ships do not enjoy any advantage or privilege of which the English ships are deprived."

The instigation to establish Netherlands posts on Borneo, according to Van der Capellen, came from "the reiterated and very urgent invitations on the part of each of the sultans," as well as the need to protect Dutch commerce there. In good faith, he wrote, they thought these actions deserved the recognition of the nations trading in the Archipelago, in establishing peace in those quarters, without any thought of excluding English commerce. Only salt was a monopoly, needed to finance part of the costs of these establishments, and hardly injurious to English trade. Van der Capellen disavowed the reply to Farquhar made by Boekholz at Pontianak, as contrary to his instructions.

As for the British argument that the Dutch had never, during twenty three years, notified them of the dependency of Johore upon Malacca, when would they have had any occasion to make such a communication? Singapore was an integral part of a single kingdom, and in 1813 Raffles, then Lieutenant Governor of Java, had recognized Abdul Rahman as the sultan of Johore. The underking of Riouw had been acknowledged

as generally controlling the kingdom by Farquhar in February 1819 when he sought from this ruler the cession of one of the Carimon Islands. Abdul Rahman, as shown by the appended correspondence, had been recognized as sultan and sovereign by Prince Toekoelon, the Tom-mengoeng of Johore, and the Bandahara of Pahang. Van der Capellen attributed the preference of Rajah Japhar, underking of Riouw, for Abdul Rahman as sultan, a selection the late sultan had empowered him to make, on the grounds of his legitimacy (an error in fact, according to Van der Kemp, since both princes were equally legitimate). In short, Raffles' sultan had no proper claim for recognition.¹¹⁵

The second response to Hastings' letter of 26 June 1819 came from the Secret Committee in London, the most important of the subdivisions of the Court of Directors of the East India Company.¹¹⁶ Under date of 25 January 1820, the letter made the following points, which must have read like encouragement to Hastings to concede nothing to Batavia:

2. We lose no time in expressing the satisfaction with which we have perused the letter which you addressed on the 26th June to Baron Van der Capellen. The tone of that letter is precisely such as we are desirous that our Governments and public officers should observe towards the authorities of the king of the Netherlands; and although we are not prepared, immediately upon the perusal of it, to express an unqualified concurrence in all the details of the reasoning which it contains, we have no hesitation in saying that we believe it to be generally correct.

3. Upon some facts, especially as to the nature of the relations between Malacca, Riouw and Singapore, we shall look for more particular information

5. We have the satisfaction of informing you that your despatch has arrived very opportunely, just as His Majesty's government is about to commence a negotiation with Commissioners to be appointed by His Majesty the king of the Netherlands, with a view to the adjustment of the rights and interests of the two nations in the Indian seas. Your communications upon this subject, and particularly that which we now acknowledge, will be valuable

¹¹⁵ *Ibid.*, pp. 502-521, including extensive documentary footnotes.

¹¹⁶ Cyril Henry Philips, "The Secret Committee of the East India Company, 1785-1858. II," *Bulletin of the School of Oriental and African Studies, University of London*, vol. X (London, 1940), pp. 699-716.

documents in the hands of those who treat on the part of this country.

6. In the meantime we can only enjoin you to preserve, as well in your proceedings as your language, the same moderate but firm tone of which we have had the pleasure of expressing our approbation.¹¹⁷

To these negotiations, although the Secret Committee was over-sanguine about the imminence of their commencement (and in fact they did not open for another six months), attention must now be given.

¹¹⁷ Van der Kemp, "De Singapoorsche Papieroorlog," pp. 501-502. The letter is signed by C. Marjoribanks, G. A. Robinson, and W. T. Elphinstone.

CHAPTER III

THE NEGOTIATIONS IN LONDON IN 1820

A. The Approach to the Conference Table

Dissatisfaction with the territorial arrangement of the treaty of 13 August 1814, first expressed by Van Hogendorp (See above, p. 19), was revived by Elout in a private letter to Falck in 1817. Elout set forth "that it seemed desirable to him to cede to England the factories on the mainland of Hindostan and Bengal which had to be returned to the Netherlanders," a transfer yet to take place at the time of writing. In exchange for these territories the Netherlands "would be granted those which the English have in Sumatra, upon which island, then, no other European nation but ours would be established." After communicating these views to the king, Falck then discussed the value of the continental Indian possessions. On 28 June 1817 Van Braam had been appointed commissioner to receive these stations. He went to Bengal and on 15 September 1817 assumed authority over Chinsura, Calcapore, Padna, Behar, and Fultha. "Less fortunate" on the Coromandel coast, he succeeded only on 31 March 1818 in securing the transfer of Bimilipatnam, Jaggernaikpoer, Sadras, Tutikoryn, etc.¹ Commissioner Van Braam reported from Sadras to the Governor General:

The condition of these places is most pitiable . . . In all the possessions on this coast, there is no longer a single public building in which one could be housed . . . I dare not delude Your Excellency with prospects for improvement . . . No improvement in the state of these possessions is to be expected, especially as it is to the interest of the English E. I. Company to *make the position of foreigners in these parts as unpleasant as possible.*²

Falck considered these last words to be noteworthy as expressing the

¹ J. J. Meinsma, *Geschiedenis van de Nederlandsche Oost-Indische Bezittingen*, 2 vols. in 3 parts (Delft, 1872-1875), II (1), 140-141.

² This is condensed from the report quoted by Falck (see the following footnote), dated 26 May 1818.

common judgment of all the Netherlands officials who were familiar with these continental possessions, and quoted an experienced Resident as reporting in January 1818 of the English that "it is their inclination in this country to create all possible annoyances and thereby make our sojourn so sorrowful that we ourselves will decide to leave and transfer [our possessions] in return for money." For example, the English declined to recognize any Netherlands sovereignty over these territories but treated them merely as commercial factories; they refused to restore a participating share in the Tutukorijn pearl fishery; they prevented the Resident at Chinsurah from establishing a pilotage service on the Ganges under the Netherlands flag. From these experiences, Falck derived a political non-sequitur: "We may therefore . . . conclude that these possessions, insignificant in themselves and so disadvantageous for a foreign proprietor, nevertheless have no small value in the eyes of the English company" This fallacy became virtually an article of faith on the part of the Netherlands officials.

On the other hand, Falck appraised Benkoelen as having no prospects of prospering under the English, so that it was worth little to them; yet its possession would be of value to the Netherlands. "In this proximity of Benkoelen, not only to the Netherlands possessions but also to the princes whose good intentions toward us are not stable, and to the most notable hiding places of the pirates, — in this proximity, I say, lies the great reason which compels us to desire the removal of the English from Sumatra and thus also from the neighboring island of Poulo Penang (Prince of Wales island)." Falck thought that in intrinsic value, Bencoolen and Penang "seem to be worth not much more than what we can hand over in return for them on the mainland of India;" but he saw that they had an additional merit in English eyes: they afforded "the opportunity of breaking into the eastern trade and commerce . . . or of harassing and destroying the same," and therefore the English need not be expected as one man to favor the proposed exchange. "Fortunately" for Falck's project, "there are men of influence in England as well as Bengal who do not blindly or unconditionally applaud the presumptive designs of Mr. Raffles." A member of the Governor General's Council in Calcutta had told Van Braam that he thought the Dutch ought to dispose of their mainland factories "and to concentrate their possessions rather to the East, testifying to his readiness to cooperate in the execution of such a proposal and to press for it himself." While the contemplated exchange would work out to the advantage of the Netherlands, Falck believed that in

more than one respect it would be agreeable to Britain. He therefore recommended that King William direct his ambassador in London to sound out both the government and the East India Company on the proposal to exchange the Netherlands territories in continental India for the English posts in Sumatra and Pulo Penang.³ Falck's report to his king, hopefully expecting the English to clear out of Sumatra as well as yield their only post in the Strait of Malacca, bore the same data as that affixed to the first set of instructions drafted for Raffles: 28 November 1818.

The king expressed his satisfaction with the idea of inaugurating discussions with the British, and gave his approval to the proposed exchange, so Falck wrote to Hendrik Fagel, the Netherlands ambassador in London. Falck particularly insisted that the English surrender not merely Bencoolen but Pulo Penang as well, placing "very little value upon any exchange if this were not included." He showed some understanding of the English stake in Penang: if for "very good reasons" they wanted to retain "this port of transfer in the trade between Bengal and China," he proposed to "intimate to them that in peacetime they would never be forbidden the use of this port . . . , and that in the undesired event of war, the security of their shipping through the Strait of Malacca would require precautions and measures quite independent of the lot reserved to Pulo Penang."⁴ That the English might take precautions "quite independent" of Penang did not occur to Falck; yet two days after this report, Raffles in the estuary of the Ganges was naming Singapore as a likely spot for an English station.

Fagel in London was better informed than the colonial minister about English interests in the East. He was dubious about his master's prospects: "I am led to believe that they would perhaps cede Sumatra, but I doubt whether they will so readily relinquish Pulo Penang, which is a considerable establishment and cost much money." Fagel, too, missed what was to become a central issue: control of the Strait of

³ Anton Reinhard Falck, *Ambts-Brieven, 1802-1842* (The Hague, 1878), pp. 118-125. To the King, Brussels, 28 November 1818. Elout wrote to H. Fagel from Batavia, 29 March 1818, favoring negotiations at home with England. *Gedenkstukken der Algemeene Geschiedenis van Nederland van 1795 tot 1840*, Achtste deel, *Regering van Willem I, 1815-1825*, ed. Herman Theodoor Colenbrander, 3 vols. (The Hague, 1915-1916), II, 182. One is inclined to conjecture that the member of the Governor General's Council was James Stuart. See below, pp. 119-120.

⁴ Colenbrander, *Gedenkstukken*, II, 203. Falck to H. Fagel, Brussels, 10 December 1818.

Malacca. He continued: "The exchange in question would also have to include the island of Billiton, adjacent to Banka, marked on an excellent map which I possess as belonging to the English, although absolutely surrounded by our possessions." Banka is the largest of the islands which might be considered subsidiary to Sumatra, elongated and irregular in shape, about 138 miles in length, by 62 miles wide, lying off the southwest coast from which it is separated by Banca Strait less than ten miles across at its narrowest point. Billiton is "roughly circular in shape," with a maximum diameter of about 47 miles, and "rather flat."⁵ It lies about 50 miles east of the southern part of Billiton. The chief product of these two islands is tin; but while the intrinsic importance of Billiton at that time was not great, its location suggests its possibilities if not for control then at least for obstructing passage through the Sunda Strait. Fagel, showing his understanding of politics in the Eastern seas, asked of Falck, with respect to Billiton: "Would you have the kindness to inform me as to its status according to our reports, for it would be possible that this island is now occupied by us."⁶

Fagel's suspicion that his countrymen had not abided by the letter of the treaty was correct. Falck replied that Billiton was a dependency of Banka, but not having been named explicitly in the treaty of 13 August 1814, it had not been turned over to the Dutch at the time when Banka was ceded. "This did not prevent the King's forces from ignoring this fact,⁷ and they have occupied Billiton, reserving to the English the right to debate the legal question in Europe at the time when all those issues will be dealt with here to which the return of Java and the Moluccas has given rise, and on which no agreement was attainable in the Indies."⁸ By the admission in this dispatch, it appears that the Dutch occupation of Billiton was illegal, and justified only on grounds of *raison d'état*. This move, to a later observer if not to contemporaries, somewhat diminished the moral force of Netherlands protests against the subsequent British occupation of Singapore. The

⁵ *Sailing Directions for Soenda Strait and the Western Coast of Borneo*, H. O. Pub. No. 126, 5th ed., issued by the Hydrographic Office under the authority of the Secretary of the Navy (Washington, D. C., 1951), p. 124.

⁶ Colenbrander, *Gedenkstukken*, II, 204. H. Fagel to Falck, London, 15 December 1818.

⁷ "Cela n'a pas empêché ceux du Roi de passer outre. . . ."

⁸ Colenbrander, *Gedenkstukken*, II, 204. Falck to H. Fagel, Brussels, 20 December 1818.

Dutch could sincerely protest against the success of their rivals, but less righteously against their predilection for violating treaties.

Reports on the events in the Eastern Seas reached London by mid-August, 1819, at the latest by the 13th, since on the 14th, Canning, President of the Board of Control, observed to Hastings: "The new acquisition of Singapore is likely to prove not a little embarrassing to His Majesty If the Dutch dispossess us there we either have to agree silently or to ask for reparation at the risk of war."⁹ Canning's instructions were as ambiguous as the response Calcutta had already made to Van der Capellen's protests. On the one hand, in C. H. Philips' words, he "ordered the disavowal of all acts committed by Raffles in excess of his legal powers," while on the other hand Canning stipulated that the home government "reserved its final decision on Singapore until the arrival of further information."¹⁰ But what were Raffles' legal powers? As Hastings' plenipotentiary he was expressly authorized to act in the name of the Governor General; yet he exceeded the limitations set in the supplementary instructions of 5 December 1818. The only illegal acts committed by Raffles were precisely his negotiations of treaties with the Tumongong and pseudo-Sultan; yet instead of disavowing these acts, Hastings was explicitly denied the authority to repudiate the occupation of Singapore, since this decision the home government reserved to itself.

In March 1819, Castlereagh had expressed himself as willing to participate in a discussion of colonial issues, although at the moment the pressure of other matters prevented this.¹¹ Now on 13 August 1819 Lord Castlereagh was impelled to formulate a statement of principles in a long dispatch to Lord Clancarty. The British ambassador was not authorized to enter into negotiations himself, but was to prepare the way for formal discussions which he was to propose to the Netherlands

⁹ Cyril Henry Philips, *The East India Company, 1784-1834* (Manchester, 1940), p. 232, quoting [India] Board's Secret Drafts, vol. 5, 14 August 1819.

¹⁰ *Ibid.*

¹¹ Pieter Hendrik van der Kemp, "De Geschiedenis van het Londensch Tractaat van 17 Maart 1824," *Bijdragen tot de Taal-, Land- en Volkenkunde van Nederlandsch-Indië*, vol. 56 (The Hague, 1904), p. 43.

¹² A. W. C. van Nagell tot Ampsen had been ambassador to the Court of St. James's under the republic. Subsequently he succeeded G. K. van Hogendorp as foreign minister when the latter, a man of considerable stature, was kicked upstairs to the vice-presidency of the Council of State. Cf. Van der Kemp, "Tractaat," pp. 14; 18.

foreign minister, Van Nagell,¹² to be held in London next November.¹³ Clancarty was to invite the Netherlands government to appoint plenipotentiaries for the purpose of discussing and regulating "the rights and interests of the two states in the Eastern Seas." Without committing himself, Clancarty was to try to induce the Foreign Minister to make "some explicit avowal" concerning the extent and the basis of the Dutch claims and he was to indicate to Van Nagell

that there are two principles from which the British Government can under no circumstances be expected to depart: the one is, They cannot acquiesce in a practical exclusion, or in a mere permissive toleration of British commerce throughout the immense extent of the Eastern Archipelago; Nor can they consent so far to expose the direct commerce of this country with China to all the obvious dangers and disadvantages which would result, especially in time of war from all the military and naval keys of the Straits of Malacca being exclusively in the hands of the Netherlands government.¹⁴

In other respects, the British government was always prepared to meet the Dutch half way and had demonstrated this conciliatory disposition

¹³ H. H. Dodwell, "The Straits Settlements, 1815-1863," *The Cambridge History of the British Empire*, vol. II (Cambridge, 1940), 601, says: "Towards the close of 1819 Lord Clancarty . . . learnt that the Dutch Government was willing to negotiate, and it was soon decided that a Dutch Commission should travel to England." This appears to be in error. Philips, *East India Company*, p. 231, writes: "In the summer of 1819, Lord Clancarty . . . opened negotiations with the Dutch Government." In a loose sense, this is correct, although Clancarty technically was forbidden to negotiate: he was to prepare the way for future negotiations.

¹⁴ These two principles were "originally suggested on the part of the Board [of Control] to Lord Castlereagh," according to a memorandum titled "Observations upon the State of the Negotiations between the British and Netherland Governments relative to their relations in India and the Eastern Islands," dated India Board, March 1822, and drafted by the secretary to the India Board, Thomas Peregrine Courtenay. Dutch Records (Commonwealth Relation Office), vol. XXX no. 43, pp. 32-33. If the two principles originated in the Board of Control, they may be attributed to its President, George Canning. As M. P. for Liverpool, Canning would have been naturally aware of the interests of the private merchants trading to the Archipelago. This would account for one principle, while in his capacity as President of the Board of Control, he would have been sensitive to the importance of the straits to the Company's China trade. The principles referred to in Courtenay's memorandum applied not merely to the Straits of Malacca but also to Sunda Strait.

by "the prompt and unsolicited disavowal by the supreme government in India of the unauthorized treaties of cession and occupations of territory, which under a mistaken view of his powers, were made by the Lieutenant Governor of Bencoolen." If the Netherlands government could not be induced to abstain from provoking alarms by fresh military occupations, then amicable relations in the East would be jeopardized, and "sooner or later, the two powers will come into collision," to the disadvantage of both.

In a second part of the dispatch marked "private and confidential", intended for Clancarty's guidance, a milder note was struck and the issue of control over the straits almost vanishes. The Dutch government, wrote Castlereagh, probably wanted to attain in the islands the same exclusive position which the English held in India. Rather let King William "hold Java and any other of his old possessions" under any system he preferred, though foreign exclusion would be imprudent, but "beyond these limits his object should be to have an understanding" with Great Britain "which may open the commerce of the other islands to a fair and friendly competition" without Britain's seeking to counter-balance Dutch military and political predominance. One is entitled to wonder whether, in view of the preponderance of Britain in shipping and industry, this "fair and friendly competition" would foster or ruin the shipping and manufacturing interests of the Kingdom of the Netherlands. In any case, Castlereagh considered this proposition generous: "This is the principle¹⁵ upon which we are willing to treat with the Netherlands government, and I think they are mad if they do not catch at it whilst the feeling here is everything they could wish." If they allow this opportunity to pass, expensive rivalry will develop, "Commerce will be sought for thro' dominion, and dominion thro' the intrigues and disputed titles of the endless Sultans that abound in those Seas." It sounds as though Castlereagh had read recent dispatches from Calcutta. "We offer them the olive branch upon principles that ought to flatter their pride as well as satisfy their commercial interests because we desire not to appear there in a political attitude. If it is declined, it does not require much sagacity to see that in the long run they will be the losers." Castlereagh concluded by asking Clancarty to suggest that Van Nagell appoint Fagel and another competent plenipotentiary to meet with himself and Canning "for the purpose of amicably adjusting our relations to the Eastward of the

¹⁵ "The principle:" Van Nagell was to hear of two principles, but Castlereagh apparently was not very serious about the straits.

Cape of Good Hope. I state the question thus as there may be questions connected with the Dutch factories and trade to the continent of India, which might be considered.”¹⁶ This is the closest approach to the issue of that exchange of territories which lay close to the Netherlands desires.

The reception of this communication in Brussels appeared favorable. After studying for a whole day the dispatches of the 13th and the voluminous enclosures, Clancarty had an interview with Van Nagell who agreed to advise acceptance of Castlereagh's proposals for a conference as well as the time and place. He thought the king and the colonial minister would approve. The king, he told Clancarty, was not for exclusion, and the foreign minister “seemed to be surprised that such a line of policy could have been suspected as having been adopted by them, and still more that they should have ever been supposed to have been mad enough to have conceived the idea of possessing themselves of all the keys and shutting up the double entrance into the Eastern seas through the straits of Malacca and those of Sunda.” Clancarty continued in a blandly superior manner, “I however remarked to him that their recent establishment at Rhio, at the mouth of the straits of Malacca, in addition to their possession of Java and claim to Lampong in those of Sunda presented somewhat whereupon the suspicion of such a policy might not be deemed quite unreasonable. Upon shewing him this upon the map, he allowed it might be so, but deprecated nevertheless its being for a moment supposed that they could ever have entertained so absurd a project . . .”¹⁷

The following day, 19 August 1818, Clancarty had a conversation with the colonial minister, Falck, who detailed complaints concerning the conduct of Sir Stamford Raffles in the Eastern Seas. Following Clancarty's confirmation of the Dutch hope that the home government as well as the Bengal authorities had disavowed this misbehavior, the British ambassador invited Falck to present his views on the two immutable principles of British policy in the Eastern seas. The Dutch, responded the colonial minister, had no intention of excluding British trade or of making it dependent on the Netherlands government. “He also positively denied” any intention of commanding the two straits. However, when it came to specific locations, for every spot on the map where Clancarty pointed to a recent Dutch settlement, Falck

¹⁶ Colenbrander, *Gedenkstukken*, I, 130-133. Castlereagh to Clancarty, 13 August 1819.

¹⁷ *Ibid.*, I, 133-135. Clancarty to Castlereagh, Brussels, 18 August 1819.

asserted a claim based either upon a former Dutch settlement there, or upon the place's dependency upon some other Dutch settlement. "So likewise of Rhio, nay, so also of Sincapore¹⁸ which he stated to be a dependency of Rhio and both on Malacca." This was the interpretation presented by Wolterbeek in the roadstead at Batavia when the question of Singapore was first discussed, and was not an improvisation by Falck.

Clancarty saw the dangers in this Dutch divergence between preaching and practice as follows:

If even without asserting, but in fact denying the principles, the pretension of excluding commerce, without considerable modification, is to be maintained under concessions from native princes, with the multiplied settlements already made by the Dutch, and those they may still make, the principle of exclusion may practically become established, nay even the entrance to those Seas be altogether impeded through the Straits of Malacca, as well as through those of Sunda.

When Falck proposed discussing the exchange of the Netherlands possessions on the Coromandel coast Clancarty replied that he had no authority to consider this. He judged Falck "to be in favor of exclusive commerce, under concessions from native princes," an attitude which he thought likely to be strengthened by consultation with Elout; but Foreign Minister Van Nagell's opinion, he thought, "coincides entirely with our own." Clancarty's own views were unequivocal if not in all respects perceptive: "I believe myself that all our difficulties with the Dutch in these parts have originated from Sir Stamford Raffles. His conduct excited, as it appears, the jealousy of M. Capellen (who, very happily, is a man of good sense and fully imbued with the opinion of the closest connexion with us being requisite for his country). Hence grew several of the establishments made by them, and from these the necessity of making others on our part appeared to our Government at Calcutta."¹⁹ At least the ambassador recognized that colonial

¹⁸ Clancarty on the 19th appears to have had no dispatches from London subsequent to that of the 13th. The reference to Singapore raises the question of how the news of its occupation may have reached Brussels. The answer is not self-evident.

¹⁹ *Ibid.*, I, 135-140. Clancarty to Castlereagh, Brussels, 20 August 1819. A very small private part of this dispatch appears in *Correspondence, Despatches, and Other Papers of Viscount Castlereagh, Second Marquess of Londonderry*, ed. Charles William Vane, 12 vols. (London, 1848-1853), XII, pp. 136-138.

rivalries might develop not merely out of economic, political, or strategic considerations but also for purely, almost abstractly, competitive motives.

On the Netherlands side, it took a little time to respond to Clancarty's overture. Van Nagell, while excoriating Raffles as "a Herostratus who wants to ignite something to make himself interesting", privately admitted that, "up to a point," this would-be Herostratus had succeeded in alarming the British cabinet about Netherlands ambitions with "false insinuations" which would require some labors to correct.²⁰ On 7 September 1819 Fagel transmitted to Castlereagh a note from Van Nagell in answer to Clancarty informing him that it was the King's personal opinion that a definite agreement of broad scope ("une convention générale et positive") would be very desirable. Since the Netherlands through Fagel had taken the initiative in proposing negotiations, Van Nagell foresaw no difficulties preventing a conference in London next November, but he would wish to await the report of the Commissioners General. Van Nagell went on to say that the existing position in the Straits of Sunda and Malacca was nothing new but was merely the restoration of a situation which had existed for more than a century and a half. He was unable to understand either what dangers were to be apprehended to Britain's China trade, nor the grounds for asking the Netherlands to renounce hitherto uncontested rights of such long standing and which were devoid of "any idea of territorial influence or of the exclusion of foreigners. Nevertheless," he continued, "if after further examination the English ministry persists in the apprehensions it proclaims, the King will agree that this article should also be taken under consideration in the course of the impending negotiations, so that, in conformity with the wish of H. M. and in the interest so well understood of the two nations, all their mutual relations in the East Indies should be adjusted upon a footing equally just and permanent . . ."²¹ It is no wonder that Castlereagh found this reply to Clancarty's Note verbale "obscure", though he generously called it "perhaps necessarily obscure." But he welcomed these "assurances

Omissions are unacknowledged. This amputated version of the dispatch is mentioned here only because Elout's name is uniquely transcribed as "Elort," whereas the conventional misspelling among English writers is "Elont."

²⁰ Colenbrander, *Gedenkstukken*, II, 220. Van Nagell to H. Fagel, The Hague, 31 August 1819.

²¹ *Ibid.*, I, 140-142. Fagel to Castlereagh, London, 7 September 1819. Enclosure: a note from Van Nagell to Clancarty.

as auspicious harbingers” promising “an early and satisfactory settlement.”²²

The Netherlands Commissioners General only arrived home in October, and under date of November Elout drew up a lengthy memorandum, “Considerations concerning the settlement of the differences between Great Britain and the Netherlands.”²³ It is of value in indicating the aims and outlook of the most respected Dutch specialist on affairs of the Indies. In it Elout reviewed the relations between the two powers in the East, identifying four categories of differences. There were (1) those of a minor financial nature; (2) major monetary claims relating to rights and obligations; (3) political issues arising out of the return of the colonies; and (4) problems of political and economic relations in the Indies. He discussed the monetary claims, both major and minor, in laborious if inconclusive detail, and toward the end dealt with the territorial disputes, the issue of Billiton, the Palembang controversy, continental India, and finally with Singapore. From Hastings’ letters of 26 June and 21 August 1819 he hopefully quoted those passages in which the British Governor General granted the possibility that the English occupation of Singapore might have been illicit. After mourning the late Governor Bannerman, Elout reported

a most important argument and very rich in consequences, presented by the British side: . . . The British Governor General says that all our rights in the Indies emanate from the treaty of 1814; and that what is not returned to us by that treaty does not belong to us . . . and that we consequently want to take more than was ceded to us. To this the Netherlands Governor General says . . . : ‘Your Excellency asserts the proposition that our rights in these seas are based upon the treaty of August, 1814. I raise no objection to granting this principle!’ With all due respect which I entertain for my friend’s opinion, this does not seem correct to me The question is rather: had we a right to these places in January 1803? Our right to the Netherlands Indies is of ancient date, based upon ancient conquests, treaties, etc. That right was suspended [opgeschorst] by the war, since it was conquered, *jure belli*, by the English. Through the treaty the right

²² *Ibid.*, I, 142. Castlereagh to Fagel, Cray Farm, 8 September 1819.

²³ Cornelis Theodorus Elout, *Bijdragen tot de Geschiedenis der Onderhandelingen met Engeland, betreffende de Overzeesche Bezittingen, 1820-1824*, ed. P. J. Elout van Soeterwoude (The Hague, 1863), pp. 1-59.

revives We now resume that right, *proprio nomine*, after the cessation of hostilities. The application of this reasoning is clear by itself, requires no explanation.²⁴

In view of the wording of the treaty in question, of which the relevant passage in Article I reads: "His Britannic Majesty engages to restore to the Sovereign Prince . . . the colonies, factories, and establishments which were possessed by Holland . . . on the 1st of January 1803,"²⁵ it is difficult to understand the grounds of Elout's disagreement with Van der Capellen. The Governor General held, with Hastings, that all current Netherlands rights derived from the treaty of 1814, which restored those possessions (with stipulated exceptions) which had been under the Dutch flag on 1 January 1803. This appears to be precisely what Elout was saying. Elout further argued by implication that what was restored was not merely "colonies, factories, and establishments" held on 1 January 1803, but all the anterior treaties with native states, the old peripheral claims, and the ties with dependencies, as well. The fact of military conquest, he held, did not extinguish but merely suspended these relationships. On such tenuous matters the treaty was silent. But it must be recalled that Van der Capellen in his replies to Hastings had set forth the identical allegations.²⁶ Despite his avowed respect for the Governor General's views, Elout apparently did not understand them. Nor can it be said in extenuation that Elout was unacquainted with the "paper war" that had broken out in the Indies after his departure in February, for in the "Considerations" he cited Hastings' letters of 26 June and 21 August 1819, as well as the notable dispatch addressed to Hastings by Van der Capellen, dated Batavia, 16 December 1819.²⁷

Elout had thought out his opinions long before Clancarty's note verbale came to his attention, and had concluded that the Netherlands claims were based on justice; but he thought that the years since the conclusion of the treaty of 1814 had given grounds for reconsideration.

²⁴ *Ibid.*, p. 49.

²⁵ *Recueil des traités et conventions conclus par le royaume des Pays-Bas*, ed. E. G. Lagemans, 10 vols. (The Hague, 1858-1890), I, 35.

²⁶ See, e.g., p. 50 above, where Van der Capellen asserted the claim that the pre-1795 dependency of the Empire of Johore persisted after the war. See also p. 49.

²⁷ The reader distressed by the anomaly of a letter of 16 December 1819 being mentioned in a document dated November 1819 may be reassured by a note of Elout's editor, Elout van Soeterwoude (Elout, *Bijdragen*, xix, footnote 1): "These Considerations, presented in November 1819, were supplemented in consequence of newly arrived documents in May 1820."

First of all, in 1814 both governments had been inadequately informed about "the true state of affairs" in the Indies. Further, the value of the Netherlands possessions in continental India had depended upon the privileges they had formerly enjoyed. Now that these privileges were reduced and their commerce was hampered, "these possessions are deprived of all value." However, the Netherlands should not press for the restoration of what now was of little concern to them, for example, the right to exclusive trade in linen at some places. This would annoy the English without benefiting the Netherlands, whose textile mills and commerce had gone to ruin and probably could not be restored, even at heavy cost. (There is no record of any Belgian reaction to this doctrine). On the other hand, cheap saltpeter was important to the Netherlands, and an arrangement with the English ought to be feasible, on the same terms enjoyed by the French. "We have seen that the profit in opium is a quite considerable source of revenue which legally is our due." Yet the British were maintaining a monopoly and unjustly depriving the Netherlands of their rights, while the English rights were not superior to what they had formerly been. Nevertheless, he continued, prices had risen, and since the cost to the British government was now 280 sicca rupees per chest, it would be rather unreasonable for the Netherlands to press for the right to buy it at 160 sicca rupees. However, even at the current higher price, the profit was great.

With respect to import and export duties, the differences would be difficult to adjust since the rights of each party interfered with the interests of the other. The best prospect would be to merge this issue in larger ones, and the same held for the political relations in continental India. "Perhaps the interests of England may be furthered without thereby injuring those of the Netherlands." It was to England's interest to control continental India, it was worth much to them, and the Dutch could well make a friendly gesture by offering to cede their continental possessions; but in thinking of an appropriate compensation, both financial and political aspects must be considered. If it was important to the English to see the Dutch quit continental India, it was equally desirable for the Dutch to see the English evacuate the Archipelago. "Bencoolen is of no importance for the English." Four years before, said Elout, he had proposed exchanging the possessions in question.²⁸ Now, thanks to Raffles, the issue was more difficult, as

²⁸ An inconsistency in dates. Falck (see above, p. 66) puts Elout's proposal in 1817; the passage of four years would place Elout's *Considerations* in 1821, whereas the editor fixes the date of its revision in May 1820.

Clancarty's note indicated. The actions of the Netherlands government in the Indies showed that it had no intention of monopolizing either trade or navigation; only in the Moluccas was there an exception. "Now compare the treaties made by the Netherlands Indies Government with the pseudo-treaties entered into by Raffles, and see on which side there is monopoly or liberality." Elout referred to the treaty with the Sultan of Palembang of 4 July 1818 and to "the treaty between the so-called Sultan of Johore and Mr. Raffles, concerning Singapore," of 6 February 1819, as "not much milder." Article 6 prohibited treaties with any other nation and settlements by other powers, European or American. He also cited instances of British exclusiveness in Mauritius, and concluded that it demonstrated "that not we but the British Government wants monopoly." But the greatest difficulty arises out of the fact that "the British Government cannot tolerate the Netherlands holding "the keys to the routes that lead to China." The charge that the Netherlands held control of the straits was unreasonable and had been correctly answered. The current situation presented no new hindrances to England that had not existed for 200 years. (Elout was evidently unaware of the increased importance of the China trade to the East India Company). "In Pulo Penang do they not have a sufficient guarantee and fortress? And are they not established at Acheen?" Let the Netherlands "assure free passage through both straits by the most positive treaties," devoid of words smacking of permission or toleration, but rather proclaiming mutual rights.

As for the specific issue: the Netherlands could not forsake the Sultan of Rhio nor relinquish other places in the region without losing influence and exposing the Indies trade to pirates. He had no objection to the proposal "to leave open to Great Britain such commercial facilities as may satisfy the fair pretensions of British subjects," although it sounded innocent enough. He would wish to know "what was specifically meant by '*commercial agents*.' Raffles was in Bencoolen as a *commercial agent*" and he had invaded Netherlands territories with troops, and seized Singapore. He would be fearful of more such quarrelsome persons in the guise of commercial agents. "Therefore" Elout concluded with the following recommendations as a basis for negotiations:

The cession of the possessions in continental India on our part;
The peaceful retention [het vredig bezit] of our connections

[betrekkingen] with the princes of the Indian Archipelago, deriving from time immemorial;

The cession of Bencoolen on the part of the English;

The most unambiguous and positive engagements regarding freedom of navigation and trade, equality of rights, if possible in all possessions in the Indian Archipelago, except the Moluccas; in the Moluccas with modifications;

An equitable compensation for the financial rights to opium, saltpeter, pearl, fishery, etc.;

An equitable settlement of the financial issues at dispute in Java;

There are the 'outlines' of an equitable agreement, in my judgment.

Such was the advice of Elout to his government.

The negotiations did not take place in November. A sequence of obstacles arose to force repeated postponement of the negotiations. Lord Castlereagh on 4 January 1820 proposed "the first week in February for our deliberations" on the ground that the House of Commons was "no longer an impediment to other important considerations."²⁹ In the middle of the month Castlereagh assured Fagel that in the effort to achieve a fair and mutually beneficial settlement he would refrain from asking excessive sacrifices from the Netherlands, "but that he could not conceal the fact that the moment at which this negotiation would take place was disadvantageous" for the Dutch. In England the expansion of markets was the prevailing idea. There was envy of Dutch trade in the Indian Archipelago. "They accuse you," Fagel reported Castlereagh as saying to him, "of wishing to extend it at our expense, with a view to excluding us, and it will be a very difficult task for us to have to combat this prejudice in the Parliament and the public." He advised the Dutch, according to Fagel, to prepare to make some sacrifices, and to avoid collisions with the prevailing English public opinion "which it is almost as important for you as for

²⁹ Elout, *Bijdragen*, pp. 64-65. Castlereagh to Fagel, Cray Farm, 4 January 1820. This note Fagel forwarded to Elout on 7 January. If the "other important considerations" included adjustment of Anglo-Netherlands disputes in the Indies, this was doubtless either courtesy or irony. Without necessarily questioning the judgment of C. K. Webster, one may regret that his treatment of Castlereagh's conduct of foreign affairs omits all reference to the discussions toward which the diplomats were now moving. *Foreign Policy of Castlereagh, 1815-1822* (London, 1925).

us to humor.”³⁰ Perhaps this unfavorable picture contributed to the Netherlands request toward the end of the month for a postponement. Certainly Van Nagell was piqued at Lord Castlereagh’s expectation that the Dutch should prepare to make the sacrifices. For a generation the Dutch had experienced nothing but misfortunes: “In what manner would one justify new sacrifices? The Netherlands claim nothing which did not belong to them; they ask only to preserve the wreckage of their immense fortunes.” All the trouble was caused by that “turbulent spirit and marplot,” Raffles. It is evident from the emotional outburst that the Netherlands foreign minister was deeply stung.³¹ Fagel told Lord Castlereagh that “the late severe weather” had delayed his dispatch which only reached his foreign minister on the 20th. “They are not quite prepared, on the other side of the water, for so early a beginning of these deliberations.” Van Nagell had written about the inconvenience of Falck’s absence, and for these reasons wanted to push the date to the first week in April.³² The day before, Lord Clancarty had written to the foreign secretary: “You will see they are desirous here of postponing your Eastern negociation till April,” not, he believed, because of any waning of interest but because “they feel somewhat the want of Falck, now absent at Vienna.” Clancarty asked that consideration be given this request, adding that “some little relaxation will be of use” to Lord Castlereagh. “But if you should wish otherwise, the mere expression of your wish will send M. Elout over to you directly.”³³

Once again, events extraneous to the East Indies intervened to compel another postponement. King George III, of whom the Declaration of Independence presents to Americans a quite different image, had been leading a harmless existence under medical supervision; and although ailing and “greatly ematiated”, as recently as November 1819 “was amusing himself with playing upon the harp[s]ichord and singing with as strong and firm a voice as ever” the Duke of York had heard

³⁰ Van der Kemp, “Tractaat,” pp. 205-206. Fagel to Van Nagell, London, 14 January 1820.

³¹ *Ibid.*, pp. 206-207. Van Nagell to H. Fagel, 25 January 1820.

³² *Castlereagh’s Despatches*, XII, 176. Fagel to Castlereagh. London, 26 January 1820. *Ibid.*, XII, 177. Van Nagell to Fagel, The Hague, 21 January 1820. “The delay of 13 days” of Fagel’s dispatch of 7 January in reaching Holland “makes it absolutely impossible to accept the invitation of Lord Castlereagh,” and since parliament was to meet in February, he proposed, the early part of April.

³³ Colenbrander, *Gedenkstukken*, I, 143. Clancarty to Castlereagh, The Hague, 25 January 1820.

him. Although he "seemed as happy and cheerful as possible,"³⁴ two months later he was dead (29 January 1820). The Prince Regent thereupon became George IV, Parliament was dissolved and new elections called. Early in February 1820, Castlereagh told the Dutch ambassador that he saw no objection to postponing the negotiations to April.³⁵ Falck, however, sick in Vienna like one-sixth of the city's population, wondered whether in view of the events in England, April would not be too early.³⁶ Castlereagh in March still saw "no difficulty" in meeting in April, but Fagel in London observed that Elout might want to await Falck's return from Vienna; and parliament was summoned for 21 April.³⁷ Castlereagh evidently was affected by the latter point, for in mid-April he was telling Fagel that he would not be able to meet with the Dutch until toward the end of the session of Parliament, in June,³⁸ and in mid-May the date was pushed to the end of June. The coronation of George IV had been set for 1 August, and this limited the available time.³⁹ Under date of 12 June 1820, King William appointed Ambassador H. Fagel and State Councillor Elout as his plenipotentiaries. The very next day, however, Fagel reported that Castlereagh again asked for postponement "to a more opportune moment."⁴⁰ What rendered June untimely was "the unfortunate affair," in Fagel's words, viz., the divorce proceedings against Queen Caroline. These, "the sole concern of the public," were in a state of suspension at the time of his writing, 13 June 1820.⁴¹ At the end of the month Castlereagh spoke to Fagel about the impending conference and the latter therefore recommended that Elout be sent to join him,

³⁴ *The letters of King George IV, 1812-1830*, ed. A. Aspinall, 3 vols. (Cambridge, 1938), II, 298-299. Duke of York to the Prince Regent, Oatlands, 27 November 1820.

³⁵ Van der Kemp, "Tractaat," p. 208. H. Fagel to Van Nagell, 8 February 1820. Elout, *Bijdragen*, pp. 65-66. Fagel to Elout, London, 4 February 1820; Van Nagell to Elout, The Hague, 11 February 1820.

³⁶ Elout, *Bijdragen*, pp. 66-67. Falck to Elout, Vienna, 14 February 1820.

³⁷ *Ibid.*, pp. 67-68. H. Fagel to Elout, London, 14 March 1820.

³⁸ Van der Kemp, "Tractaat," pp. 208-209. Fagel to Van Nagell, London, 13 April 1820. Elout, *Bijdragen*, p. 68. Van Nagell to Elout, The Hague, 17 April 1820.

³⁹ Elout, *Bijdragen*, pp. 71-72. Van Nagell to Elout, The Hague, 17 May 1820. H. Fagel to Elout, London, 20 May 1820.

⁴⁰ *Ibid.*, pp. 73-74, 75. Fagel to Van Nagell, London, 13 June 1820.

⁴¹ Van der Kemp, "Tractaat," p. 209. Fagel to Van Nagell, London, 13 June 1820.

the King willing.⁴² Van Nagell therewith transmitted credentials to Elout, together with the royal instructions.⁴³

The statement of instructions which William issued to his plenipotentiaries Fagel and Elout closely followed the latter's "Considerations." It began with the inherent defects of the treaty of 1814, and if difficulties thereby developed, "the appearance of Sir Th. Stamford Raffles at Bencoolen" made their settlement the more urgent. Though repudiated by his government he continued unchecked, his occupation of Singapore testifying to British concern over the sea routes to China. A settlement of differences was feasible in a friendly, neighborly spirit. Perhaps to preserve these amenities, the king directed that: "Our Plenipotentiaries will take particular care to refrain from a deliberate investigation of the grounds upon which the Netherlanders are employed in various parts of the East Indies," not that there were any grounds to fear such investigations, but it was another matter to search the titles and debate them with foreigners. Since the English Government was more urgent than the Netherlands in requesting the conference,⁴⁴ Fagel and Elout were to await English overtures. On specific issues at stake, they were to seek to convince the English negotiators that the cession of Banka had included its dependency Billiton. The Netherlands government was ready to exchange its possessions in continental India for a reasonable equivalent; it would be especially desirable to arrange the removal of the English from Bencoolen and Sumatra in general. The seizure of Singapore constituted an inexcusable assault upon Netherlands rights. The plenipotentiaries were to be emphatic, "and We desire them, further to press with all that seriousness which the importance of the matter entails, for the evacuation of Sincapoera and the restoration of this Island to its previous condition." They were to refute the English attempt to base their seizure of Singapore upon charges of a Netherlands policy of exclusion, and in this

⁴² Elout, *Bijdragen*, pp. 77-78. H. Fagel to Van Nagell, London, 30 June 1820.

⁴³ *Ibid.*, p. 79. Van Nagell to Elout, The Hague, 11 July 1820. The instructions are printed on pp. 81-90, and are signed "Willem" and dated Loo, 10 July 1820.

⁴⁴ About the middle of May, dispatches from Van der Capellen reached Holland vigorously urging the government to reach an agreement with the English in order to curb Raffles. Colenbrander, *Gedenkstukken*, II, 240-241. Elout to H. Fagel, The Hague, 19 May 1820. Van der Kemp, "Tractaat," p. 59, observes no intensification of British desires to negotiate, and thinks that it would have been wiser for the Dutch to have dropped further efforts to arrange conferences after Castlereagh's conversation of 14 January 1820, if it had not been for the illicit occupation of Singapore.

connection were to compare the treaties with native princes made by Raffles with those made by the Netherlands. In any treaty to be concluded as a result of the conference, the plenipotentiaries were authorized to include provision for freedom of shipping in the Eastern Archipelago, except in the Moluccas, if the English government granted reciprocity for Netherlands subjects in the East Indian Seas. The King forecast that although "the English Government will feel the advisability of cutting as short as possible the sojourn of Mr. Raffles in the Eastern parts of Asia," he would relish a firm assurance of this in view of his hopes for lasting peace and security in those far-off regions.

The thinking in London preparatory to the opening of discussions,⁴⁵ while expressing some dubiety about the uncorroborated "allegation of Sir Thomas Raffles" concerning "the alleged oppressions of English subjects by the Dutch in Java", was seriously concerned with the extent of the Dutch territorial claims. These were based not upon any explicit principle of universal sovereignty, but pragmatically rested upon a multiplicity of individual claims which approached something "in practice nearly equivalent." While English policy might oppose the Dutch position in the straits, the right was not evident "which we have in depriving them of the advantages which their enterprise has secured." It would be difficult to persuade the Dutch "to give up a Right which they possess because it is inconvenient to us." There was another reason making it inexpedient "to urge the Dutch, on the score of *Right*, to cede any of their acknowledged advantages: no principle upon which we claim the participation in the Trade of the Eastern Islands can be maintained, without admitting at the same time the equal right of other European Nations, and of the Americans, to their share also." England should not appeal to General Law, on these grounds.

Not to put this apprehension too speculatively, let us apply it to the Russians and Americans. The Russians have of [late] years evinced a disposition to take a share in the Commerce of the Eastern Seas, having for that purpose [sent] embassies to

⁴⁵ Dutch Records, XXX, no. 12, is a rough paper written probably in November or December 1819, presumably at the India Board. The appendix, paper "B", was written at some time after January 1820, since it mentions the Special Secret Committee of the East India Company, which only began to function in February. Running to some thirty pages, the rough paper reveals, especially in the emendations, the scruples, hesitations, and objectives of British official thinking on the East Indies.

Japan: the Americans have already a very considerable Trade with China as well as India. Without allowing any [right] to the suggestions of Sir Thomas Raffles as to an [*sic*] union of Commercial Policy in the East between [the] Russians and the Dutch, and without imputing to the Americans any [thing] beyond the fair spirit of enterprise belonging to them as a Commercial Nation, it may be useful to consider in what manner these [two] powers would act, were England to [assert] a right under the Law of Nations to participate with the Dutch in Trade as well as Navigation

Accordingly "a principle of mutual concession" would be preferable to either the assertion of a right or a general principle of free competition. "That which we purchase cannot give rise to any conflicting or corresponding claims on the part of a Foreign State." The appraisal of Singapore was none too positive. If it could be shown that the Dutch claim to sovereignty over that island were invalid, then "perhaps" Britain's "object in the Negotiation would [be] at once accomplished." This statement was then strengthened by the word "perhaps" being crossed out; but on the other hand, a marginal note qualified the assertion of Singapore's value by inserting the words: "supposing that station to have the importance which Sir Thomas Raffles has attached to it." Nevertheless, "it is much to be feared that result of an impartial examination would shew the Dutch to be in the right as to Singapore." In order to formulate a policy for the conferences, it would be necessary to determine precisely what England wanted. First, with respect to the passage into the China Sea "the best professional opinions" including that of the East India Company should be solicited, with a view to learning whether Singapore would suffice to secure this passage, or "whether it would be desirable to attempt to obtain *Rhio* or *Malacca*, by a corresponding sacrifice." Second, respecting commerce with the Eastern Islands, "we shall assuredly be called upon to explain ourselves with greater precision upon the subject, and if it is intended to attach importance to it in the negotiation, it will be necessary to advert to the altered state of the Indian Trade,⁴⁶ since any former discussion took place upon this subject. The opinions or wishes of the East India Company must not be solely relied upon: it will be necessary to take the opinions of Merchants concerned in the Private and Country

⁴⁶ See above, pp. 12-14.

trade." Whatever be desired "it must next be considered whether we have anything to offer in return." The Dutch had suggested an exchange of their establishments on the Coromandel Coast for the British ports in Sumatra. "The East India Company ascribes but little value to their factory at Bencoolen; and would probably be very willing to give it in exchange for almost any object to which any degree of importance can be attributed." Yet it would be "a far preferable arrangement" to exchange Bencoolen for "one of those points by which we hope to secure the Navigation of the Straights of Malacca," and the opinion of the East India Company should be sought.

But in estimating this opinion, it must be again recollected, that the interest of the Company in the Commercial question with the Dutch, is not, or may not be, precisely the Interest of the British Public. We do not yet know how highly the Company estimate the objects which it is proposed to secure; although one of them is meant to secure their Trade [with] China, in the other they have no great interest, and perhaps regard it with jealousy. At least it is possible that [that] body may prefer to objects of great value to the Nation at large objects of less national advantage which are [more] peculiarly their own.

With respect to England's pecuniary claims, "a considerable part of the acknowledged balance" having "already been paid by the Dutch," the memorandum was not very sanguine. The words: "It is very doubtful" were replaced by "It is possible" — "that the further sum to be received may not be very great."

B. The Negotiations of July-August 1820

On 19 July 1820 Elout presented his credentials to the King and on the following day, the formal conferences opened. Fagel⁴⁷ joined

⁴⁷ Frederik Willem Stapel, in the *Geschiedenis van Nederlandsch Indië*, ed. Frederik Willem Stapel, 5 vols. (Amsterdam, 1937-1940), V, 206, perhaps the largest and most resplendent of recent Dutch works on this subject, pictures Falck as Elout's fellow plenipotentiary in 1820. He also believes that in 1819 the Netherlands took the initiative in London by suggesting a reciprocal exchange of territories. "In the name of his government, Castlereagh rejected this proposal but returned to it the following year himself. He proclaimed himself ready in 1820 for such a solution, provided that the Netherlands government declared in advance that it would renounce its claim to Singapore. When the Netherlands seemed not ready to agree to such a presumptive

by Elout confronted George Canning, who conducted the day to day deliberation on the British side. Falck gave his unqualified approval to the appointment of Elout: "His thorough knowledge of the state of affairs in those parts, together with his tested capacities and experience, make this choice most appropriate."⁴⁸ Lord Clancarty offered his opinion of Elout: "He appears to me to be a fair man, fully impressed with the necessity of an arrangement with us, and anxious to promote it."⁴⁹

The memorandum drawn up by the Secretary of the Board of Control, Thomas Peregrine Courtenay, almost two years after the negotiations were suspended, although attributing their origins to Clancarty's note verbale, pointed out that "the principles laid down" on that occasion "did not constitute the basis of negotiation — nor were they brought forward as principles by the British Plenipotentiaries. It was found more convenient after the first and preliminary conversation, that each party should state the separate points which it would be necessary to bring into discussion."⁵⁰

On 20 July 1820 both sides presented notes on the issues as they pictured them. The Dutch gave a detailed list of what they reckoned they owed to Great Britain, totalling perhaps a million Dutch florins for military stores, and other items.⁵¹ They proposed discussing various claims arising out of the retirement of the old Batavian paper currency, which in turn entailed a number of corollary questions. Mortgage bonds, the sale of government domains, the seizure of assets by prize agents were subordinate details; and it would be necessary to fix the point in time before which revenues and fiscal responsibilities were British and after which they became Dutch. They reasserted the right of duty-free entrance and departure for their possessions in continental India, as well as certain rights, or so they regarded them, to purchase annually certain fixed quantities of saltpeter and opium at cost price,

demand Castlereagh let it drop, and thus the first discussions could begin in July 1820." I have been unable to discover evidence to support this account beyond the fact that the first discussions began in July 1820. See note 13 to this chapter, also.

⁴⁸ Falck, *Ambts-Brieven*, p. 127. Memorandum, 28 October 1819.

⁴⁹ Colenbrander, *Gedenkstukken*, I, 143. Clancarty to Castlereagh, The Hague, 3 December 1819.

⁵⁰ Dutch Records, XXX, no. 43. Courtenay's "Observations" of March 1822, pp. 1-2.

⁵¹ Elout, *Bijdragen*, pp. 100-104.

and to participate in the pearl fishery near Tutucorin;⁵² and in general there were the former political and commercial rights which were currently rejected by the government in India. They listed questions relating to the Moluccas, Malacca, Padang, Billiton, Palembang, Banca, and continental India. "Sir T. S. Raffles took possession of Singa-Poura. The Government of Netherlands Indies presented its complaints to the Supreme Government of British India; the point is to be decided by the European Governments." There was no mention of any proposal to exchange Dutch possessions in continental India for any English concessions elsewhere. The English note, in contrast to the Dutch memorandum, merely listed fourteen points to be discussed and settled between the two governments. Items one through four concerned financial issues; number nine designated Singapore as an issue.⁵³

On 20 July the first conference opened between Canning on the English side, and Elout and Fagel, it being understood that the discussion was to be informal and confidential. On the basis of Canning's remarks, the Dutch were pleased to report that the English appeared inclined to acknowledge some of the Netherlands financial claims heretofore challenged, although this did not include the matter of the Batavian paper currency. Concerning the date after which Java revenues and costs were to be assigned to the Netherlands, Canning preferred the day of the transfer of authority, which would be 1 August 1816,⁵⁴ while Elout and Fagel preferred the date (3 May 1816) when the Netherlands commissioners appeared at Batavia, ready to take over the powers of government, arguing that their government should not be penalized because of the lethargy of British communications. Canning opposed the Dutch views on the automatic resuscitation by the treaty of 13 August 1814 of the privileges — or rights, as the Dutch regarded them — in India, and firmly rejected the notion that the retrocession of Banca, explicitly incorporated in the convention of 1814, implicitly included the island of Billiton. Elout and Fagel rejoined that the omission of mention of Billiton arose solely out of the ignorance common to both High Contracting Parties in 1814, and that the possession of Billiton was flatly indispensable to whatever power held Banca.

⁵² Located in the Madras Presidency. Some variant spellings include Tuticorin, Tutticorin, Tuticorijn.

⁵³ Elout, *Bijdragen*, pp. 100-104, presents the texts of both notes.

⁵⁴ This was an error. The date of actual transfer of authority was 19 August 1816. Cf. P. Mijer, *Jean Chrétien Baud* (Utrecht, 1879), p. 85.

"We thereupon came to the consideration of an important point, namely the occupation of Singa-Poura by the British officials." In pursuance of their instructions, the Netherlands plenipotentiaries undertook to develop in full truth the circumstance which precluded their government's assent to this occupation. At stake was less the right of the Netherlands or of Great Britain but rather that of the Sultan of Lingin, Rhio, etc., with whom the Netherlands had renewed its ancient ties of friendship and alliance. They could not agree to the partition of his domains, especially since it was alleged by Raffles that he was not the true sovereign of the Empire of Johore, "which pretext would ultimately lead as a necessary consequence to the conclusion that the Prince, recognized by us and never [before] contested, with whom the British officials themselves have concluded treaties and negotiated concerning the cession of Singa-Poura, would enjoy no security concerning his other possessions." Elout and Fagel reported with satisfaction: "We may say with some confidence that everything we cited in this connection made some impression upon the British Plenipotentiary." Canning replied that the Bengal government had recently "presented the issue from another viewpoint," and "he could not conceal the fact that the whole issue had acquired some importance in the opinion of the British public which had endowed the issue with a particular significance." Fagel and Elout thereupon elucidated their initial statement "and added that the Netherlands public also had cast an attentive eye at the events in the Indian Seas; we further observed how petty the place was for British interests in India . . ."

Neither side was wholly frank on this point. Elout and Fagel were in no position to argue that Netherlands public opinion, if it had any concern over the English occupation of Singapore, could affect colonial policy which was constitutionally a royal preserve. Besides, the Netherlands public actually showed little interest in the Indies.⁵⁵ On the other hand while Canning may have been referring to the London press (*The Times* on 7 September 1819 had hailed the new acquisition) although the main blast of *The Times* was only to appear on 26 July 1820 and that of *The Morning Chronicle* on 3 August, it is more likely that he was periphrastically referring to the attitude of the East India Company. In January he had asked the Court of Directors to appoint a Secret Select Committee to advise him of the Company's views. A committee of four, comprising the two "chairs," James Pattison and Cambell Marjoribanks, and the two senior Directors, William Fullerton

⁵⁵ Van der Kemp, "Tractaat," p. 81.

Elphinstone and Charles Grant, a good friend of Raffles, "straightway advised Canning," according to Philips, "that it was necessary to safeguard the passages through the Straits of Malacca for the China trade, and that Singapore was essential for this purpose."⁵⁶ On the other hand, according to Courtenay, writing in 1822, "The Special Committee in 1820, pointed out several stations, one of which might be eligibly selected for the purpose desired."⁵⁷ On 6 July 1820, Charles Grant⁵⁸ had testified before a Select Committee of the House of Lords concerning "the Progress of the Trade with the Islands of the Eastern Archipelago, . . . and whether . . . it is capable of any further Expansion." Grant thought "that the Company as a commercial body have no particular Interest in this Question, their own Trade to the Eastern Islands being very limited; but with respect to the national Interests which may be concerned in that Trade, I conceive that it may be made of Importance under due Regulation and Encouragements." The whole region was in a near state of anarchy: "if there was any commanding Station in the Eastern Archipelago" under the British, "the general Interests of Commerce and of Humanity in that Region would be promoted." Penang was an example but was too remote to serve the purpose he was suggesting. "There is wanting a commanding Station further within the Archipelago; I think such a Station has lately been acquired by Sir Stamford Raffles at Sincapore; and if the Government of this Country should feel no Obstacles to the Establishment of a British Settlement there, I apprehend it would contribute greatly to the Objects I have mentioned . . ." The question was put, apparently by the Marquess of Lansdowne in the Chair: "Does the Establishment at Sincapore, to which you have alluded, offer the best Station we could occupy for British Commerce?" Grant replied: "It is, I apprehend, the best now within our Command; but if by negotiation with Government of the Netherlands, a Station still more advanced within

⁵⁶ Philips, *East India Company*, p. 232; Dodwell, "Straits Settlements," pp. 601-602.

⁵⁷ Dutch Records, XXX, no. 43, p. 77.

⁵⁸ Lady Sophia Raffles, *Memoir of the Life and Public Services of Sir Thomas Stamford Raffles* (London, 1830), pp. 597-598, wrote: "Among the Directors of the East India Company, Sir Stamford had the happiness to possess the friendship of Sir Hugh Inglis, Mr. Grant, Mr. Edmondstone, Mr. Money, and Mr. Edward Parry. . . ." It is true that Henry Morris, *The Life of Charles Grant* (London, 1904), makes no mention of Raffles, but neither does the book contain any reference to Singapore, the negotiations with the Dutch, Grant's membership on the Secret Select Committee, or his testimony before the committee of the House of Lords.

the Archipelago, and now in the Possession of that Government, could be obtained, I should conceive such a station would be still better.”⁵⁹ And when the negotiations in London began, Grant wrote to Raffles (19 July 1820): “I have . . . done all that I believe you expected of me The acquisition of Singapore has grown in importance. The stir made here lately for further enlargement of eastern trade fortified that impression I augur well as to the retention and encouragement of the station your rapidity has preoccupied.”⁶⁰ When Elout and Fagel “observed how petty the place was for British interests in India,” they must have regaled Canning’s sense of the ironic.

They also lauded the liberal, non-monopolistic, commercial principles of their government, which were exemplary for other states. Canning’s response was to inquire whether it would not be advisable for each side to draft a sketch of an agreement to facilitate further discussion. To this, in line with their instructions to allow the English to make the overtures, the Dutch replied that they simply stood upon their rights and would be glad to discuss any British proposals that might be forthcoming.⁶¹

On 22 July 1820, Fagel received a note from Canning, covering an attached “*Projet de Convention*” which, he wrote, “has grown under my hands and chiefly as you will observe to your advantage.” The first three articles repudiated Raffles’ unauthorized actions at Padang, in the Lampongs, and other spots in Sumatra. Article four proposed “to transfer the Island of Billiton to the Netherlands Government, provided that the Netherlands Government will engage not to interpose any obstacle to the Establishment of a British Factory at Singapore.” Canning in this way explicitly reasserted the British title to Billiton while implicitly denying any Dutch rights over Singapore. He was prepared to acknowledge Netherlands treaties with Rhio and four Borneo chiefs; all future treaties with native powers were to be reciprocally communicated, and no such treaty was to exclude the subjects of the other power. Article eight would open trade in “their respective possessions in the Eastern Seas,” which obviously excluded India proper, and this trade was to be on a most favored nation basis. In Article ten

⁵⁹ *Parliamentary Papers. Lords*. “Report from the Select Committee of the House of Lords Appointed to enquire into the means of extending and securing the Foreign Trade of the Country and to report to the House; together with the Minutes of Evidence taken in Sessions 1820 and 1821, Before the Said Committee.” Ordered to be printed 11th April 1821. Pp. 148-150.

⁶⁰ Lady Raffles, *Memoir*, pp. 445-446.

⁶¹ Elout, *Bijdragen*, pp. 104-110. [Fagel and Elout, London], 20 July [1820].

Canning proposed a commission to determine the disputed financial claims, but in the next article he offered to accept "in full satisfaction of such balance, the Island of Banca, and the small Factory of Fultah in Bengal," and if the Netherlands were to cede Banca, by Article twelve, "the British Government will desist from the establishment of a Factory at Singapore." Banca apparently would fulfill Grant's recommendation of a station more deeply in the Archipelago, to take the place of Singapore. "The Netherland Commissioners at once rejected this proposition."⁶² Respecting opium and saltpeter and the pearl fishery (Articles 13, 14, and 17) he was willing to meet Dutch claims, and offered concessions in the treatment of the Netherlands factories in continental India (Articles 15 and 16). One article (20) provided for the alleviation of the lot of slaves in the nutmeg producing island of Banda⁶³ and for the non-establishment of slavery in those other islands in the East Indies where it did not already exist.

Canning's views at this date on Singapore thus appear to be labile indeed: he was, on the one hand, ready to trade Billiton to the Netherlands in order to keep Singapore. On the other hand, he would accept Banca and Fultra in place of all fiscal claims and Singapore to boot.

England's monetary expectations from the Netherlands were large and licit, as they proved in the long run; the tin mines of Banca were rich;⁶⁴ the English title to Singapore was cloudy, and its economic value, viewed from London in the summer of 1820 was no more than a promise. Its strategic value was appreciated by the Secret Select Committee, but Canning was the representative of the British Government and not the East India Company. It is difficult to avoid the belief that Canning was making a sincere offer although one which he perhaps knew would be unacceptable to the Dutch. If it be granted, with H. W. V. Temperley, that "he recognized Singapore as 'the *unum*

⁶² Dutch Records, XXX, no. 43, p. 16.

⁶³ *Ibid.*, p. 19. This was a pecuniary issue: the value of these slaves "was claimed by the British Government as public property. This claim Mr. Canning proposed to wave [*sic*]" if the Netherlands government would undertake to improve their situation.

⁶⁴ In the rough paper reflecting English thoughts in preparation for the negotiations (Dutch Records, XXX, no. 12, pp. 25-26), it is reported that Hastings had proposed the surrender of England's pecuniary claims in return for Banca. "Of the value of making this exchange there [can] be little doubt; since Banca is not only valuable in itself, but is situated as to answer the chief if not the whole of our purposes in the proposed negotiation." But there was no reason to believe that the Dutch would sell it.

necessarium for making the British Empire in India complete,' by securing the strategic command of the Straits of Malacca and the control of the spice trade,"⁶⁵ it must be added that Canning in 1820 did not decisively so regard Singapore. Nor is it clear even that he fully expounded this view in 1824, when the words quoted by Temperley were uttered. In context, in defending before the House of Commons the treaty by which England finally acquired unchallenged title to Singapore, Canning disavowed this attribution of insight: "He did not pretend to be a judge of the value of Singapore which we had gained by the treaty. He only knew that, from the time when he first became connected with Indian affairs, Singapore had been pointed out to him as the *unum necessarium* for making the British Empire in India complete."⁶⁶

If Canning on 22 July 1820, apparently regarded Singapore as dispensable, the Dutch negotiators, his inferiors in intellect and statecraft — and who was not? — may be forgiven for having lost their chance. Furthermore, as they noted in reporting the offer to their Foreign Minister, their instructions explicitly directed them to get the English out of Singapore.⁶⁷ If hindsight indicts Elout and Fagel on a second count as well, namely for having rejected a more favorable financial settlement than the Netherlands was to get in the long run, it must be said in their extenuation that not even Falck, the colonial minister, was aware of the deficits and fiscal chaos prevailing at Batavia. "The Eastern Finances," he misinformed his King on 1 August 1820, "are in a prosperous condition."⁶⁸ The plenipotentiaries could not be better informed than their source. Their response to Canning's

⁶⁵ H. W. V. Temperley, *Foreign Policy of Canning* (London, 1925), p. 41. This sentence constitutes the whole treatment of the subject, an indication of the negligible significance the author attributed to the topic, compared to the larger issues with which Canning dealt.

⁶⁶ *Parliamentary Debates*, New Series, vol. XI (London, 1825), col. 1446. 17 June 1824. This statement too, on the face of it, is an exaggeration. Canning "first became connected with Indian affairs" when he was appointed President of the Board of Control in 1816. He was not to hear of Singapore, much less have it pointed out to him as the *unum necessarium*, for more than three years thereafter.

⁶⁷ Elout, *Bijdragen*, p. 127. [Fagel and Elout to Van Nagell], 28 July [1820]. Since Elout drafted the memorandum which served as the basis for the instructions it can be argued that he must bear a large share of the responsibility for not accepting the English offer to quit Singapore. Abstractly, this is valid, but it is unsound by any historical criterion. Furthermore, he was morally justified in so far as he was convinced of the intrinsic merits of the Netherlands case.

⁶⁸ Falck, *Ambts-Brieven*, p. 129.

proposals was a projet of their own. It opened on a note of intransigence: "The Government of Great Britain disavows the conduct" of its agents in the Archipelago "and recognizes the rights of the Netherlands Government" by virtue of the treaty of 1814 and expressly where they have been challenged. "The British Government engages to issue the necessary orders for the evacuation of Singa-Poura." (Article 1). Title to Billiton the Dutch proposed to acquire by cession of the minuscule Fulta in India. (Article 2). Each Government was to respect the treaties of the other with native powers, although there is no mention of communicating these treaties to one another; such treaties were to contain no stipulation "tending to exclude Their respective subjects from the posts of the said [Native] Powers." (Article 4). Neither would henceforth exclude the subjects of the other from trade in the East Indies except in the Moluccas, until the Netherlands relinquished its monopoly of spices. (Article 5). Import and export duties applying to the Dutch possessions in continental India, in agreement with Canning's projet, were to be no more than double the duties paid by the British; and the same principle was to be applied to British ships and subjects in the Netherland's Archipelago. (Article 6). The fiscal proposals (Articles 8—15) while preponderantly favoring the Dutch claims, as was only to be expected, showed a greater balance than the territorial proposals; they were prepared for example to commute their prior rights to opium and saltpeter into either a lump sum or annual payments, the amounts being left blank. The pearl fishery at Tutucorin (Article 17) they wished to retain.⁶⁹

When the three negotiators met on 26 July, after Canning had proposed an additional article to the Dutch projet, to which Fagel and Elout offered no objection, wherein ships of war were to respect freedom of navigation in the Indies, and the two governments were to undertake to repress piracy in the East, he focused attention upon the divergent proposals affecting Singapore. He was unable to settle this point "until further reports had arrived from the Governor General of British India," and therefore further negotiations should be postponed. He now proposed an article of compromise as an expedient, wherein implicitly the status quo in Singapore was to be maintained temporarily. This proposal indicates a shift in Canning's policy: on 22 July he was prepared, under certain conditions, to evacuate Singapore. Four days later he withdrew that offer and adopted a policy of delay. "This,"

⁶⁹ Elout, *Bijdragen*, pp. 115-119. 24 July [1820].

he wrote in a note attached to the proposed article, "is the very utmost that we could do, under present circumstances." But this "very utmost", coming after the Netherlands claims of the 24th, was actually more reserved than his proposals of the 22nd. Evidently "present circumstances" had changed. It is difficult to avoid the hypothesis that the East India Company's Secret Select Committee, following the conference of 22 July, may have communicated some doubt that Billiton and Banca would serve to command the Strait of Malacca in place of Singapore. Canning's note continued to commend his new proposal: "It gives you, as you see, all that you can want, *if you can be sound*. And this we cannot do unless it is most liberally compensated on your part."⁷⁰ The right of Hussein Mahomed Shah and Dattoo Tummingong Sree Maharajah Abdul Rahman to conclude the treaty of 6 February 1819 had been challenged by the Netherlands government at Batavia, and the cession was also declared illicit on the ground "that the said Island of Singapore is a dependency upon Malacca." Accordingly the Governor General of British India had "instituted an enquiry into the truth of these allegations." Canning now proposed that "the British Government engage to give instructions to the Governor-General in Council of Bengal, that in case it shall be ascertained that these allegations are true, the British Troops and Establishment shall be withdrawn from the said Island of Singapore." In such case, the Netherlands government was to acknowledge and respect Farquhar's treaty with Abdul Rahman of 19 August 1818 concerning the admission of British trade and ships into the Sultan's ports "on the footing of the most favored nation. It is understood also that the Dutch agree, in such case, not to erect fortifications on the Island of Singapore."⁷¹

In one sense, this may appear to be a strange proposition: a cynic of later date might even think it preposterous for the possessor of a colonial territory to assume that the spokesmen of a rival colonial power could be so guileless as to agree to accept the decision of the possessing authority sitting in judgment upon the legality of its own acts. And in fact, Elout and Fagel rejected this proposal, but not for

⁷⁰ *Ibid.*, p. 120, footnote 1.

⁷¹ *Ibid.*, pp. 120-121. Courtenay's summary in his memorandum of March 1822 (Dutch Records, XXX, no. 43, pp. 9-10) blurs the precise terms of this article. Depending on this source, Philips, *East India Company*, p. 232, asserts that "M. Elont [*sic*] claimed the islands of Banca and Billiton as dependencies of Java," as though Banca were not already legally in undisputed Netherlands possession. Dodwell, "Straits Settlements," p. 602, stumbles on this point but recovers.

doubt of British ethics: "We were both of the opinion, without lengthy deliberation," reported Elout and Fagel to the foreign office, "that it was impossible for us to accept this proposal." After all, it was not merely the government at Batavia but His Majesty himself who was convinced that no more information was needed: "the matter thus was settled for us," and for this reason as well as because it struck them as "unseemly" for "the Sovereigns in Europe to permit an issue to depend upon the decision of their subordinate Governments in India, whereby above all H.M. our King would subordinate his incontestable right and that of his ally in the Indies in such a further inquiry and decision."⁷² They proposed, after informing Canning on the following day that his article was unacceptable, to communicate to him the letter of 16 December 1819, from Van der Capellen to Hastings, together with the pertinent supporting evidence, "all of which documents," they wrote, "place H[is Netherlands] M[ajesty]'s right above all question."⁷³ In its assumptions, this represented a profound faith in the British sense of justice.

At this point, a number of questions arise concerning Canning's motives. Was he stalling? Was he genuinely doubtful of the legality of the British establishment at Singapore, and did he actually intend at this time to issue orders to quit the island if the report from Bengal revealed defect in the British title? Did he really imagine Hastings to be capable of judging the rival Dutch and English claims objectively? Such questions could be answered with certainty if the Netherlands had accepted Canning's offer, if Hastings had subsequently upheld the Dutch position, and if Canning had then fulfilled the pledge to evacuate Singapore. Not one of these conditions was met. Yet logic does not therefore justify the inference that Canning was hypocritical in proposing this article to the Dutch. Elout and Fagel did not question his sincerity: their dispatches breathe no such suspicion. Admittedly, they can be called naive. Yet the English record was such as largely to exonerate them of this charge.⁷⁴ They knew that the English had returned the former Dutch colonies, that both the Bengal and London authorities had repudiated the land grabbing exploits of Raffles. Did not the first three articles in Canning's project of 22 July make this repudiation even more formal? Canning was not an expansionist in

⁷² Elout, *Bijdragen*, p. 128. Elout and Fagel to the foreign office, 28 July 1820.

⁷³ *Ibid.*, p. 121. 26 July [1820].

⁷⁴ Just as Van der Capellen was cleared of the same charge. See above, pp. 51-52.

the East: in discussing the vote of thanks in the House of Commons on 4 March 1819 to be extended to be Marquis of Hastings and the British Army in India upon the victorious conclusion of the Mahratta campaign, he had been apologetic for the gains in territory which had resulted. "But with all that may be said in excuse for this disposition of our Indian Empire to stretch its limits wider every day, far am I, very far," said Canning, "from describing it as a disposition to be fostered and indulged; or from undervaluing the constant and laudable exertions of the British Parliament to check its progress, and if possible, to counteract its impulse." And as for the governing body of the East India Company, he added, it was but justice "to say that the whole course and tenour of their instructions has been uniformly adverse to schemes of aggrandizement. . . . I have omitted no occasion of adding my exhortations to those which I found recorded in my office [in the Board of Control] against enterprises of ambition and wars of conquest."⁷⁵ The Marquis of Hastings, responding in Calcutta to greetings upon his return from the campaign, declared that expansion had not been its object: "Our knowledge of the decided repugnance, with which any notions of extending our territorial possessions is always viewed at home, would have forbidden such a project. . . of adding a rood to the dominions of the honourable company."⁷⁶ In his private journal Hastings wrote: "A time not very remote will arrive when England will, on sound principles of policy, wish to relinquish the domination which she has gradually and unintentionally assumed over this country [India], and from which she cannot at present recede."⁷⁷

Both the record and the character of the English negotiators entitled Elout and Fagel to hope to convince them of the justice of their case. The historian, unlike Elout and Fagel, can look over Canning's shoulder and see his cards. He was dubious of the legality of the English title to Singapore, and he did in fact seriously forecast the necessity of evacuating the post, as will be seen below when the English evaluation of the conferences is described.⁷⁸ The role of moral ideas, in this

⁷⁵ *Speeches of the Rt. Hon. George Canning*, ed. R. Therry, 6 vols. (London, 1830), IV, 80-82.

⁷⁶ *Annual Register for 1819* (London, 1820), pp. 199-200. See also above, p. 61.

⁷⁷ *The Private Journals of the Marquess of Hastings*, ed. by his daughter, the Marchioness of Bute, 2 vols. (London, 1858), II, 326.

⁷⁸ See below, pp. 143-144. If it be objected that this evidence reveals Courtenay's rather than Canning's ideas, other evidence may be adduced; but it can also be noted that Canning seems to have accepted Courtenay's views as his own. He studied the memorandum, and in one instance initialed an alteration.

instance, at least, cannot be ignored. The Dutch historian, P. H. van der Kemp, unaware of Canning's serious doubts, and writing in a spirit of hostility to Britain nourished by the Boer War and its antecedents, considered the conduct of Elout and Fagel unbelievable.⁷⁹ "Oh doctrinaire Elout!", he exclaimed at another spot.⁸⁰ His own difficulty in empathetic understanding of Fagel and Elout seems to have had its origin in the limitations of his own outlook. "Oh doctrinaire Van der Kemp," one might add.

At their meeting with Canning on the morning of 27 July, Elout and Fagel read to him the letter from Van der Capellen of 16 December 1819⁸¹ and declared that they were chary of accepting his recent proposal. The Netherlands emissaries reported to Van Nagell that they had not deceived themselves in anticipating the effect of Van der Capellen's letter, that they could have had no better answer to the English proposals. Canning's answer they considered not really satisfying, "but we must do justice to the frank manner in which Mr. Canning gave us to understand that in his personal opinion the documents just made known to him place our claim above reasonable doubt, but at the same time he set forth the impossibility of the British Government here settling the matter without having ascertained the opinions of the British Governer General from the latest documents, which, according to the customary calculation cannot take longer than a couple of months to arrive."⁸² In order to prepare a revised conditional draft agreement, Canning asked that the documents just read be left with him so that he could have a copy made, and this was granted.

In the afternoon Elout and Fagel received a new projet from Canning, this making the third. Much of the previous projet was repeated: the new features omitted explicit repudiation of Raffles' depredations; and while repeating the proposal to abide by Hastings' decision concerning the legality of Dutch and English claims to Singapore, Canning now proposed (Article 5) that if the decision were to lead to British withdrawal from Singapore, then both governments were to instruct their

⁷⁹ Pieter Hendrik van der Kemp, "De Singapoorsche Papieroorlog," *Bijdragen tot de Taal-, Land- en Volkenkunde van Nederlandsch-Indië*, vol. 49 (The Hague, 1898), p. 434.

⁸⁰ Van der Kemp, "Tractaat," p. 78.

⁸¹ See above, pp. 63-64.

⁸² Elout, *Bijdragen*, p. 128 [Elout and Fagel to Van Nagell], 28 July [1820].

officers in the East “to communicate with each other for the purpose of agreeing upon some naval station, eastward of the streights [*sic*] of Malacca, fit for the harbouring and refitment of British ships of war and merchantmen, the occupation where of [*sic*] may not give ground for any contestation or interference.” The following article (number 6) offers some sign of what was in Canning’s mind: “Should the island [of] Billiton not afford such a station, the British government will cede that Island to the Netherlands Government in exchange for the Dutch Establishment at *Fultha* and *Calcapore* in Bengal which are in that case to be ceded to the British Government.” In short, Canning presented a three stage proposition which might, first, give England clear title to Singapore; but if not, then second, retention of Billiton provided this afforded the desired marine facilities; and finally, if Billiton were not suitable, then they would get a station elsewhere. Apparently the doubts engendered by Van der Capellen’s dispatch evoked these proposals. The provisions respecting import and export duties, repression of piracy, communication of treaties, were as earlier proposed. A blank number of chests of opium were to be reserved for the Dutch at the average sale price, not at cost as demanded by the Dutch; and a blank quantity of saltpeter was to be exportable duty free by the subjects of the Netherlands government. Earlier proposals concerning the pearl fishery and the restoration of earlier rights in the Netherlands factories in continental India were repeated. The warships of each power in the Eastern Seas were to abstain from flying the flag of the other. All these foregoing terms, by article 16, were to continue in force for a set period of 14 years. No stipulation was introduced whereby the Dutch might choose to cede territory instead of paying the monetary debt, which was to be fixed by a joint commission.^{82a}

Canning concluded with the opinion that either the conferences would have to be postponed until more recent reports were received from British India or else the agreement would have to contain his article or some better one that would remove the current difficulties. He embarrassed Elout and Fagel by inviting them to present their own views: they could not decline, but they had to indicate to him that they saw small hope for acceptance of his project. They saw the Netherlands on the horns of a dilemma: “the necessity of a settlement

^{82a} *Ibid.*, pp. 121-126. 27 July [1820]. The provision regarding flags on ships of war resulted from the practice of such ships flying whatever flag enjoyed the most respect in the waters they happened to be traversing.

of issues, and the probability that the British Governor General will be convinced, on one side; the possibility of the opposite and the singularity of such a conditional agreement on the other." In discussing Canning's second stage proposal among themselves, viz., the possibility that the Dutch would get Singapore and therefore the English would hold Billiton if this island proved suitable, Elout and Fagel concluded that if "our interest and tranquillity" were solely at stake, "the occupation of Singa-Poura occasions less concern than an establishment upon Billiton," since the latter would provoke new insecurity and conflict.⁸³ To Canning's proposal regarding the flags flown by ships of war, they replied that this concerned matters not in their instructions and that they questioned whether it belonged in the treaty.⁸⁴

When Canning returned Van der Capellen's letter after having had it copied, he again expressed his "personal feelings" about Singapore, to the effect that both the affiliation of Singapore to the Empire of Johore and the right of the current sultan of Rhio to sovereignty "seemed proven, as far as such could be concluded from the documents communicated to him," but on the other hand, he wondered whether a declaration (1795) by the quondam Dutch governor of Malacca, Couperus, to the effect that the ties with Rhio were dissolved, had not extinguished the ancient Dutch claims. He also suggested that there were various points, such as the English disavowal of Raffles' actions in Sumatra, which should be dealt with in notes rather than the treaty.⁸⁵

At the penultimate conference, on 29 July 1820, Lord Castlereagh made his first and last appearance, sealing with the eminence of his person and office the British refusal to come to any decision on Singapore before receiving Hastings' reply to Van der Capellen's dispatch of 16 December 1819. "So it was decided to hold up further deliberations on that point for the time being" and to treat provisionally of other issues. Lord Castlereagh strongly put the necessity for England to possess a definite site in the Indian Archipelago; and for the promotion of English commercial interests he wanted consuls admitted to the Netherlands possessions.⁸⁶

Despite all the arguments of the Dutch envoys, the reports from

⁸³ Van der Kemp, "Tractaat," p. 85. "Our Plenipotentiaries rejected the proposal to come to an agreement on Singapore in an almost irresponsible way...."

⁸⁴ Elout, *Bijdragen*, pp. 128-130. 28 July [1820].

⁸⁵ *Ibid.*, p. 131. 28 July [1820]; p. 133. 1 August [1820].

⁸⁶ *Ibid.*, p. 132. 29 July [1820].

Van der Capellen, and the personal knowledge of Elout, Castlereagh and Canning were unmoved, and so "there was nothing left but to postpone further consideration till further notice on the part of the British, while it is trusted that after the lapse of a couple of months the expected letters will have arrived." Lord Castlereagh stressed the interest of British merchants in the trade in the Indies, and their conviction that England must have a base in those parts. They wanted English commercial agents or consuls admitted, especially to Java. He observed that to the Bengal Government it appeared that the Netherlands Indies authorities were seeking exclusive power in the Archipelago, a point raised by Canning in the earliest conference. Now Fagel and Elout undertook a more elaborate reply. It was beyond their competence, they said, to judge what was essential to British interests, they could only remark that both Bencoolen and Pulo Pinang already belonged to England, and that the Netherlands had never objected to Mr. Raffles' negotiations with the King of Atchien. As for commercial agents or consuls, they observed that they were unnecessary, that commerce and merchants enjoyed the greatest possible freedom and protection, that the Governor General was always accessible to everyone and had never received any complaints. Since such agents were unnecessary, the fear arose that, as experience showed, they would prove only to be troublemakers.⁸⁷ Eventually the English negotiators said that they were less interested in appointing such agents than in having the right to name them, and that acknowledgment of this right might quiet the traders. Elout and Fagel, with the aid of a map, undertook to refute the charge that their country was seeking exclusive control over the Indies.

After Lord Castlereagh left the conference, the three remaining diplomats discussed the details of Canning's latest draft, omitting those sections dealing with Singapore. Fagel and Elout took occasion in discussing the articles in which there was mention of territorial exchange to carry out a hitherto neglected part of their instructions: they expressed their awareness of the inconvenience it must cause the English in India to have foreign bodies in their territories and indicated their readiness to listen to a broad gauge proposal of exchange. When Canning sought to tempt them with Bencoolen, they replied that it had little positive value, that to the Netherlands its possession would merely remove all source of friction with Palembang and the Lampongs.

⁸⁷ Van Nagell, the foreign minister, wholeheartedly approved of this answer. Elout, *Bijdragen*, pp. 146-147. The Hague, 4 August [1820].

“Mr. Canning then introduced another idea, namely that we should cede all our possessions in continental India in place of the sum which, in his judgment, would be owed by us to England after the accounting was completed.” Elout and Fagel objected that however the balance might turn out, “the Netherlands would rather pay this amount than to make over these possessions in place of payments arising from wholly different causes; nevertheless, possibly to terminate all the disputes concerning rights and privileges of [the pearl] fishery, opium, saltpeter, etc., the cession of these places with their rights in return for an appropriate compensation could be considered.” No decision was achieved on this proposal. On the other points, no noticeable difficulties developed, and Canning explained that he had proposed a 14 year period for the duration of the terms to extend to the expiration of the East India Company charter in 1833.⁸⁸

With this the practical negotiating of 1820 had come to an end. All that remained was to sum up such agreement as had been reached and prepare the agenda for the projected resumption of the conferences. On 4 August notes were exchanged. The English note, signed by Castlereagh and Canning, began by setting down the cause of the suspension of discussions. This opening paragraph, by referring to Van der Capellen’s letter of 16 December 1819, delighted Fagel and Elout because it confirmed their belief that this document had “made an impression in behalf of the Netherlands right.”⁸⁹ Castlereagh and Canning continued: “The undersigned will be prepared to resume those conferences so soon as they shall be in possession of the Governor General’s Report; which may be expected in the month of October.” In the meantime, the English note recorded “those reciprocal desavowals [*sic*] and declarations, which it may not be necessary or expedient to record in a treaty,” concerning “the frank and prompt” repudiation “of the unfriendly acts” of Raffles at Padang, the Lampongs, and, in a more attenuated form, his actions at Palembang. This was proof of “how little the British Government is disposed to extend its possessions in that part of the world . . . for the mere sake of territorial aggrandizement.” The note observed “that the government of the Netherlands distinctly and solemnly disclaim any design on their part to aim either at political supremacy or at commercial monopoly in the Eastern Archipelago.” It further recorded the Netherlands denials of expansion beyond prewar limits as well as of clauses in treaties with native

⁸⁸ *Ibid.*, pp. 133-138. 1 August 1820.

⁸⁹ *Ibid.*, p. 147. 9 August 1820.

powers designed to exclude British trade. It concluded by trusting that a foundation had been laid in the conferences for the organization of lasting harmony in the East between the two governments, and looked forward "with satisfaction to the completion of such an arrangement when the arrival of the expected information on the points still in discussion shall enable them to meet again."⁹⁰

Fagel and Elout then presented the Netherlands note. Although they would have preferred, they said, to have completed their mission, "they nevertheless yielded to the proposal of Their Excellencies, the British Plenipotentiaries, to postpone the conferences until after the arrival of the Dispatches from the Supreme Government of British India." They were all the more willing to do this, they said, because of their firm conviction that the rights of their government would be thereby upheld. They expressed satisfaction at the disavowals in the British note of what had happened in Sumatra as well as at the evidence of British respect for the rights of their government. In return they assured the British that their government in the Indies had taken "no step toward an exclusive commerce or to secure any supremacy whatever at the expense of other nations" but had merely reestablished former relationships with the native powers. Far from seeking to exclude the trade or navigation of others, their latest treaties most solemnly, on the contrary, acknowledged "complete freedom of trade with every other nation." This exemplary conduct of their government in establishing "in fact the most liberal principles of commerce in its own territorial possessions as well as in the Countries of the Princes their friends and allies," filled the Netherlands plenipotentiaries with pride, and they added the hint that they would like to see Great Britain reciprocate. "If the undersigned find themselves obliged for the moment to except the Moluccas" from the area of free trade, "it does not seem to them absolutely unlikely that in time a less restrictive system could be introduced even there."⁹¹

On 5 August 1820, the day following the exchange of notes, a document of four articles was signed, containing the points of agreement thus far approved, and intended to be incorporated in the treaty which was to be drawn up ultimately. In Article 1, the two governments engaged for the future not to exclude the subjects of each other "from trade with their respective possessions in the Eastern Archipelago, and on the Continent of India," the subjects of each to enjoy most favored

⁹⁰ *Ibid.*, pp. 139-141.

⁹¹ *Ibid.*, pp. 141-143.

nation treatment in the possessions of the other. The Moluccas were excluded from this stipulation by Article 2, which provided that if the Moluccas, prior to the abandonment of the spice monopoly were opened to any other than a native Asiatic state for the conduct of commercial intercourse, then British subjects were to be admitted "upon a footing precisely similar." By Article 3 both governments pledged themselves that future treaties with native states would contain no provisions tending to exclude the trade of the other from the ports of such native state; and if any existing treaty currently contained any article contravening this principle, such article was to be abrogated. In addition all subsisting treaties or engagements with native states, as well as all such agreements in the future, were to be communicated to each other. By the final article, the two governments engaged to order their civil, military, and naval authorities "to respect the freedom of trade, established by art. 1 and 3" and not to impede freedom of communication in the Eastern Archipelago.⁹²

Finally a third document was drafted to list the matters decided and those still to be settled. Under "*Points décidés*" were the four items embodied in the four articles just summarized. In contrast, ten items were listed under "*Points à décider*," headed by Singapore and closely followed by Billiton, the Netherlands possessions on the continent of India and the disputed rights attaching to them. The fourth item concerned reciprocal equality in import and export duties, the fifth the repression of piracy and the prohibition of war vessels from flying the flags of other states. The salt monopoly and the question of two properties near Padang (Baroos and Ayer Bongi) were seventh, eight concerned the short term financial differences. The ninth read: "British Establishment in the Indian Archipelago", and the list concluded with the question of appointing British consuls in Java and elsewhere.⁹³

C. Some London Newspapers on the Negotiations of 1820

The press in England at the time of the negotiations, was probably livelier and more influential than anywhere else in Europe. *The Times*, not yet named *The Thunderer*, was according to the *Edinburgh Review* ⁹⁴ "not a *classical* paper. It is a commercial paper, a paper of business, and it is conducted on principles of trade and business . . . It

⁹² *Ibid.*, pp. 143-145.

⁹³ *Ibid.*, p. 145.

⁹⁴ *May* 1823, p. 364.

is not ministerial; it is not patriotic; but is is *civic*. It is the lungs of the British metropolis; the mouthpiece, oracle, and echo of the Stock Exchange; the representative of the mercantile interest." Touching on a bill which would have opened "the ports of the United Kingdom to foreign shipping, on a corresponding indulgence being shown to British vessels in foreign ports," a leader in *The Times* on 5 July 1820, reflected "a deep sensation of alarm for their property in the minds of our shipping interest."⁹⁵

For itself, the paper was led to "confess that no small degree of anxiety, and even, perhaps, a little bigotry, assails us, when we look at the new application of principles, however fair and prepossessing in appearance, to a branch of our national interest so sacred as the mercantile marine." Canning had no need of being lectured on this hallowed theme: he sat in the House of Commons as member for Liverpool. As part of the liturgy, *The Times* on 22 July 1820, presented the litany of the East Indies and China Trade, Britain's exports, and the response of the East. Total imports rose from a low in 1815 of some eleven million pounds to a fairly constant figure between twelve and thirteen millions. The tabulation of exports to the East Indies and China was no less uplifting.⁹⁶ The answer to the question of how the seven to ten million pound import surplus was paid for will presently be indicated.⁹⁷

On the negotiations with the Netherlands *The Times* on Monday, 31 July 1820, discharged a broadside against both that small country and a favorite target, Lord Castlereagh.

His Lordship it reproached for excessive generosity at Vienna towards "his own Belgic offspring," and the latter for ingratitude toward "Great Britain, her disinterested benefactor." Why should the Dutch have taken umbrage at "the port established by Sir Thomas Raffles at Sincapoor?"

⁹⁵ See below, p. 110, for the belief of Fagel and Elout that reciprocity in tariffs would favor the British.

⁹⁶ TOTAL VOLUME OF EXPORTS TO THE EAST INDIES AND CHINA
[All numbers rounded off]

Year Ending 5 January	By E. I. Co.	By Free Trade, Including Privilege Trade	Totals
1815	£ 1,732,720	£ 870,177	£ 2,602,897
1816	1,753,302	1,454,728	3,208,030
1817	1,539,130	1,868,396	3,407,526
1818	1,313,493	2,768,024	4,021,518
1819	1,250,064	3,052,741	4,302,805
1820	1,358,326	1,650,338	3,008,664

⁹⁷ See below, pp. 147-148.

Because "it commands in some degree the Straits of Malacca, the direct road from British India to the Chinese Empire." The British have not resented Dutch encroachment upon Palembang ("which being a part of the earth unknown, we believe, to Lord Castlereagh, was not included within the vast sweep of his concessions"); "on the contrary, the whole effort of our Colonial Minister [Earl Bathurst] in the House of Lords was to screen the Dutch and to disclaim Sir Thomas Raffles." Yet the Dutch quarrel "with our occupation of Sincapoor, which . . . is on the part of England a purely *defensive* position to cover her direct trade with China from her own dominions." The English have displayed forbearance with respect to the Straits of Sunda, "although they command our trade from Europe and the Cape to and from the Chinese market." Was it the intention of the Dutch to levy tolls upon traffic in the Straits of Malacca? Besides, they owed Britain "a very large sum of money — not far short, we fear, of a million sterling." Better it would be for them to pay their debts "than to look sour at us and our distant authorities for striving only to secure our unquestionable right to a free passage between our own dominions and a market which is indispensable to British Commerce." If they boggled at Singapore, "surely they may at least afford us Banca," less favorable though it may be for Britain.

What can the Dutch get by irritating this country or by compelling her to prepare at any future period for means of redressing her own injuries, more powerful though more painful than negotiation. . . . With our supremacy by sea, and our vast supremacy over them by land, it would require but a squadron and 4,000 or 5,000 soldiers to capture Batavia and every inch of Dutch territory in the East, within two months after the breaking out of hostilities. But we would much rather employ the force of persuasion than of more vulgar instruments; and infinitely rather cultivate the feelings of kindness and fraternity towards Holland than those of bitterness, suspicion, or revenge.

In Mr. Canning *The Times* expressed the confidence it withheld from Lord Castlereagh. As for Mr. Elout, "he is said to be a man of sense and equity, and we shall rejoice to see these rare diplomatic virtues" (a final jab at Castlereagh) "exercised in a cause of such importance to the peace and welfare of both the English and the Dutch."

This editorial pronouncement was duly conveyed to the Netherlands

government.⁹⁸ In *Le Vrai Libéral* of Brussels, it produced a convulsive response as recorded in *The Times* on 12 August 1820. Characterizing the article as “of rather a violent description”, the Belgian editor offered a “very simple” reply to the charges of its London contemporary. Invoking the nations of both hemispheres as judges, he asked:

Who constantly pursues a system of aggression, and prejudices in a hostile manner the commercial interests of other countries, if it be not the English? . . . Did not the English recently monopolize all the naval power of the Continent, and capture all the colonies founded by Europeans in both Indies?

The Dutch have complained of the establishment at Singapore why not, if that establishment injures our maritime commerce, or gives our neighbors a preponderance dangerous to our colonies? The Editor of *The Times* has thought fit to remind us, emphatically, of the *supremacy* of his country by sea — a fact which certainly nobody disputes. But does that supremacy authorize evident injustice, and a menacing tone scarcely allowable in a country towards one of its colonies?

If the tone of *The Times* seemed menacing, the tone of the *Morning Chronicle* must have sounded savage. On 3 August 1820 that newspaper,⁹⁹ then scarcely less important than *The Times*, declared that posts like Singapore “afford the only means of carrying on a safe, agreeable, and extensive commerce.” They were necessary “to secure us a safe passage through this grand highway of nations.” The warning to the Dutch was, by a simple calculation, twenty-five percent more bellicose than that of *The Times*: “To a nation that has so victorious a navy and a military population of 70 millions of subjects, with great financial resources, supplying an organized force of 300,000 men, real danger is indeed quite out of the question. In 6 short weeks the whole Dutch Empire in the Archipelago would fall beneath such a force without a struggle.” Lest any doubt becloud the reader’s mind, the *Morning Chronicle* flatly stated: “Both in a military and commercial point of view, stations within the Archipelago are indispensable to us and have them we must.”¹⁰⁰

⁹⁸ Substantially reprinted in Elout, *Bijdragen*, pp. 94-96.

⁹⁹ Although the circulation was less than 3,000 copies a day, it was earning money. A. Aspinall, *Politics and the Press, c. 1780-1853* (London, 1949), p. 380.

¹⁰⁰ Reprinted in Elout, *Bijdragen*, pp. 97-99.

Following the suspension of the conferences, the *Morning Chronicle* seems to have indicted the Netherlands for the breakdown, for which the paper was taken to task by the *Courier* on 14 August 1820: "We believe that the character of the discussions . . . is quite different from that which has been ascribed to them by the *Morning Chronicle*, and that very friendly and liberal disposition was carried on both sides." [sic]. The following day the *Morning Chronicle* reaffirmed its position. To be sure, the discussion had been broken off until dispatches could be received from the Marquis of Hastings.

But what made this suspension necessary? The positive refusal of the Dutch agents to concede any one point that was asked although at the same time they disclaim all pretence to the Sovereignty of the Archipelago. Wherever we attempt to fix on a station, they instantly set up a claim to it; thus, though they never had a footing at Sincapoor, we no sooner proposed to make it a resting place, than they alleged that it was theirs. And we see in the *Vrai Libéral*, that they accuse us of indulging in attempts at aggrandizement, though our most strenuous efforts were made for their deliverance from the Gallic yoke, and though we delivered to them back the Conquest of Java, with [worth?] all our own Colonies put together.

Fagel believed that the *Courier* was primed by the government. In the two ill-tempered articles in the *Morning Chronicle* he could not wholly refrain from perceiving the hand of John Crawfurd, which if true "would not raise him in my estimation."¹⁰¹

¹⁰¹ Excerpts from the *Courier* and *Morning Chronicle* were enclosed by Fagel in his letter to Elout of 15 August 1820. Elout, *Bijdragen*, pp. 155-156.

CHAPTER IV

THE THREE YEAR ADJOURNMENT

A. To the Resignation of Canning, December 1820

So ended the negotiations in London, not with a bang, nor yet with a whimper. They were not to be resumed for over three years (a significant lapse of time which has awakened little interest in English scholars,¹ either as to the cause of the lapse or the cause of its ending) although of course to the participants, expecting to reassemble in October, this future could not then be read. The Dutch plenipotentiaries summarized their views of the proceedings in a dispatch dated 9 August 1820. Unaware that Canning's first offer of 22 July (see above pp. 91-92) was to turn out to have been their last chance to remove the English from Singapore, Fagel and Elout expressed satisfaction with the English note. They were pleased with the acknowledgement that Van der Capellen's letter had "made an impression" and observed that the explicit disavowals of Raffles' enterprises at Padang and in the Lampongs "have now placed our right in these parts beyond all question." They would have preferred a more forthright repudiation of English actions at Palembang, but were happy to be able to take the opportunity, in their note of response, to accept this as adequate, pointing out to their government that the draft of the English note had initially reserved future discussion concerning the pro-British claimant to Palembang and that they had succeeded in having this reservation struck out. Mention in the British note of abrogation of Raffles' treaties with certain Sumatran

¹ Cyril Henry Philips, *The East India Company, 1784-1834* (Manchester, 1940), p. 233, moves from the paragraph concluding his account of the conferences in 1820 to begin the next paragraph as follows: "On 18 November 1823, the negotiations were resumed in London," without accounting for the lapse of over three years. When negotiations were resumed, it was not on 18 November but on 15 December (Dutch Records [Commonwealth Relations Office], vol. XXX, no. 57). H. H. Dodwell, "The Straits Settlements, 1815-1863," *The Cambridge History of the British Empire*, vol. II (Cambridge, 1940, p. 603, likewise places the resumption of negotiations in November rather than December 1823. He interprets (pp. 602-603) Courtenay's retrospective account of Canning's third draft, proposed on 27 July 1820, as though it constituted new ideas advanced by Canning in March 1822, the date of the memorandum to which he refers.

princes they firmly attributed to the British desire to call attention to their modest intentions, stressing purely commercial goals. This was all the more evident in the express request of Lord Castlereagh to have the matter of a British factory in the straits included in the list of matters yet to be decided.

Elout and Fagel felt that in their own note they had forcefully and frankly laid it down "that the Netherlands Government, unsolicited, on its own initiative has adopted and set in execution the most open handed [commercial] system, and we moreover flatly proclaimed how much H. M. desires to see reciprocal freedom firmly established," nor did this, they felt, go unnoticed by the British plenipotentiaries. Fagel and Elout, having exempted the Moluccas from the area of commercial liberty, felt that they could not object to inclusion at English instigation of a prospect of change should their government adopt other policies. As for the four articles of agreement, they noted that in the minds of Castlereagh and Canning article I was closely connected with the issue of consuls or commercial agents, but this, they reassured their Government, was only hypothetical. The guarantee of freedom of trade in India as well as the Archipelago on the most favored nation basis was doubtless "a good principle although insufficient for the Netherlands trader." Stipulations concerning reciprocal import and export duties would be important, and although an article had been drafted, the Netherlands plenipotentiaries cautiously preferred more time for deliberation because of the differences in the tariff systems in British and Netherlands possessions in the East. Otherwise an apparent equality would favor the British.²

In the draft of article 3, discussed at the meeting of 29 July when Castlereagh had been present, the formulation had included the engagement "mutually to respect the treaties which have been made" or would be made henceforth.³ This concept had been removed from the final draft at the instance of the British plenipotentiaries on the ground that it was inexact with respect to Singapore, where the question of which treaties were valid was still unsettled. Although Elout and Fagel had protested that Raffles' Singapore agreements did not deserve

² See below, pp. 163-165, on the adoption of protective measures by the government at Batavia in 1823.

³ Cornelis Theodorus Elout, *Bijdragen tot de Geschiedenis der Onderhandelingen met Engeland betreffende de Overzeesche Bezittingen, 1820-1824*, ed. P. J. Elout van Soeterwoude (The Hague, 1863), p. 136.

the name of treaties, they had no hesitation in accepting the altered article and considered it useful to their Government. Falck, writing to Elout, recalled his "conjectures that the question of Sincapoer would not be judged in England 'on its own merits'⁴ but in its relation to 'public feelings',⁵ which unfortunately at this time have been excited and stimulated to an unconscionable touchiness." To judge by a letter from Van der Capellen, it seemed to Falck that the Governor General himself would view "without emotion the cession of Malacca and Sincapoera, the latter, to be sure, 'salvo honore.'"⁶

On the part of the Netherlands there was interest in settling the points at issue in the East. Van der Capellen found himself "compelled to proceed against the Sultan of Palembang by force of arms," and the expedition was costly. By the end of October, 1820, Falck was in addition embarrassed by having to find a quarter of a million florins to meet an Indian bill of exchange falling due, and had to borrow against an unprecedentedly valuable shipload of spices currently headed directly for the fatherland from the Moluccas and insured for a million guilders.⁷ Early in November Elout offered the opinion as almost a certainty, based on what he had learned of the more recent correspondence between Hastings and Van der Capellen, that the two Governors General were awaiting the settlement of the questions between them by their home governments.⁸ Presumably Elout was basing his judgment on a letter from Hastings and his council to the Netherlands Governor General under date of 22 April 1820. (See below, pp. 115-116).

Of the list of open issues the most important (to Elout and Fagel) was that concerning the Netherlands continental possessions and rights pertaining to them. Concerning the dispute over the properties of Baroos and Ayer Bangi, Elout as well as Fagel was ignorant; they hoped for illumination through Van der Capellen's dispatches at home. In short, they concluded that the postponement of the next conference would at least be of use in affording time to reflect and think.⁹

On 8 August 1820, a letter went out from the East India House to the Governor General of Bengal which presented the results of the

⁴ In English

⁵ In English.

⁶ Elout, *Bijdragen*, p. 153. Falck to Elout, The Hague, 1 August 1820.

⁷ Anton Reinhard Falck, *Ambts-Brieven, 1802-1842* (The Hague, 1878), pp. 134-135. Falck to the king, Brussels, 30 October 1820.

⁸ Elout, *Bijdragen*, p. 156. Fagel to Elout, London, 24 November 1820.

⁹ *Ibid.*, pp. 147-152.

conference and requested information. The discussions, it said, had been "suspended principally" because of differences on Singapore, and were to remain in abeyance until the receipt of Hastings' reply to Van der Capellen's dispatch. The friendly tone of the discussions was noted as well as the Netherlands plenipotentiaries' repudiation of any policy of establishing supremacy or commercial exclusion in the Archipelago. Elout had communicated the texts of three recent treaties with Borneo chiefs, and the East India Company's officials were to observe the Dutch vigilantly but without jealousy to learn whether in fact the merchants of other nationalities could conduct business transactions freely as stipulated in these treaties. "Mr. Elout repeatedly . . . appealed to the British plenipotentiaries for some precise and attested cases" to demonstrate the alleged oppressive or unjust behavior of the Dutch. "It seems almost equally impossible on the one hand that the strong impressions or representations which have been made, with reference to the oppressive conduct of the Dutch, can have been wholly groundless, or, on the other hand, that such a spirit as sir T. Raffles and the authors of certain publications in this country have imputed to the Netherlands Government, can have existed without betraying itself in some overt acts. Yet none but general imputations have reached us." With some reluctance the London authorities inclined to the Dutch view that Raffles had not treated with the lawful sovereign of Johore, as well as "that the ancient kingdom of Djohor included Singapore as well as Riouw." But they questioned whether "the Dutch can make out their claim to re-enter into their former connections with Djohor." If it were to turn out that Raffles had actually concluded his treaty with the wrong Sultan, then at most they might succeed in barring the Dutch if the English had to withdraw. This they felt would "hardly be worth much contest. Much rather would we that the issue should have been our continuance by some compromise in a position represented to us to be so advantageous; — an issue which we should not have thought hopeless if the precipitancy of sir T. Raffles had not, in this, as in other instances, interposed every possible impediment to the success of amicable representation and pacific settlement, by mixing force with his remonstrances, and converting commercial rivalry into a national point of honor." The dispatch continued: "In the event of Singapore being abandoned, you will not fail to communicate to us your opinion whether there be any other spot, whether on Borneo or more to the eastward at which it might be expedient to form a British establishment, by way either of naval station or of depot." With

respect to the Netherlands possessions in continental India, the dispatch requested a detailed evaluation. "Although the period to which the conferences have been adjourned is only until the arrival of the report of your Lordship in Council upon the Baron Van der Capellen's letter of 16th December, — yet... it is nevertheless possible that circumstances may occur further to protract these discussions —." They therefore urgently requested Hastings to keep them informed "from time to time and without delay of everything that may in any way affect the settlement of our relations with the Netherlands Government in the east."¹⁰ Van der Kemp, looking for evidence of English duplicity, in 1898 detected in an early part of the dispatch "a gentle hint concerning the imprudence of promising to quit Singapore when [or: if] the illegality of the occupation became clear,"¹¹ but six years later he ignored this point. Instead it was the concluding passage quoted above from which he inferred that the British government had already decided to stall negotiations, and in the hypothetical possibility that circumstances might further "protract these discussions" he now read "a hint to the Bengal government to remain silent on the subject..."¹² Whether these suspicions were justified must be determined.

In support of English sincerity, apart from the mandate to Calcutta to locate an alternative port if Singapore were abandoned, a passage may be cited from a rough draft of an analysis made, presumably at the India Board, prior to the opening of the conferences in 1820. Apparently for the most part composed in November 1819, it pointed out that the right of Britain to occupy Singapore was the only point upon which the impending negotiation was likely to turn "which absolutely requires further elucidation from India;" but "a late dispatch from Lord Hastings gives reason to expect a [very] early communication of what [has] passed between the English and Dutch authorities in India" respecting Singapore, and as "his Lordship considers the question as now under reference to Europe, the opening of the conference need not be delayed" even though further communications shall not have

¹⁰ Pieter Hendrik van der Kemp, "De Singapoorsche Papieroorlog," *Bijdragen tot de Taal-, Land- en Volkenkunde van Nederlandsch-Indië*, vol. 49 (The Hague, 1898), pp. 524-529. East India House to the Governor General of Bengal, 8 August 1820.

¹¹ *Ibid.*, p. 426.

¹² Pieter Hendrik van der Kemp, "De Geschiedenis van het Londensch Tractaat van 17 Maart 1824," *Bijdragen tot de Taal-, Land- en Volkenkunde van Nederlandsch-Indië*, vol. 56 (The Hague, 1904), pp. 90-91.

arrived. A marginal annotation observed that it "might be convenient to obtain from Holland the copies which the Dutch government has probably received of the late correspondence between the Officers of the two Governments in India."¹³ Quite apart from the implication that the Netherlands maintained more successful communications than did Britain with the world of the East, it must be said that Van der Capellen's letter, on which Elout and Fagel placed such importance, did have the effect they ascribed to it. Canning was seriously impressed with it. Apparently he hoped that Hastings would be able to refute it, though of this he was not sanguine. In attributing considerable importance to the communication of Van der Capellen's letter to Canning, Van der Kemp agrees, although for different reasons. He indicts Elout and Fagel for errors in judgment in the use of the letter. They should have accepted Canning's promise to order the evacuation of Singapore should the evidence show the British occupation to be illicit. Only after this had been agreed upon, should they have introduced the letter in support of their contentions. Instead, in Van der Kemp's interpretation, they tipped off Canning by putting the letter into his hands prior to his acceptance of such an agreement, and in this way having shown him how strong the Dutch case was, enabled him to scuttle away from any such commitment.¹⁴ This analysis would be more convincing if Van der Kemp had not also interpreted a passage in the Secret Committee's letter to Hastings of 8 August 1820 as scolding him for making precisely this commitment.¹⁵ Whether Van der Kemp was right in what he read into this letter, he was surely wrong in the reasoning behind his denigration of Elout and Fagel. For the British did consider themselves bound to relinquish Singapore if their claim proved to be illegal: this was reaffirmed in Courtenay's memorandum of 1822 (see below, p. 144). Could Van der Kemp believe that if the Dutch plenipotentiaries had played their cards as he would have wished, Canning would not have replied after reading Van der Capellen's letter in exactly the same manner as he did? Would he not have said in effect: This is very persuasive, quite convincing, but let us see what Calcutta has to say about it — precisely what was done when the hand was played in what Van der Kemp believed was the wrong way.

 Tempting as it might be to seek to account for the three year gap

¹³ Dutch Records, XXX, no. 12, p. 5. Brackets enclose words not wholly legible.

¹⁴ Van der Kemp, "De Singapoorsche Papieroorlog," p. 343.

¹⁵ *Ibid.*, p. 426. See above, p. 113.

in negotiations simply by way of a British plot, the truth was both more variegated and involved. True it was that there was far from sense of urgency in London; but besides British inertia, which paid a profit, and minor irritants, an insistent taxonomist might distinguish at least four classes of obstacles which would have to be removed before further conferences could begin to move toward a final destination. There was the matter of Hastings' reply, the ostensible cause of the suspension; then there was a variety of domestic involvements in London which impeded negotiation; third came a dispute over the Slave Trade to sour relations; and finally, one could record changing conditions in the East and the resulting reappraisals in Europe. As the issues between Britain and the Netherlands actually developed, there was no sharp compartmentation: it is wiser to watch the events as they occurred.

Resumption of the discussions in October proved impossible on three grounds. The divorce trial of Queen Caroline became the chief topic of the day, demanding the full attention of the cabinet although it may be overlooked in this study. The exceptional intensity of contemporary interest may be indicated by the fact that in seventeen issues of *The Times* during the month of October the report of Parliamentary Proceedings could not be decently confined to the interior of the paper but invaded the first page, on three occasions displacing as much as three full columns customarily reserved to advertisements. On Friday, 6 October 1820, *The Times* observed: "Foreign affairs are now so little thought of by the people of this country, that it would be fruitless to demand for them the attention of our readers . . ." By 14 November the leader celebrated the end of the government's efforts to convict the queen, and other news began to reappear. Second, Canning had left the country for Italy shortly after the last conference in August and did not return to London until mid-November. Finally, the dispatches from Calcutta had not arrived.

To Van der Capellen's dispatch of 16 December 1819 Hastings responded on 22 April 1820, one day after its receipt. In addition to the marquis, two members of his council signed the note.

Consisting of one paragraph, it read:

Being in expectation of receiving at an early period the orders of our Government in Europe, announcing the conclusion of an agreement between our respective Sovereigns on all points on which any difference of opinion exists between your Excellency

and this Government, we forbear from troubling your Excellency with any further discussion on the subjects treated in your dispatch and confine ourselves to a renewal of the assurance of our highest esteem and consideration.¹⁶

This was an acknowledgement rather than an answer to Van der Capellen and could have enlightened the London authorities not at all. They had been aware, at least since November 1819 (see above, p. 113) that Hastings had referred the issue to them to decide. The Calcutta officials evidently regarded their note of 22 April 1820 as negligible, and failed even to report its contents in early dispatches home. They waited until 17 Juni 1820 to mention it cursorily at the end of an analysis of the points at issue in response to the Secret Committee's letter of 25 January.¹⁷

In a dispatch signed by Hastings, James Stuart, John Adam, and John Fendall, they asserted that on the establishment of the British government at Malacca, "the dependence of Johore and Riouw on Malacca was denied by the Dutch authorities." This referred to the statement in 1795 by Couperus, which Van der Capellen had already dismissed as unratified and therefore invalid. Since the connection had been "thus voluntarily relinquished," it could not have been revived twenty three years later by the restitution of Malacca to the Dutch. Consequently the English right to a connection with Johore rested upon Farquhar's treaty of 1818. If this argument were in error, the right of the Dutch to exclude the English from Singapore "might be of difficult disproval." While granting that Riouw, Lingen, Pahang, and Johore, including Singapore "formerly constituted a kingdom under one sovereign," and that his "nominal sovereignty, though dormant, still exists," they held that more recently the individual chiefs had been exercising power more or less independently, thus "the Raja Mooda of Riouw, the Bandahara of Pahang and the Tomongong of Johore." The first of these had been in late years, acting in "the name of the general sovereign" though "seemingly without [his] cognizance." They acknowledged that the eldest son of the late Sultan of Johore, one of the chiefs with whom Raffles signed his treaty, had been unable to establish his succession to the throne; while the other, the Tomongong of Johore, was "apparently ruling Singapore with

¹⁶ Elout, *Bijdragen*, pp. 165-166.

¹⁷ See above, pp. 64-65.

independent authority." The Raja Mooda had acknowledged the younger son as sovereign, but since the regalia of Johore were still in the possession of a widow of the late sultan (no blood relation to either of the two sons), "it is argued that the succession is still unsettled." It was noted also that the Government of Prince of Wales' Island favored the pretensions of the younger son,¹⁸ and yet, this younger son, in whose behalf the Dutch were contesting the English claim to Singapore, appeared unconcerned about the whole matter. The Calcutta authorities felt unable to make out a case: "We confess that we require more perfect information before we can make up our minds on the question of the respective rights of the two princes; and are therefore glad that the termination of our discussions with the Netherlandish Government does not rest on this point." (Courtenay writing in 1822 did not regard this point as so trivial. See below, pp. 143-144). With some *Schadenfreude*, they reported the expulsion of the Dutch by the "whole population" of Palembang, and "revolt and contests in the other parts of their recent acquisitions."¹⁹ Neither the arguments of the officials at Prince of Wales Island nor the rebuttals of the founder of Singapore served to crystallize the Bengal Government into a decision, although an alternative hypothesis should not be overlooked, namely that they were unable to regard

¹⁸ Van der Kemp, "De Singapoorsche Papieroorlog," pp. 428; 533-541, reproduces the text of a letter to Calcutta from Prince of Wales Island, dated 26 August 1819, in which two members of the Governor's Council upheld the late Colonel Bannerman's contentions concerning the illegality of Raffles' treaty. The elder son with whom Raffles had negotiated had never been recognized by any government as sultan. "Possessing but the most slender intellect," he was in effect a ward of his uncle, Rajah Mooda, the Underking of Rhio. More damaging yet, they cited Raffles and Farquhar in support of the authenticity of Abdur Rahman's title. Raffles on 6 January 1820 replied in testy tones, in part with an argumentum ad hominem, to the effect that the Penang arguments "appear to be but an echo of those by the Dutch authorities," while with reference to the alleged exiguity of intellect of the elder son, he maintained that it was his younger brother whose wits were attenuated. Van der Kemp in one place cites Abdur Rahman's foxy reputation to undermine Raffles' insinuation but elsewhere ("De Stichting van Singapore, de Afstand ervan met Malakka door Nederland, en de Britsche Aanspraken op den Linga-Riouw-Archipel," *Bijdragen tot de Taal-, Land- en Volkenkunde van Nederlandsch-Indië*, vol. 54 [The Hague, 1902], pp. 319-320) admits that he had mistakenly attributed vulpine qualities to Abdur Rahman instead of to the underking of Rhio. He was therefore unable to determine which of the half-brothers was the more insignificant. None of these intellectual considerations affected the outcome, and the issue must be left at this inconclusive conclusion. Alfred Binet was not born for another generation.

¹⁹ Van der Kemp. "De Singapoorsche Papieroorlog," pp. 529-533.

Raffles' arguments as sound, and therefore rather than uphold the Dutch claims, preferred to regard the dispute as still pending. This latter interpretation would be consistent with Van der Kemp's belief that the Secret Committee wanted Calcutta to sit tight and say nothing.

The report from Calcutta describing the response of the Governor General in Council to Van der Capellen's letter of 16 December 1819, together with their inconclusive analysis of the relative justice of British and Netherlands claims, arrived in London before the end of January 1821. This date is beyond dispute: the documents were sent from Calcutta in 17 June 1820, "but the receipt in London," writes Van der Kemp, was first acknowledged by a letter of January 1822.²⁰ This is dubious. In quoting part of the London dispatch which chided the Bengal authorities for not having responded more promptly, Van der Kemp is troubled by the year. "I have asked myself whether the date of the letter which is mentioned in B[isschop]'s collection, viz., 26 January 1822, is a slip of the pen, so that what is meant is 1821. There are indeed clerical errors now and again. I do not believe so, however, since the same date is cited three times in the document (above and below)." Van der Kemp appears to have accepted the Bellman's epistemology, "what I tell you three times is true," a principle which, there is reason to believe, failed to survive the pragmatic test. The part of the dispatch he quotes begins in a way which makes sense only if it is taken to mean that it was written immediately after receipt of the Calcutta letter, and the lapse of time for mail between London and Calcutta usually amounted to four to six months. It continues, "we cannot omit this opportunity of observing upon your delay" (amounting to almost two months: 21-22 April 1820 to 17 June) between Hastings' receipt of and answer to Van der Capellen and his report to London, although dispatches dated 23 April to 5 May "were sent to the Court of Directors by the *Manglis*, which arrived in England on the 28th of September 1820, and more than three months previously to the *Hindostan* which brought us the document now in question."²¹ The *Hindostan* arrived on 18 January 1821. It

²⁰ Van der Kemp, "Tractaat." p. 116.

²¹ Van der Kemp, "De Singapoorsche Papieroorlog," pp. 440; 544 (note 71). With respect to clerical errors in the Bisschop transcriptions, and misprints in Van der Kemp's reprinting of them, it may be noted that the collation of a dispatch from the East India Company to the Governor General in Council (pp. 545-547) with the copy contained in Dutch Records, XXX, no. 44, apart from innumerable differences in spelling, capitalization, and punctuation, yields

would have been quixotic for the Court of Directors to have rebuked Hastings for a two month delay if they were themselves guilty of a twelve month lapse of time. The passage, short as it is, furthermore, is replete with clerical errors. Van der Kemp himself corrects one (Van der Capellen's dispatch in the Bisschop transcription was dated 26 instead of 16 December), but he misses or himself inserts another ("the 21th of April"). Finally, there is no ship *Manglis* noted in the lists of Indian vessels. This was probably a mistaken version of the *Inglis*, but the *Inglis* did not arrive in England on 28 September 1820. Indeed, no ship from the Indies or China was listed as arriving in England on that date on the pages of the *Asiatic Journal* for October or November 1820.²²

It is clear in any event that when the British officials continued after January 1821 to reply to the Dutch that they were still awaiting dispatches from Calcutta, they could not legitimately mean that they were anticipating receipt of the response Hastings had sent to Batavia, but only that they hoped for a detailed analysis of Van der Capellen's facts and arguments. After March 1822, this procedure for deflecting Dutch importunities was devoid of validity and served another purpose, for the analysis made in London by Thomas Peregrine Courtenay, Secretary to the India Board, fulfilled all possible demands respecting clarity and authority. But treatment of this document must await its time.²³

If His Lordship in Council were unable by June 1820, to arrive at a decision concerning the lawfulness of the British title to Singapore, James Stuart, one of the members of the Council, within a week of signing that inconclusive statement, drafted a minute with a view to furnishing the authorities in England with knowledge "of all that constitutes the strength and weakness of our antagonists' claims . . ." Stuart pointed out that if it be admitted that the Dutch claims to supremacy over Johore based upon treaties anterior to 1795 be invalidated, they could "also urge a recent treaty with Johor, by which that state has recognized and submitted to their supremacy." He was referring to Wolterbeek's treaty of November 1818. True, the British could

the following: Van der Kemp offers two different dates, renders "antecedently" as "accidentally," "complaint" as "plaint," "indication" as "communication," and "by" as "upon."

²² Van der Kemp, "De Singapoorsche Papieroorlog." pp. 440-441. *Asiatic Journal and Monthly Register for British India and its Dependencies* (London), for September, October, November, December, 1820; and for January and February, 1821.

²³ See below, pp. 139-145.

contend that this treaty did not extinguish Farquhar's treaty just preceeding it, "but all that we stipulated for in our treaty was to be placed in commercial privileges upon a footing with the most favoured nation." This the English could still claim, "but I do not perceive how we can make use of our treaty to justify the occupation of Singapore." Stuart was distressed at the statement in the drafted letter to London depreciating the importance of the validity of the claims of the two princes: "This is a part of the subject on which I have experienced great difficulty." The Dutch as well as the British were operating in the eastern seas as fully independent nations. The rights of each to expand their influence could not be gainsaid. The problem was therefore, in Stuart's view, less an issue of whose rights were paramount, but rather, how to avoid conflict. It would be difficult to devise a suitable arrangement, but "there is one not perhaps quite hopeless, and which appears highly desirable. It is simply that we shall withdraw from Singapore and the Java Government abandon Rhio." Honor would be saved on both sides, the Dutch "would be relieved from a galling rival establishment" and the British route to China would be freed of a Dutch naval station. Stuart felt that on the whole, the English should retain their supremacy in Hindostan and acknowledge that of the Dutch in the Eastern Archipelago. By beginning an active policy of competition in the latter region, Britain "might perhaps secure some share of influence and power" there; "but without at all undervaluing the eastern trade, it appears to my humble judgment to merit great consideration, whether the object, if attainable would requite the expense, contention and national animosity that must be encountered in the pursuit." ²⁴ Stuart's view expressed the relative indifference to the trade in the Archipelago of the East India Company by whom he was employed, rather than the interests of the private traders, and perhaps, of the industries in Britain to which the markets of Indonesia were a tempting prize. Stuart's view, although not decisive in the long run, serves to illustrate one of the sources of doubt as well as scruple on the part of the British, attenuating the aggressiveness of their defence of their position at Singapore, a qualm before a storm.

²⁴ Van der Kemp, "De Singapoorsche Papieroorlog," pp. 541-544. The date of this minute is given as 22 June 1820. Since it appears to have been composed prior to the letter of 17 June, the date may be a misprint for 12 Juni, although Van der Kemp says this minute was presented to the Governor in Council on 1 July. In Van der Kemp's text, the word reproduced above as "requite" appears as "require," which makes no sense. It has therefore been emended as noted.

Canning's departure in August for Italy has already been noted, (see above, p. 115) as well as his return in November, 1820. From Paris in October, the month set for the resumption of negotiations, he had the Secretary of the India Board extend his compliments to Fagel and observe that since he had "not yet received any news from Calcutta on the matter of Singapore," no time was being lost by the failure to reconvene the conferences.²⁵ Canning's absence from England coincided with the culmination of the efforts of the cabinet, of which he was a member, to complete divorce proceedings in Parliament against Queen Caroline, of whom he was a moderate partisan. He had, years before, enjoyed her friendship; he was not of a mind to participate in what appeared to be her persecution. In June Canning had offered his resignation to Lord Liverpool and subsequently to the King; on each occasion it was declined, the King "requiring him to remain in office and permitting him to remain silent in the House of Commons on the subject of the Queen."²⁶ He absented himself from the country during the sensational unveiling of the Queen's private life abroad before the House of Lords. After a small majority of the peers had passed the Bill of Pains and Penalties to dissolve the king's marriage, the outlook for passage in the Commons was such as to lead the ministry on 10 November to drop the matter; and Canning returned home.

During November and December, Fagel kept pressing Lord Castlereagh for the resumption of the conferences. The return of Canning afforded him another occasion, and he informed Castlereagh that according to the latest correspondence between Van der Capellen and Hastings, both Governors General were awaiting a decision to be made in Europe. Castlereagh replied that he would shortly discuss this with Canning, and asked whether it would be possible to provide him with copies of this correspondence so that he could use it to help convince Canning of the necessity of resuming the negotiations without delay, "in case His E[xc]ellency may not have received any later reports from India." If Elout could fulfill this request, Fagel did not doubt that this would further their aims.²⁷

The correspondence in question consisted of a letter from Hastings to Van der Capellen, dated Calcutta, 14 January 1820, and the reply,

²⁵ Van der Kemp, "Tractaat," p. 93, footnote (a). Fagel's report was dated 20 October 1820.

²⁶ *The Letters of King George IV, 1812-1830*, ed A. Aspinall, 3 vols. (Cambridge, 1938), II, 344-345 (footnote).

²⁷ Elout, *Bijdragen*, p. 156. Fagel to Elout, 24 November 1820.

dated Batavia, 16 April 1820. Hastings opened with a tactical diversion. After a full page of compliments to Van der Capellen of whom he would not entertain the slightest suspicion of harboring hostility to Britain, the Marquis attributed such designs to his advisers; yet here too, Hastings was magnanimous. "I am even willing to believe," he wrote, "that the counsels of Mr. Elout did not proceed from a deliberate view of sowing the seeds of discord between the two countries, but from an ungovernable splenetic distaste towards the English." The Netherlands Governor General, in short, a noble soul, was misled by Elout who was motivated not by political enmity but merely by an Anglophobia for which he bore no more responsibility than if it had been an allergy. "The result, however," continued the Marquis, "has been the same as if it arose from studied enmity." If this sounded contemptuous toward the Netherlands Governor General and his quondam colleague, stigmatising the one as good but weak and stupid and the other as irresponsibly malicious, the noble lord also recalled his animosity toward his fellow-countryman and subordinate. He had dismissed Raffles from his post on Java "on account of what appeared to me incorrectness in his administration." The Company directorate, and by inference the Ministry as well, "saw cause to exonerate him . . . and sent him out again, with the testimony of peculiarly favorable opinion. His first aberrations in Sumatra might be ascribed to an injudicious zeal." Hastings continued: "Therefore, having chastened them by reprehension from this government it seemed to me that it would be an unhandsome maintenance of my own prejudices against the judgment of the authorities at home" if he were not to use Raffles' local knowledge and linguistic talents. On that principle he was dispatched to seek a post which would prevent closure of the Straits of Malacca against the British, in which task "he was specially forbidden to take any step which should be a collision with the functionaries of the Netherland government."

Since Raffles in disobedience to his instructions took Singapore, Hastings faced the problem of maintaining his disapproval of Raffles and his hostility toward the Dutch, while at the same time holding on to Singapore. His lordship was equal to the situation.

Tho' I see not the slightest ground for admitting the existence of any Dutch rights over Singapore, my solicitude to avoid the possibility of interruption to the harmony so desirable between the two governments would have made me preclude the occupying such a station, had we at the time been acquainted with the

proceedings of your detachment at Rhio. Tho' your treaty with the chief of the latter place gave no semblance (to my apprehension) of title over Singapore, I should have conceded so much of my views of security as to have prohibited the fixing of a post at that harbor, could I have supposed it included in, even an unfounded, claim on your part. No such claim was anticipated by us. The case was different when the establishment was once actually made at Singapore. This government censured Sir Stamford Raffles for a departure from the principle of his instruction But the establishment could not be withdrawn without our acknowledgment of a right in your government which I regard as incapable of being asserted otherwise than as injuriously to us.²⁸

Van der Capellen's reply, four times as long, consisted chiefly of a recital of the misdemeanors of "M. Raffles, to whom I attribute personally all the evil that has taken place." He acquitted Elout as well as the Batavian government in general of any malice toward Britain: all these charges were "devoid of foundation and were dictated solely by a spirit of envy and jealousy."²⁹ It is difficult to justify the faith which Elout and Fagel and Falck placed in this correspondence.

On 27 November, at a dinner at the French ambassador's, Fagel discussed resumption of the conferences with Canning, who confessed himself "to be completely unprepared for this" so long as the expected answer of Hastings to Van der Capellen's letter of 16 December 1819 had not arrived. He added that he knew that the Marquis of Hastings had received this letter, and that therefore his report on it could be expected any day. Canning reiterated that in the absence of this report, it was impossible to take up the work again; meanwhile he would be happy to be informed of the correspondence between Calcutta and Batavia.³⁰ Elout, before receipt of this letter from Fagel, thought that the correspondence, although "private", should be given to the English to read since Van der Capellen's letter contained "so many correct and forceful observations", while Hastings "in so many words acknowledges that Raffles went beyond his instructions with respect to Singa-Poera

²⁸ C.-F. Sirtema de Grovestins, *Notice et souvenirs biographiques du comte Van der Duyn de Maasdam et du Baron de Capellen* (St.-Germain-en-Laye, 1852), pp. 486-489. Certain misspellings have been corrected in the passages quoted, thus "wich," "gouvernement" "beeing."

²⁹ *Ibid.*, pp. 490-506.

³⁰ Elout, *Bijdragen*, p. 157. Fagel to Elout, 25 [sic] November 1820. The correct date was 28 November. See Van der Kemp, "Tractaat," p. 95, footnote (b).

and was censured for this," although it did not escape Van der Capellen's notice that Raffles was permitted to carry on, none the less. Elout advised Falck to send copies of the letters to Fagel to convey to the English officials: "Do not hold back because of the accusation of my 'ungovernable splenetic distaste towards the English'; in my opinion it is always best to lay your cards on the table. It is a matter of indifference to me what description anyone chooses to give of me; and to the cause of the Country, after we have already held conferences and become personally acquainted, they can no longer do any harm."³¹

Early in December after getting Fagel's report of his dinner conversation with Canning, Elout changed his mind: since "Mr. Canning now says that he has reason to believe that he will get a report" there was no point to showing him the correspondence of the Governors General with a view to expediting negotiations.³² To Fagel he wrote that from Castlereagh's request to see the letters, he had inferred that they expected no further reports from India; since Canning now said otherwise, Elout withdrew his hypothesis and added, "then really, there's nothing to do but to wait patiently." Yet there was the question of whether the Netherlands Government should not press for reopening the conferences. The status quo in the East was far from agreeable; indeed for Netherlands rights and interests the state of affairs was "pernicious," what with "the persistence of the intrigues of Mr. Raffles and his agents in all the places of the Indies Archipelago and even in Java." Elout declared that Raffles was repudiated in words but not in deeds. Might not the correspondence between the two Governors General induce the London authorities to curb their trouble-making subordinate? Parliament was about to reconvene: would Canning again retire from view since the prickly affairs of the queen would again present themselves? "And how long are we to be obliged to wait, while,

³¹ *Ibid.*, pp. 157-158. Elout to Falck, 29 November 1820. The offensive description of Elout in Hasting's letter of 14 January 1820 baffled Van der Capellen. "I really don't know," he wrote to the Secretary General of the Supreme Government at Batavia, "why Mr. Elout has the reputation of feeling a 'splenetic distaste' toward the English. We adopted all our measures in concert after joint consideration. No one should suppose that I was more a friend of the English than my colleague, and yet we are so differently judged in this respect. I cannot discover the cause of it." P. Mijer, *Jean Chrétien Baud* (Utrecht, 1878), pp. 126-127. Van der Capellen to Baud, 31 March 1820. Perhaps Van der Capellen was unaware that among the three Commissioners General, Elout had been the *primus inter pares*. *Ibid.*, p. 98.

³² Elout, *Bijdragen*, pp. 158-159. Elout to Falck, 2 December 1820.

as Governor General Van der Capellen well notes, England is currently in the enjoyment of possession, and their agents multiply evils?"³³

Falck was willing to forward copies of the correspondence to Fagel, but he felt uneasy since he did not wish to compromise Van der Capellen in the eyes of his Calcutta correspondent who had marked his letter "private et confidential" and revealed the seamy side of Raffles' relations with his superiors. It was possible to urge the resumption of negotiations without reference to these letters, although Falck frankly wondered how the British could yield to this pressure after they had so repeatedly and firmly, "and not without the semblance of reason," declared that they first needed the report from Hastings.³⁴ Elout on 20 December still liked the idea of using the letters: though marked private and confidential, Canning had confidentially shown him and Fagel, he wrote to Falck, a letter to Lord Hastings prefaced by the same words. Fagel, unofficially, confidentially, could read the letters to Canning. This could only help their cause.³⁵

In London by mid December 1820, the problem of providing the queen with a suitable residence and with funds was again troubling the cabinet and there were rumors of Canning's resignation. On 21 December 1820, *The Times* reported that "a ministerial paper of last night announces, as from authority, that Mr. Canning *has actually resigned*,"³⁶ and went on, in the remainder of the leader, to applaud him as the only decent man among unworthy colleagues, whose conduct toward the Queen was "an honourable exception to that of his mean associates."

³³ *Ibid.*, pp. 159-161. Elout to Fagel, 5 December 1820. Van der Kemp, referring to this letter, ("Tractaat," p. 97) says that in it Elout expressed his "disappointment that he and his co-negotiator seem to have been made *dupes* of, by accepting the postponement of negotiations" without having set a date for their resumption. In the printed text of the letter there is no word to this effect, not even a hint.

³⁴ Elout, *Bijdragen*, p. 161. Falck to Elout, 17 December 1820. In Falck's letters, (*Brieven van A. R. Falck*, 2nd ed. [The Hague, 1861]), the date is wrongly given as 19 December.

³⁵ Elout, *Bijdragen*, pp. 163-164. Elout to Falck, 20 December 1820.

³⁶ Canning's letter of resignation, dated India Board, 12 December 1820, and the king's acceptance, dated Carlton House, 13 December, 1820, are printed in Augustus Granville Stapleton, *George Canning and His Times* (London, 1859), pp. 316-318. The laudatory remarks of *The Times* on this occasion, as well as the confidence in Canning expressed on 31 July 1820 (see above, p. 106) do not accord with the impression conveyed by Harold Temperley's remark (*The Foreign Policy of Canning* [London, 1925], p. 298) that after a dispute in 1819 *The Times* "never forgot the insult. It went into transports of fury when Canning took office, and nearly always attacked him."

While George IV was doubtless happy to rid his government of the man who had refused to support his majesty's efforts to jettison his queen, the management of the East India Company was distressed at Canning's resignation as President of the Board of Control. The Chairman and Deputy Chairman of the Honorable the Court of Directors wrote to him on 22 December 1820 that the latter body "have unanimously requested us to convey to you the expression of their deep regret at your retirement...; and at the same time to testify to you the sincere respect with which they have been impressed, by the able, upright and conciliatory manner in which you have discharged the duties" incumbent upon the office. They lauded his "invariable attention to the interests both of the public and the Company" with "so much candour and courtesy," and they desired "individually to offer you our best acknowledgments for the attention and urbanity which we uniformly experienced in the course of the communications which we have had the honour to hold with you, and which have been equally felt and acknowledged by our predecessors in the chairs."³⁷

The Presidency of the Board of Control vacated by Canning was first offered to Sir Robert Peel who declined it since he shared Canning's outlook on the Government's conduct toward the queen. With some difficulty, Lord Liverpool persuaded the Chancellor of the Duchy of Lancaster, Charles Bragge Bathurst, to add the office on a temporary basis, without the salary (12 or 13 January 1821). He was replaced on 17 January 1822 by Charles Watkin Williams Wynn, who held the position for six years.³⁸

³⁷ Van der Kemp, "Tractaat," pp. 213-214. George Abercrombie Robinson and Thomas Reid to Canning.

³⁸ Aspinall, *Letters of King George IV*, II, 400-401. Philips, *East India Company*, p. 228, footnote 5, gives 13 January; on p. 338 the list of Presidents of the Board of Control says 12 January. More significant is the variance in dates cited for beginning Wynn's term of office. The list on p. 338 begins it on 5 February 1822; p. 230 has him appointed in December 1821. Both these dates are wrong. In a letter to the Duke of Buckingham, dated St. James's Square, 17 January 1822. Wynn wrote, describing the events of the day: "Fremantle and I were duly sworn in, and I kissed hands as President of the Board." *Memoirs of the Court of George IV, 1820-1830*, ed. Duke of Buckingham and Chandos, 2 vols. (London, 1859), I, 275. This appears to be the source which Philips cites as *Courts and Cabinets under George IV*, same editor, place, and date of publication. However, Philips' reference (p. 230, note 4) to I, 264, shows clearly that, as of 27 December 1821, Wynn was not yet in office; while footnote 3 on the same page to I, 232, is somewhat less relevant to the text which it is intended to substantiate. The article in *DNB* has the correct dates.

B. The Controversy Over the Slave Trade to the Death of Castlereagh

The first stage of the anti-slavery movement in the nineteenth century, which was a legacy of the humanitarianism of the Enlightenment, took form in the effort to curb the slave trade. In 1792 the Danes decreed the abolition of the traffic in human beings, to become effective in 1802 (1804). In the United States, as soon as the Constitutional barrier expired, i.e., after 1 January 1808, the legal importation of slaves was prohibited. In Great Britain the prohibition of the slave trade was enacted by Parliament in 1807. During the Hundred Days, Napoleon, reversing his decision of a decade and a half before, forbade the trade; this was confirmed by the Treaty of Paris and by French law in 1818. Portugal in 1815 agreed by treaty with Great Britain to eventual abolition of the trade (by 1830);³⁹ Spain, in return for £ 400,000 from Britain, prohibited the slave trade after 1820, the same year in which for the first time the British colonial office prohibited slavery itself in a new African colony.⁴⁰ By the eighth article of the colonial convention of 13 August 1814, King William, then Sovereign Prince of the Netherlands, having "spontaneously" issued a decree on 15 June 1814 against the clearance of slave ships from his harbors, and inspired by the desire to cooperate with the British crown in achieving "the complete abolition of the slave trade on the African coast" undertook to prohibit his subjects from "taking any share whatsoever in this inhuman traffic." In February 1818 Lord Castlereagh, in reference to a forthcoming conference at which he proposed to present a memorandum on the suppression of the slave trade, observed that "... the Prince Regent attaches a very peculiar [i.e., especial] value to the concurrence of the King of the Netherlands in the proposed measures," and therefor directed Clancarty to secure William's cooperation.⁴² A special treaty

³⁹ And in 1858 by law provided that by 1878 every slave owned by a Portuguese subject should be free. In 1904 and 1905, Henry W. Nevins traveled through the Portuguese colonies of Angola, San Thomé, and Príncipe, and found slavery rampant. See his classic account, *A Modern Slavery* (N. Y. and London, 1906).

⁴⁰ Cf. W. E. Burghardt Du Bois, *The Suppression of the African Slave Trade to the United States of America, 1638-1870* (N. Y., 1896). Appendix B includes mention of treaties, 1788-1871. E. L. Woodward, *The Age of Reform, 1815-1870* (Oxford, 1938), pp. 354-355.

⁴¹ *Recueil des traités et conventions conclus par le royaume des Pays-Bas*, ed. E. G. Lagemans, 10 vols. (The Hague, 1858-1890), I, 37-38.

⁴² *Gedenkstukken der Algemeene Geschiedenis van Nederland van 1795 tot 1840*, Achtste deel, *Regeering van Willem I, 1815-1825*, ed. Herman Theodoor Colenbrander, 3 vols. (The Hague, 1915-1916), I, 88. Castlereagh to Clancarty, London, 3 February 1818.

to carry out the terms of Article 8 was signed between the two governments at The Hague on 4 May 1818, providing, on paper, strong measures of execution, including the right of search by the British navy.⁴³

In all these treaties, Great Britain appeared to be the prime mover, but what impelled the British to negotiate these agreements is less clear, although explanations are not lacking. Referring to British policy at Vienna to induce the Congress to condemn the slave trade, one monograph on British slavery and its abolition says: "The efforts of Great Britain in this matter have been justly applauded, but they were not wholly disinterested. Our West Indians, having been compelled to give up their own slave trade, were naturally anxious to stop that of foreign colonies. Their change of attitude after 1807 was, indeed, remarkable." On the other hand, in another work on Great Britain and the slave trade, another conclusion is presented: "Great Britain relinquished her slave trade in 1807, and for the next sixty years was largely occupied in the task of inducing other nations to make and keep a similar renunciation. That her motives were disinterested can scarcely be questioned. There were large classes in this country which indirectly derived a profit from the slave trade, and the only people who had anything to gain from its suppression were the West Indian proprietors. Their interest was never a factor of importance in the struggle. . . ." If the contradiction between these two monographs appears to be diametric, it is not in the least resolved by the realization that both books came from the pen of the same respected author.⁴⁴ Under the circumstances, it must suffice to note that there was a group of men in public life, the most notable being Wilberforce, who pressed the British foreign office to exert itself to secure the enforcement of anti-slave-trade agreements.

The Netherlands government was lax in fulfillment of its pledged word, and in the decade 1819-1829 British cruisers brought in to Sierra Leone an average of two Dutch slave traders a year.⁴⁵ The intensity

⁴³ Lagemans, *Recueil*, II, 1-16.

⁴⁴ William Law Mathieson, *British Slavery and its Abolition, 1823-1838* (London, 1926), pp. 22-23, footnote 3; and *Great Britain and the Slave Trade, 1839-1865* (London, 1929), p. 1. See also Thomas P. Martin, "Some International Aspects of the Anti-Slavery Movement, 1818-1823," *Journal of Economic and Business History*, vol. I (1928-1929), November, 1928, pp. 137-148.

⁴⁵ Karel Maximilana Smulders, *Geschiedenis en Verklaring van het Tractaat van 17 Maart 1824, te Londen gesloten tusschen Nederland en Groot Britannië ter regeling van de wederzijdsche belangen en regten in Oost-Indië* (Utrecht, 1856), p. 43, footnote. Twenty-one slavers in all were brought in to Sierra Leone.

of King William's desire to repress the slave trade may be inferred from the fact that the official publication in his country of the text of the treaty of 4 May 1818 occurred only in November 1848. The King did not stand alone: Van Nagell, who signed the treaty of 1818, was not opposed to the slave trade, and according to Van der Kemp, "the people and government both sought the artificial reactivation of the trade and what was connected with it." The Netherlands anti-slavery periodical complained of "the indifference of the Netherlands government toward anything higher than its own commercial interest."⁴⁶ In November 1820 Van Nagell in a note to Clancarty asserted the right of his government under the treaty to continue the slave trade except directly with Africa, only to surrender this position by early January 1821. In conversation at that time with Lord Clancarty, the colonial minister Falck "at first talked of the necessity of a new treaty" to clarify the agreement of 1818. Upon Clancarty's expostulation that the treaty was unequivocally clear, Falck withdrew somewhat from this request, but the ambassador sensed an ulterior motive: "I cannot help suspecting his abortive proposal of a new treaty originated in a hope that, if this business, in which he knows we are much interested, should be again thrown open, it would give an advantage to him in another, on which this Government is extremely anxious, viz., the settlement by Convention of the rights of trade and establishment, particularly in the Indian Archipelago, and generally in the seas eastward of the Cape." Falck showed Clancarty the Van der Capellen — Hastings correspondence from which Elout had hoped so much. The ambassador accepted Falck's avowed purpose in this respect "of proving that neither of the two Governors General conceived that these negotiations" in London "were to depend, for their commencement, on any fresh advices from either of them from India; and I must confess they seem to me (Lord Hastings' letter particularly) fully to bear out this conclusion." Clancarty made no comment, however, upon Van der Capellen's letter, upon which Elout had counted for a powerful effect. On the contrary, Clancarty advised Lord Castlereagh that in the unlikely event of further obstruction to the British interpretation of the treaty of 1818, "you may perhaps be of opinion that some advantage may be derived by us on this point, from the great anxiety of this Government to proceed to a settlement on the other. . . ."⁴⁷

⁴⁶ Van der Kemp, "Tractaat," pp. 103-104.

⁴⁷ *Correspondence, Despatches, and Other Papers of Viscount Castlereagh, Second Marquess of Londonderry*, ed. Charles William Vane, 12 vols. (London, 1848-1853), XII, 341-343. Clancarty to Castlereagh, Brussels, 5 January 1821.

The Netherlands king, unaware that in his eagerness for a settlement in the East he had given a hostage into the hands of the British, wrote to his Governor General at Batavia on 14 February 1821: "It is deplorable that the negotiations with England on mutual interrelationships in the Asiatic Archipelago could not have been continued with the speed one might have assumed at the outset; the necessity on the part of England of securing further information, together with the more important preoccupations of the ministry have temporarily put a stop to the negotiations, which were taking no unfavorable turn. . . ." ⁴⁸

It will be recalled (see above, p. 111) that Elout and Fagel, at the conclusion of the London conferences, had confessed their ignorance of the dispute mentioned by the English concerning Ayer Bangi, and had hoped that enlightenment would be forthcoming from Batavia. Half a year later, this information arrived. Ayer Bangi (variants include Ayer Bangis, Ajer Bangis, Airbangis, etc.), lying just north of the equator on the western coast of Sumatra, had been subordinated during the British occupation to their residency at Natal, which lies to the north. To the Dutch it was part of the territories governed from Padang, to the south, but when Raffles was forced to cede Padang, he refused to regard Ayer Bangi as included in the retrocession. On 28 February 1821 the foreign minister, Van Nagell, advised the king that the Batavian officials had already protested to the Bengal authorities, whose answer would determine whether the cession of Ajer Bangis would have to be discussed "at the possible [eventueele] resumption of negotiations with Great Britain." Meanwhile he thought it might be useful to acquaint Fagel with the issue so that he might at some convenient opportunity inform Castlereagh, not merely to point out how important it was quickly to get the information from India needed to continue the interrupted negotiation but above all to exhibit to his Lordship "a new and convincing proof" of the ill-will of Raffles as the source of strife in the East. ⁴⁹

In accordance with the king's affirmative decision, on 9 March Van Nagell directed Fagel to make representations concerning "the matter of Ayer Bangis and the new proof which it supplies of the ill-natured attitude of Sr. Raffles." "His Lordship begged me to assure Your Excel-

⁴⁸ Colenbrander, *Gedenkstukken*, II, 263. The king to Van der Capellen, Brussels, 14 February 1821.

⁴⁹ P. H. van der Kemp, "Sumatra's Westkust naar Aanleiding van het Londensch Tractaat van 13 Augustus 1814," *Bijdragen tot de Taal-, Land- en Volkenkunde van Nederlandsch-Indië*, vol. 49 (The Hague, 1898), pp. 229 ff.; 236; 306. Van Nagell to the king, 28 February 1821.

lency," wrote Fagel to his foreign minister on 17 March 1821, "in reply to this communication, that as soon as the awaited information is received from India, which cannot be much longer delayed, they would be ready and even eager to resume the suspended negotiations and thus to end all these annoying differences." Castlereagh went on, however, to say that when he presently laid before the House of Commons the correspondence of his government with those of foreign states concerning the slave trade, he hoped that the Netherlands government would have settled the question concerning the interpretation of the treaty on this subject in such a way as to appear in an honorable light, which he was certain would happen. Fagel reported this expression of Lord Castlereagh's views, plaintively "observing nevertheless, that the details of the matter concerned are entirely unknown to me." ⁵⁰

If Fagel was unable, in his ignorance of the facts, to understand what Castlereagh meant by the warning about the slave trade, his foreign office was better informed. On 26 February, Clancarty had addressed a *note verbale* to Van Nagell requesting a personal audience with the king with the object "of pressing his Majesty to direct that answers should be given upon some points (especially that relating to the construction of the Treaty of May, 1818)." He had been put off on the grounds of the king's indisposition. Clancarty waited a month without an answer. On 26 March 1821 he again addressed a note to Van Nagell, pointed out that he had been "aware of the King's regretted indisposition" but that he had recently "received pressing instructions" from London deploring the delay and directing him to present "an additional instance" at Surinam "of the infraction of the Convention for the abolition of trade in Slaves;" he reiterated his request for a private audience. His purpose in seeking direct communication with "this King," he wrote Castlereagh, was not merely "for the purpose of remonstrating with him upon the unreasonable delays of this Government," but principally to obtain "a full admission of our true construction of the Slave Trade Treaty. . . ." He understood privately that the Netherlands government had come to a favorable decision in this respect: "If not, it is my intention to press this matter still further, even to what may grow to a breach *between me personally* and this Government," regrettable as this would be.⁵¹ Three weeks later Clancarty wrote to

⁵⁰ Van der Kemp, "Tractaat," pp. 217-218, Fagel to foreign office, 17 March 1821.

⁵¹ *Castlereagh Despatches*, XII, 379-381. Clancarty to Castlereagh, Brussels, 27 March 1821. Clancarty's italics. Copy of Clancarty's second note to Van Nagell, Brussels, 26 March 1821.

Castlereagh in the irritated tone of a schoolmaster reporting an unruly boy to the headmaster of the school: "The Netherlands Monarch is endeavouring to evade the execution of his treaties with us relative to the Slave Trade. This will not do, and must not be allowed. I have therefore to renew my request to you to do nothing which, on the part of his Government, shall be asked of you by Fagel, and, however kindly, as an individual, you may treat him, I pray you that, as the representative of his master, he may not be better treated than such a master deserves, till the master shall learn to deserve better." ⁵²

On 24 April 1821, Van Nagell in pursuance of a royal order reminded Fagel of the long interruption in the negotiation concerning the East Indies: "It seems that enough time has passed to collect all the necessary information," and His Majesty directed the ambassador to bring the subject to the attention of the Marquis of Londonderry at "the first favorable opportunity." ⁵³ At his next audience with Londonderry, on 1 May 1821, Fagel found the foreign secretary holding a paper in his hand. "With his usual good humor" he smiled and said: "I do not know what you have to say to me, but as for me, I must scold you." Fagel in turn displayed a paper, a dispatch from his foreign office, and replied in the same tone, "I must do the same to you, my lord." Londonderry thereupon read him the paper which he held, a letter from Wilberforce, ⁵⁴ "full of complaints about the non-execution of the treaties repressing the trade in blacks in general, but particularly about the contents of a decree of the King, our Sovereign, concerning this same matter," which had apparently been issued in consequence of Clancarty's interposition and published in the press. Still quite uninformed on the subject, Fagel evaded discussion and confined himself to promising to report to his foreign office Lord Londonderry's deep concern in the matter and how much he feared attacks in the House of Commons from Wilberforce and his numerous adherents. Fagel now switched to the issue of the negotiations.

⁵² *Ibid.*, XII, 391-392. Clancarty to the Marquess of Londonderry, Brussels, 17 April 1821. Earlier in the month, Castlereagh had succeeded to his father's title.

⁵³ Van der Kemp, "Tractaat," p. 109, footnote (b).

⁵⁴ The letter is not included in *The Correspondence of William Wilberforce*, ed. R. I. and Samuel Wilberforce, 2 vols. (London, 1840). There is a letter from Raffles to Wilberforce (I, 386-387), in which he asks: "May not therefore the spread of the Gospels go hand in hand with the Abolition of the slave trade in those countries [the Eastern Islands]?"

I thereupon spoke up and indicated to His Excellency how much the long interruption in our negotiations on the matters of the East Indies had surprised and upset the activity of our Government. The reply was that I knew the reason thereof, which was solely the non-arrival of the reports expected from Calcutta, and that this was quite truly the sole cause of delay. I observed in this connection that this delay meanwhile was all the more irritating since Sir [T. S.] Raffles, although repudiated by his own Government none the less remained at his post and continued to use all his influence to fan the flames of conflict. . . . This argument appeared to me to have made an impression on Lord Londonderry who could not deny its correctness and assured me that nothing was further from the intentions and desires of the British Government than such a result. He added, nevertheless, that the question of the slave trade in this country daily assumed a more serious and complicated character, and that on the other hand, the question of a settlement in the East Indies embraced so many interests, interests (*above all in the manner in which we presented it in the conferences of last year*) which were so important and delicate for England that unless the other matter (the Slave Trade) were satisfactorily settled, he almost would not dare, in view of the current public opinion, to resume the negotiations on the East Indies.⁵⁵

Londonderry was evidently following Clancarty's advice in a blunt form, so blatant was the way in which he used the slave trade issue to contradict his immediately preceding explanation that "the sole cause of delay" was the non-arrival of the dispatches from Calcutta. Yet not blunt enough. Fagel, writing his dispatch after the interview, thought his argument had "made an impression on Lord Londonderry." Fagel remained invincibly oblivious to the point, writing less than a week later to Elout: "With respect to our negotiations, everything remains in the status quo. They still have no answer from Calcutta."⁵⁶

The day before the artless Fagel conferred with Londonderry, Falck had addressed a memorandum to the King. The date of this communication, 30 April 1821, is not questioned by Van der Kemp, who nevertheless regards it as the cause of Van Nagell's instruction to Fagel,

⁵⁵ Van der Kemp, "Tractaat," pp. 218-220. Fagel to foreign office, 2 May 1821.

⁵⁶ Elout, *Bijdragen*, p. 165. Fagel to Elout, 8 May 1821. Fagel congratulated the colonial expert upon his appointment as minister of finance.

dated 24 April 1821.⁵⁷ Under the disjointed relationships prevailing in the Netherlands government, Falck's memorandum is most simply explained in terms of independent origins rather than by claiming, without being able to prove, a misprint in dates and seeking a connection for which there is no evidence. Falck began by directing attention to the reason given for the suspension of the negotiations begun with England in the previous summer. Since then enough time had passed to have received the needed information even if they had had to direct inquiries to Calcutta after the last conference. "As far as I know, however, no step has been taken on the part of the English toward the resumption of negotiations, and perhaps such should also not have been expected from the party whose interest is better served by the maintenance rather than by the discontinuance of the present state of affairs. We therefore must pursue an opposite policy." It was not that Raffles with his unfriendly attitude was so important, "although his presence has necessarily been a major hindrance to us." It was rather that the pending issues and the persistence of uncertainty had had "a detrimental influence upon the treatment of many matters, upon the attitude of Princes and tribes, who judge according to what they see . . . and — in the opinion of Mr. Van der Capellen — also upon the attitude of the Sultan of Palembang," who was causing much trouble.

"Our *interest*, thus," wrote Falck, "in urging the resumption of negotiations is beyond question — Our *right* to this, after exercise of patience for seven or eight months, seems to me equally certain." Although he was not equally sure "about the *diplomatic conventions*," he nevertheless felt that in these respects too, "since we have allowed the period to pass by during the prosecution of Queen Caroline and for the discussion of the *bill* in favor of the Catholics, everything has been taken into consideration which one could ask or expect of the most well-meaning ally." He therefore asked the king to consider "whether or not a remonstrance ought to be preferred through Your Majesty's Ambassador in London," regretting the delay in the negotiations, "with the request that they now at last move on to prepare for the time when the Plenipotentiaries will be able to resume their labors, begun under fortunate auspices but broken off so untimely." ⁵⁸

⁵⁷ Van der Kemp, "Tractaat," pp. 108-109. Van der Kemp summarizes Falck's report of 30 April 1821, and then says: "The result was an instruction dated 24 April 1821 from the Minister of Foreign Affairs to our Ambassador to question the British government again."

⁵⁸ Falck, *Ambts-Brieven*, pp. 140-142. To the king, Brussels, 30 April 1821.

Falck was scarcely less ingenuous than Fagel. He recognized the interest of the British in further postponement of negotiations, as well as the Netherlands need for their resumption. Beyond reference to an abstract "right," and the nice behavior of Netherlands officials in not bothering the British Government at moments when the cabinet would have had no time for them anyway, what means would Falck employ to induce the British to end their profitable reluctance to negotiate? He offered no bait to entice them, no club to cudgel them. Perhaps some pressure might have been exercised by the Dutch in connection with the slave trade, perhaps a bargain to observe the terms of the 1818 agreement if the English would observe the terms under which the conferences adjourned in August 1820. But Falck, like Fagel, ignored the slave trade dispute, the one point at issue in which a Netherlands concession to Britain might have been used to exact a counter-concession at a cost of no sacrifice of principle but in fact upholding a treaty obligation, thereby enhancing the purity of the Netherlands protests over British violations of treaty rights at Singapore.

The King may have thought that he could quiet the British by issuing a decree on 16 April 1821, declaring that "the introduction into the Colonies of our Kingdom, and especially into the Colony of Suriname, of Negroes brought from foreign Colonies where it is legal to introduce them directly from Africa is prohibited . . ." ⁵⁹ But the British whom the Dutch kept reminding, in connection with Raffles, that general admonitions are not the same as operative instructions, were not prepared to take the King's decree for deeds. Clancarty persisted in asking to be shown the instructions sent out by the government to which he was accredited, designed to prevent the slave trade. Apart from the importance of the subject, observed the ambassador, "if we suffer his Majesty to triumph in victory over us on this occasion, he will not fail to wage continual war with us on every future opportunity." Clancarty would begin gently. He thought it quite probable that the actual instructions were satisfactory but that "a point of pride" prevented the king from communicating them. Clancarty wished to assuage Dutch distrust, and asked that he be instructed to communicate not only with the foreign minister but also to deal directly with the king on the matter, "because the King here is his own Minister in every branch and department of the State, those called his *Ministers* being

⁵⁹ Baron de Keeverberg, *Du Royaume des Pays-Bas*, 3 vols. (The Hague, 1834), III, 123-125. Vol. III consists of "Pièces Justicatives."

little more than mere *Chefs de bureau*, as is amply proved in this very identical case, in which all those styled Ministers, including the whole Council of State, are with us, the King alone against us.”⁶⁰

Instead of Clancarty, however, some heavy artillery, fortuitously in transit, was brought to bear on the king: the Duke of Wellington arrived at Brussels on 10 August 1821 on his way to make an inspection tour of the Netherlands fortresses. (See p. 4 above). Londonderry had asked the Duke, in Clancarty’s words, “to speak to this King on his Majesty’s conduct with respect to the Slave Trade Treaty,” but Wellington was reluctant to discuss it unless the king raised the issue. Clancarty overcame his objections and briefed him, but in the event, the king himself brought up the matter. William complained “that he was pressed in an extraordinary manner upon the subject of the Slave Trade, while other Powers, such as Portugal, Spain, and France, were allowed to do as they pleased,” and further, “that all progress in the negotiation regarding the East Indies was stopped.” Wellington sought to reassure the monarch that England still cared for him, that he was not being singled out but that the other states were likewise being pressed to practice what they had pledged, “that we certainly lamented” having year after year to indict publicly the unredressed treaty violations by his Majesty’s subjects, “that it was impossible for his Majesty, who governed a country in which no public opinion against the Slave Trade existed, to judge the force of that opinion in England.”

The Duke courteously and carefully explained to the king what the British government wanted. “In respect to the Indian question, I told him that I knew nothing about it; that the Minister for India had been changed,⁶¹ which might have occasioned some delay; but that at all events, I entreated his Majesty not to connect that question with that of the Slave Trade, but enable us to prove to the country that his Majesty had done everything in his power to perform his treaty on the latter point.” After much detailed exposition of the sense of the treaty, the conversation reverted to the Indian question. The king pointed out that the suspension of the negotiation in London had been authorized on the plea that further information was required from

⁶⁰ *Castlereagh’s Despatches*, XII, 420-422. Clancarty to Londonderry, Brussels, 3 August 1821.

⁶¹ Van der Kemp, “Tractaat,” p. 112, referring to this part of the conversation, erroneously presents Wynn in the guise of President of the Board of Control, a post he was not to assume for another six months. See above, p. 126, footnote 38.

Hastings, but Hastings had discontinued the discussion with Batavia on the ground that the decision would be made in Europe. Wellington repeated that he knew nothing of the question, "but that it appeared to me there was nothing inconsistent in what had passed; as it was very probable that information was required from Lord Hastings, which he might be the only person capable of giving, at the same time that he should have broken off all discussion upon the subject with the Governor-General of Batavia." While the Duke was unable to "perceive any coldness in his reception of me," he thought the King at the conclusion of the conversation "better satisfied and pleased than he had been," yet William did not say that he would comply with Wellington's request with respect to Surinam.

Clancarty augured "much good" from Wellington's effort. One might infer that the king had been intimidated by the Olympian Duke: after dinner he took Clancarty aside "and, for near half an hour, assured me of his anxious desire to be always on the most confidential footing with my Government, and personally complimenting me upon my conduct from the first hour at which I was presented to him in London up to the present moment, in terms which it would ill become me to repeat." Clancarty was not one to be seduced from his duty by royal flattery: he held to his previous advice on the Slave Trade given on 3 August, which as he had noted was a gentle program, and urged that it be applied as soon as possible "in order that we may derive all the benefit which can be drawn from the recent impression made on this King by his late conversation with the Duke of Wellington."⁶²

The King was not yet ready to surrender: when George IV paid him a visit at the end of September 1821, bringing in his suite Londonderry as well as Wellington, Van Nagell was charged with raising the colonial question. Persistence drew from Londonderry on the continent the same answer that Fagel had received so often in London. He had expected Van Nagell to raise that issue, he told him; they were waiting for the Bengal dispatches.⁶³ Not until January 1822 did the king yield, though not gracefully. He had Clancarty supplied with the detailed instructions he had so long been requesting, but he insisted that they be given to

⁶² *Castlereagh's Despatches*, XII, 422-429. Wellington's memorandum of his conversation is dated Brussels, 12 August 1821. Clancarty's dispatch to Londonderry is dated Brussels, 14 August 1821.

⁶³ Van der Kemp, "Tractaat," pp. 113-114, which appears to rest upon the retrospective account contained in the foreign office instructions to Fagel, dated 18 January 1822, and reprinted, *ibid.*, pp. 222-223.

the ambassador in Dutch. Falck, to be sure, revised and corrected the translations, but the colonial minister was "very anxious that these documents should not be laid before Parliament; and this is not to be wondered at, as more sorry pieces could scarcely have been composed." Accordingly, Clancarty forecast that Falck would seek the king's permission to ask that the British Government refrain from making the documents public, but that Clancarty should be asked to write a dispatch to Londonderry to be presented to Parliament in lieu of the documents, assuring him that the Netherlands Government would thereafter execute the Slave Trade treaty in accordance with the British interpretation. This, Clancarty told Londonderry, he was willing to do since he trusted the "solemn assertion" from Falck and "similar assurances" from Van Nagell that no breach of stipulation should occur while they held office.⁶⁴

Four days later, in the absence of any request from Falck to hold back the instructions on the slave trade, Clancarty advised Londonderry that the papers were "quite at your service, to be laid or not to be laid before Parliament, according to your good pleasure." Either Falck had not seen the king or the latter had rejected his request. According to what Van Nagell told Clancarty, his Majesty exhibited a sort of imperceptive petulance:

The King imagines that Falck's anxiety to suppress these instructions proceeds merely from the reference made in his report to a private letter of the 22nd June, and of which his Majesty is aware that Falck has no copy to produce; and therefore, with that sub-acid humour by which his Majesty is sometimes governed, he has not the least wish to have his Colonial Minister spared from the humiliation of being shown up, for having referred to a private document in a public report, and to a private document of which he does not possess a copy. His Majesty seems quite to overlook the exposure of his own backwardness, or awkwardness in the execution of his engagements, sufficiently apparent on the face of these papers.⁶⁵

On the same day that Clancarty reported on his receipt of the documents he had been pursuing (18 January 1822), the Netherlands

⁶⁴ *Castlereagh's Despatches*, XII, 448-449. Clancarty to Londonderry, The Hague, 18 January 1822.

⁶⁵ *Ibid.*, XII, 449. Clancarty to Londonderry, The Hague, 22 January 1822.

foreign minister recalled that Londonderry the previous September had given his blessing to the proposal to replace Elout as one of the two plenipotentiaries, since he had become minister of finance, by Falck, the colonial minister. Van Nagell, without citing any reason, but presumably because of his government's final compliance in the last day or two with the demands of the British on the slave trade instructions, now expected to be advised at any time that the East Indies conferences would be resumed. While recognizing that the moment was unpropitious, since parliament was reconvening, he wrote to Fagel: "Nevertheless it would be desirable to set a time when the work could begin again and I beg you to attend to this at a suitable moment, so that for our part we should be prepared and that nothing should prevent us from carrying to a successful conclusion a matter which equally concerns both kingdoms." ⁶⁶

On 28 January 1822 Fagel accordingly discussed the resumption of the negotiations with Lord Londonderry, who professed to be no less desirous of reconvening the conferences than the Netherlanders, but he had not yet learned whether the dispatches from Hastings had come, "upon the arrival of which this solely depended." He told Fagel "that he had already warned Mr. Wynn of the probability of the imminent resumption of this negotiation, that he would speak to him again about it and would notify me of the time when they would be ready here, that the reconvening of Parliament would not constitute the least obstacle, and that they themselves all the more wished to end this business since, still remaining in possession of Singapoer and being obliged to spend money there, this circumstance could offer some additional difficulties if they were to surrender this establishment to us." ⁶⁷

In fact, the session of Parliament, from 5 February to 6 August 1822, required Londonderry's time as leader of the House of Commons. He was suffering from gout and overwork; the strain led to his suicide on 12 August 1822, and a month elapsed before Canning was finally inducted into office as foreign secretary.

C. Courtenay's Summary of the Situation in March 1822

That Londonderry had been in earnest in his optimistic intentions expressed to Fagel is suggested by a lengthy paper prepared in the office of the India Board by its secretary, Thomas Peregrine Courtenay. This

⁶⁶ Van der Kemp, "Tractaat," pp. 222-223. [Van Nagell] to Fagel, 18 January 1822.

⁶⁷ *Ibid.*, pp. 116-117, footnote (d). Fagel to foreign office, 29 January 1822.

careful, reflective, detailed and revealing analysis of the conferences on the English side was drawn up some nineteen months after the suspension of the talks. It deserves recapitulation.

By the opening disavowals and statements of the British note presented at the end of the conferences (see above, pp. 102-103), wrote Courtenay, "some of the most embarrassing subjects of discussion and irritation in India, and prominent points of complaint on the part of the Dutch Government are cleared away, without any possible ill consequence or inconvenience."⁶⁸ They were "such as it was politic to take any creditable opportunity to make." As for the statements of the Dutch concerning the liberal objectives of their treaties and their commerce, Courtenay observed:

These, assuredly, are merely declarations; but they have even as declarations, a considerable value. Though they should [i.e., may] never be embodied in a Treaty, — or even if they should be falsified in practice they would still have a favourable effect upon the questions at issue. After such declarations, the Netherlands Government could not, in the face of the world, assert the political supremacy, to which, two centuries ago, the Dutch pretended, and which the present Government has lately been accused of attempting to revive. Though they were now to resort to a system of Commercial exclusion, they could not build it upon any *general assertion of political supremacy*.⁶⁹

The Netherlands denial of the existence of exclusive provisions in any existing treaties would entitle the British henceforth to refuse to respect such provisions should they prove inconsistent with that declaration. When the Netherlanders, "in a rather remarkable addition" to their statement on freedom of commerce in the Eastern Seas, expressed "their general inclination toward free commerce, and their readiness to assert and act upon these principles, as well *in Europe* as in other parts of the world," Courtenay wondered whether Elout, who made these statements, was implying a criticism of "those parts of the British system which have anything of the nature of monopoly." It did not matter: "Their actual declarations are not the less binding," they "are in their nature positive and unconditional."⁷⁰

⁶⁸ Dutch Records, XXX, no. 43. Courtenay's memorandum of March 1822, p. 24.

⁶⁹ *Ibid.*, pp. 26-27.

⁷⁰ *Ibid.*, pp. 27-29.

Respecting the four articles of provisional agreement, Courtenay commented upon the exemption of the Moluccas in Article 2 from the freedom of access set forth in the first article. The qualification, "until the Netherland Government shall think fit to abolish the monopoly of Spices" was "voluntarily subjoined" by the Netherlands plenipotentiaries. "It cannot be known whether any such change of system is in contemplation, or whether this expression was introduced to give plausibility to the declaration of the Dutch in regard to free Trade." In any case, the British stipulated "that any relaxation of the monopoly in favour of any other European, or American power should be extended to England." The intention of the third and fourth articles, according to Courtenay, was "to abrogate or prevent that practical monopoly which in spite of disavowals of political supremacy, the Dutch have been accused of endeavouring to effect by Treaties with Native States."⁷¹

Whether the conferences had been successful depended upon their goals. "Do these stipulations provide, as effectively as stipulations can provide, for the security of Navigation and Freedom of Commerce, which were our original objects in the Negotiation?" Clearly in Courtenay's analysis thus far, Singapore was not in itself a goal but a way to a goal, a means rather than an end. To answer his question, Courtenay reverted to the two principles originally formulated in the India Board, adopted by Lord Castlereagh, and communicated through Lord Clancarty to the Netherlands Government: First, the refusal of Britain to acquiesce in exclusion or mere permissive toleration of British trade in the Indian Archipelago, and second, the refusal to permit all the keys to the straits of Sunda and Malacca to be in Dutch hands. The former object, he thought, would be achieved if the provisional articles were put into effect. Hastings had pointed out no defects, and the advisory Special Secret Committee of the East India Company "have distinctly expressed their approbation of the Articles." But the Board of Control was not an agency of the East India Company: it spoke for the British government, and presumably the British people. One sees Courtenay, Secretary of the Board, acting for this wider clientele by again observing (see above, pp. 85-86) that it was obvious "that the private traders are upon this point better councillors than the Company who take but little interest in the extension of the Trade with the Archipelago, and even view it with

⁷¹ *Ibid.*, 30-32.

jealousy as it is connected with their own China Trade." It was not easy to obtain the opinions of many of the private traders, "and it might perhaps be advisable to take some method of ascertaining the views in which those who are actually engaged in Trade with the Malays, regard the proposed stipulations."⁷² A year and a half later the private traders would facilitate Courtenay's quest: they formed a committee to present their views. (See below, pp. 216-217).

Thus far Courtenay's memorandum shows why, in respect to one of his government's aims, the British were quite well satisfied with the status achieved in 1820. He now became even more explicit. If the four articles admitted of evasion, "we have not only no fair right to demand, but no fair ground for proposing a stricter stipulation." Any stipulation would have to be mutual,

and we have no more ostensible reason for demanding from the Dutch, than they have for demanding from us, any stipulation founded upon an avowal of distrust. Indeed even now there is a want of reciprocity, *by which not the Dutch, but the English profit.* The promise to abstain from exclusive treaties is mutual within the Archipelago, where it operates almost wholly upon the Dutch, but does not extend to the Continent, where the English would be principally, if not solely affected by it.⁷³

The possession of Singapore, wrote Courtenay, would not only accomplish the second object of his government, command of the Strait of Malacca, "but would render us independent of the Dutch, as to the commerce of the Archipelago." He then raised a question which, especially in a discreet private memorandum, a later age might find anomalous. "But the question to be decided," he wrote, "is one not of Policy but of Right." In tracing the sequence of the Netherlands' legal argumentation, Courtenay reached the foundation, which held that the convention of 1814 restored to the Dutch the possessions they held on 1 January 1803. They were not in actual possession of Singapore at that time, but were they in virtual possession, or rather, did they then enjoy "the right to possess?" What they possessed on that date

⁷² *Ibid.*, pp. 32-35. The interest of the private traders was to prove an important factor in 1823-1824. See below, pp. 216-222.

⁷³ *Ibid.*, pp. 35-36. Italics mine. Cf. the similar conclusions of Elout and Fagel, above, p. 110.

they held by virtue of the treaty of Amiens of 1802 which restored to them the "possessions which belonged to them, and which had been occupied or conquered by the British Forces in the course of the War." Resting upon the two treaties, the Dutch rightly reoccupied Malacca. "But it is certainly pushing the notion of virtual possession very far indeed to include among the 'possessions conquered' in the first Treaty" of Amiens, "and among 'establishments possessed' in the second," the convention of 1814, "an Island, or a right, of which even the existence was not known to the conquerors who made first Treaty; and which had never been reclaimed, or mentioned, by the alleged possessors, till after the conclusion of the second." Following further analysis of the Dutch claim that their treaty of 1784 created a virtually undissolved tie between Johore and the Dutch, in which he minced Van der Capellen's argument very fine, Courtenay concluded this part of his investigation: "On all these grounds it is submitted that the Dutch cannot claim, in virtue of their former connection with Johore, a right to prohibit the Chief of that State from forming any connection with us, or even alienating to us a part of his territory." The English might therefore not merely refuse to evacuate Singapore, they might even decline to discuss their rights with the Dutch.⁷⁴

Courtenay's analysis to this point is cogent but somewhat peripheral, thought the fault is not his but that of the Dutch, who had been indignantly firing off broadsides in the hope that somehow a bullseye might be scored. Actually the valid basis of the Dutch claim seems to be a sequence of three assertions that narrow to a pyramidal peak, first that the empire of Johore, Lingen, Pahang, Rhio, etc., was unitary; second, that the legitimate sovereign of this empire was Sultan Abdul Rahman; third, that this sultan was a vassal of the Dutch, certainly since November 1818. Courtenay did not deal precisely with this particular order of allegations but simply raised the question of whether Raffles had dealt with the legitimate sovereign of Singapore.

We have in fact already offered to stipulate for the abandonment of the island, if it should turn out that the Chiefs from whom we received it, had not lawful authority to transfer it; and it would now be scarcely fair to recede from that offer. Upon this part of the question, it is feared, our case is weak; at least in regard to

⁷⁴ *Ibid.*, pp. 39-44. This was essentially the point asserted but unconvincingly argued by the Calcutta authorities in their dispatch of 17 June 1820. See above, p. 116.

the person with whom we treated as Sultan of Johore. And as the Treaty which we made with the local Authorities at Singapore recognized the subordinancy of that island to the Empire of Johore, we are not in a condition to plead that it is a petty independent State, transferred to us by the assent of the resident Chiefs and Inhabitants. It would seem then that we are bound to evacuate Singapore, if required to do so by the rightful sovereign; and the only qualification which we can annex, is, that he shall be at perfect liberty to form his own decision, and with that view be entirely removed from the liability to intimidation by the Dutch.⁷⁵

This position, viz., denial of the Dutch title antecedant to 1795 but acknowledgment of Abdul Rahman as the rightful sultan, would enable the English to insist on the observance of their treaty with this sultan made by Farquhar in 1818, granting them most favored nation treatment in all parts of the empire of Johore, including Singapore, and obliging the sultan to abstain from renewing any treaties which would discriminate against or exclude or obstruct the trade of British subjects.

This treaty was concluded before the Dutch renewed their connection with Johore, and we may peremptorily insist upon its validity, if we admit Abdul Rahman to be the rightful Sovereign. Thus, either Singapore as we now hold it, or the connection with the whole Empire of Johore according to the terms of the Treaty of 1818, must in any event remain as it is. And it is submitted that the terms of this treaty would justify us in requiring the Sultan of Johore not to permit the Dutch to form any establishment at Singapore, or in any other part of his dominions, other than a mere commercial Factory, such as we may also have at the same time and place.⁷⁶

Although on 2 August 1820 the Secret Committee of the East India Company had disparaged this possible result of the dispute as scarcely worth a contest, it thus became a year and a half later a tolerable if not the optimum outcome, in the judgment of one who was apparently, unlike the Secret Committee, free of rancor toward Raffles.

⁷⁵ *Ibid.*, pp. 44-45.

⁷⁶ *Ibid.*, pp. 46-47.

It should be perfectly clear why the British authorities after 5 August 1820 evinced no desperate eagerness to resume the suspended negotiations. They came, perhaps to their own surprise, to discover that they had substantially achieved both of their initial objects. It was true that the technical status of Singapore was ambiguous, but this was no cause for concern: they were in possession, and as Courtenay observed of the Dutch, "it is not all probable that they will attempt to dispossess us by force."⁷⁷

D. Increased British Interest in the Retention of Singapore

An additional motive inspiring English inertia, when urged by the Dutch to resume conversations aimed at revising the status quo in the Indies, was the agreeable growth of Singapore and its trade. Fagel closed a note to Elout dated 8 May 1821: "Meanwhile I see with regret in a report recently brought out by the Marquis of Lansdowne in the upper house in the name of the Committee to investigate the foreign trade relations of this Empire (especially in the Indies), a passage in which the new Establishment of Sinca-Poura is mentioned with much fuss and its growth since the English took possession of it."⁷⁸ The report was issued by the committee before which Charles Grant had testified in July 1820 (see above, pp. 90-91). Raffles' friend testified again on 26 February 1821, this time with greater assurance and boldness.

Q. Have you had any Occasion to form any Opinion as to the Value of Singapore as a Mart for Commerce in the East Indian Islands?

A. Yes, I have turned my Thoughts to that Subject, which I think a very interesting one, in the relative Situation of the British and the Netherlands Powers in the Eastern Seas. I consider the Position of Sincapore, and the occupation of that Place to be very important to the British Interest; and I heartily wish it may be found consistent with the Rights of the two Nations, that Great Britain may keep Possession of it. I think it remarkably well situated to be a Commercial Emporium in those Seas; I have no Doubt that it would very soon rise to great Magnitude and Importance; and if I may permitted to

⁷⁷ *Ibid.*, pp. 81-82.

⁷⁸ Elout, *Bijdragen*, p. 165. Fagel to Elout, 8 May 1821.

allude to the Conduct of any Individual on this Subject, I must say that I think the whole Proceedings of Sir Stamford Raffles have been marked with great Intelligence and great Zeal for the Interests of his Country.

Q. Are you acquainted with the Increase of Wealth, Population, and Trade, which has taken place at Sincapore during the short period of time that has elapsed since the recent Establishment there by Sir Stamford Raffles?

A. I have not in my Recollection what Sir Stamford Raffles has stated upon that Subject; but I remember well being struck with how much had been done in a very short Time, both as to the Resort of People as Settlers, and of Shipping for Trade. It should be remembered that it was quite an unoccupied Spot when he took Possession of it.⁷⁹

The encomium of Raffles probably disturbed the Netherlands ambassador more than the recommendations presented in the committee report proper, the full weight of which he could not easily appreciate.

On the whole, the Committee are inclined to the Opinion that Regulations might be established at Canton, either by placing the Free Trade of Canton under the Superintendence of the [East India] Company with some Authority over the Seamen engaged in the Free Trade, by which any Apprehension of Inconvenience might be removed; and without interfering with the Monopoly of the British Market enjoyed by the East India Company, the British Merchant might be safely admitted to a Participation in a Trade which has proved safe, lucrative, and capable of great Improvement in the Hands of the Foreign Trader.

In the event of these Obstacles however being considered insurmountable, the Maintenance of the Establishment at Sincapore, to which vessels frequently come down from China in Five Days, or of any other Free Port as advantageously

⁷⁹ *Parliamentary Papers. Lords.* "Report from the Select Committee of the House of Lords Appointed to enquire into the means of extending and securing the Foreign Trade of the Country and to report to the House; together with the Minutes of Evidence taken in Sessions 1820 and 1821, Before the Said Committee." Ordered to be printed 11th April 1821. Pp. 203; 252-253.

situated, might, considering the Readiness of the Chinese to engage actively by every Means, direct and indirect, in Trade, prove highly advantageous to the Interests of British Commerce, if permitted to engage in the Tea Trade within the Limits of the East India Company's Charter, exclusive of the Ports of the Chinese Empire.⁸⁰

It is necessary and convenient here to consider the China trade together with the growth of Singapore. The importance of tea to Great Britain and the East India Company has already been suggested (see above, pp. 14-15), but the manner of paying for imports from the Far East to Britain, which exceeded British exports to that area by as much as ten million pounds in some years (see above, p. 105) requires explanation. The problem substantially was created by tea. Only China at that time produced tea, but since the Chinese were on the whole indifferent to the manufactures of the West, and on the other hand there was reluctance in the West to finance the tea trade by continuous large scale shipments of bullion, the question was: What commodities could be introduced into China which the Chinese would buy. "The solution was finally found in India. It was discovered that while the Chinese had little taste for British goods, they were eager to accept the produce of British India, particularly raw cotton and opium, though China itself produced the one and prohibited the other."⁸¹ The effect of these imports into China was actually to reverse the flow of silver. It was trade between India and China, the "Country Trade," which moved up and down the Strait of Malacca past Singapore, that made possible the Englishman's cup of tea, the East India Company's profits, and its dividends to its shareholders.^{81a} The bulk of this country trade was conducted by private traders, of which the largest and most

⁸⁰ *Ibid.*, p. 9.

⁸¹ Michael Greenberg, *British Trade and the Opening of China* (Cambridge, 1951), p. 9. This explanation is neither new nor unique to this book. It will be found, for example, in David E. Owen, *British Opium Policy in China and India* (New Haven, 1928) pp. 53 ff.; 130-131. Unique to Greenberg's book is the detailed picture of the functioning of the mechanism as seen through the private correspondence of the leading agency house engaged in the trade. None of the Dutch or British treatments of the acquisition of Singapore with which I am acquainted has alluded to opium as one factor behind British insistence upon the retention of Singapore.

^{81a} It is the thesis of C. Northcote Parkinson, *Trade in the Eastern Seas, 1793-1813* (Cambridge, 1937) in chapters 1 through 3 that the East India Company's balance of profit and loss meant little to anyone except the

important of the agency houses in Canton through whose books the private trade was conducted, was that of Jardine Matheson and Company.

For the present purpose, it is necessary to reduce the story to the barest schematic outline. Of the two major staples, Bombay cotton and opium, the latter after 1823 surpassed cotton in importance. In the sale and manufacture of the highest qualities of the drug the East India Company enjoyed a monopoly. It sold opium by public auction in Calcutta and Bombay. The Calcutta Board of Trade maintained that its intention was not to "tend to increase the consumption of the deleterious Drug nor to extend it's [*sic*] baneful effects in Society — the sole and exclusive object of it is to secure to ourselves the whole Supply by preventing Foreigners from participating in a Trade of which they at present enjoy no inconsiderable share — for it is evident that the Chinese, as well as the Malays, cannot exist without the use of Opium, and if we do not supply their wants, Foreigners will."⁸² Cargoes were shipped from India to Canton in privately owned vessels licensed by the East India Company, but the Company's own ships it strictly barred from carrying the drug, since its introduction as well as use were forbidden by the Chinese government. When these commodities were unloaded and sold, the opium illicitly and therefore for cash, the English agency house conducting the transaction banked its Chinese cash receipts with the East India Company in return for bills of exchange drawn on London, Calcutta, Bombay, and elsewhere. The Honorable Company thereby acquired the Chinese currency needed to pay for its tea and simultaneously preserved its official license to trade in China by maintaining the odor of sanctity about its Canton factory, itself strictly abiding by the law the indispensable violation of which by others it deliberately abetted.⁸³

Four months after the founding of Singapore, James Matheson, then 22 years old and supercargo of an opium ship, wrote: "As far as two or three observations and conversations enable me to speak, I have

foreign holders of the Company's shares; that win or lose, the individuals from directors down made fortunes. The point to the tea business was therefore that it enabled the Company's books to look more prosperous than otherwise, and thus postponed the day when the Company, as a device enabling individuals to mint fortunes essentially through perquisites attaching to the *government* of the Indian territories, would terminate.

⁸² Owen, *British Opium Policy*, p. 87. No date is given for this quotation, but the context places it about 1819.

⁸³ Greenberg, *British Trade*, Chapter V, part A, "The Importance of the Opium Trade."

formed the highest opinion of Singapore as a place of trade." There was as yet no considerable commerce, "there being no merchants to deal with; but this is a disadvantage which, as there are no duties or port charges, will soon vanish. I am of the opinion that a person settling here for a few months with a few thousand dollars as a circulating medium (which they greatly want) might carry on business to great advantage. . . . The situation of the settlement is truly delightful, being within 4 miles of the direct tract for China." Already "the mild sway of Major Farquhar" had led to the accumulation of a population of "upward of 2000;" and "the Sultan of Johore, attracted by the protection of the British Government, means to establish his residence there. . . . Singapore will certainly be retained, the Java Government having declined interfering with our possession."^{83a}

Even from the narrower viewpoint of the opium trade, the island had its value: "Singapore became, within a few years of its foundation," writes a modern scholar, "a fair-sized opium mart; though not of course on a scale comparable with the Chinese centres,"⁸⁴ and Raffles, in instructions on the administration of Singapore, wrote from Bencoolen under date of 24 March 1820:

Whatever Regulations may be necessary for restricting the indiscriminate vend of Opium & Spiritous Liquors for the consumption of the place, you are to be particularly careful that these in no way interfere with the most perfect freedom of Trade in the former Article. A certain Number of Houses may be Licensed for the sale of prepared Opium, but Opium in its raw state is to be allowed to be purchased and sold in any quantities however small and to be retained and exported without in any way subject to the check or License of any Authority.⁸⁵

The rate of growth of business activity at Singapore in the years following its foundation was such, paradoxically, as to enlist the support of the Englishmen connected with it, without simultaneously exciting the cupidity of the Dutch. At the beginning of November 1819, nine months after its establishment, Farquhar expressed "the greatest

^{83a} *Ibid.*, p. 97.

⁸⁴ *Ibid.*, p. 110, footnote 1.

⁸⁵ "Early Penang and the Rise of Singapore, 1805-1832," ed. C. D. Cowan, *Journal of the Malayan Branch of the Royal Asiatic Society*, Vol. XXIII (Singapore, 1950), p. 104. Lieutenant Governor, Fort Marlbro', to Captain Travers, 24 March 1820.

satisfaction" in reporting to Raffles at Bencoolen that "the rapid advancement the Settlement is making in every respect... has far surpassed my most sanguine expectations, the Population is every day encreasing and the Trade of the Port even in this early Stage of its Infancy is rising fast into importance. Native Trading Vessels with valuable Cargoes continue to come in from the various Eastern Ports," of which he listed thirteen, many of them under Netherlands control, "with all of which this Place promises to carry on a brisk trade."⁸⁶ Promise became achievement, recorded in a statement of "the Imports and Exports at Singapore by Junks, Native Prows and Vessels commencing from the 1st April 1820 up to the 30th April 1821." The total value of imports in the period exceeded 885,000 Spanish dollars, the two items surpassing 100,000 Spanish dollars being "Birds' Nests" (106,428 Sp. dollars) and opium (116,438 Sp. dollars). Exports exceeded 914,600 Spanish dollars, almost two-fifths of which was represented by opium (356,400 Sp. dollars), while the next most important items were much smaller: gurrahs, identified by Cowan as "a plain coarse Indian muslim," (98,689 Sp. dollars), and birds' nests (64,400 Sp. dollars).⁸⁷

Raffles, always bullish respecting Singapore, anticipated the future role of Britain's cotton mills: "Upwards of ten thousand tons of raw cotton are annually sent to China from our territory in India —" he wrote in July 1820, while a year and a half later his estimate rose to twenty thousand tons. "Why should we send our raw produce to encourage the industry of a foreign nation, at the expense of our own manufactures? If India cannot manufacture sufficiently cheap, England can... I see no reason why China may not be, in a great measure, clothed from England — no people study cheapness so much..."⁸⁸ True it was that the East India Company had the monopoly of the direct British trade between Europe and China: this was where Singapore's value lay for the private trader eager to cut into this profitable traffic. Singapore was a free port, and subject to the government of India where the Company's monopoly had expired in 1813. China goods could be brought to Singapore and transshipped

⁸⁶ *Ibid.*, pp. 101-102. The Resident, Singapore, to the Lieutenant Governor, Fort Marlbro', 3 November 1819.

⁸⁷ *Ibid.*, pp. 112-117. Master Attendant, Singapore, to the Resident.

⁸⁸ Sophia Raffles, *Memoir of the Life and Public Services of Sir Thomas Stamford Raffles... by his Widow* (London, 1830), pp. 459-460; 505. Raffles to the Rev. Dr. Raffles, Bencoolen, 17 July 1820; letter to an unnamed correspondent, dated Bencoolen, 26 December 1821.

to another vessel bound for England. Illegal or not, "the newly established British firms at Singapore were eager to make an easy 1 % commission" from this trade, and in time they honed finer an already sharp practice by merely making out new bills of lading and then reloading the cargo on the same ship.⁸⁹ "By 1822 the value of the trade of Singapore exceeded that of Penang, and it went on increasing at the same unprecedented rate . . ." ⁹⁰

Raffles' forecast of market potentialities was duplicated in the hub of the cotton manufacture. In the *Manchester Chronicle* in 1821 the possibility was foreseen that in a few years "the whole of the Eastern Archipelago will be clothed from Great Britain; and I see no reason why Ava [Java], Siam, Cochin China, and even a large portion of China, may not follow the example." In 1822, the Manchester Chamber of Commerce, in protesting against restrictions upon the size of ships permitted to engage in the eastern trade, referred to "our highly important Commerce with India, the Persian Gulf and the Oriental Islands." British exports of cotton piece goods were reported for the area comprising "all Places East of the Cape" of Good Hope, "except China," without a smaller, regional subdivision, the rate of increase indicating a considerable vitality in the overseas textile trade. To this area in 1814 there was exported a total of some 818,000 yards of calicoes and muslins; in 1817 it amounted to over five million yards; but in 1823 it exceeded twenty-three million yards, an increase of more than twenty-seven fold over the exports for 1814. Plain muslins and colored calicoes increased the most, the former by more than fifteen fold, the latter by no less than one hundred and ten times.⁹¹ The predictions of Raffles and the writer in the *Manchester Chronicle* were on the way to fulfillment.

Public attention was now and again directed to the prospects in the eastern islands. In 1820 John Crawford, F.R.S., formerly an aide to Raffles in Java, who was to become Farquhar's successor as Resident at Singapore, published a three-volume *History of the Indian Archipelago* in which the reader could find the commerce of these islands described as "not only of importance in itself, but as the highway to the greatest nations of Asia passes inevitably through them," they could very likely prove of value to European nations. "Situations of minor advantage

⁸⁹ Greenberg, *British Trade*, pp. 96-97.

⁹⁰ Cowan, "Early Penang and the Rise of Singapore," p. 11.

⁹¹ Arthur Redford et al., *Manchester Merchants and Foreign Trade 1794-1858* (n.p. [Manchester], 1934), pp. 112-114.

may be pointed out in various portions of the Archipelago. Penang is one of these; and another much superior to it is the island of Sincapoor, correctly written *Singahpura*, lately selected, with much judgment, by Sir Stamford Raffles . . .”⁹² *The Times* on 26 December 1820 devoted a column and a half article to the “Indian Archipelago,” of which more than a column consisted of extracts from Crawford’s work. By way of introduction, *The Times* wrote: “Among the acknowledged evils of the late disgraceful process against her Majesty were the interruption which it occasioned to public business of the greatest urgency and importance Of the difficulties under which the people of England have for some time laboured, those which affect more immediately our foreign commerce have long appeared to reasonable men among the most conspicuous and distressing.” Last winter Lord Lansdowne’s committee of the Lords had submitted a report recommending chiefly two remedies. One, removal of prohibitory duties, appeared foredoomed with the existing government; the other was more promising,

Viz., the search for untried markets The noble Marquis referred especially to countries situated eastward of our Indian empire as likely to offer a successful harvest to the enterprises of the merchant and manufacturer. The continent of Asia we have already furnished with goods; but the islands constituting the vast Indian Archipelago were spoken of by his Lordship as a valuable field of exploitation, and one which, except in two or three spots, is yet but little known to Englishmen. For a satisfactory authority on this interesting topic the noble Marquis pointed out the work of Mr. Crawford . . . and now, while the suspension of Parliamentary business may permit, we are desirous to take an early opportunity of laying extracts from the book before our readers.

There was no reference in the succeeding passages to Singapore, but in the more specialized pages of the *Asiatic Journal*, letters from interested parties showed persistent concern over the fate of the settlement. In the issue for March 1821, a letter signed “An Eastern

⁹² John Crawford, *History of the Indian Archipelago. Containing an account of the manners, arts, languages, religions, institutions, and commerce of the Inhabitants*, 3 vols. (Edinburgh, 1820), III, 262-263; 265. “A work,” characterized by *DNB* as “of sterling value and great interest.”

Private Trader," under date of Harley Street, 6 February 1821, took its inspiration from a paragraph "in a very respectable morning paper" which noted a rumor in commercial circles that negotiations would shortly relinquish Singapore to the Dutch. This, the writer thought, might or might not be true, but "as I have returned by the last ship from this new, and I trust permanent acquisition, I propose to offer to the notice of your readers a few remarks upon the incalculable advantages" of the trade in the Archipelago. "It is scarcely possible to say too much in favour of Sincapoor The prospect which it affords of extending our commerce is immense; and it bids fair to become, and that at no very distant period, one of the first commercial stations eastward of the Cape . . ." As a free port, it made it possible to compete with the Dutch. "As far as trade is concerned, Sincapoor is more valuable to us even than Java."⁹³ Under the heading, "Dutch Encroachments Singapore," the *Asiatic Journal* the following month (April, 1821, pp. 317-320) published an echo to the foregoing, expressing "gratification, on account of the bright prospects of commerce and civilization which are now extending in the Eastern Islands," and "anxiety lest those goodly prospects should be quickly overcast." Generally devoted to derogation of the Dutch, the letter also undertook to deny that Johore was subordinate to the government at Batavia.

In September 1822, the *Asiatic Journal* (pp. 308-310) reprinted from *John Bull* of Calcutta parts of a letter which the Bengal paper endorsed as coming "from a most respectable quarter" and reliably correct. "*The Bull's* proprietors," were later identified as "estimable gentlemen, high in the official hierarchy of the Company's administration."⁹⁴ The letter, dated from shipboard, Singapore Roads, 1 November 1821, was an account of the beauties and value of Singapore, and a diatribe against the Dutch. The tone was less than dispassionate: "As the only obstacle that can now exist to a confirmation of the settlement, is the impudent and unsubstantial claim raked up by a jealous, arrogant, and ungrateful ally, our ministers at home will be guilty of the greatest imbecility as well as culpable inattention to the interests of their country if . . . they should be simple and easy enough to yield to the artful

⁹³ *Asiatic Journal and Monthly Register for British India and its Dependencies*, for March 1821 (London), 213-215. In the account in the remainder of the letter of the splendid progress of Bencoolen under Raffles, one may possibly detect a hint as to the letter's inspiration.

⁹⁴ Ralph E. Turner, *James Silk Buckingham* (N. Y., 1934), p. 158.

endeavors and persevering efforts of the crafty and more skillful politicians of Holland who are striving to effect our total exclusion from the Eastern Archipelago”

While the public was informed in the *Asiatic Journal* for November 1822 (p. 517) through an article taken from the *Indian Gazette* of 8 April that Singapore was “flourishing to a degree which inspires new comers,” the Lieutenant Governor of Bencoolen was reporting straight to the Court of Directors in London a summary of the first two and a half years of the settlement. To 31 August 1821, “no less than 2889 Vessels have entered at the port, of which 383 were owned and commanded by Europeans and 2506 by natives, and their united tonnage has amounted to Tons 1,161,038.” The value of imports and exports by both classes of vessels came to “a gross amount of eight millions of dollars, or two millions Sterling.”⁹⁵ In the year 1822, the tonnage “was not less than 130,629 tons,” and the value of the imports and exports surpassed the total of the preceding two and a half years, amounting to 8,568,172 Spanish dollars. “The Port of Singapore . . . during the same period afforded a vent of no less than 359 chests of Opium,” exported upwards of 1400 tons of pepper, some 860 tons of tin, and of sugar “but little short of 1000 tons.” The value of Indian piece goods entering Singapore was slightly under half a million Spanish dollars, while that of British piece goods was somewhat more than a quarter of a million Spanish dollars.⁹⁶

An additional hint that the British were developing a broader interest in Singapore might have been found by dipping into the fourteenth volume of *Asiatick Researches*, which presented from the pen of Major General Thomas Hardwicke, F. R. S., a “Description of a *Zoophyte* commonly found about the Coasts of Singapore Island.”⁹⁷ The interest was expressed more officially though less publicly in a letter from the Secret Committee of the East India Company in London to the Governor General in Council, under date of 15 March 1823. “The negotiations with the Netherlands have not been resumed,” the letter began, and should the Dutch refer to any of the disputed points, “you

⁹⁵ Cowan, “Early Penang and the Rise of Singapore,” p. 127. Lieutenant Governor, Fort Marlbro’ to the Secretary of the Court of Directors, 6 February 1823.

⁹⁶ *Ibid.*, p. 132. Lieutenant Governor, Fort Marlbro’ to the Secretary of the Court of Directors, 15 January 1823.

⁹⁷ *Asiatick Researches; or Transactions of the Society Instituted in Bengal for Enquiring into the History and Antiquities, the Arts, Sciences, and Literature of Asia*, Volume the Fourteenth (Calcutta, 1822), pp. 180-181.

will inform them that the whole matter is under the consideration of His Majesty's Government in England, — but that you are, nevertheless ready to convey to the Government any representation which the Dutch may think proper to make to you." The purpose of this instruction was to insure the simultaneous receipt in London of Dutch communications and Calcutta's comments upon them; although the absence of any complaints about the Dutch suggested that they were adhering to the spirit manifested in their note of 4 August 1820.

"We wish you to resume the consideration of our letter of August 1820, (see above, pp. 111-113), and again to answer it." The Secret Committee also asked for the opinion of the Calcutta authorities on the effects of Van der Capellen's proclamation of 9 July 1822 affecting customs duties.⁹⁸

You will continue to occupy Singapore; and to report to us the progress of that Settlement in population and commerce. You will apprise us whether there has been any indication on the part of the Sultan of Johore, or any other Native Chief to deny the validity of Our Title to the Island; any such pretensions coming directly from the Native Prince, you will receive with attention; and fairly investigate; but you will not receive any such claim which shall come through the Channel of the Netherland Authorities, nor from a Native who shall be under their control.

The object of the admonition to heed any challenge to the English title to Singapore which might come from the Sultan of Johore does not immediately spring to mind. From which Sultan of Johore? It was hardly likely that Husain, who owed his status as sultan to the British, would dispute their title to Singapore, upon which depended his protection against deposition by the Dutch. Abdul Rahman, on the other hand, was legally a vassal of the Dutch, and his protests were ipso facto to be disregarded. The instruction was self-nullifying. With respect to the continental establishments, the dispatch requested the Bengal officials to "resume consideration of this subject, especially as to the possessions of the Dutch" with a view "to enable us to judge of the value of the several Settlements and Factories of the Dutch, and

⁹⁸ Van der Capellen's objects were to afford preferential treatment to Netherlands and native trade, and to draw it to Java, and to cause the products of Sumatra's west coast to be brought to Padang. Van der Kemp, "Sumatra's Westkust," p. 237.

other European Nations . . . , and of the expediency of entering upon a negotiation for the purchase of those possessions, and all dependent privileges and immunities." ⁹⁹

E. Dutch Efforts to Resume Negotiations, 1822—1823

If in respect to the Eastern Seas a eupeptic spirit displayed itself among many Britons, nourished by a well-balanced diet of profit and hope, and seasoned with a peppery dash of anxiety, the Netherlands' economic dyspepsia showed symptoms ranging from the lethargic to the querulous, all clearly resulting from dietary deficiencies. Netherlands commercial policy toward the colonies in the decade after 1814 is described by a leading Dutch economic historian as exhibiting two facets: "On the one hand, acknowledgment of the predominance of England in economic matters; and on the other hand, the endeavor to ward off this influence." The former tendency began to yield to the latter in 1818; "after 1820, and especially after 1824, the former tendency is scarcely observable, and the attitude of the Netherlands government and the Indies administration is increasingly focused upon the promotion of their economic interests, which are regarded as a single entity." ¹⁰⁰

In 1819, one hundred seventy one European and American ships called at Java, of which 62 were British and 50 were American, while the Dutch came third at their own island with 43 vessels. Nor did Netherlands shippers enjoy a monopoly of the trade between their Indies possessions and the homeland. About two-fifths of the produce brought from the East Indies to the Netherlands was freighted in non-Netherlands bottoms. "Foreign ships repeatedly had to be chartered for the transport of products to the Holland market. In 1818, beside 26 Netherlands ships, 7 English and 31 American arrived in the Netherlands from Batavia. The fleet of Netherlands East Indiamen and China vessels consisted at the end of 1818 of some 55 ships, of which only five had been built in the Netherlands." In 1817, a law of two years standing, which had sought to create a special company to monopolize the conveyance of tea from China to the

⁹⁹ Dutch Records, XXX, no. 44. Secret Committee to Governor General in Council, 15 March 1823. Van der Kemp, "De Singapoorsche Papieroorlog," pp. 544-547, reproduces this dispatch from Bisschop's transcriptions in a version swarming with copyists' errors.

¹⁰⁰ *Documenten betreffende de Buitenlandse handelspolitiek van Nederland in de negentiende eeuw*, ed. Nicolaas Wilhelmus Posthumus, 6 vols. (The Hague, 1919-1931), II, x.

Netherlands, was abolished. The China tea business "was conducted wholly by foreign shippers, chiefly American," and the attempt to favor Dutch shipping failed until 1825 to break the American domination of the Netherlands market in tea. In the East Indies possessions, only in Java were Dutch mercantile establishments to be found, "but no more than one could count upon one hand," although there were many English, Scots and Germans.¹⁰¹

In principle, the Netherlands government from its inception was committed to a policy of favoring Netherlands over foreign shipping.¹⁰² In 1817 and 1818, the Amsterdam Chamber of Commerce wanted the East Indies possessions closed to foreign traders and shipping, or at least that a preferential treatment be provided at Batavia for Netherlands interests, with an ad valorem differential of no less than 25%, although the Rotterdam Chamber was less extreme. Amsterdam wanted the traffic in Java coffee reserved to Netherlands vessels, with the homeland as their sole destination. Coffee was potent also in the fiscal system of the government at Batavia and yielded at this time roughly from a third to a half of its revenues.¹⁰³ Next to coffee, rice was becoming an important export from Java. In Europe it had earlier been unmarketable in competition with Milanese, Bengal, or Carolina rice,

¹⁰¹ Willem Maurits Frederik Mansvelt, *Geschiedenis van de Nederlandsche Handel-Maatschappij*, 2 vols. (Haarlem, n.d. [1924]), I, 41. J. S. Furnivall, *Netherlands India. A Study of Plural Economy* (Cambridge, N. Y., n.d. [1938]), makes use of the same data and offers the best account in English on the economy of the period 1815-1824 (pp. 94-97), based on Dutch materials. Subsequent British writers seem to have neglected both the Dutch sources and Furnivall's sound and perceptive account. On the law concerning the tea monopoly: E. de Waal, *Nederlandsch Indië in de Staten Generaal sedert de Grondwet van 1814*, 3 vols. (The Hague, 1861), I, 15-16; 55; as well as J. C. Westermann, *Kamer van Koophandel en Fabrieken voor Amsterdam. Gedenkboek . . .*, 2 vols. (Amsterdam, 1936), I, 156-157. Falck wrote on 1 September to the king (*Ambts-Brieven*, p. 56): "The voyage to Java keeps more than thirty ships busy, that to Surinam about twice that number . . ." Yet a ship in the latter service must have been able to complete two or three round trips for each one made by a vessel in the East Indies service.

¹⁰² The royal "Regulation Concerning Asiatic Government, Justice, Cultivation, and Commerce," of January 1815, is summarized in a footnote in J. van Ouwwerkerk de Vries, *Verhandeling over de oorzaken van het verval des Nederlandschen handels en de Middelen tot Herstel of uitbreiding van denzelve, ter beantwoording eener vrage van de Hollandsche Maatschappij der Wetenschappen te Haarlem* (Haarlem, 1827), pp. 129-130.

¹⁰³ Westermann, *Kamer van Koophandel . . . voor Amsterdam*, I, 155; August de Vries, *Geschiedenis van de Handelspolitieke Betrekkingen tusschen Nederland en Engeland in de negentiende eeuw (1814-1872)* (The Hague, 1931), p. 66; Daniel Wilco van Welderen Rengers, *The Failure of a Liberal Colonial Policy. Netherlands East Indies, 1816-1830* (The Hague, 1947), p. 81.

but after 1817 it began to arrive by the shipload, and thanks to the initiative of a Rotterdam grocer it was being husked and cleaned. In this improved form it was winning preference above the Carolina rice not only in the Netherlands but in Germany and northern Europe. Falck sought by tariff revision to promote this trade, and also recommended to the king that the enterprising Rotterdam grocer be made a Brother of the Netherlandish Lion.¹⁰⁴

Upon assuming control over Java, the Netherlands government for the time being retained the recently liberalized British customs regulations.¹⁰⁵ In January 1817, the Amsterdam Chamber of Commerce and Industry addressed a plaint to Goldberg, then Director General of Commerce and Colonies, seeking tariff protection: "Where is the nation which admits us to her colonies on an equal footing? Did not England just recently strictly prohibit our trade to the Ile de France [Mauritius]? Except in instances of absolute need and by special consent of the governor, can we land a single article on Ceylon or at our beloved Cape of Good Hope (where the inhabitants, out of indissoluble attachment to the old mother country, still will speak no other language than Dutch)?" Yet the English were trafficking freely at Batavia.¹⁰⁶

With such talk in the air, Clancarty on 1 February 1817 asked Van Nagell for confirmation of oral assurances that "the free trade of friendly powers to the Netherlands East India colonies was not intended to be limited in duration or extent." Van Nagell, having communicated Clancarty's request to the king, reported on 6 February 1817 to the British ambassador that there was no present intention of altering colonial commercial principles, and that Clancarty would be informed at once of any change.¹⁰⁷ On 28 August 1818, without prior notification of the British government, the Commissioners General at Batavia made certain changes in duties. Taking the wholesale value of imports as a base, this was to be increased by 30%, and on the figure thus obtained a 6% duty was to be levied on goods if brought to Java on Netherlands ships, 9% if brought from the Netherlands in foreign ships, and 12%

¹⁰⁴ Falck, *Ambts-Brieven*, pp. 126-127. Falck to the king, 12 September 1819.

¹⁰⁵ Emile Verviers, *De Nederlandsche Handelspolitiek tot aan de toepassing der Vrijhandelsbeginselen* (Leiden, 1914), p. 239; De Vries, *Geschiedenis*, pp. 64-65.

¹⁰⁶ Posthumus, *Documenten*, II, 4. Since the colony had been under continuous British rule for scarcely a decade at the time, and the first large influx of British settlers was still three years in the future, it would seem more remarkable if the residents of the Cape had ceased to speak their mother tongue.

¹⁰⁷ *Ibid.*, II, 7.

if brought by foreign ships from foreign ports. The same rates were also to apply to exports. Special fixed export duties were applied to particular products. Coffee in units of a pikol of 125 pounds was to pay two florins if exported in Netherlands ships, three florins if carried in foreign bottoms to Netherlands ports, and four florins if foreign vessels carried it elsewhere. Pepper, sugar, and rice all paid duties similarly scaled, of one, one and three-quarters, and two florins, according to nationality and destination of the vessels. In this way, some slight preferment was awarded Netherlands shipping and products, although the economic results were to show how exceedingly modest this preference was to prove.¹⁰⁸ A computation made by Rengers shows that after the 30% augmentation was taken into account, the 6%, 9% and 12% duties amounted to 7.8%, 11.5% and 15.6% of the invoice valuations, whereas the previous rates, again revalued to the invoice figures, meant that Netherlands ships paid 13% and foreign vessels 16%. English ships, curiously enough, had not been classified as foreign.¹⁰⁹

When word of this change in customs duties was received in England early in 1819, the shipowners society in London addressed a letter to Lord Castlereagh which stated, so he told Ambassador Fagel, "that the British shipping and mercantile interests, engaged in trade with Java, have been thrown into a state of alarm by intelligence just received from that country, purporting that heavy additional duties and restrictions have been imposed upon foreign shipping and that British ships are included in those regulations." All this was scarcely in accord with Van Nagell's assurances of February 1817 that no changes in the colonial commercial system would be sprung unannounced upon the British government. Van Nagell replied to Fagel, denying that the changes constituted such an alteration in the system as he had referred to in 1817, but were nothing more than the effort of the local authorities to grant some advantage to Dutch shipping.¹¹⁰ "Formally," observes a Dutch writer, "this is correct, but the sense of the English inquiry had been, naturally, for information on every alteration, not only of changes in the system as a whole."¹¹¹ Falck, as colonial minister, pointed out to his colleague at the foreign office that the English had no grounds for complaint, first because they were being asked to pay

¹⁰⁸ De Vries, *Geschiedenis*, pp. 66-67; Verviers, *Handelspolitiek*, p. 239.

¹⁰⁹ Rengers, *Failure of a Liberal Colonial Policy*, pp. 71-72.

¹¹⁰ Posthumus, *Documenten*, II, 23-24. Castlereagh to H. Fagel, London, 10 February 1819; Van Nagell to H. Fagel, The Hague, 23 February 1819.

¹¹¹ De Vries, *Geschiedenis*, p. 67.

only 2% more than they had demanded when they had administered Java, and second, because in various possessions of the East India Company, they themselves were imposing duties on various articles imported by foreign ships amounting to two and three times the duties paid on British imports.¹¹² In practice, the effect of the regulations of 1818 "was not a decrease but an increase in English trade." The British were now not content with delivering their wares to Java, especially textiles, but wished to merchandize them as well on the island, eliminating the the Dutch middleman. At Batavia they could obtain Dutch papers for their ships bound for the Netherlands. Arriving there, they could sell their cargoes, proceed to England, load a fresh cargo for the Indies, where thanks to their Dutch papers they had to pay only the 6% (i.e. 7.8%) duty. On one occasion at least, the Netherlands consul in London permitted an English ship to fly the Netherlands flag in the name of an Antwerp merchant. "For some inexplicable reason, the English pound was fixed at 18 shillings, which reduced the invoice value and consequently lowered the duty."¹¹³

Obviously the arrangements of 1818 were unsatisfactory to businessmen in the Netherlands, and a further step was taken by a royal decree of 25 April 1819, granting free entry into Java and Madura to Netherlands products carried in Netherlands ships, provided that they were furnished with a so-called "Netherlands Label." In this way, Belgian industry received direct encouragement.¹¹⁴ This too proved insufficient. From the analysis made by J. van Ouwkerk de Vries in 1827, it is clear that the manipulation of tariff rates was only a symptomatic treatment.

While the Netherlanders and others proceeded along their traditional paths to supply the *Europeans* in the Indies with refreshments, clothing, and household needs,¹¹⁵ the Englishman gladly left them this task while he availed himself of his national industry to arouse and supply the special interests of the *natives* . . . Under the British occupation they had turned to the handsome English drapery goods, and these now had become a necessity.

¹¹² Van der Kemp, "Sumatra's Westkust," pp. 292-293. Falck's note is dated 27 February 1819.

¹¹³ Rengers, *Failure of a Liberal Colonial Policy*, p. 73; De Vries, *Geschiedenis*, pp. 70-71.

¹¹⁴ De Vries, *Geschiedenis*, p. 68; Verviers, *Handelspolitiek*, p. 260.

¹¹⁵ The account of the cargo of the first ship sent by the firm of A. van Hoboken corroborates this statement. See p. 8, below.

The introduction of these wares made little stir in the Toko [East Indies general store] nor in the market place. The cargo was stored with agents and transported inland and distributed, and yielded profits of three fold or more. Consequently they could easily pay for the goods for the homeward voyage at a price a third or more above what they were worth in Europe, since a double profit was earned on the goods brought there [from Europe], and the more rapidly they could make payments, the sooner new shipments could be made, for the demand among fifteen million people was insatiable. English houses which had settled in Batavia and inland with a view to this trade, and which participated in it in association with English manufacturers and wholesalers, dominated the same

Probably industry in *England* itself cooperated to distribute this supply so remarkably from the inexhaustable warehouses. Profits thereby also fell proportionately, and likewise the prices of the wares brought back [from the Indies] declined somewhat; but they were always sufficient to maintain prices above the level of *sales* in the European market. . . .¹¹⁶

On 23 January 1821 King William appointed a commission to examine the tariff and taxes of his kingdom. The Amsterdam Chamber of Commerce and Industry likewise undertook studies, establishing for this purpose a committee of six. In March 1821 the Chamber's committee transmitted two memorials to the royal commission. The former, drafted by J. S. Spengler, pointed out the advantages which the Netherlands could exploit, thanks to its position vis-a-vis her natural hinterland. The second memorial, drawn up by Willem Willink, Jr., "in grandiloquent style," was less concrete and less realistic. While recognizing the general tendency of European countries to adopt protective measures, Willink demanded that the Netherlands should return to a "liberal commercial system." By adopting a policy of freedom of trade, the Netherlands would become an international entrepôt, the low cost of raw materials would encourage manufacturing, competition would stimulate industry to greater efficiency, and with the fruition of the Netherlands economy, the state could easily harvest its tithe. Although

¹¹⁶ Ouwerkerk de Vries, *Verhandelingen over de oorzaken van het verval des Nederlandschen handels*, pp. 135-138. The estimate of 15 million eager customers exceeds the guesses of other writers by as much as two or three times.

Willink's memorandum was in unresolved conflict with Spengler's, it was adopted by the Chamber.

The State Commission's thinking was akin to Willink's. A law establishing certain economic principles (the so-called *Beginselenwet*) was promulgated on 12 July 1821, and among them was an acknowledgment that commerce should not be hampered by duties. In the absence of tariff protection, industry would be favored by means of premiums and government loans. Development of an *entrepôt* business was to be fostered. Excises on various products, including coffee, would be revoked, and by a law dated 27 July 1822 rebates were offered upon the re-export of certain raw materials processed in the Netherlands, such as sugar. Shipbuilding was to be encouraged by the prospect of a rebate in customs duties on goods carried in ships built in the Netherlands. On 26 August 1822 a new tariff was adopted, generally implementing these principles. It did not fully satisfy the Amsterdam Chamber, but constituted "a very small step in the direction of free trade such as the merchants desired." More effective was the 10% rebate on import and export duties on goods carried in Netherlands built bottoms, and premiums for the construction of ships.¹¹⁷ The extension of the *entrepôt* system had little immediate practical value to Amsterdam until in 1827 the government undertook the promotion of a bonded dock warehouse.¹¹⁸

Falck wrote to Governor General Van der Capellen on 20 November 1822: "During the most recent revision of our system of Import and Export Duties, the wish has issued from the midst of the States General that, in the trade and commerce between our East Indian possession and this country, the Netherlands shipping firms might enjoy some further preferential treatment over foreigners than heretofore." It was even thought that foreigners could be wholly excluded from this trade, since, among other considerations, it was no longer feared "that without the competition of Americans, English, etc., in the colonial markets, cultivation would experience insufficient encouragement." Falck granted that nationals of a state possessing an empire had "a right to all the preferences which are compatible with the stable prosperity of these colonies and the contentment of their population," and this he felt was not in discord with "the spirit of the most liberal system." The hypnotic fascination of the word "liberal" can be sensed. But Falck hoped to postpone the implementation of this policy which he plainly felt was

¹¹⁷ Westermann, *Kamer van Koophandel . . . voor Amsterdam*, I, 161-164.

¹¹⁸ Mansvelt, *Nederlandsche Handel-Maatschappij*, I, 36.

a deformation of genuine liberalism. The members of the States General attached more importance to the encouragement of merchants and shippers in the southern (Belgian) provinces, as well as in the north (Holland), whose speculative ventures in the East Indies, owing to foreign competition, had yielded little profit, "and so it has finally been decided by the recently promulgated law . . . , coming into effect at the beginning of 1823, that ships under foreign flag shall enjoy temporarily to the end of 1824 the present freedom of import duties upon the goods which they shall bring directly and in unbroken cargoes from our Eastern possessions," with the exception of coffee, upon which they would have to pay two guilders per hundred pounds (Netherlands). This, however, would eliminate the effect of the export differential embodied in the decree of 28 August 1818, and therefore Van der Capellen was instructed to raise the export duty per pikol of coffee carried by foreign ships to destinations other than the Netherlands by one guilder, to five instead of four guilders.¹¹⁹

Van der Capellen went further. The Governor General on 1 July 1823 imposed duties on woolens and cottons manufactured in foreign countries: if carried in Netherlands vessels, they were to pay 15%, if in foreign bottoms, 25%.¹²⁰ The statistics on the national sources of European cottons and woolens imported into Batavia illuminate this decree. In 1823, out of a total import of textiles worth nearly three and three quarter million florins, the English were the source of slightly over three million florins' worth. The Netherlands brought in 272,972 florins' worth, dutiable at 6% and 9%, while 192,282 florins' worth bore the Netherlands label and came in free of duty. In 1824, of a total import of slightly over two and a half million florins, the English, paying duties of 6%, 12% and 25%, accounted for a trifle under one million nine hundred thousand florins, while the Netherlands shippers brought in a little more than half a million florins' worth dutiable at 6% and 25%, and a trifle under three hundred thousand florins' worth duty free, for a total of eight hundred thousand florins. Only in 1826, when Netherlands cottons and woolens came in duty free while the British were taxed at the rate of 25%, did the Netherlands exceed the British imports into Java: 995,554 florins' worth as against 396,502 florins'

¹¹⁹ Falck, *Ambts-Brieven*, pp. 152-154. Falck to Governor General in Council, Brussels, 20 November 1822. This letter is also reprinted by Posthumus, *Documenten*, II, 71 ff. On the mirage of liberalism, see Rengers, *Failure of a Liberal Colonial Policy*.

¹²⁰ Verviers, *Handelspolitiek*, p. 260.

worth.¹²¹ It is evident that a truly protective tariff, quite at variance with liberal ideals, was required to promote the home country's economy in competition with the more advanced and far from liberal economy of Great Britain,¹²² but the effect was to halve the quantity of textiles which the Javanese could afford to buy. Within this diminished market, the Netherlands producers were assured a larger share.

In raising the duties on foreign cottons and woollens on 1 July 1823, Van der Capellen deliberately intended to strike a blow at Singapore. "In these straits," he wrote to Falck in August 1823, "all is quiet, and Riouw grows in trade and prosperity." He repeated what he had often said and had recently written to Fagel: "Hold fast to Lingga and Riouw as being very important to us," a pointless injunction since they were never at issue and no one had proposed giving them away. He added, "even though, in respect to Sinkapoer, one may be constrained to weakness, quod Deus avertat." He feared that the home government, facing important European problems, might lose sight of the Indian archipelago. This fear inspired him, he wrote,

to adopt measures on the part of the government which can injure Sinkapoer and to a certain extent diminish the injury which this illegally maintained establishment is causing to our possessions, our trade, and our factories Hence the publication of 1 July, whereby the direct importation of American and European cottons and woollens is made more difficult. To cut off or block Sinkapoer's outlets for goods which are imported there duty free, in order thereupon to bring them on Netherlandized ships [genederlandiseerde schepen] to our possessions, dutiable therefore at 6%, was a weapon which we really had to use

It was chiefly cottons which were important, he observed. The 12% differential between Netherlands and foreign textiles brought in foreign ships, he admitted, was insufficient to reserve the East Indies markets to Netherlands products. "The supply of English cotton stuffs is extremely great and the current prices are proportionate."¹²³ The import

¹²¹ Posthumus, *Documenten*, II, 90-93; Jan St. Lewinski, *L'évolution industrielle de la Belgique* (Brussels, 1911), pp. 77-78, exaggerates both the extent and velocity of the "conquest of the market of the Netherlands Indies" by the cotton manufacturers of Ghent after 1822.

¹²² De Vries, *Geschiedenis*, pp. 64-65, comments on this.

¹²³ Posthumus, *Documenten*, II, 88-89. Van der Capellen to Falck, Batavia, 9 August 1823.

statistics already mentioned show that the Governor General was correct, that a 12% differential was insufficient, but there is no indication of the grounds which led him to adopt measures which less than six weeks after their promulgation he saw to be defective.

In the home country, Amsterdam failed to show any business revival. The duty on tea imposed by the tariff of 1822 raised the price too high for profitable re-export. "The consequence was that the Americans sought better conditions elsewhere, and that Hamburg threatened to become the central tea market on the continent." Business reports in 1823 continued pessimistic, with only the prospect of a Franco-Spanish war stimulating prices, but this proved abortive. "Most of the chief overseas traders, and especially those who engaged in business in the East Indies on their own account, booked losses." Only from the United States did the number of ships and cargoes exceed those of the previous year, but "for want of a return freight, they almost all sailed away in ballast." Discussions and conferences treated the depression. "Despair and resignation was evinced in most of them." On the evidence, the business methods of Amsterdam were obsolete, and costs matched inefficiency. One lot of Havana sugar that scarcely cost 700 guilders in Antwerp, came to 2,704 guilders in Amsterdam. Despite conferences and discussions, no changes were introduced, with the exception of the introduction by the *deus ex machina*, the central government, on 5 October 1823, of premiums to stimulate shipbuilding.¹²⁴

The relationship between the depression in the Netherlands and the status of trade in the East Indies was recognized by contemporaries. Ouwkerk de Vries, discussing the causes and cures for this depression in 1827, devoted more attention to the subject of commerce in the Indies than he had intended, "but we have already termed this the first and most powerful lever for the promotion of the national welfare." A Russian diplomat in 1823 noted, that the Amsterdamers had made this city the European center for investments in government loans (see above, p. 7). "The Netherlands government," wrote the Russian, "recognizing the whole importance of the trade of the mother country with the colonies, has just established a very considerable premium for

¹²⁴ Westermann, *Kamer van Koophandel...voor Amsterdam*, I, 165-173; Verviers, *Handelspolitiek*, p. 245; *Kamer van Koophandel en Fabrieken te Rotterdam, 1803-1928. Gedenkboek*, ed. H. J. D. van Lier (Rotterdam, 1928), pp. 158-159. See also the memorandum by H. W. Muntinghe in Elout, *Bijdragen*, pp. 284-306, dated Groningen, 21 February 1824.

each vessel suitable for the Indies trade and built in one of the yards in this Kingdom.”¹²⁵

Continuing failure of the East Indies colonies to produce profits and revenues, more conveniently attributed to unsettled conditions in the East occasioned by the machinations of Raffles than to Netherlands mismanagement, intensified the interest of the home government in settling the questions at issue with Great Britain. On 17 September 1822, Falck addressed a revealing memorandum to the king. Now that the British ministry was reconstituted, he began, it was his duty to recommend that another attempt be made to resume negotiations. The position in the Indies had altered, he held, with the reassertion of Netherlands authority over Palembang, thereby erasing the unfavorable impression “which the unexpected encroachment of the English upon our territorial rights had made upon the minds of restless Natives, and the strength exhibited upon this occasion has, for the moment, given rise to the most favorable apprehensions. But one should look to the future, and apart even from the project of commercial predominance [afgezien zelfs van de ontwerpen van commercieele overwigt] in the Malayan Archipelago,” (a project, one may interpolate, which would have needed some explaining to a British official), prudence counselled the removal of the causes of local conflict. It therefore requires “a generous distance” between the possessions of the two powers. It was regrettable that H. M.’s proposed exchange of the Netherlands factories in continental India for Bencoolen and the other English posts in Sumatra had been wrecked by Mr. Raffles. He was referring to Singapore, and thought “that it should be necessary to devise arrangements concerning it other than those prevailing at present.” The speedy regulation of unsettled questions was desirable also in respect to Malacca, which was currently a burden on the Indies budget and would remain one so long as no firm policy was adopted concerning its administration, garrison, and the promotion of commerce, “and the consideration of all this is most closely connected with the question whether another European nation is to be established in this region permanently.” Finally, there were the issues dating back to the repossession of Java and the Moluccas. “In this decision several private persons have an interest, who have viewed the long delay with regret.” Falck felt that preparations had “reached a tolerable degree of maturity” and considered the return of Canning to the cabinet as a

¹²⁵ Colenbrander, *Gedenkstukken*, I, 680. Meyendorff to D’Oubril, The Hague, 23 October 1823.

favorable circumstance. "And the lack of detailed reports from Bengal. . . will at present probably not again be made the central point." He therefore recommended that the king direct his ambassador in London to request the resumption of negotiations as soon as possible, and also that the king instruct Falck, Van Nagell, and Elout to re-examine the instructions of 1820 to see whether they required any revision.¹²⁶

Accordingly, on 1 October 1822, William authorized Van Nagell to notify Fagel to communicate to the British government his majesty's request that negotiations be taken up again, "the sooner the better," and to set a time therefor. Falck's further proposal was also adopted, and he, Van Nagell, and Elout were to review the old instructions.¹²⁷ On 4 October 1822 Van Nagell wrote to Fagel, on the 8th Fagel saw Canning and received a novel response. His Excellency said that his government "was quite disposed to accede to this desire, but in order to set the time for this resumption, he wished for the present to await receipt of the news, expected daily, of the return of the Marquis of Hastings to Europe." If this were not distressing enough, Fagel added: "I found Mr. Canning disagreeably preoccupied with the matter of the frigate *La Lutine*, of which he spoke to me with some heat at the very moment when I came in and when I was about to mention the subject which had brought me."¹²⁸ The disposal of the affair of the *Lutine* was left to be adjudicated and did not further delay matters; not so the return of the Marquis of Hastings.

Despite an admirable military record in India, Hastings had incurred the displeasure of the Court of Directors. In 1816 he had suspended in favor of William Palmer and Co. the prohibition enacted by parliament against loans by British subjects to Indian princes, and the house of

¹²⁶ Falck, *Ambts-Brieven*, p. 148-150. Falck to the king, The Hague, 17 September 1822.

¹²⁷ Elout, *Bijdragen*, p. 167.

¹²⁸ Van der Kemp, "Tractaat," p. 121. Footnote (c) contains the dispatch. As for the *Lutine*, it had sunk with all hands in 1799, carrying down with her more than a million pounds in coin and bullion destined for Hamburg. The owners of the treasure had prudently insured the shipment, and the underwriters at Lloyd's promptly paid for a total loss. Attempts at salvage in 1821 raised the issue of ownership of the treasure which was claimed under British law by the underwriters. This was contested by the Dutch government, which made concessions only in 1823. Portions of the wreck in the course of a century yielded a fraction of the gold and silver but one of the most notable items recovered (in 1858) was the ship's bell, the *Lutine* bell which became a prominent feature at Lloyd's. See the *Annual Register for 1822* (London, 1823), Chronicle, pp. 143-144; and Ralph Strauss, *Lloyd's. A Historical Sketch* (London, 1937), pp. 129-140.

Palmer accordingly in 1820 had negotiated a loan to the nizam of Hyderabad. The nizam's minister promptly misappropriated the funds, but quite independently of this, the Court of Directors expressed strong disapproval of the suspension and ordered the exemption in behalf of Palmer and Co. to be annulled. One of the partners in the firm had married Hastings' ward, and when it appeared that Hastings had voiced his hope that Palmer and Co. might prosper, the worst inferences came to mind. Hastings, whose conduct at times exhibited what one might regard as paranoid tendencies, blamed Canning for what was the consequence of his own misjudgment and imprudence. To the king's private secretary, Sir Benjamin Bloomfield, Hastings wrote from Calcutta on 11 November 1820: "Long ago, I was warned that I should not consider Mr. Canning as friendly to me. It was not that he was supposed to have any positive indisposition towards me, but that he wanted my situation for another and would gladly avail himself of any ostensible excuse for my removal . . . The success of my measures was a disappointment to him in that respect." Hence they adopted a program of hounding him. This "plan for disgusting me," wrote Hastings, led to humiliation through having to deal with those who wished to get rid of him. He was therefore "anxious to quit the Government of India," but at the same time he did not wish to satisfy his enemies among the Directors by resigning. "It is to the pleasure of my Sovereign alone that I look. Let me beg you, therefore, to lay my humblest duty before the King, and to pray His Majesty that if I have fulfilled to his satisfaction the objects contemplated when this Government was entrusted to me, His Majesty will graciously deign to order my emancipation." He concluded by asking for a naval vessel to transport him from India to the Red Sea, and by noting how admirably he had performed his duty to King and Company.¹²⁹

In January 1821 he returned to the theme of his persecution by Canning, and again on 4 February. "Every ship has latterly brought me some carping and censorious letter; which, though bearing the signatures of the Committee or the Court, has evidently been penned by Mr. Canning himself." In June 1821 news reached Calcutta of Canning's resignation the previous December. Hastings wrote to Bloomfield: "Lest you should imagine that his removal from the Board of

¹²⁹ Aspinall, *Letters of King George IV*, II, 375-377. The request for the naval vessels was standard practice: "The highest officials of all, Governors and Governors-General, did not travel in Indiamen at all, but had men-of-war allotted them." Cyril Northcote Parkinson, *Trade in the Eastern Seas, 1793-1813* (Cambridge, 1937), p. 207.

Control might alter my disposition, I hasten to say to you that my solicitude to be freed from my present trust remains unabated." Although the dispatches from London might be "more polite in future . . . , such an alteration of tone would come too late." He entreated Bloomfield "to renew to the King my humble prayer for emancipation." The noble lord added: "I should not rejoice at being relieved by Mr. Canning, not so much because his attaining his object would not be a merited result of the game which he has played, as because it would not be an advantageous choice on public grounds. The natives . . . would hold him not of a caste fitted to preside over this Empire."¹³¹

Thanks to Hastings' vanity in attempting to procure his recall from India by the king's command without giving his supposed "enemies" the satisfaction of a formal resignation, he failed of his purpose. In London the Chairs of the East India Company held that he had not followed the legally prescribed forms, and instructed him to stay at his post until officially notified of the appointment of his successor. As early as January 1821, the Directors had considered replacing Hastings with Canning, but when Hastings' imputations reached Canning, the latter wrote to Lord Liverpool: "I consider it so essential to my own character to be at my post whenever Lord Hastings may return to England, that if I had consented on Saturday to be appointed his successor, I must have today retracted that consent." For a year and a half the matter simmered, until finally in the summer of 1822 Canning was prepared to sail for India. At this point came Castlereagh's suicide, with the consequence, noted above, of Canning's selection as foreign secretary.¹³²

¹³⁰ Aspinall, *Letters of King George IV*, II, 405-406; 409. Hastings to Sir Benjamin Bloomfield, Calcutta, 22 January and 4 February 1821.

¹³¹ *Ibid.*, II, 437-438. Hastings to Bloomfield, Calcutta, 20 January 1821.

¹³² *Ibid.*, II, 473. Canning to Liverpool, 28 November 1821. Philips, *East India Company*, pp. 228-230, may be right in thinking that the Doyle who acted for Hastings was Sir John, but Aspinall prints several letters from Sir Francis Hastings Doyle, who was acting as the Marquis' agent in connection with another related matter. The noble lord, to put it bluntly, was soliciting a dukedom. When Liverpool pointed out to Doyle that this would elevate Hastings to the rank of Marlborough and Wellington, without his military accomplishments matching theirs, Doyle managed to express the outlook of his patron and principal. "Lord Liverpool, . . ." he wrote to the king in pressing Hastings' pretensions, "overlooked . . . one material consideration: that those distinguished individuals commenced their careers of life as private gentlemen. If the results of their services, therefore, were more immediately important to the interests of the Empire, the magnitude of the reward conferred upon them was out all proportion greater than an additional step in the Peerage wd be to Lord Hastings, although it wd raise him to the same rank with them." Aspinall, *Letters of King George IV*, II, 477-478.

He accordingly resigned the appointment as Governor General, and found the Directors' preferences for the post to be, in order, Lord Melville, Lord William Bentinck, and third, Lord Amherst. By November the choice had fallen upon Amherst.¹³³

In response to a renewed appeal from his foreign office to accelerate matters, Fagel wrote that Hastings was expected back in Europe toward the end of January 1823, that he would not return to England, "where he would be immediately arrested for debt," but would instead go to Naples as British minister, improbable as this come-down would be for a former Governor General of India. The response of King William to this dispatch was to spur his London ambassador to renew his approaches to the British government to get on with the negotiations. Fagel replied on 3 January 1823 that if Hastings upon his return to Europe did not come to England, he would lose no time in addressing Canning.¹³⁴ On 10 January, Fagel was able to report that Hastings' successor would depart for India early in the following month. "I had indeed also wished that our suspended conferences could have been more speedily resumed, and have spared no effort to effect this. The Marquis of Hastings is daily expected back in Europe, and they have promised me to get to work as soon as that happens. I have several reasons for believing, without knowing it to be certain, that in the meantime an answer from him on the question has arrived, and that it is not unfavorable to us, but that the people here have requested further information." As a matter of fact, Hastings did not leave India till January 1823, Amherst did not quit England until the middle of March, and there is no evidence of any such dispatch favorable to Dutch claims.¹³⁵ When Fagel came home for a short visit, he conveyed his impression that the English were still stalling.¹³⁶

F. The Decision to Resume Negotiations

According to Van der Kemp, who in this instance is vague about sources, when Fagel approached Canning in January 1823, Canning

¹³³ Buckingham, *Memoirs of the Court of George IV*, I, 381; 391; 393. C. W. W. Wynn to Buckingham, East India Office, 23 September 1822; W. H. Fremantle to Buckingham, Brighton, 5 November 1822; Wynn to Buckingham, East India Office, 6 November 1822.

¹³⁴ Van der Kemp, "Tractaat," pp. 122-123.

¹³⁵ Elout, *Bijdragen*, pp. 168-171. Fagel to Elout, London, 10 January 1823; Amherst to Elout, Saltram near Plymouth, 10 March 1823.

¹³⁶ Van der Kemp, "Tractaat," p. 124.

declared that he no longer saw any reason for reopening the conferences. The strictest warnings had been sent to the Bengal government to avoid new involvements with the Netherlands authorities. Nor was there any need for a revision of the convention of 1814. But since the Netherlands was so emphatically desirous of discussing these subjects, Canning proposed that if their labors were to be resumed, then let them resume in The Hague or Brussels rather than in London, thereby escaping the interference of public opinion, which in England was firmly attached to Singapore. To Van der Kemp, this English proposal seems "to atone for much." It was generous of the greater power to offer to come to the lesser, it would provide the Netherlands plenipotentiaries with all the numerous advantages resulting from negotiating on one's home ground. It would mean a relief from the pressures applied to the British negotiators by the Directors of the East India Company, the journalists, and the opposition in parliament. It is not surprising that Van der Kemp shows distress at having to record that this liberal concession on the part of the British government was rejected by the Netherlands, on the recommendation of "no one less than our Minister Falck, the last man from whom one should have expected this."¹³⁷

On 9 April 1823 Falck advised against the proposed location of the conferences. Netherlands public opinion (which scarcely existed in reality) no less than English, was apt to influence the negotiators. (Did he mean that Netherlands public opinion would oppose Netherlands goals? Or was he trying to outdo Canning in magnanimity?) To the Netherlands colonial minister the disadvantages of conducting the negotiations in his own country outweighed the main advantages, and the disadvantages could all be summarized in one word. "If negotiations are conducted in our country," he wrote, "then the chief British plenipotentiary can scarcely be anyone but *lord Clancarty*," who was ignorant of the questions at stake, too unconciliatory, and too lacking in calmness. "Negotiating in *London* we do not have this difficulty to dread, and we enjoy the advantage on the contrary of being able to employ ambassador Fagel, to whom the affair is not unfamiliar in any detail . . ." ¹³⁸ The irony of the event was unkind to Falck: when the conferences were

¹³⁷ Van der Kemp, "De Stichting van Singapore," pp. 368-370. Canning's motive may have been nothing more generous than a wholly understandable desire to allow someone else to enjoy the rigors of negotiating with the Dutch upon what was, after all, a relatively minor matter for the foreign office.

¹³⁸ *Ibid.*, p. 371.

resumed, Clancarty was no longer the British ambassador; Fagel, thanks to his own king, was so unstrung as to be hardly able to participate; and the cause of the Netherlands depended upon none other than Falck himself.

According to Van Nagell, writing to Fagel early in March 1823, whenever their king reflected on how the English continually postponed the East Indies conferences, on "how England acted and acts respecting Singapore," and how, whether off the coast of Cuba or at Verona (concerning the navigation of the Rhine) or in the *Lutine* case, the English were always thwarting him, when he thought of "the arrogant and acrimonious tone of the English Embassy in its notes" on all these disputes, "then the suspicion easily arises that England might be bent upon plaguing and vexing the King."¹³⁹ In order to alleviate the monarch's sensation of persecution, Fagel in the same month confidentially approached the British foreign secretary to see whether, as Canning put it later, "I could recall Lord Clancarty, intimating plainly that he was become disagreeable to the K. of the N." William's ardor for the British ambassador had frosted over in the year and a half since Wellington's visit (see above, p. 137). "I was not at all surprised at this," wrote Canning, "but I said that I could not recall Lord C. on that *ground*, unless I might state it to the King (my master), and that other grounds I had *none*; as Cl. was doing his business very well . . . Fagel said that he was not authorized to allow me to use the confidence he had made to me of his King's dislike to Cly and so nothing was done."¹⁴⁰

In the same month of March, Wellington passed the information on to Clancarty that William had been complaining "that you presume upon old acquaintance and friendship to talk to him with more freedom than he likes, or than suits your relative positions, and that your language to him and his government is sometimes not to be borne." Wellington personally regarded the king's attitude as "very foolish and ungrateful" but noted that Clancarty's dispatches on the *Lutine* issue, the slave trade, and the navigation of the Rhine, etc., were "written in a style of familiar acrimony, which the subject and the conduct of the government well deserve. . . ." As an old friend he took the liberty

¹³⁹ Colenbrander, *Gedenkstukken*, II, 323. Van Nagell to Fagel, Brussels, 4 March 1823.

¹⁴⁰ *George Canning and His Friends*, ed. Josceline Bagot, 2 vols. (London, 1909), II, 223. Canning to Charles Bagot, Gloucester Lodge, 22 January 1824.

“to give you this warning and advice. *You may be just as strong, but a great deal more polite!*”¹⁴¹ Clancarty’s immediate response was couched in terms of gratitude for the Duke’s kindness in so warning him, but he attributed his difficulties to the series of complaints he had been required to deliver, and to the king’s irritation at having fallen into a disagreeable position from which Clancarty had tried in vain to preserve him. “With his ministers, I will confess, I have in my notes been harsh at times. When people write arrant nonsense, it is difficult to expose the trash they mistake for argument without offending. I shall, however, be most wary in future. . . .”¹⁴²

In the summer of 1823, Fagel went home on leave. The king urged him to become Van Nagell’s successor as foreign minister, and Fagel accepted. He almost immediately regretted his action. In September he told Canning of the new post to which he was destined and begged the British foreign secretary to try to “find any means of diverting his promotion and keeping him here.” In his horror at his new appointment, Fagel went so far as to write to the king to decline the honor. The effect of this was to divert a substantial portion of his king’s annoyance to his unhappy ambassador.

Fagel told Canning that King William was contemplating the reduction of his London representation from an embassy to a mission, or legation. When Canning related this conversation to George IV, the king “was instantly struck with the probability that the recall of Fagel on the discontinuance of the Embassy was a device to get rid of Cly.”¹⁴³ In short, William having tried and failed to induce Canning to extract the thorn from his side, now proposed to squeeze it out by lowering the rank of his mission to the Court of St. James’s, believing that then the British government would replace their embassy at his court by a legation, and Clancarty rather than accept a demotion in diplomatic

¹⁴¹ *Despatches, Correspondence, and Memoranda of Field Marshal Arthur, Duke of Wellington*, ed. by his son, in continuation of the former series (London, 1867), II, 65-66. Wellington to Clancarty, London, 11 March 1823. This dispatch is reprinted in Van der Kemp, “Tractaat,” pp. 224-225, and in Colenbrander, *Gedenkstukken*, I, 168-169.

¹⁴² Van der Kemp, “Tractaat,” pp. 225-227. Clancarty to Wellington, Brussels, 14 March 1823. Also in Colenbrander, *Gedenkstukken*, I, 169.

¹⁴³ Bagot, *George Canning and His Friends*, II, 223-224. Canning to Charles Bagot, Gloucester Lodge, 22 January 1824. In this letter Canning places Fagel’s communication of his impending transfer in “early October.” This seems to be a slip of his memory, postdating the episode a month.

rank would resign or be shifted elsewhere. The king's explanation was that the maintenance of an embassy in London was too expensive.¹⁴⁴

The consequence was that George IV wrote to Clancarty on 24 September 1823 in the warmest personal tones, with reference to the high esteem in which "our much lamented friend, poor Lord Londonderry" had held the ambassador. The king of the Netherlands had developed "from some caprice or other, an uncomfortable feeling towards you It is in vain to enquire what infirmity of mind, or what unhappiness of temper in the King has led to this unfortunate change, but the fact is so." Therefore George in the spirit of "what poor Londonderry would have done, had he been alive," advised Clancarty to request his recall without delay. The king and Canning regretted this, as Clancarty's conduct had been exemplary, and the king wrote that he would "do all in my power to mark my decided approbation of your conduct, and the estimation in which I have and do hold your public services." His pension would be ready, and the king in November was to raise him to an English viscounty.¹⁴⁵ In Canning's words:

Cl. instantly sent his resignation: but utterly denied that he was disagreeable to the K. of the N.- and, what passes human assurance, the K. of the N. denied it too, turned round upon Fagel for having represented his feeling falsely, reviled him for having withdrawn his consent to be Foreign Minister, and swore that, as he would not serve his King in one capacity, he should not continue to serve him in any other, and that his functions as Ambassador should cease at the same time with Cl.'s! So said, so done. Fagel is recalled *avec une disgrâce éclatante*. . . .¹⁴⁶

Canning attempted to save Fagel by informing him of King George's "hope and expectation that Baron Fagel may be allowed to remain near," so that the unhappy ambassador might transmit this expression

¹⁴⁴ Van der Kemp, "Tractaat," pp. 130-131. After Clancarty's resignation, the king must have found that the cost of maintaining his London embassy had diminished, for he did not reduce it to a legation.

¹⁴⁵ Aspinall, *Letters of King George IV*, III, 22-23. The king to Clancarty, 24 September 1823.

¹⁴⁶ Bagot, *George Canning and His Friends*, II, 224-225. Canning to George Bagot, Gloucester Lodge, 22 January 1824. Clancarty's letter of resignation to the king, dated Brussels, 3 October 1823, is reprinted in Van der Kemp, "Tractaat," pp. 229-232.

of confidence to his own court.¹⁴⁷ Fagel was only relieved, to take part in the negotiations shortly to be resumed.

The immediate chain of events leading to the renewal of conferences took its start in a memorandum by Falck, dated 31 July 1823, and directed to the king. It is the key to the denouement. To Falck the most distressing feature of the English seizure of Singapore, apart from its illegality, was its timing. It occurred at a moment when the Dutch had scarcely reestablished themselves in Java; "and that the intervention of the chief British official in the affairs of Palembang, Padang, and Billiton, would have no serious effect, was still far from being settled."¹⁴⁸ The impressions on the natives of British encroachments upon Netherlands rights at Singapore could only be unfortunate. "However, thanks to the favorable course of events, all this has markedly changed." The conquest of Palembang "has inspired respect everywhere for Netherlands power and arms." The British, even Raffles, had been behaving themselves. In consideration of these factors, and after consultation with knowledgeable officials, Falck declared: "I am no longer able to attach any special value to the return of Singapore," surely not if "the English, in their suddenly developed predilection for that island," made adequate compensation. The English were temperamentally unsound: "How easily that nation succumbs to exaggeration whenever it is a question of a single point that they fancy is bound up with the *vital interests of the Empire*, does not need to be demonstrated to Y. M."¹⁴⁹

In addition, the grapes were sour: "As a *produce-yielding territory* Singapore has no value. Such value as it may have as a *naval station* and as a transfer point between Bengal and China is, in my opinion, appraised far too high." Only the commercial significance of Singapore remained. It was said that it could become very important as an emporium, an entrepôt for British and Bengal products. Falck then quoted "what a merchant from that island scarcely ten months ago reported to one of his friends at Samarang," (in English), the tenor of which was that Singapore's best days were past. Singapore, thought Falck, could thrive like any good harbor, but such advantages as it might possess, "we can likewise assure," for example at Riouw, so close

¹⁴⁷ Aspinall, *Letters of King George IV*, III, 25. Canning to the king, Foreign Office, 6 October 1823.

¹⁴⁸ In respect to Palembang and Padang, Falck was simply wrong. See above, p. 52. These issues had been settled. Falck's inclusion of Billiton failed to recognize that the Netherlands title to this island was as illicit as the British title to Singapore.

¹⁴⁹ The five italicized words are in English and italics in the original.

to Singapore that the residents of each could hear the salutes fired off by the guard of the other.¹⁵⁰ "It is the proximity of these two places and the fear of disputes to which this can sooner or later give rise, which more than any other consideration leads me to wish the removal of the English." It was worse for the British at Singapore, since they were further from their center of strength, by which he meant Calcutta. All in all, "I can come to no other conclusion than that one can take advantage of the eagerness of the English to remain established at Singapore, in order, by sacrificing our unquestionable rights over it, to secure advantages in further points in the negotiation."¹⁵¹

Falck's logic can be reduced to a syllogism. Major premise: it is the proximity of the English to Dutch territories which is alarming and leads to the desire that the English be removed. Minor premise: Singapore is too close to Riouw. Conclusion: therefore one can safely permit the English to stay at Singapore. This reasoning convinced Van Nagell who expressed his agreement on 7 August 1823. It was necessary in his judgment to spur on the British to resume negotiations. It might be true, he observed, that tranquility currently prevailed in the Indies, but it rested upon too precarious a base. A firmer ground must be sought to eliminate possible causes of strife. He was "convinced in all respects, with his colleague" the colonial minister, that if Clancarty had any part in the negotiations, the Netherlands would "stand little chance of bringing them to a desirable conclusion." So penetrating was Clancarty's influence felt to be that Van Nagell feared it even if, as was improbable, he personally could be excluded from the discussions if the conferences were held in the Netherlands. Therefore, "I should, after

¹⁵⁰ Singapore (city), present day population: 679, 659. Tanjungpinang (chief town on Bintan, i.e., Riouw), present day population: 5,789. Cf. *Columbia-Lippincott Gazetteer of the World* (N. Y., 1952).

¹⁵¹ Van der Kemp, "De Stichting van Singapore," pp. 450-452. A quite tenable Netherlands position might have taken this form: "The English appear determined to remain at Singapore, despite the illegality of their claim. Short of the use of force, we cannot evict them, and in military strength we are no match for them. Furthermore we value their support in Europe. Therefore we shall have to accept in the Archipelago a situation which is not to our liking. Whether Singapore is unimportant, as we think, or as important as the British think, we should accept their appraisal as the higher, and seek to exact the maximum in compensation for the surrender of our indubitable but unenforceable rights." The actual attitude of the Dutch officials was almost the opposite. Smulders, *Geschiedenis en Verklaring van het Tractaat van 17 Maart 1824* offers numerous illustrations of the Dutch depreciation of Singapore.

mature consideration, incline toward continuing the conferences in London." 152

In concluding his memorandum of July 31, 1823 to the king, Falck wrote that if his majesty accepted the idea of conducting the negotiations in London, then "to set Mr. Canning's mind at ease," a hint might well be given him that their rights over Singapore might be relinquished in return for appropriate compensation.¹⁵³ On 17 August 1823 Van Nagell was authorized to proceed. On the same day, Falck wrote to Elout asking for his documents on the 1820 negotiations, but Falck never mentioned to Elout the decision to yield on Singapore, or the fact that a "hint" to this effect was to be given to Canning.¹⁵⁴ Fagel on 13 September 1823 communicated the "hint" and reported that "Mr. Canning received this overture benevolently, saying that since the article on Singapore could no longer be regarded as presenting an insurmountable obstacle, he would no longer despair of success in the negotiations." He would notify the authorities of the East India Company, secure information from them, and would advise Fagel of the time when the conferences could begin again.¹⁵⁵

A week later, Canning notified the ambassador that he was not yet in possession of the information requested of the East India Company, but in any event the conferences could not be resumed before the end of November, "all the civil servants as well as most of the Ministers being on vacation." Canning himself was leaving London for the first half of November.¹⁵⁶ Hardly able to believe that the negotiations would really be taken up again, Fagel called on Canning on 27 September for reassurances. Canning told him that before he left town he would set the preliminary machinery in operation so that the conferences could be resumed "without fail toward the end of November." His government would appoint plenipotentiaries, and if Van Nagell would oblige Canning by having Elout draw up a concise account of the state of affairs as left in August 1820, he would get such a note from the East India Company or the Board of Control. Fagel, for himself, told Van Nagell that he "could up to a certain point supply this information,"

¹⁵² Van der Kemp, "De Stichting van Singapore," p. 372.

¹⁵³ *Ibid.*, p. 379.

¹⁵⁴ *Ibid.*, p. 381. Elout, *Bijdragen*, p. 171. Falck to Elout, Brussels, 17 August 1823.

¹⁵⁵ Van der Kemp, "Tractaat," p. 126, footnote (a).

¹⁵⁶ *Ibid.*, p. 126. Fagel to foreign office, 23 September 1823. The 23rd was a Tuesday; he had met Canning the previous Saturday, ergo the 20th.

but he believed "it would be infinitely better if Mr. Elout or (in collaboration with him) Mr. Falck would take the trouble to do this."¹⁵⁷ At the time when Fagel was writing, the end of September, his diplomatic career was rapidly crumbling, and his preference for having someone else prepare the preliminary statement is understandable.

Van Nagell on 8 October 1823 wrote to his colleagues as Fagel had suggested, and it was very largely Falck who drew up a document of six "Additional Points of Instruction" for the Netherlands plenipotentiaries. This paper received the king's approval on 21 November. The first article recited the four articles provisionally agreed upon in 1820 (see above, pp. 103-104). Article two directed the plenipotentiaries to defend "the good rights of the Netherlanders with the utmost zeal" and in accordance with the principles dated 10 July 1820. The king trusted that the matter of Baros and Aijer Bangies would be considered already settled. The third article directed the king's representatives "to renew the earlier request with the utmost vigor that the British Government without delay issue orders for the evacuation of Singapore, to the end that our vassal and ally, the Sultan of Djohor, be restored to possession of the island as soon as possible." In view of the fact that a hint had already been given to Canning, at Falck's instigation, that the previous obdurate position on Singapore was no longer to be asserted, the purpose of this article, drafted by the same Falck, is obscure. It is not even in conformity with the succeeding fourth article, which directs that "Our Plenipotentiaries shall seek to obtain knowledge of the benefits which they [the British] would be inclined to offer to Us in place of it. . . ." They were to consider whether these benefits would be preferable in the form of territory or money. The fifth article expressed "Our desire to retain a free hand regarding the way in which foreign nations shall be admitted to trade in Java. Our Plenipotentiaries shall give as little adherence as possible to the idea presented in 1820 of equalizing the import and export duties for each other's subjects in the E. I. possessions of the Netherlands and Great Britain. . . ." If Van der Kemp finds Article 3 "inexplicable," he declares that "in Article 5 Mr. Falck erred once again." The English never made any such proposal for equal duties, and "the error shows that Falck could not be considered as well informed as would have been desirable."¹⁵⁸

On the same day that King William signed this document, he

¹⁵⁷ *Ibid.*, p. 127, footnote (a). Fagel to foreign office, 28 September 1823.

¹⁵⁸ The document is reproduced in Van der Kemp, "De Stichting van Singapore," pp. 452-453; the comments on p. 383 and in "Tractaat," pp. 127-128.

appointed its author, Falck, as his plenipotentiary to act along with Fagel, whose appointment in 1820 was considered still valid. Since neither of the plenipotentiaries had any direct knowledge of the East Indies, and since Elout as minister of finance could not go to London, his son, Captain C. P. J. Elout of the East Indies army, adjutant to Van der Capellen and currently home on leave, was assigned to the mission as an expert. What he contributed it is difficult to say, although Falck subsequently lauded his participation. As a further complication in the personnel problems of the Netherlands government, it must be added that Van Nagell, who was experienced if not skilled, left the foreign ministry, and in his place, on a temporary basis, the king named a German knight, J. G. Reinhold, heretofore the Netherlands minister to the Holy See and the Grand Duchy of Tuscany. A former democrat and almost an anti-clerical, he had failed not too surprisingly to negotiate a concordat with the pope. He now became, if not the director of Netherlands foreign policy, at best its ad interim caretaker. Since he was entirely unfamiliar with the issues at stake between Britain and the Netherlands in the East, and since the colonial ministry with Falck in London would be headless, Reinhold and the king agreed that the documents coming from London should go to the minister of finance, Elout, who, it must be remembered, was unaware of any "hint" given to Canning about Singapore.¹⁵⁹

¹⁵⁹ The royal decree naming the members of the mission is printed in Van der Kemp, "Tractaat," pp. 223-224. On the whole confusion, *ibid.*, pp. 131-132.

CHAPTER V

THE FINAL NEGOTIATIONS

A. Preliminary Gatherings and Considerations

Clancarty still on duty at the Hague on 18 November 1823 reported: "M. de Nagell informs me, that it is M. de Falck's intention to make the passage from Rotterdam by Steam Boat, so that His Excellency will probably arrive in London on the 27th."¹ On 28 November Falck in London wrote a private letter to Van Nagell, marking it "Confidential." He noted that the foreign minister's dispatch to Fagel announcing the latter's recall had made a deep impression, all the more so as it was unexpected. "I will not conceal the fact," wrote

¹ Dutch Records (Commonwealth Relations Office), vol. XXX, no. 51. William Smart, *Economic Annals of the Nineteenth Century, 1821-1830* (London, 1917), p. 148: "The progress of steam navigation" in 1823 "is marked by an advertisement of a packet, engined by Boulton and Watt, running from London to Rotterdam and back within a week." Cyril Henry Philips, *The East India Company, 1784-1834* (Manchester, 1940), pp. 223-234 (see footnote 1 to Chap. IV) asserts that the negotiations were resumed on 18 November. On that day, as Clancarty's letter shows, Falck had not yet left for England. Philips goes on: "M. Falck, Dutch Minister for the Colonies, replaced M. Elont [*sic*] as the Dutch plenipotentiary . . .," thus ignoring Fagel's position as co-plenipotentiary. "As a result of a heavy deficit in the Dutch budget, Canning knew that the Dutch were above all eager for a liberal financial settlement," according to Philips. This statement bears a citation to "Edmundson, *History of Holland* (1922), 378-383." In Edmundson's volume, pp. 378-381 do not refer to a budgetary deficiency, and while this is mentioned on pp. 382-383, there is no indication there of Canning's awareness of it. Philips continues: "and that 'their main emphasis will be financial'." The quotation is cited as coming from "Dutch Records, XXX, 10 Dec. 1823, Memo. of Board." I am unable to find these words in that document. The closest approximation to the idea in that document is presented as follows: "... and there is much reason to believe that considerations of Finance will have so much weight with the Netherland Government as to make it difficult to separate the financial from the political points." Philips proceeds: "He [Canning] and Wynn therefore decided that there was no longer any need to admit the weakness of the British right to Singapore, and that all they had to do was to deny the force of the Dutch arguments respecting that port and to 'agree tacitly to pay rather highly for the Dutch continental settlements in consideration of forbearance of the Dutch in regard to Singapore.' Events turned out almost exactly as Canning and Wynn had foreseen." The quotation,

Falck, "that I have seen with heart-felt regret a man of his years" — Fagel was almost 59 years old — "and his services reduced to the state to which the announcement of the King's definitive intention has brought him, and from the bottom of my heart I hope that His Majesty may please to place a plaster on the wound, which if all the signs do not deceive is truly a bleeding one." Falck would have to face the British alone: "I cannot expect the least help in the negotiation from my co-plenipotentiary." He could count on Fagel only to present him to Canning and Wynn, and to attend the first conference for form's sake. Canning had expressed to Fagel his surprise two days earlier that Falck would be coming under the circumstances, and remarked that he personally would have little to do with the negotiations but would leave them largely to Wynn. The latter in turn would rather have left East Indian affairs rest as they were, without trying any further conferences. All in all, prospects appeared to Falck more difficult than he had forecast, and he hoped, as he circumlocutionously informed Van Nagell, that the king would keep

from Dutch Records, XXX, 10 December 1823, is accurate, on the whole, but it is attributed to Canning and Wynn rather than to Courtenay, the author of the memorandum. Being unaware of Falck's "hint" to Canning, transmitted by Fagel, Philips attributes an undeserved degree of prescience to Canning and Wynn. Courtenay wrote: "There is now some reason to doubt, whether the Dutch Plenipotentiaries will insist so strongly as before upon our abandonment of Singapore . . ." But Philips, unaware of the Dutch documents, is unable to evaluate this statement with its crucial bearing upon the resumption of negotiations.

H. H. Dodwell, "The Straits Settlements, 1815-1863," *The Cambridge History of the British Empire*, vol. II (Cambridge, 1940), p. 603, also believes that the negotiations were resumed on 18 November 1823. Frederik Willem Stapel, *Geschiedenis van Nederlandsch Indië*, ed. Frederik Willem Stapel, 5 vols. (Amsterdam, 1937-1940), V, 206, having earlier identified the Netherlands plenipotentiaries of 1820 as Elout and Falck, writes that in 1823 "Elout was replaced by baron H. Fagel . . . while on the English side Lord Wynn had taken the place of Castlereagh beside Canning." Wynn's vanity would no doubt have been flattered by the award of a title, but in 1823 it was Canning who replaced Castlereagh as foreign secretary, while Wynn occupied the position Canning had held in 1820.

A number of English studies would have benefited from reference to E. S. de Klerck, *History of the Netherlands East Indies*, 2 vols. (Rotterdam, 1938). De Klerck also slips now and then. "Lord Minto" is written where Lord Hastings is meant. Elout "was charged with the negotiations in London in 1820 and 1821," although there were none in 1821. Falck is identified as "formerly Director of the late East India Company," which seems unlikely since the Dutch East India Company ceased to function when Falck was eighteen years old. Canning is described as an "ex-Director of the English East India Company and Secretary of Colonies." (vol. II, pp. 111-112).

it a secret that he, Falck, was to supplant Fagel as ambassador.²

Fagel managed to introduce Falck to Canning on the following day (29 November), and on 5 December 1823 Falck presented his credentials to the king at Carlton House. On the 6th he met Wynn in Canning's office and learned that the two British officials had not yet received their plenipotentiary powers. No one knew when the first conference would take place. Yet on the 9th Falck visited Canning for lunch at his home, Gloucester Lodge, and it was there agreed that the first discussion should take place on Saturday, 13 December. On Friday, however, Canning took to his bed with gout and now proposed that the conference be held at Gloucester Lodge on the 15th. Accordingly on Monday the four plenipotentiaries, with Thomas Peregrine Courtenay, secretary to the Board of Control in attendance, met at Canning's home.³

Under date of 10 December Courtenay had prepared a memorandum for the consideration of the British negotiators. Referring to his memorandum of March 1822 (see above, pp. 139-145), he found that nothing had occurred to alter his view of the merits of the case, "but two considerations suggest the propriety of varying the course of the proceedings." It had been assumed that "the Dutch would be extremely tenacious" about Singapore, and it had been thought convenient to separate the financial issues from the political agreement.

There is now some reason to doubt, whether the Dutch Plenipotentiaries will insist so strongly as before upon the abandonment of Singapore, and there is much reason to believe that considerations of Finance will have so much weight with the Netherland Government as to make it difficult to separate the financial from the political points.

² P. H. van der Kemp, "De Geschiedenis van het Londensch Tractaat van 17 Maart 1824," *Bijdragen tot de Taal-, Land- en Volkenkunde van Nederlandsch-Indië*, vol. 56 (The Hague, 1904), pp. 232-233.

³ *Ibid.*, pp. 133-134. Wynn wrote on 13 December 1823 to the Duke of Buckingham: "I left Dropmore yesterday to meet my Dutchman for our first conference today, and I had hardly come to town when I received a note from Canning, desiring that it might be deferred to Monday, as he has a fresh attack of gout. I have had, however, some unofficial conversation with Fagel, from which I hope that the discussion may be brought to a speedier determination than negotiations with Dutchmen usually are." *Memoirs of the Court of George IV, 1820-1830*, ed of Buckingham and Chandos, 2 vols. (London, 1859), II, 19. The American Minister on 17 December 1823 likewise found Canning suffering from gout but ready, although in bed, to talk business. Richard Rush, *The Court of London from 1819 to 1825*, new ed.

Although therefore in 1822, with a view to the possible occurrence of a necessity for abandoning Singapore, it was proposed to accompany the denial of the Dutch title to the island, and of their right to interfere with us there, with a candid avowal of readiness to listen to a native claim to the sovereignty, there appears now no reason for saying more than that, having considered all the arguments of Admiral Van de Capellen in support of the Dutch pretensions, we cannot acknowledge their validity.

Since the assent of the Dutch to British views on Singapore and other political questions "may possibly be accelerated by a liberal dealing on our part with the questions of finance," it would be desirable not to separate them in the discussion but to introduce them together. It had been hinted that the Dutch might transfer their continental possessions for money, and this would be connected with the settlement of the fiscal issues, which were complicated. In some of them the British demands were unquestioned, in others they had the best of the argument, but there were some in which it was difficult to come to a definite conclusion. Courtenay then discussed each of the disputed points on the basis of fact, logic, and law, including references to Vattel. "With much diffidence," he suggested to Canning and Wynn that they propose accepting those points which had been agreed upon by the commissioners of both nations in Java; that a median of the two valuations of the military stores be taken; that the point in time at which revenues and expenses were to be divided should be considered to be the period of the actual transfer; and that all British claims concerning the currency, which were considerable,

(London, 1873), p. 427. As for Gloucester Lodge, Captain Josceline Bagot, editor of *George Canning and His Friends*, 2 vols. (London, 1909), I, 316, notes that this was located in Old Brompton, and was "built by Maria, Duchess of Gloucester, and called Oxford Lodge. After her death there in 1807, her daughter Princess Sophia, called it Gloucester Lodge. It was pulled down in 1850, and its name perpetuated in Gloucester Road." Canning bought it in 1809. Of the various Gloucester Roads in London, the pertinent one appears to be in South Kensington. A final note on Canning's ailment: Lord Francis Conyngham wrote to the king's physician on 13 December 1823 that "Mr. C. is at present confined to his bed by the gout . . . You are aware how irritable such an attack always makes a person, more especially Mr. C., who is never over cool in his mind." *The Letters of King George IV, 1812-1830*, ed. A. Aspinall, 3 vols. (Cambridge, 1938), III, 51. It will be recalled that the Dutch wished the conferences to be held in London rather than in their country to avoid the cantankerous Lord Clancarty.

and both British and Netherlands claims regarding improvements and deteriorations, be abandoned and struck out of the account. This he estimated would leave the British with a credit balance of well over £ 300,000. All other claims being considered, "if the Dutch Commissioners should have a disposition to sell the continental settlements, the final balance would in all probability afford the means of the purchase." Canning and Wynn would have to decide whether such a cession should be allowed to wipe out all pecuniary claims on the Netherlands. "If Singapore could be properly valued, and considered as purchased from the Dutch, the whole sum which we claim, would not be more than its value, or perhaps equal to it: but we certainly cannot view the transaction in this light; we can only agree, tacitly, to pay rather highly for the continental settlements, in consideration of the forbearance of the Dutch in regard to Singapore." The four articles signed in 1820 and the two additional ones could be inserted in a treaty, "and if Singapore be retained, the propositions respecting Consuls and establishments may fall to the ground."⁴

There is another undated memorandum by Courtenay dealing explicitly with the conflicting claims to Singapore, prepared at about the same time as the preceding document. Courtenay recalled that Castlereagh and Canning, in signing their note of 4 August 1820, "expected to receive elucidation from Lord Hastings" on the question of native title to the island, "in the shape of a reply to the Baron Van der Capellen's dispatch" of 16 December 1819. "This expectation, of an answer, point by point, to the statements and reasonings of that dispatch, has been disappointed," Hastings having merely referred them to his previous communications. "Mr. Canning and Mr. Williams Wynn having consulted these documents, have avowed their sense of the difficulty and doubtfulness of the question; nor do they conceive that it is capable of satisfactory settlement by any new investigation." Mutual suspicions and prejudice among the Europeans, and possibly intimidated Malays, left "no room to hope for an impartial judgment."

⁴ Dutch Records, XXX, no. 53. A twenty-eight page memorandum, dated India Board, 10 December 1823, and marked on the last page, "Rec'd from Mr. T. P. Courtenay." Courtenay's covering note to Canning, under the same date, termed his memorandum "very desultory," a favorite word of his, "having been prepared in the intervals of pain," which makes one wonder whether he too was suffering from gout, apparently a vocational affliction of diplomats, now superseded by hypertension and ulcers. Courtenay nevertheless thought his paper contained "some materials for thinking." Dutch Records, XXX, no. 52.

There was "argument on either side," but the main question was whether the Netherlands government had any special rights at Singapore. "This is confidently denied on the part of England, on grounds stated by Lord Hastings, and insufficiently answered by Baron Van de Capellen." Courtenay then repeated almost verbatim some five pages of his analysis of Dutch claims contained in his memorandum of March 1822, concluding "that although all the facts stated by Baron Van de Capellen, with respect to the proceedings of 1795, be correct, the Netherlands Government had not, in 1817, any rights derived from the Treaty of 1784, and consequently that they have no grounds for interference with the English, in respect of Singapore."⁵

B. The Uphill Struggle Toward Agreement

It has already been remarked that when the four plenipotentiaries gathered at Canning's house on 15 December 1823, Courtenay was in attendance. Here and at subsequent formal conferences he served as secretary to the British spokesmen, keeping a detailed record of what was said. These unpublished accounts of the eleven conferences which were held constitute a fruitful source of information on the discussions. On the Netherlands side, although an amanuensis, O. W. Hora Siccama, was attached to the mission, no record was kept of what was said.⁶ Half a dozen dispatches which were sent during the course of the negotiations to the Netherlands foreign office have been published, but not accurately, conveniently, adequately, or in sequence. The reports from both sides of the conference table are supplemented by documents exposing the internal considerations of both parties. It may be noted here that the English historians have ignored the Dutch publications, while the Dutch writers have not equally neglected the English sources, some of which were transcribed in the 1890's, from which selections were published by Pieter Hendrik

⁵ Dutch Records XXX, no. 59. The pages of the March 1822 memorandum (Dutch Records, XXX, no. 43) here reproduced are 38-43 in the original, although there is no acknowledgment thereof.

⁶ The document endowing Canning and Wynn with plenipotentiary powers, dated 15 December 1823, appointed Courtenay secretary to the two commissioners. Dutch Records, XXX, no. 54. Dodwell, "Straits Settlements," p. 603, says: "Within two months nine conferences were held." It is true that in December 1823 and January 1824 nine conferences were held, but two more conferences were held in February. Van der Kemp, "Tractaat," p. 155, comments on the failure of the Netherlands plenipotentiaries to keep records. Elout and Fagel did better in 1820.

van der Kemp in footnotes and appendices to his various articles, and others of which were reproduced by H. T. Colenbrander in the documentary series which he edited.

To appreciate the negotiations, it must be understood that the affairs of the East Indies and relations with the Netherlands were at most secondary in importance to the other concerns currently on Canning's mind. Relations with Spain, Russia, France, the United States, and the former Spanish colonies were all more critical at this time, and it may be observed that during their Christmas recess, the plenipotentiaries could read in *The Times* an impressive editorial endorsement of President Monroe's doctrinal message to Congress.^{6a}

When Canning took over the Foreign Office in 1822, its staff numbered only twenty-eight. Of these positions, all but two, those of parliamentary under-secretary and of permanent under-secretary (the able Joseph Planta), were of a clerical nature. This meant that the minister himself read all the incoming dispatches and wrote all the outgoing ones. The latter numbered 1659 in 1821, 1506 in 1822, 1989 in 1823, and exceeded 3000 in 1824. The incoming dispatches, perhaps half of them consular, were about twice as numerous as the outgoing ones, amounting to some twenty a day. These burdens of office were literally and not metaphorically mankilling: they killed Castlereagh and undoubtedly shortened Canning's life. According to Temperley, "Lord John Russell said, that, under Canning, not only was all important business transacted by him at the Foreign Office, but that diplomats abroad did not dare to act except upon instructions sent by Canning himself, who 'considered all the contingencies of a case and all the arguments that might be used.'" ⁷ The value to Canning of

^{6a} *The Times*, Saturday, 27 December 1823. Some passages in this leader have topical interest, "This grave and somewhat novel doctrine," declaring the American continents closed to further colonization, "... looks to us as if the Cabinet of Washington had determined to carry its resistance to the famous [Russian] ukase for monopolizing as well the ocean as the coast...; and to exhibit some grounds of opposition to the establishment of Russian colonies in the shore of the north-west continent, and of its adjacent islands. There is little doubt that if such be the design at Washington, full power exists to carry it into execution, let Russia act how she may." The passage in Monroe's message declaring that the United States would consider European interference in South America as "the manifestation of an unfriendly disposition towards herself," *The Times* spelled out, "in other words, as a just cause of war. This is plain speaking, and it is just thinking...."

⁷ H. W. V. Temperley, *The Foreign Policy of Canning, 1822-1827* (London, 1925), p. 259. In his memoir of Lord Castlereagh, his brother wrote: "No draft of any public despatch ever emanated from the Foreign Office not

Courtenay's careful spadework must have been great, as will be seen, and the justification is obvious for leaving the routine talks with Falck to Charles Watkin Willams Wynn, an indefatigable gossip but of otherwise mediocre talents, although sufficient to cope with Falck.⁸

The inadequate preparation of the Dutch emissaries quickly showed itself. Canning opened the proceedings by inviting Falck "to begin the negotiation left off in 1820." Falck at once focused on Singapore. He recalled that Canning in 1820 had said that according to Van der Capellen's dispatch of 16 December 1819 there had been much reason on the side of the Netherlands. Canning replied that this dispatch "certainly appeared to make out a strong case, till it was answered, and that the full materials for an answer had not been received." Fagel revealed his distraction by at once blundering into the discussion. He "thought that he recollected a paper, signed by Lord Castlereagh and Mr. Canning, in which it was declared that the arguments were strong in favor of the Dutch." The British were prepared, thanks to Courtenay. The note to which Fagel referred was produced and read, "but no such acknowledgement was found," and Fagel "afterwards, on beginning to read the Dutch note, allowed that it was an expression of *that* note, which was in his mind."

When Fagel and Falck on the following day wrote a dispatch to their foreign office, this episode was not reported. They did admit that "we learned to our astonishment" that Hastings had never "answered" Van der Capellen's letter. But Fagel claimed credit for reminding Canning that the latter had been impressed with the unanswered dispatch.⁹

written by himself." *Memoirs and Correspondence of Viscount Castlereagh, Second Marquess of Londonderry*, ed. by this brother, Charles Vane, Marquess of Londonderry, 12 vols., with varying titles (London, 1848-1853), I, 66.

⁸ Wynn seems not to have found his assignment onerous. In fourteen published letters written during the period of the negotiations, he alludes to them only three times, first to mention the impending talks (see footnote 3 above), then to describe the necessity of convincing Falck of the inviolability of the British Christmas (see footnote 16, below), and finally to remark on his signing the treaty (see footnote 10 of Chap. VI, below). Buckingham, *Memoirs of the Court of George IV*, II, 19; 20; 47.

⁹ Cornelis Theodorus Elout, *Bijdragen tot de Geschiedenis der Onderhandelingen met Engeland, betreffende de Overzeesche Bezittingen, 1820-1824*, ed. P. J. Elout van Soeterwoude (The Hague, 1863), pp. xxviii-xxix. Fagel and Falck to foreign office, London, 16 December 1823. The editor placed this dispatch in a footnote to his introduction. His editorial competence was not of a very high order, but he did achieve the distinction of making typographical errors in his list of typographical errors at the end of the volume.

The ambassador continued his left-handed assistance to his colleague. After Falck stated the Dutch case for Singapore as it had been put so many times, "Baron Fagel proposed to postpone the discussion of Singapore till the other points were settled; and the British Plenipotentiaries concurred in this arrangement," but "Mr. Falck was at first averse." Apparently the Netherlands diplomats had not concerted their plans in advance.

Falck now gratuitously thrust an ace into Canning's hand, which the latter, whether magnanimously or for other reasons, disdained to pick up. Clearly, if Falck hoped to extract the maximum concession from the relinquishment of Netherlands rights to Singapore, he should have set the maximum valuation on it. Instead, Falck "asked whether we still attached great importance to Singapore, which he rather depreciated, expressing great distrust of reports of its prosperity from Sir Thomas Raffles. Mr. Canning answered, Yes, very great importance, and that we could not voluntarily concede it." Falck even argued the point "and asked if Prince of Wales Island were not sufficient." Canning's reply verged on effrontery: he "said that Prince of Wales Island was 'out of fashion.'" Obdurately, "the Dutch Plenipotentiaries observed, they had believed, that, Singapore was by this time out of fashion, too."

Canning now indicated that the issue seemed appropriate for compromise, and mentioned compensation. Falck very reasonably observed that unless the Netherlands rights were determined, it would be impossible to fix the compensation. "He admitted however that there was no indisposition to let Singapore be considered in an arrangement of mutual concessions," thereby making explicit the "hint" of the previous summer.¹⁰

Frustrated by the British refusal to discuss legal claims to Singapore, the Netherlands plenipotentiaries directed the conversation to their continental possessions, which "they were not unwilling to part with." Falck introduced the notion of drawing a line, perhaps the equator, to divide the English settlements to the north from the Dutch to the south, and in this connection asked whether the English would part with Bencoolen, "which he represented as expensive to us, but it might by Dutch Economy perhaps be made more profitable to them." Canning thought that the India House had viewed such a possible cession with disfavor. Instead, the British spokesmen proposed buying

¹⁰ Dutch Records, XXX, no. 57, pp. 1-5.

the continental establishments. To this Falck objected, "observing that they would get a temporary compensation for a permanent cession, unless indeed (he said jokingly) they placed the amount in our Bank." He preferred territorial exchanges. Further discussion was to be postponed to a second full conference, "whenever Mr. Canning should feel better," but in the meanwhile, so as to waste no time, Falck and Wynn were to examine the financial issues, chiefly those dating to the period of the transfer of the colonies in 1816 and 1817.¹¹

The report of their first conference, submitted by Fagel and Falck, evoked an annoyed response at home. Van Nagell presented the dispatch to the king, and while his majesty was indefinite in his comments, the foreign minister wrote that he could not conceal the fact that the news of Hastings' neglect to answer Van der Capellen's letter engendered "no pleasant impression" but the idea instead that the English had merely been trying to gain time "in order to consign the affairs of the East Indies to oblivion."¹²

Falck visited Wynn at the office of the India Board on Wednesday, 17 December 1823, and engaged in a "friendly and informal" conversation. After inconclusive discussion of the point in time at which revenues in Java and elsewhere should be divided, they turned to the problem of the old Batavian paper currency, which the British during their occupation had redeemed. Wynn argued that a part of the funds used for this purpose had come from outside Java, and for this part he claimed indemnification. This Falck rejected in principle, although he "appeared struck with the small amount claimed," only some £ 29,000. They differed similarly on the British claim for restitution of the money expended upon the repurchase by the government of two districts (Probolingo and Bysoeki) which the previous Dutch government had alienated into private ownership. Nor was any agreement reached upon valuing or even precisely identifying the military stores present at the time the colonies were turned over to the Dutch and for which they were obligated to pay. Falck undertook to prepare "an 'aperçu' of the financial as well as the political demands" of his government, and in this connection held it desirable

¹¹ *Ibid.*, pp. 5-8. Elout, *Bijdragen*, pp. xxviii-xxix. Van der Kemp, "Tractaat," erroneously assigned the termination of the first conference to a need of Canning and Wynn to consult the East India Company.

¹² P. H. van der Kemp, "De Stichting van Singapore, de Afstand ervan met Malakka door Nederland en de Britsche Aanspraken op den Linga-Riouw-Archipel," *Bijdragen tot de Taal-, Land- en Volkenkunde van Nederlandsch-Indië*, vol. 54 (The Hague, 1902), p. 385, footnote (a).

to evaluate the privileges to which the Dutch were entitled at their continental establishments, specifically a fixed quantity of opium, although the price at which it should be delivered was uncertain. On this indecisive note the conference ended.¹³

The third conference, on 19 December 1823, between Falck and Wynn at the India Board, was concerned only with the evaluation of the military stores. A memorandum prepared at the India Board showed a claim to £ 234,760, while the Netherlands estimate was £ 92,027. It was agreed that the valuations should be examined by Captain Elout and a competent British officer.¹⁴ On the following morning, Wynn received from Falck a Note Verbale arguing the Netherlands opposition to the British claims for reimbursement for expenses incurred in redeeming the old Batavian paper currency and for the repurchase of Probolinggo and Bysookie. The Note set forth the general principle that until a territory was formally conveyed by treaty to a conquering power, that power was in effect a caretaker. If the territory were restored to the original proprietor, it should be, as far as possible, in the condition prevailing at the moment of conquest. Applying this principle to Java and the repurchase by the British of the two territories in question, the Note held it to be the obligation of the British to render the colony, and of the Netherlands to accept it, "in the condition in which it was at the time of the treaty, and no part of this treaty speaks of reimbursements or of payments to be made because of the greater or smaller value of the establishments turned over." This shifts the time at which the status was to be frozen from the moment of conquest as proposed earlier in the Note to the subsequent period of the treaty. The Netherlands plenipotentiaries were evidently unable to preserve a consistent position in a written paper. All that could be expected of the Netherlands, the Note declared, was to assume responsibility for such charges which might fall due after the retrocession of the colony. It was also held that in retiring the paper currency, Raffles had accepted a rate of exchange which was unrealistic and productive of a deficit, and that it would be unfair to tax the Netherlands for the injudicious decisions of Raffles.¹⁵

¹³ Dutch Records, XXX, no. 52 [*sic*], Second Conference, India Board Office, 17 December 1823.

¹⁴ *Ibid.*, no. 53 [*sic*], Third Conference, India Board, 19 December 1823.

¹⁵ This note verbale appears twice in Dutch Records, XXX, the original as no. 7, and a copy in the hand of Courtenay's clerk as no. 15. Marked on the reverse of the last page: "Received by Mr. Williams Wynn, December 20th, 1823."

A fourth conference, again between Falck and Wynn, was held some time between 19 and 24 December, of which the only record says: "It turned principally on the Accounts." If it were not for the date on Wynn's note to the Duke of Buckingham of 18 December 1823, it would be tempting to think that it was at this conference that the President of the Board of Control "informed Falck of the religious and constitutional obligation which we are under to be idle at Christmas," and found the Netherlands plenipotentiary "well disposed to observe the said law in his proper person."¹⁶

On 23 December 1823 Falck sent to the British representatives an eleven page note on his government's claim to Singapore. It recited the well known statements on the unity of the Empire of Johore, its subordinate relationship to Batavia, and the sole legitimacy of the Sultan Abdul Rahman, recalling the occasions when Raffles and Farquhar had treated with him as the legitimate sovereign. Once again Van der Capellen's dispatch of 16 December 1819 was invoked, and once again the absence of a British refutation was equated with an avoidance of legal defense. "But beside the question of right emerges that of political *interest* and expediency." On the one hand there was the injury to the Netherlands and its vassal, and on the other the widespread opinion in British India and England that Singapore was essential to the security of the China trade and commerce with the Eastern Archipelago. Hence "the idea of a *monetary indemnity* has been suggested." Money would scarcely compensate for the moral injury suffered by the Netherlands in the eyes of the Malay princes, and therefore a territorial exchange would be preferable, "governed in such a way as to provide a demarcation line between our respective possessions," to preclude future disputes, while not excluding purely commercial enterprises of their respective subjects. In a completely confidential note like this, wrote Falck, it was proposed to imagine a line running down the strait of Malacca, and then easterly to the south of Singapore and north of Battam, Bintang, or Rhio. All of Sumatra, including Bencoolen, would become Dutch, and the Malay Peninsula, including Malacca, would be reserved to the British; "moreover the island of Singapore would be at their disposal." In conclusion, Falck proposed to treat the monetary indemnities as secondary to the principle of territorial transfer and therefore postponed detailed consideration of

¹⁶ Dutch Records, XXX, no. 53. Buckingham, *Memoirs of the Court of George IV*, II, 20.

this point.¹⁷ For the first time in writing, the Netherlands spokesman explicitly opened the way to the relinquishment of Singapore to Britain.

The day following the delivery of Falck's note, on 24 December, all four plenipotentiaries gathered at Gloucester Lodge at Falck's request, "in order that it might be known before the Christmas Recess, whether the parties were likely to come to an agreement." Since the conference met at Canning's home, it may be assumed that he was still suffering from gout, but the twinges must have relented, for he was unprofessionally flippant. Courtenay, himself a minor man of letters, responded by incorporating into the record more verbatim remarks than was his custom.

Recapitulating the discussions between Falck and Wynn, Canning "said that the British Plenipotentiaries greatly relished the proposition for the exchange of Bencoolen, etc., but that they were not in a situation to consent positively to it. 'Nous le goutons fort, mais nous ne sommes pas les maîtres.'" He explained the political and commercial position of the East India Company to Falck, who asked whether Malacca, if ceded, would be given to the Company. "Mr. Canning answered Yes, if they were willing parties to the cession of Bencoolen; otherwise not."

Falck wanted to know the value of the privileges attaching to their continental possessions and the result of the Java accounts, in order to "estimate the concessions on either side." Canning's answer was, in effect, that there were no privileges, there were only grants, and these were now all revoked, for Danes and Frenchmen as well as for the Dutch. When Falck said that he had raised the question not to insert the privileges into a convention but merely in order to settle values, Canning replied, "Well then, our generosity shall go for something." He mentioned the pearl fishery, and Wynn followed his lead, saying: "We may be more generous there." With respect to the old Batavian paper currency, it was agreed to consider the claims on both sides as canceling one another, but the differences remained open on the matter of the payment for Probolinggo. Falck made some concessions on medical stores and then referred to the value of the continental establishments. "He mentioned that Chinsurah contained 30,000 souls, and the whole

¹⁷ Dutch Records, XXX, no. 61, and an unnumbered copy following no. 64. It is curious that the most cogent presentation of the Netherlands case against the British occupation of Singapore should be part of the note expressing a willingness to acknowledge the British title. Compare also: "But beside the question of right emerges that of political *interest* and expediency," with Courtenay's "But the question to be decided is one not of Policy but of Right," in his memorandum of March 1822. See above, p. 142.

50,000 souls. Mr. Canning observed, with a laugh, that souls were not so valuable now."

In reference to the opium privilege Falck made an acute but fruitless inference. He recalled a convention between England and France made in 1815 in which it was stipulated that four lacs of rupees be paid to France in consideration of French rights to salt, and this amount, he urged, "was much more than the value of the stipulation in respect of Salt, and that it must in truth have reference to the old privilege as to Opium. The British Plenipotentiaries made no remark." Falck had scored a bullseye. In Courtenay's memorandum of March 1822, this inference is explicitly corroborated.¹⁸ The Netherlands plenipotentiaries were willing to part with the continental establishments for £ 312,000, an offer which the British rejected.¹⁹ In concluding the conference, Canning gave Falck hope that the arrangement about Bencoolen could be made, while Falck in answer to Wynn's observation about the loss of a position near to the Sunda Strait, "said that in peace we might fully navigate those straights, in war we [i.e., the British] should take Bencoolen."²⁰

Fagel and Falck were pleased with the way the negotiations were moving, and observed, "not without satisfaction," that Canning and Wynn were not averse to the exchange of Bencoolen for Malacca and Singapore. The prospect of removing the British from Sumatra they thought attractive, but they did not feel it necessary to mention that the British would relinquish their claim to Billiton. It was regrettable that the East India Company entertained such a predilection for Bencoolen, "which obliges the Government to proceed cautiously." In conclusion they expressed satisfaction in the preparatory work thus far, and were awaiting patiently the results of intramural conferences among the British.²¹

The concern of the British plenipotentiaries over their right to cede Bencoolen was genuine and issued from two legal considerations. Wynn discreetly applied to the Lord Chancellor for advice, and Lord Eldon replied: "I have not been so fortunate in my Searches, as to meet with any thing satisfactory upon the point of the Crown's Right to cede a

¹⁸ Dutch Records, XXX, no. 43, pp. 68-69.

¹⁹ Van der Kemp, "Tractaat," p. 138.

²⁰ Dutch Records, XXX, no. 54 [*sic*]. 24 December 1823. Van der Kemp consistently but wrongly places this conference on 25 December, although he is aware of Wynn's point of avoiding the Christmas holidays. "De Stichting van Singapore" p. 385; "Tractaat," p. 138.

²¹ Van der Kemp, "De Stichting van Singapore," pp. 385-386.

part of its Dominions — where Cession is not made in War or in a Treaty of Peace.” Puffendorf and Vattel seemed to deny the right to cede. Lord Eldon did not think himself at “Liberty to converse with those professional persons, who, if any body can enlighten me upon the Subject, are most likely to assist in so doing, because a paper you put into my hands intimated a disinclination to have Lawyers attention called to the Subject.”²²

Wynn was less averse to approaching lawyers on other aspects of the negotiation, since on 19 December 1823 he had Courtenay write to ask Sir Christopher Robinson, a leading admiralty lawyer and “the leading counsel in the admiralty court,” for an opinion on some points currently under consideration. Robinson’s answer, of 31 December, had a bearing on the British claims. He advised that the Dutch government was entitled to the revenues in Java from the time its commissioners arrived on that island, since the delay in retrocession arose “solely from the non-arrival of the necessary Instructions from England.” He rejected the principle enunciated in Falck’s Note Verbale to the effect that a conquering power was merely a caretaker until a treaty of peace was concluded, and he held that the British could reasonably claim compensation for improvements. “It appears to me to be a Question peculiarly fit to be settled on principles of Liberal equity on both sides, & not to be easily reducible to strict rules of law.”²³

Following the Christmas recess, Falck and Wynn met again on 9 January 1824 for the longest discussion of any of the sessions, if the length of the record is evidence. Falck, speaking of the several intended cessions, mentioned Singapore, whereupon “Mr. Williams Wynn reminded him that we could not admit that as a Dutch possession.” Each then rehearsed his well-known lines, beginning with the abandonment of 1795 and ending with Falck’s statement “that if Singapore were given to us, the Dutch must compensate the Sultan, at an expence *perhaps* of 4000 or 5000 a month.” Falck then proposed to regard the continental establishments as cancelling the sum owing to England, with Singapore and Malacca equated in value to Bencoolen and Billiton, and “that there might be a secret and separate article for the Line of demarcation.” In answer to a question from Wynn, he explained that this line would pass between Singapore and Rhio and then terminate. Wynn passed by

²² Dutch Records, XXX, unnumbered, but located between no. 17 and no. 19. Undated save: “House of Lords. Tuesday.”

²³ *Ibid.*, no. 69. Christ. Robinson to Courtenay, Bedford Square, 31 December 1823. Identification of Robinson comes from *DNB*.

this suggestion and instead observed that if Britain ceded Bencoolen, a special stipulation might be needed to protect the inhabitants of that settlement. Falck admitted that the continental possessions were not equal in value to Bencoolen, but he felt that Malacca was important. Wynn on the contrary doubted whether Malacca in British hands would be kept up, and "Mr. Falck admitted that Malacca was not what it had been." When Falck asked whether discussion with the East India Company made it worth while to draw up the "Project" or draft of a convention involving the cession of Bencoolen, Wynn replied "that they required more time, but had no insuperable objection to the cession."²⁴

Wynn's optimistic but indecisive answer on Bencoolen and his general comportment reflected the correspondence with the Company since the previous conference. On 24 December the Special Secret Committee had requested information of the President of the Board of Control respecting the issues connected with Bencoolen. Wynn had replied at the end of the month describing Falck's proposed demarcation line, suggesting the cession of the Netherlands continental possessions in return for pecuniary compensation of an amount yet to be stated, eliminating all Dutch claims to privileges, and pointing out that "the effect of this proposition would be, that Great Britain would relinquish Bencoolen & the territory subject thereto, but would retain Singapore, discharged from all claims on the part of the Netherlands or their allies, and would acquire Malacca & the uninterrupted command of that Coast." He thought that the Committee would see no overriding objection to the transfer of Bencoolen on these terms. On 2 January 1824 the Committee replied in a guarded manner, avoiding any definite committal. They wanted more information on the line of demarcation, especially as to its northern and eastern termination. Hence Wynn's question on 9 January to Falck on this point. Wrote the Committee:

Singapore is a rising Settlement, and may engross at the present time a considerable portion of the Trade of the Eastern Archipelago, but if any Convention . . . be concluded which shall give the Dutch acknowledged right to form settlements in the vast extent of country to be left to them under the proposed arrangement, the Trade of the Eastern Islands will be greatly intercepted and the benefit anticipated from the possession of Singapore; or indeed of the whole West Coast of the Malayan Peninsula, will be very questionable.

²⁴ Dutch Records, XXX, no. 55 [*sic*]. Sixth Conference, 9 January 1824. First four pages.

The Committee stated that at certain periods of the year, ships engaged in the China and country trade were "obliged to pursue the voyage by the Eastern Passage, when the course lies through the heart of the Countries" in which, by the line of demarcation, the Dutch would have the sole right of establishing settlements, and whereby they would have the means in time of war of "annoying our Trade." They meant by the Eastern Passage the Straits of Sunda,²⁵ but all that the Committee asked was to have the Dutch define the line more precisely and state their aims in requiring it. They approved of the principle of segregating possessions in the East and held that it would obviate future friction if the agents of each government were "deterred from forming any other Settlements whatever, within certain prescribed limits, without reference to and the sanction of the authorities in Europe." By this stipulation they did not mean "to preclude either power from forming Commercial Treaties with any of the independent Native States in the Archipelago, — such Treaties to be reciprocally communicated, and free access being acknowledged & permitted to each."

The Dutch continental settlements the Committee thought "of trifling import" and the Dutch claims to privileges counted for little. Under the circumstances, they wrote, "we may be permitted to express surprise at the idea that any pecuniary compensation should for a moment have been thought of in any proposition for an exchange of the Dutch continental possessions for Bencoolen." It was unlikely but possible that the Company's engagements with the residents of Bencoolen might interpose some obstacle to cession: the Committee would investigate; but at all events, if cession were determined upon, provision must be incorporated for protecting the persons and property there, both native and European.

Although Bencoolen is maintained by us at a large annual expence, it assumes great importance when considered as a Settlement to be ceded to the Dutch in exchange for other possessions. — It is not then a question so much as to what we save as what the Dutch will gain. —

Our present possessions on the West Coast of Sumatra not only break the chain of the Dutch Settlements, but enable us in a great measure to command the Pepper Trade there. — Were we to cede it to the Netherlands Government they would have uninterrupted possession of the whole line of Coast, and including the celebrated

²⁵ So stated by Courtenay. *Ibid.*, XXXI, no. 8, Memorandum from Courtenay to Canning, 15 January 1824.

bay of Tappanooly, — the nautical advantages of which are scarcely surpassed in any other part of the Globe; — consequently, at any future recurrence of hostilities, it would afford a resort to the ships of the Enemy, from which most serious injury might accrue to our Commerce:

We therefore deem Bencoolen in Political importance to the Dutch to be more than adequate to any cession which they can make to us on the Continent of India.

The Committee also recalled the “indisputable” rights of Britain to Billiton, although it was currently in Dutch possession, as a settlement to offer in exchange; but “viewing Singapore to be in our possession,” they ignored the maxim relating sauce, geese, and ganders, and wrote: “We have not felt it necessary to advert to it at any length on the present occasion.”²⁶

In an unsigned, undated, fourteen page memorandum bearing Courtenay’s initials on the outside, the writer, presumably Courtenay himself, undertook to survey the legal aspects of the projected cession of Bencoolen. The first point, and indeed the only point, was “whether the King can, *in time of Peace*, alienate any part of the dominions of the Crown.” By reference to the cases of Dunkirk (1663) and East Florida (1783), Tobago, and Senegal, together with parliamentary acts recognizing the cession “of a country ‘in the King’s allegiance,’” the writer doubted “the expediency of submitting to the Lawyers a question, which appears to stand very well at present, but which professional ingenuity may possibly place in a less satisfactory position.” Bencoolen was a special case, being like all the King’s dominions in India by law and charter “placed under the government of the East India Company with very peculiar privileges, and powers borrowed from Sovereignty.” On the other hand, “the paramount Sovereignty of the Crown still remains,” and the maintenance of this supremacy “is a point of much importance in principle, and may eventually, ten years hence, become one of much importance in practice.” This reference to events a decade in the future points toward the expiration in 1833 of the act of 1813 renewing and altering the terms of the East India Company’s charter. The objection to ceding a part of the king’s dominions “appears to rest upon the duty of protecting those from whom allegiance is required,” and to the author this seemed reasonable doctrine. And now he shows

²⁶ *Ibid.*, XXXI, no. 1. Signed by W. Wigram, Will. Astell, Jacob Bosanquet, W. F. Elphinstone. To C. W. Williams Wynn. East India House, 2 January 1824.

himself as capable as any Lawyer of a legal sophistry, perpetrated by semantic sleight of hand: "But Bencoolen is not a territory but a factory; there is only one real Proprietor, the East India Company, and that Proprietor is not locally situated at Bencoolen, and is moreover a party to the cession." Ergo, Bencoolen might be legally ceded.²⁷

Besides guidance issuing from the East India Company, the legal counsel of Sir Christopher Robinson, and possibly the memorandum on Bencoolen, Wynn also had an opinion from Sir Ulysses Bagenal Burgh, Surveyor General of the Ordnance, concerning the appraisal of military stores. Burgh wrote to Courtenay recommending the elimination of various immobile items, leaving only a narrower category of military stores to be valued, "which may be done at *one fourth less* than the British officers valued them at." If this were done, Burgh did not "suppose that the difference will be very great between the valuation, made at the time by the British officers & that made subsequently by the Dutch authorities." The latter, he was sure, "ought to rest satisfied with this arrangement & I consider it very liberal conduct on the part of your Board."²⁸

When Wynn on 9 January 1824 followed the proposition of the Surveyor General of the Ordnance for a reduction of one fourth from the valuation of the military stores, pointing out that this "would bring the amount near to Mr. Falck's former proposal of *splitting the difference*," Falck was still not satisfied. Since a stalemate on this question ensued, they passed on to other issues.

In attempting to set a value on the Netherlands continental possessions, Wynn at the sixth conference had put the figure at no higher than £ 100,000. Falck wanted various privileges included in the calculation and agreed to prepare his own estimate. With respect to an exchange of territories, Wynn "observed that there would be no difficulty on the part of England, in giving Bencoolen and Billiton, for the Continental Settlements, Malacca, and Singapore." Falck protested against this as unequal, whereupon Wynn offered a partial relinquish-

²⁷ *Ibid.*, XXX, no. 6. No date, no place, no authorship indicated. Marked on the reverse of the last page, "T. P. C." it suggests Courtenay as its author. The style of thought strengthens this impression, and the hand appears to be that of the clerk at the India Office from whose quill the clear copies of most of Courtenay's memoranda came.

²⁸ *Ibid.*, XXX, no. 68. Burgh to Courtenay, Ordnance Office, 23 December 1823. *Ibid.*, XXX, no. 24, presents "Answers" to the valuation of the Dutch authorities in Java, under date of Office of Ordnance, Tower. 27 December 1823. See also no. 26, same date.

ment of England's pecuniary claims. "Mr. Falck observed, that in treating with an ancient ally, England should put a liberal construction upon all such points as the valuation of stores, etc." To this appeal for generosity Wynn responded by suggesting that the British might drop one half of their claims, reckoning at £ 400,000. "Mr. Falck said that he must think about this." He proposed splitting the revenues of Java for 1816 equally between the two powers. Falck complained of "the want of generosity in England in claiming £ 400,000 from the Dutch," to whom this was a large sum, but before he left the subject he gave grounds for believing that a compromise was possible. On the matter of the demarcation line, Falck specifically exempted Borneo, but this left the British uncertain whether they should have the right to make settlements on that island. Finally, Falck offered to prepare a draft convention, and Wynn "very readily accepted this offer" and the conference finally ended.²⁹

Not until 12 January 1824 did Fagel and Falck address their foreign office, now in the ad interim charge of the German knight, J. G. Reinhold, who replaced Van Nagell at the beginning of the year. For Reinhold's benefit, they recapitulated. Referring to their dispatch of 26 December 1823, they recalled that the British initially had seemed inclined to offer money in return for the relinquishment of the Netherlands claims to Singapore. Subsequently they perceived that Canning and Wynn meant to pay no money into the Netherlands treasury but were referring to the sums they claimed were due Britain, and which they would diminish by the purchase price. For Fagel and Falck a monetary payment to their country would be invisible to the native princes and people, and it would be preferable for this reason to exchange territories.

"In the island of Singapore we lose nothing," they wrote. Although this might have been true in two senses (the Dutch never having held Singapore could not lose it; the Dutch being without hope of ejecting the British, had not even a hope to lose), the Netherlands plenipotentiaries meant something else again. It was dubious to them whether the English enjoyed much benefit from Singapore. Its prosperity depended upon the Netherlands regulations affecting trade and commerce, and once these were liberalized, the affluence of Singapore would dry up. Malacca too they depreciated. It had been under uninterrupted English rule for twenty-three years. "No wonder that it has been corrupted away

²⁹ *Ibid.*, no. 55 [*sic*]. Sixth Conference, 9 January 1824. Courtenay's record of this conference runs to twelve pages.

from Netherlands customs and ways, and in this respect its sacrifice seems of little importance." For years the settlement had been carried at a loss. Granted that Bencoolen under British administration also operated at a deficit, much of the loss was caused by the costly projects of Mr. Raffles. The Netherlands could operate it more economically, and a possible unification of all their possessions on the west coast of Sumatra would be cheaper to administer. Although for some years expenses would exceed income, its acquisition would be worth while since it would remove other European powers from the region, thereby contributing to local peace. The elimination of the British in this area, giving the Netherlands uninterrupted control from the Lampongs to north of Tappanooly bay should be combined with a stipulation that the British should thereafter refrain from forming settlements anywhere in Sumatra as well as from making agreements with the princes or peoples of that island. In return, the Netherlands would similarly remove from the region of the strait of Malacca, but this counterpart to the British evacuation of Sumatra yielded little of any value. For this proposal they asked the king's approval. As for their continental possessions, they recognized that the English placed little value on them and that they had been unable to persuade the British to regard them as compensation for "such an important establishment as Bencoolen."³⁰

It was at the next conference, the seventh, that the odds between the two sides achieved their most irreconcilable expression, and had the Netherlands policy as voiced by Falck proven more consistent, potent, and intransigent, the negotiation would have been stalemated. As it was, Canning feared that the talks were about to break down. Falck met Wynn at the India Board on 13 January 1824. The initial discussion of the valuation of military stores led to Dutch dissent from the British appraisal at £ 166,000, which Wynn contended was close to the result of following Falck's previous suggestion of splitting the difference. Each side then admitted various claims of the other. Wynn "proposed to set Bencoolen against Malacca and the Dutch claims on Singapore, which he reminded Mr. Falck the British did not admit." Falck mentioned his government's obligation to compensate the sultan. "He hesitated as to admitting Bencoolen as an equivalent for Malacca and Singapore. Mr. Wynn reminded him that he had formerly admitted their equivalency.... Mr. Falck acquiesced in Mr. Wynn's representation of his former admis-

³⁰ Elout, *Bijdragen*, pp. 173-178. Fagel and Falck to Reinhold, London, 12 January 1824.

sions." Wynn "thought it better to avoid marking down any Line of demarcation. Mr. Falck acquiesced."

When the discussion moved to the critical problem of evaluating the Dutch continental possessions, Wynn once more offered in return for their cession to sacrifice a part of England's pecuniary claims against the Netherlands. He proposed to abandon all British claims exceeding £ 200,000, "which he considered as about half of the whole claims." This was precisely what he had offered in the sixth conference. He estimated the worth of the Netherlands factories at £ 128,000, basing this appraisal upon the capital value of an investment which he thought brought the Dutch £ 8,000 a year. In the previous conference, on 9 January, Wynn had set the value at no more than £ 100,000. According to Wynn's latest estimate, the Netherlands would be let off a considerable portion of their debt, and this inference Falck challenged, maintaining as he had consistently that unless he knew the value of the privileges claimed by his country, it would be impossible to evaluate the settlements. He "referred pointedly to Mr. Canning's declaration, which he said he remembered well that something was to be allowed for 'Generosity.'" Falck now seemed to deadlock the conference.

He objected greatly, almost decidedly, to the payment of any sum of money by Holland.

Mr. Wynn asked whether, if nothing could be done about the Continental possessions, the negotiation could proceed as to the other objects. Mr. Falck thought not. Singapore could not remain in dispute. Mr. Wynn proposed to arrange every thing but the Continent and the Money. Mr. Falck hesitated and expressed a dislike to this plan

Some clarification of the ordnance stores might lead to an approach to settlement of the pecuniary issues, and it was agreed that further inquiry should be made. "Mr. Falck desired that a full conference of the four Plenipotentiaries might be held on an early day: — He said he could not go far in concession, and it would be deceiving Mr. Williams Wynn if he held out an expectation of a payment of so much as £ 200,000 on the part of the Dutch."³¹

On 15 January 1824 Courtenay sent to Canning a thirty-six page

³¹ Dutch Records, XXX, no. 56 [*sic*]. [*Seventh*] Conference, 13 January 1824. Courtenay's record shows the word "too" crossed out between "go" and "far" in the last sentence.

memorandum to place before the foreign secretary "some points which have occurred in the communications with the India House and with Mr. Falck. It appears probable that there will be at least as much difficulty in negotiating with the former as with the latter."³² He briefly stated the chief contentions of the Special Secret Committee's letter of 2 January 1824 (see above, pp. 195-197). Courtenay was cool toward the Committee's vexation at the prospect of the Dutch being allowed to establish posts south of a proposed demarcation line. "The Committee forget," he wrote primly, "that no stipulation with Great Britain is necessary to allow the Dutch to form settlements, or conclude exclusive treaties, at any place not preoccupied by us, or with any State with which we have not an exclusive alliance." The terms of the proposed treaty would incorporate the terms of the articles of 1820, to which the Committee at that time "gave their full approbation." There were two parties to the agreement, and between them commercial rivalry should continue to exist. "All we want is a fair field for the employment of our capital and enterprize."

The cessions, as proposed, would leave the British merchant "every reasonable and every desirable, facility of Commerce." When the Committee asked how far the line was to extend northward and eastward, it was evident that the Committee, and perhaps the British negotiators, had misconstrued the limitations of the Dutch proposition. Courtenay was not clear as to the intent of the Committee in proposing to debar the agents of both states in the East Indies from forming any other settlements "within prescribed limits, without reference to, and the sanction of the authorities in Europe." Which authorities in Europe? Both? "Mr. Williams Wynn is inclined to think that a mutual agreement against forming new establishments without previous sanction from home, and *communication* with the other Government, would be desirable: but he doubts whether a formal stipulation can go to this extent." In the margin, Canning penciled: "I agree with Mr. Wynn."

³² Philips, *East India Company*, p. 234, alters the quotation: "Their [the Select Secret Committee's] attitude was so hostile that the Board began to expect 'as much difficulty in negotiating with the India House as with Falck'." By referring to pp. 195-197; 222-225, the reader may judge for himself whether the term "so hostile" justly characterizes the Committee's attitude. Dodwell, "Straits Settlements," p. 603, writes: "Courtenay warned Canning, 'It appears that there will be at least as much difficulty in negotiating with the India House as with M. Falck.'" The citation for this is incorrect, referring via an *ibid.* to Dutch Records, XXX, instead of to XXXI, but the date of the document is correct.

It was questionable whether it would be expedient to stipulate any formal line of demarcation, and Falck appeared to think that too extensive a line would excite "jealously in other powers." These four words are lightly underscored, while in the margin Canning's scarcely legible hand wrote: "Undoubtedly if we do so. And especially as we are at this moment engaged in a difficult negotiation about N. American limits with Russia. The Situation in which we and the Dutch stand to each other — is part only of our difficulty — that in which we both stand to the rest of the world as exclusive Lords of the East is one more reason for terminating our relative differences as soon as we can." Courtenay thought the argument about the risk in wartime inherent in yielding Sumatra to the Dutch was illogical: if Britain had naval superiority, a few more Dutch settlements would not matter. Canning concurred: "This danger is really nothing. In War it is our own fault if we do not take everything into our own hands."

The valuation of the various territorial settlements was "the next and most difficult consideration." Falck proposed exchanging Malacca and Singapore for Bencoolen and Billiton, while for the continental possessions he seemed to want a monetary payment. "If Singapore were really Dutch," then this proposed exchange would be fair, "but the case is different if we do not admit that the Dutch have any rights over Singapore" but maintain that Britain might hold it properly as well as Bencoolen. Malacca would hardly be thought at the India House to compensate for Bencoolen, cession of which would exclude the British from the harbour of Tappanooly. This bay and its potentialities were highly rated in books, "but no use has been made of them, and the apprehension of their being developed by the Dutch, to our detriment, may probably be classed among the exaggerations which attend every part of this subject." Courtenay's astringent judgment has been confirmed by a hundred years of history: the chief town on the admirable bay has a population of only six thousand, and its insignificance is shown by the evidence of commercial activity in the fortnightly calling of the Netherlands Royal Packet Company's ships, running between Padang, Penang, and Singapore.³³ "However," Courtenay added, "it is fair to estimate highly in negotiation," and Canning would have to decide on the value of the territorial exchanges and the renunciation of claims.

³³ *Sailing Directions for Malacca Strait and Sumatra*, H. O. Pub 162, 4th ed., issued by the Hydrographic Office under the authority of the Secretary of the Navy (Washington, D. C., 1952), pp. 338-340.

Upon the continental possessions "the Committee set a slight value" and opposed any notion of a pecuniary compensation, to which Canning in the margin asked: "Do they know that they would have nothing to pay?" Billiton was legally Britain's, "but the Dutch have much to say in point of liberal construction, and it cannot be highly rated in exchange." If the Committee depreciated the worth of the Dutch continental possessions, "in India, *where they are felt*, they are not rated so lowly." Falck was told that £ 100,000 was probably as much as the settlements were worth, if the value of the privileges were ignored. The question therefore was what value, if any, should be placed on the opium and other privileges. When Falck was encouraged to calculate the value of the opium privilege, considered as a favor, not a right, he submitted an estimate of one-fifth the profit to be allowed the Dutch, capitalized it at $6\frac{1}{4}\%$, and arrived at a value of no less than £ 288,000. "Anything like this allowance is probably out of the question!" Nevertheless, "it is clear that *something* must be added to the valuation of the settlements," but it was unnecessary to assign a precise sum. Rather compensation should be found in a reduction of England's pecuniary claims against the Netherlands.

After an extended calculation of claims and counterclaims, Courtenay arrived at an estimate of £ 379,770 owing to Great Britain, and recalled Wynn's suggestion to Falck that Britain relinquish everything over £ 200,000, the abandoned portion representing the equivalent of the continental establishments, "including some allowance for 'generosity.'" This allowance he calculated would amount to £ 51,770. Canning commented: "This is certainly a very reasonable suggestion. But I confess I would not break off upon the money payment if in other respects we could agree." Courtenay recalled Falck's aversion to any payment at all, "and his objection was more decidedly stated on the second time of its being mentioned than on the first." Rather than an incomplete settlement, Falck preferred leaving the whole undone. Canning would "have an opportunity of forming a more accurate judgment of the real inclination of the Dutch Negotiators."

Courtenay now turned to consider the possibility of a breakdown of the conference.

In the event of a rupture of the Negotiation, it would seem pretty certain that the Dutch would not pay the amount of the admitted claims, but would rather prefer all those which were at any time urged by their Commissioners in Java. We should keep Singapore

and retain our possessions. While our Java claims are unsatisfied, *no* privileges would be given to the Dutch at their continental settlements. It is probable that under such circumstances, those settlements would become less and less favorites with the Dutch, and it is even possible that they might be induced to abandon them for a smaller compensation. [Canning's marginal note opposite this sentence reads: "It would be very unlucky, & I think discreditable. But I do not know that there is any other course, if the Netherlands Negotiators refuse *all* payment."] But that result would not be satisfactory or comfortable, perhaps not entirely creditable. The real question appears to be, whether the arrangements for exchange being made as suggested, it is likely that the King of the Netherlands will give any and what sum, in addition to his continental settlements. That England would really be *better off*, with Singapore, Malacca, and the Continental Settlements, though without Bencoolen, Billiton, or the Java Debt, may perhaps not unsafely be affirmed.

But this was considering Britain's interest as a whole, while the separate interests of the Crown and the East India Company might diverge. The Chancellor of the Exchequer might object to the abandonment of part of a debt due the Crown in return "for an object which in vulgar acceptance will be gained by the Company." This argument could be shortly disposed of.

It will be less easy to satisfy the Company, if they persist in valuing Bencoolen above all that is to be had in return. But they must be reminded (if they make difficulties in agreeing to an arrangement which the King's Government approves) that however little may be the value of a concession of Singapore by the Dutch to England, the Company will receive Singapore, in addition to Malacca and the continental settlements, for Bencoolen and Billiton. Singapore, however obtained, is in the power of the Crown, and the cession of it to the Company (upon the same temporary tenure as their other possessions) must be in substance as well as in form an act of the State; to be withholden [if they] withhold their consent from the rest of the arrangement.

It was to be hoped that this suggested procedure need not be applied, but it was to be remembered that the Special Committee had not

definitely expressed themselves in favor of ceding Bencoolen, and recent dispatches from Sir Thomas Raffles, suggesting that his reforms might make Bencoolen less expensive to maintain, might stiffen the Company's reluctance to part with it.

To Courtenay's suggestion that a stipulation might well be included in any convention "against transferring the ceded settlement to any other power, European, American, or Native," Canning agreed: "Certainly." He also thought it wise to await the Dutch project before asking the Committee for the Company's views about the exchanges as proposed by Wynn. The Committee, wrote Courtenay, ought to be informed "that if they concur in the cession of Bencoolen, Singapore, which will otherwise be placed under a Government appointed by the Crown, will be committed to their administration." Canning wrote: "I think so," and agreed that nothing need be said to the Committee about the money, regardless of the way this was settled.³⁴

When Canning returned this memorandum to Courtenay on 17 January, he enclosed a note that summarized his views of the current stage of the negotiations. Courtenay would perceive from his penciled comments that he was very desirous to conclude. "I wish on that account (I confess) that the pecuniary claims should not be pushed too hard, because I know of no difficulty in negotiation so great as obtaining payment of money. . . . I fear the whole may go off without a settlement." He asked whether it would not be better to settle the political issues and leave the pecuniary ones, "as was once intended to a Commission (of which I beg not to be one)? But Falck's objection appears to be not to paying much but to paying at all." It might be possible to lead Falck to commit himself.

We may be conscious of a claim and yet *not* press it — that is intelligible — but to abandon a claim admitted to be well founded in many words & still more to make a Treaty for the express purpose of recording our abandonment of it, would be a degree of complasance [*sic*] such as no Individual or Nation has ever exacted of another.

This I think is our main difficulty, and our situation is one altogether whimsical.

We have a good claim of money & a doubtful one (to say the

³⁴ Dutch Records, XXXI, no. 8. Courtenay's memorandum to Canning, 15 January 1824.

least) of territory. We carry our doubtful case, & are foiled upon our clear one.³⁵

At the close of the sixth conference on 9 January, Wynn had gladly accepted Falck's offer to prepare a draft convention or projet. Not until 17 January was this ready; the dispatch of the Netherlands plenipotentiaries two days later to Reinhold made no mention of it. Simply entitled "Esquisse," this document opened with a preamble referring to the convention of 13 August 1814 and the sources of the unsettled issues, pecuniary and otherwise, in the Indies. An uninitialed marginal comment, possibly from Wynn's hand, expostulated: "After this preamble there is no mention of pecuniary payments except of a payment from us to the Dutch Netherland Govt. for taking Bencoolen off our hand. This is not only inadmissable but absurd." Articles which followed provided for the non-exclusion of each other's subjects from commerce with their respective possessions, exclusive of the Moluccas; a pledge to conclude no exclusive treaties with indigenous powers; and a statement declaring the island of Billiton included in the cession of Banca. The Netherlands continental possessions, including Malacca, were to be exchanged for Bencoolen and all other British territories on the west coast of Sumatra. The King of the Netherlands guaranteed the consent of his ally and vassal, Sultan Abdul Rahman, to the establishment of an English factory on the island of Singapore.

The fourteenth article declared that in order to facilitate the transfer of Bencoolen, mentioned above, to the Netherlands government, "His Britannic Majesty engages to pay before the end of the year 1824 a sum of . . . Pounds Sterling or Florins to the Netherlands." A marginal note in the same hand mentioned above reads: "Wholly inadmissable," to which another marginal note, in Canning's hand and initialed "GC," adds: "To be sure, but I do not even understand what it means. We to pay money when they owe us £ 100,000!" Wynn could perhaps have explained what Falck had in mind, since the Netherlands plenipotentiary on 12 January had sent him a note in which it was argued that the revenues of Malacca were so much greater than those of Bencoolen that "we would regard it as unjustifiable to cede Malacca

³⁵ *Ibid.*, XXXI, no. 11. Canning to Courtenay, G[loucester] L[odge], 17 January 1824. Philips, *East India Company*, p. 234, accurately excerpts from this note, although spelling out the ampersands; but he addresses the note to Wynn. No doubt Courtenay passed it on to Wynn.

with Singapore unless a quantity of pounds sterling were put in the too light balance of Bencoolen.”³⁶

Two secret and separate articles concluded Falck's projet. One obligated the Netherlands government, “in consideration of the payment stipulated in article 14,” to indemnify Sultan Abdul Rahman, and apparently offered to advise the sultan to cede not only the entire island of Singapore to Britain in full sovereignty “but also the part of his states which is situated on the peninsula of *Malacca*.” This would mean Johore and Pahang, if it means anything, but it drew no marginal fire. The other secret article traced the demarcation line, the idea of which Falck four days earlier had agreed with Wynn to abandon.³⁷

Even before the next meeting, Canning spoke to Fagel about the pecuniary phase of the sketch, and when the eighth conference opened on 21 January 1824 Fagel began by saying that he had told Falck of Canning's observations with respect to the article in the Netherlands projet concerning the payment of money. Canning interjected: “The humorous article?” but “Mr. Falck however turned seriously to the subject.” Canning put the Dutch debt to Britain at £ 320,000 but repeatedly stated that if the Dutch rejected his views respecting the payment, it would have to be reckoned at £ 350,000. Fighting a rearguard action, Falck tried to raise the question of compensation for the Sultan of Johore, but Wynn “observed that they were going back: it had been agreed to consider Bencoolen and Billiton as equivalent to Malacca and the Dutch claims to Singapore; and that the pecuniary compensation was for the Continental possessions only. Mr. Falck partly acquiesced in this,” but considered an arrangement with the sultan to be a prerequisite to drawing the demarcation line to which, it is evident, he was firmly attached. Fagel attempted to come to his aid by producing evidence on the Netherlands opium claim, which turned out to be irrelevant.

As he had suggested in his note of 17 January to Courtenay, Canning now tried to induce Falck to offer figures of his own instead of merely objecting to the British estimates, and to this end he suggested four headings, “Revenues of the Continental Settlements — The political

³⁶ *Gedenkstukken der Algemeene Geschiedenis van Nederland van 1795 tot 1840*, Achtste deel, *Regeering van Willem I, 1815-1825*, ed. Herman Theodoor Colenbrander, 3 vols. (The Hague, 1915-1916), I, 173. Falck to Wynn, 12 January 1824.

³⁷ Dutch Records, XXXI, no. 9, which is in the hand of Falck's clerk, and no. 10, which is in the hand of the India Board clerk, with marginal notations. Dated 17 January 1824.

considerations belonging to them — The Opium, — and The Sultan.” Falck set the first item at the £ 128,000 mentioned in earlier conferences; “for the Sultan he hesitatingly suggested £ 6,000 per annum — at which the British Plenipotentiaries expressed much surprise,” presumably because the amount seemed to them too high for income and too low for capital. “Mr. Canning proposed £ 12,000 in the whole, making with the other sum £ 140,000, and then proposing to call it £ 150,000, asked whether the Dutch Plenipotentiaries would consent to pay £ 100,000 as the balance of everything.” Apparently Canning’s impatience to conclude could not allow him to wait for Falck to come to the remaining two categories. “Mr. Falck without answering this question, expressed a desire to have the sum made out by a more particular process,” and Fagel, playing the role of the Dormouse, and doubtlessly intending to help, “asked whether the balance could not be entirely done away with: — no payment on either side.” It is tantalizing to conjecture what would have happened if a teapot had been present; as it was, Canning, Wynn, and Falck ignored him completely.

Falck asked how Canning and Wynn had taken the rest of his projet. “Mr. Canning said that they had a Counter-Projet, not *however an Anti-Projet*,” and after some indecisive discussion of the articles agreed upon in 1820, during which Falck offered some half-hearted objections, the English draft was read.³⁸ This document had been prepared at the India Board by Courtenay with Wynn’s approval on 18 January and sent to Canning on the following day. Canning preferred Courtenay’s preamble to Falck’s since it omitted invidious references to the treaty of 1814, but he thought that some of Falck’s words could be used. Courtenay’s first article had provided for the cession of Bencoolen and all British possessions on the island of Sumatra. To this Canning initially objected: “It is very awkward to set out with a cession on *our* part. It would give the whole transaction the air of being a surrender of Bencoolen — whereas that and the exchange of territories are in fact the accessory, not the principal points.” This article should be moved down in the draft. It would there be followed by the second article stipulating the cession of Malacca and Netherlands withdrawal from the Malay peninsula.

Subsequent articles provided for British cession “in full sovereignty” of Billiton and dependencies, and for the withdrawal by the Netherlands

³⁸ Dutch Records, XXX, no. 57 [*sic*]. Eighth Conference, Foreign Office, 21 January 1824. First six (unnumbered) pages.

king of "the objections which have been made on the part of His Majesty, or of His Allies, to the occupation and possession of the Island of Singapore by the troops and subjects of His Britannic Majesty." No new establishments were to be made "on any of the Islands in the Eastern Seas" without authorization of the home government and communication to the other. The Netherlands king was to cede all his continental possessions and renounce all claims attaching to them. Provision was incorporated for avoiding disputes over the actual transfer such as arose out of the retrocession of Java in 1816-1817, and the acknowledged revenues due the Dutch in continental India were to be paid on a blank date in 1825. Another article, leaving the sum blank, provided for a payment by the Netherlands to Britain to close "finally and completely" the debts arising out of the restoration of the Dutch East Indies possessions. To head off other rivals, the high contracting parties agreed that none of the territories ceded or exchanged by the present treaty "shall be at any time transferred to any other Prince or State, or to any Native Chief or People." Commercial participation was guaranteed to each by the other in its possessions in the Eastern Archipelago and continental India on the most favored nation basis, save in the Moluccas, unless the Netherlands were to relax or abandon their monopoly of spices there. Space was left for the enumeration of the islands comprising the Moluccas. Engagements were mutual to foreswear treaties with native powers which might tend to exclude the subjects of the other from commerce, and both governments were to order their officials in the East to respect the freedom of trade. Each power bound itself to repress piracy in the Eastern Seas and to abstain from using the flag of the other on its men of war. Each government was to apply import and export duties upon the subjects of the other at a rate not more than double that paid by its own, and if an article would not be dutiable in its own vessels, such articles borne in vessels of the other power were to be taxed at no more than $2\frac{1}{2}\%$.³⁹

In the discussion of this British draft convention at the conference on 21 January 1824, Falck observed that the Bencoolen article "was more than he expected; that it went further than his projet. It was

³⁹ *Ibid.*, XXXI, no. 14. Courtenay's projet, annotated by Canning. It is dated by the covering note, *ibid.*, XXXI, no. 13, Courtenay to Canning, India Board, 19 January 1824. In his note returning the project to Courtenay, Canning no longer was so positive that Courtenay's order of articles was wrong, though he still felt Falck's to be better. *Ibid.*, XXXI, no. 15. Canning to Courtenay, G L, 20 January 1824. In short, the British projet appears to have been drafted chiefly by Courtenay.

stated to be only a different mode of laying down the Line of Denarcation." He approved of the effort to obviate future claims, but when the Singapore article was read, "Mr. Falck repeated doubtingly the words 'withdraws his objections' and hesitated as to the frame [*sic*] of the article altogether." Canning proposed that it should read: objections made "by His Netherland Majesty, or on behalf of His Allies." The article against transfer, incorporating an alteration previously directed by Canning, limited its application to a case of abandonment, not of transfer as such. "It was explained, as intending to provide against the possible case of one of the settlements being abandoned by the Dutch for instance, and occupied by the Americans." If this repeated alarm lest the Americans in the 1820's help themselves to unpreempted real estate in south east Asia seems in retrospect to be premature, to say the very least, the trade statistics must be recalled, showing that the American flag at Batavia was second only to the Union Jack, while the number of American vessels reaching the Netherlands in 1818 from Batavia were only two fewer than the combined total of British and Dutch ships. (See above, p. 156). In any event, Fagel and Falck did not object to the article in the British projet.

Falck observed, whether bitterly or wistfully the report does not hint, that had the article against unsanctioned new settlements been in effect six or seven years earlier, "it would have prevented much evil." The article about the money payment, having been previously if indecisively discussed, was now passed over and attention was given to the Netherlands projet. It was agreed to transfer to the British projet the article granting time to the residents of ceded settlements to remove. "When the Secretary came to the 14th article (for payment of money by England) Mr. Canning desired that it might be passed over without saying anything." Some details were amalgamated, and the British plenipotentiaries agreed to consider Falck's first secret article. "The 2nd separate article, establishing the Line of Demarcation, was passed over, as being now unnecessary. Some objections were expressed by Mr. Canning to *Secret* articles generally." The conference ended with agreement to reconvene on Saturday, 24 January, "which Baron Fagel hoped would be a day of liberality."⁴⁰ At the end of the eighth conference it was apparent that the negotiations were over the hump and headed downhill to a successful termination.

⁴⁰ *Ibid.*, XXX, no. 57 [*sic*]. Eighth Conference, Foreign Office, 21 January 1824. Last four (unnumbered) pages.

The day after the eighth conference, Canning wrote a "private and confidential" note to Fagel:

I do hope that M. Falck and you will be able to sign our convention nearly as we talked it over yesterday. We cannot go below the £ 100,000. We shall have to justify ourselves elsewhere for going so low. If M. Falck cannot sign without precise sanction, why not send for it tomorrow? or by a special messenger? We could still sign next week so as to mention the conclusion of the convention in the King's Speech, which would be of very great importance to both sides.⁴¹

Canning also wrote to Courtenay telling him of this letter to Fagel and asking whether the cession of Bencoolen gave the Dutch a monopoly of pepper. Courtenay replied that they had pepper on the Malabar Coast and at Penang. While he was writing, Wynn and Fagel came in and it was agreed to send the articles as they stood to Falck.⁴²

On the same day, the Netherlands plenipotentiaries sent a confidential letter to Canning, presenting their first formal comments on the British projet read to the day before. They had not yet been able to examine the draft in detail, "but we do not hesitate to state that in general we have received a favorable impression." They boggled at the provision for reciprocal rights regarding tariff duties in the Indies and proposed setting it aside. What bothered them most was the sum, left blank in the British projet, which their country was to pay to Great Britain. "We have already said that by our instructions we have not the slightest latitude in this respect." They believed neither that they should ask for this latitude nor that it would be granted if requested. They were convinced that the value of the continental establishments would suffice to liquidate their Java debt. Their economic value the British had set at £ 128,000. "Their moral and political value is more difficult to appraise," but they placed this at one half the material value, thus equal to £ 64,000. Then there was the uncontested right to the pearl fishery and the complicated right to opium. In the interest of making concessions to the British, Fagel and Falck proposed two additional articles, one to permit British vessels to call at Tapanooly Bay on the same terms as the Dutch, the other to extend the same facilities at Port

⁴¹ Colenbrander, *Gedenkstukken*, I, 176. Canning to Fagel, 22 January 1824.

⁴² Dutch Records, XXXI, no. 16. Canning to Courtenay, G L, 22 January 1824; *ibid.*, no. 22. Courtenay to Canning, India Board, 22 January 1824.

Anger in Java. They hoped to be able to conclude before the reconvening of parliament demanded the full attention of Canning and Wynn, and they therefore urged a prompt reply, but they themselves would have to seek the approval of their government before signing.⁴³

Considering his disappointment, Canning's answer was on the whole conciliatory though a bit tart in flavor. "It is quite impossible," he wrote to Baron Fagel, "for me to give the answer which you desire in the time within which you desire it." But this was not vital since the Netherlands plenipotentiaries would have to refer matters to their government before signing. "Upon the general terms of your letter of yesterday I can have nothing to say that is not satisfactory." The two new articles he called "valuable additions *in spirit*" though adding nothing new. Still, it was "very valuable to have the assurances recorded." The article on duties had been agreed upon in 1820, in proof of which statement he enclosed an extract from the notes of those conferences. He was afraid that the opium question "must lead us to long discussion and laborious researches," but had asked Courtenay to look into it. Then came a Canning touch: "As to the moral and political value of the Cessions on the Continent of India — I should like to know (if it were fitting that negotiators should tell) whether you are not yourselves perfectly aware that our East India Company think them *nothing* — and whether you are not pretty much *d'accord* with the E. India Company." Deducting the opium and the moral effect, £ 184,000 would still remain, and "this is just about the sum which you admitted to be due at the outset." He closed by inquiring: "You have no power to engage for the payment of £ 100,000?"⁴⁴

At the same time, Canning wrote to Courtenay, enclosing a copy of his answer to Fagel with the request that it be shown to Wynn. "Of the Opium business I am quite ignorant; nor is it *possible* (physically) for me to find time to make myself master of it today." By implication, "the Opium business" was up to Courtenay to prepare. "You see there is a demur about the Duties — Wouldn't it be possible to purchase exemption for 10 years, & subsequent arrangement, with the remnant of the money? — as thus that for 10 years we should pay only such duties as the Dutch; & thereafter not more than double? I am afraid that we shall not get the money — & yet I *know* that they themselves

⁴³ Colenbrander, *Gedenkstukken*, I, 177-178; Dutch Records, XXXI, no. 17. Fagel and Falck to Canning, London, 22 January 1824.

⁴⁴ Dutch Records, XXXI, no. 24. Canning to Fagel, Gloucester Lodge, 23 January 1824.

think their Continental Possessions overrated even at the £ 128,000." Courtenay's comments on the Netherlands letter were vigorous. He wrote to Canning:

Just before I received your packet and Baron Fagel's valueless (I mean as concessions. They may answer the purpose intended at India House, but we must make them recognize that they may *not* appear as concessions) proposal as to Tappanooly, etc., it had occurred to me to suggest the abolition of the spice monopoly as the object which we might ask for, as a compensation for the abandonment of the whole debt. They really ought to give us this, which they profess to doubt of retaining At first sight I think your suggestion concerning duties a good one The spice notion I thought too good to be delayed.⁴⁵

Later the same day he again wrote to Canning:

I have been consulting Mr. Huskisson about the Duties. He thinks equal duties for Ten years well worth £ 100,000 of bad debt. He sets a higher value upon this stipulation about Duties than upon the abrogation of the Spice Monopoly. I still think however that *for display* the latter would be preferable. He agrees with me that to leave the Dutch at liberty to tax our Commerce with Java *ad libitum* would be very dangerous. I enclose a memorandum about Opium.⁴⁶

The ninth conference met as agreed on 24 January 1824 at the foreign office, and at Falck's suggestion, worked over the British project article by article, omitting the preamble. In reference to a request to specify the Moluccas, Falck applied the term to include "all the islands lying between Celebes and New Guinea," but he thought "any definition unnecessary and observed that our Whale Fishers went freely to the Moluccas: — and that it was probable that in 1826 the Monopoly

⁴⁵ Colenbrander, *Gedenkstukken*, I, 179-180. Courtenay to Canning, 23 January 1824.

⁴⁶ Dutch Records, XXXI, no. 23. Courtenay to Canning, India Board, 22/23 January 1824. Huskisson the year before had become president of the Board of Trade, and had replaced Canning as M. P. for Liverpool. C. R. Fay, *Huskisson and His Age* (London, 1951) offers no material bearing on this matter.

would be abandoned." He refused, however, to stipulate this. Canning persisted in seeking some concession on the Moluccas but without success. When Falck referred to an alleged new depredation of Raffles, "in hoisting English colours on the Malayan Peninsula," Canning took the opportunity to refer to the Java decree of July 1823 imposing new duties upon "Woollen and Cotton Goods imported into Java from places to the eastward of the Cape, meaning apparently Singapore." Falck did not deny the fact but indicated that the 24% duty was less than twice the 15% paid by Dutch vessels and therefore more favorable to Britain than it had been agreed to stipulate for in the treaty. The subject was dropped. After some minor editorial changes, the question of duties again emerged, Canning stating that "our object was, to be secured against excessive or prohibitory duties." When the discussion reached the Bencoolen article, Falck objected to the verb, "shall be transferred," and proposed "cedes," as in other articles. Canning justified the former term in the light of the relations between the government and the East India Company.

"Much discussion occurred as to the wording of the 13th Article (Singapore). Mr. Falck pressed for the adoption of the Article in his projet, but it was resisted, as was every proposition from which the Dutch right to the Island might be inferred." In the end it was agreed to omit the word "possession," so that the King of the Netherlands would withdraw "the objections which have been made" to the occupation as such. Falck once again sought to raise the valuation of the continental settlements, an effort which Wynn answered by reading from a letter from the Special Secret Committee dated 2 January 1824 "to shew the little value which the Company set upon the Dutch possessions." (See above, p. 196). Falck thought that the Committee had begged the question in discussing the opium claim, and again refused to stipulate for the end of the spice monopoly. Instead, after what Courtenay recorded as "a long exordium" to the effect that he and Fagel were aquiver to grant some concession, he proposed to supply the British annually with a fixed quantity of spices, enough for their colonial consumption, at the market price. The British response was reserved, and after renewing the disagreement on duties, the plenipotentiaries ended the conference.⁴⁷ There followed the lapse of a month, during which each side sought counsel.

⁴⁷ Dutch Records, XXX, no. 58 [sic], Ninth Conference, Foreign Office, 24 January 1824.

C. The Private Traders' Interest and the East India Company

One influence bearing upon the British side of the negotiation has been universally ignored by both English and Dutch writers. This is the series of efforts to influence the course of the discussions which closely resembles lobbying by a group of British merchants trading to the East Indies. It is not possible, of course, to assign a quantitative value to this factor, but its effect can none the less be identified. If the reader will recall the expression of views of the Special Secret Committee of the East India Company (see above, pp. 195-197), he will realize that no word therein bespoke any concern with customs duties in East Indies, yet in the conferences, as the ninth made especially clear, Canning and Wynn consistently sought to limit tariffs, to curb monopolistic tendencies, and to secure entry for British traders in the Netherlands possessions. It will also be recalled that more than once, Courtenay pointed out that the East India Company was not the sole nor necessarily the best spokesman for British interests in the Eastern Seas. It is possible to show these private interests at work in their own behalf, although not in as full detail as might be desired.

A letter dated 13 December, two days before the first conference convened at Gloucester Lodge, affords the first evidence in the records of the negotiation showing the existence of a committee of merchants in London "interested in the Trade of India." John Begbie, identifying himself as the secretary of the East India Trade Committee, with rooms at 53 Old Broad Street, sent to R. J. Wilmot-Horton, undersecretary of state for war and colonies, a many-paged communication for conveyance to Lord Bathhurst, Wilmot-Horton's superior. In general, the committee regarded the retention of Singapore as a minimum necessity. It was essential but not sufficient in itself. Main stress fell upon the urgency to settle upon the north coast of New Holland (i.e., Australia). This location would be valuable in outflanking the Netherlands islands and in attracting the trade of the Malays who would bring their spices to sell. In return, the location would serve to promote the sale of British manufactured goods. It would be fruitful for trepang fishing (sea-slugs, sea cucumbers, also called *bêche-de-mer*, relished in China as an ingredient in soup), as well as valued for its strategic military and naval position. The letter from Begbie gave the names of the committee members as well as the nineteen houses in the India trade which they represented. Among these firms, comprising no fewer than two thirds of London's East India Agency houses, were such notable and wealthy establishments as Bazett, Farquhar, Crawford & Co., Fletcher, Alex-

ander & Co., Fairlie, Bonham & Co., Rickards Mackintosh & Co., R. Scott Fairlie & Co., and & Thomas Weeding.⁴⁸ The list also named Macaulay & Babington. This inclusion of this firm is of interest if not importance. The senior member was Lord Macaulay's father, Zachary, whose high-minded character and indifference to business enabled his partner, who was his nephew, of dubious character but aggressive ineptitude, to ruin the firm. In fact, in December 1823 it must have stood on the edge of the bankruptcy that overwhelmed it. Moreover, the firm was engaged in the African, not the East Indies trade. Nevertheless, Z. Macaulay's name was one of the dozen on the committee.⁴⁹

On 18 December 1823, only three days after the first conference had met at Gloucester Lodge, G. G. de H. Larpent,⁵⁰ chairman of the committee, wrote to Courtenay: "This negotiation between His Majesty's Government and that of the Netherlands in regard to the retention of Singapore, being now resumed," it might be important for the India Board to "be apprized of the attempts made by the Dutch government at Batavia to exclude British trade and Manufactures from the Indian Archipelago." He referred to five measures adopted in Java "which evince a temper and spirit so much in accordance with this contention" that he appended a copy of a letter dated 29 July 1823, recapitulating these acts, which was received by a mercantile house in London from its correspondent at Batavia. The documents had been forwarded to Wilmot-Horton in support of the committee's recent recommendation to establish a settlement on the north coast of New Holland. "A Settlement [at] this situation whilst it promises the greatest benefit to our commerce, in the Eastern division of the Archipelago, can in [no] wise supercede the urgent necessity of every effort being made to retain

⁴⁸ Michael Greenberg, *British Trade and the Opening of China, 1800-1842* (Cambridge, 1951), pp. 35-37, identifies the leading East India agency houses connected with his theme.

⁴⁹ Dutch Records, XXXI, no. 28 This includes the communication to Bathurst, Begbie's covering letter to Wilmot-Horton, and the lists of committee members and the houses represented by the committee.

⁵⁰ George Gerard de Hochepped Larpent "early entered the East India house of Cockerell and Larpent, became chairman of the Oriental and China Association," according to *DNB*, which identifies him as "politician." The natural question of the relationship between the Oriental and China Association and the East India Trade Committee is not answered, the latter organization being unmentioned in the article. What is remarkable is that, unlike most of the East India merchants, he was not a Scot. His mother was a German, his father, John Larpent, was an "inspector of plays" in London.

Singapore, which is so advantageously situated at the Western inlet.”⁵¹

A deputation of the committee subsequently had the honor of an interview with Bathurst on the subject of the projected settlement at Port Essington on what is now the Cobourg Peninsula, northeast from Darwin. The Secretary of State for War and Colonies asked the committee for information on a number of points. Begbie on 29 January 1824 in a letter to Wilmot-Horton set forth the committee's views. He supplied an extract from the Dutch regulations of 1818 on import and export duties at Batavia, as well as a translation of the proclamation of higher duties of July 1823, “which shews with what spirit the Dutch authorities are throwing every obstacle in the way of British commercial enterprise as respects our inter-Colonial Trade in India.” He had no statistics on the trade of Java since its return to the Dutch, but he abstracted data “from a work by Sir T. S. Raffles,” presumably his *History of Java*, to show its trade under the British occupation, “and from the best information, it appears that the Trade to and from Europe, as well as the Country trade has since then increased very considerably.”

For information on the expense of supporting the settlement at Singapore, Begbie referred Bathurst to the East India Company's Court of Directors. He pointed to the political and commercial importance of maintaining Singapore as a free port.

By the most recent accounts from Singapore, the increase of its trade has been very considerable, and its further progress is only retarded by the uncertainty entertained as to the permanent retention of the Settlement by the British. When these doubts are removed, a fresh impulse will be given to Commercial enterprise, and under a continuance of the present free system there is every reason to hope that the expectations which the [House of] Lord's Committee in their Report [of 1821] have expressed of its importance will be fully realized.⁵²

Two questions arise: whether these representations to Bathurst, who was not actively engaged in the negotiation, were communicated to the

⁵¹ Dutch Records, XXX, no. 64. G. G. de H. Larpent to T. P. Courtenay, 53 Broad Street, 18 December 1823. The letter from Batavia is included as no. 63.

⁵² Dutch Records, XXXI, no. 30. John Begbie to Wilmot-Horton. Old Broad Street, 29 February 1824.

British plenipotentiaries; and if they were so communicated, whether the British negotiators regarded them seriously. To each question the answer is affirmative. In a letter addressed to the "Committee of Merchants trading to the East Indies" by Courtenay on 30 January 1824, it is stated that Bathurst had forwarded to the India Board the committee's communication of 13 December 1823. The Board was interested in securing further information from the private traders. The committee had alleged that but "for the jealousy of the Dutch . . . and the vexatious restrictions, & impediments which have successively been placed in the way of all Foreigners," the consumption of British products, especially cotton fabrics, would have increased progressively. The committee also charged that the Dutch "forcibly interdict British Trade, not merely with their own Ports in the Moluccas, but with the Malay Islands where no Dutch are established." The Board requested information on the duties charged upon British goods in comparison with those levied upon similar imports when introduced by the Dutch, and asked the committee to specify both "the nature of the restrictions and impediments placed by the Dutch in the way of British subjects in the Eastern Seas," and instances exhibiting "the forcible interdiction" of British trade with native ports. Upon this last point the Board was "particularly desirous of information including times and places." Courtenay concluded that since the government was currently engaged in negotiations with the Netherlands "upon matters connected with the trade of the East Indies and the East Indian Islands, any further information or suggestions which you may make, in reference to that trade as connected with the Dutch, will receive due attention."⁵³

Larpen on 9 February 1824 replied for the committee. He enclosed an additional statement of the Netherlands tariff regulation of July 1822. By the tariff promulgated in July 1823 a duty "tantamount to a prohibition" was imposed "on all European Woolen and Cotton Goods not coming direct from Europe or America," the object being "to destroy the rising trade" in these commodities imported from Singapore or India proper. The committee was in fact correct in attributing these objectives to the new schedule of duties, as Van der Capellen privately testified. (See above, p. 164). The Committee granted the Dutch the "right to make what internal regulations they please in their own Colonies" but invoked the aid of His Majesty's Government against a

⁵³ *Ibid.*, XXXI, no. 32 (draft of the letter), and no. 31 (extract from the letter as sent). Courtenay to the Committee of Merchants trading to the East Indies, 23 January 1824.

“systematic attempt to fetter and destroy the British Trade with those colonies.” Under the British occupation, all the ports in Java and its dependencies were open to British ships; now the Dutch closed all but Batavia, the Moluccas were closed, “and no clearance to Ports to the Eastward allowed from Batavia.” The committee also anticipated a new regulation to hamper one branch of the East Indies trade not indicated elsewhere, “levelled at the British Convict Ships, which after discharging at New South Wales, have heretofore proceeded to Java, with a view to obtain freight there, and the possibility of which has materially tended to reduce the rates of freight on Vessels required for that service.”

The committee attempted to secure information bearing on Courtenay’s request for instances of “the forcible interdiction by the Dutch of British trade with the Native Ports,” but alleged that shortness of time and unwillingness of individuals to come forward, “and the apprehension of compromising correspondents and connexions in Java” hindered their full compliance. They wished the Dutch would specify what was theirs, that a bona fide settlement be considered essential to maintain a claim to possession, and that one small factory on a large island should not be considered sufficient to enable them to claim the entire island. They managed to adduce two examples which they thought corroborated their charge that the Dutch were seeking to debar British trade with the Eastern Islands. Captain Barnes of the *Minstrel* was at Amboina in May, 1822 and was warned off the Moluccas by threat of seizure. Barnes also asserted that when a British vessel by accident in 1820 drifted on the coast of Gilolo (Halmahera), its skipper was threatened with seizure on the ground that he had come there to trade. This charge was not proven, so no actual seizure took place. The committee seemed to realize that these two incidents were feeble evidence in support of their contentions. The letter ended with the expression of the committee’s “thanks for the obliging communications made to them,” and they voiced “their readiness at all times to avail themselves of the permission afforded them” by the India Board “to offer their suggestions on any points connected with the Trade of the East Indies.”⁵⁴

Subsequent to receipt of this letter, Courtenay prepared a memorandum for Canning’s consideration, presenting the committee’s answers to his questions of 20 January and commenting on them. Referring to the duty “tantamount to a prohibition” levied in Java on European woollens

⁵⁴ *Ibid.*, no. 35 A. Larpent to Courtenay, Old Broad Street, 9 February 1824.

and cottons, Canning thought the committee was probably right in considering this regulation to be leveled at Singapore, which the British were trying "to make a depôt for the supply of Java as well as of Native States. But we cannot reasonably insist upon the admission of our goods, further than in stipulating that they shall not pay more than double the Dutch duty." It might be true that the duty, even though less than double that paid by the Dutch, was very high in proportion to the value of the trade. "But the Regulation is nevertheless a fair exercise of commercial legislation," much like some of those acts recently repealed by England, "and it is not of that strikingly hostile character which requires remonstrance, still less resistance." Courtenay nevertheless suggested that the merchants' point of view might be presented to Falck "to see what he says upon it."⁵⁵ This was done at the ninth conference.

With regard to the private traders' complaint that, except for Batavia, the ports of Java were closed to them, Courtenay flatly stated: "It is quite impossible to interfere with this restriction." As for the prohibition of intercourse with the Moluccas, the private traders objected, but like the East India Company asked for a precise delimitation of these islands. Courtenay thought that most of the areas involved in Captain Barnes' evidence were within the area of the prohibited Moluccas. Falck, when asked to define this group of islands (see above, p. 214), had placed them "between Celebes and New Guinea," which would include all the islands of Captain Barnes' warning except Celebes itself, and Courtenay thought that this exception ought to be so stipulated in a note. The committee's views on the prerequisite for Dutch claims to enjoy respect evoked Courtenay's observation that this had "long been one of the principal grounds of complaint against the Dutch, not only by Sir Thomas Raffles, but by others." Falck should certainly be questioned on this. When the committee expressed the belief that the Dutch were deterring "Native Prows" from trading at Singapore, Courtenay interpreted this as referring to the region of the Moluccas, and once intercourse with that island group was prohibited, the ban was absolute. Upon this point he invited Mr. Canning's understanding, with the result that a marginal note appeared: "I so understand it — GC." Various other points raised by the private traders were, Courtenay thought, covered by the articles as they had been worked out.⁵⁶

From the official responses to the communications of the private

⁵⁵ See above, p. 215.

⁵⁶ Dutch Records, XXXI, no. 33. A document some ten pages in length, undated, entitled, "Representations of the Private Traders."

traders, it is clear that both the India Board and the Foreign Office treated such representations with the same respect as the emanations of the East India Company, that is to say, in so far as Canning and Courtenay and Wynn considered their claims to be legitimate, they were willing to defend them. Where they overstepped political or constitutional propriety, they were rejected. When Messrs. D. & P. McLachlan approached Falck directly in behalf of several of their clients in Java and bespoken the assistance of Canning in pressing their case, the response of the British officials was that Dutch regulation of the internal affairs of Java was in the legal exercise of their power, and there was nothing, so far as they were aware, that could be done about it.⁵⁷ When the Dutch plenipotentiaries wrote home on 24 February 1824, they alluded to this issue. There had been a question of assuring the perpetuation of the rights of planters and other inhabitants of Bencoolen respecting the abolition of the obligatory cultivation of pepper as well as concerning relations between chiefs and their people. They rejected this as "an ingredient of the treaty, but in the vividness and gravity with which the English remained with this point, we have detected the impact of the complaints which for a considerable time have been presented from Java concerning the unexpected and retroactive measures of our Indies administration against the rental of land Some of the lessees, who are thereby suffering very considerable losses, are English or Scots by birth and retain connections here."⁵⁸ There is no sign, however, of any direct representation by Canning or Wynn of the cause of Messrs. D. & P. McLachlan, to which Fagel and Falck were evidently referring.

Because of the legal rights of the East India Company, the Special Secret Committee had to be apprised of the draft convention, and the Committee's comments as presented on 30 January were the subject of a detailed paper prepared by Courtenay the following day. The Committee understood that the Dutch continental settlements and Malacca were to be ceded to them and held under the terms of the Act of 1813. "If the Committee mean that the settlements are to be *ceded to the Company*," Courtenay wrote, "I apprehend they are clearly mistaken. They are to be ceded to the Crown, and then placed under the Government of the Company in common with the other territories committed to them by Parliament." The article on free trade received the Committee's

⁵⁷ *Ibid.*, no. 7, with copies of enclosures, including a letter to Falck from the McLachlan firm, dated London, 29 December 1823; and *ibid.*, no. 19. Courtenay's response to Joseph Planta, for Canning, dated 19 January 1824.

⁵⁸ Elout, *Bijdragen*, pp. 210-211. Fagel and Falck [to Reinhold], London, 24 February 1824.

approval. Like the private traders, they again urged a specification of the Moluccas, and Courtenay inclined to agree that this was necessary. According to Falck, Celebes was not included and Ceram was independent: "with both these islands the private traders say, it is desirable to have intercourse." The Committee approved of most of the draft articles but held "that before the cession of Bencoolen is consented to, the concurrence of the Court of Directors, and *probably*, of the Court of Proprietors must be obtained." Courtenay thought that if the Court of Directors insisted upon a reference to the larger body of all the shareholders, it could not be opposed. Regardless of whether Directors or Proprietors had to bestow their blessing, Canning and Wynn would have to decide "*what* ought to be communicated," but certainly not everything that had been sent to the Committee. "The Committee should be reminded that what has passed between them and the President [of the Board of Control] should be in the highest degree confidential, and a separate letter or proposition must be prepared for the express purpose of being laid before the Court, whether of Directors or Proprietors." Canning wrote "Certainly" in the margin.

It was difficult to judge various legal questions, whether for example "the Bill which will be necessary to make the arrangement as to Singapore etc should be brought in before the Convention is ratified, to *enable* the King, or afterwards to *confirm* what He has done." Canning wrote in the margin, "Incline to think 'afterward to confirm' GC." The Committee anticipated that the ceded Dutch possessions and Singapore would be transferred to them upon the same terms as they heretofore held Bencoolen. Courtenay's first reaction expressed alarm. The Company's rights at Bencoolen were extensive if vague. "Whatever inconveniences there may be in having the Dutch in the midst of us, would be increased ten-fold if the Company were so situated after the larger Territory should have reverted to the Crown." The Company would have to be bought off and at a price much greater than the value of Bencoolen. "The objection appeared not less to placing the Company as Chartered Proprietors in Singapore. Their rights there, whatever they may be, would be in 1834, independent of any control by the Crown or its Boards: and the Merchants of England would scarcely think that we had obtained Singapore for the Country if it were thus left to the East India Company." Further, "among the rights *claimed* by the Company's late learned historiographer, Mr. Bruce, was one to *exclude all other Merchants* from their particular and proprietary forts; and, I believe, to impose Duties of Import and Export." This horrendous

vision Courtenay dispersed by further thought and by consultation with the India Board's Solicitor. After the Seven Years War, parliament had exercised what amounted to sovereign authority: "the situation of the Company was considered anomalous, not contemplated by the old Grants, and only to be provided for by the absolute power of Parliament."

Even though the issue of ultimate authority was thus happily resolved, Courtenay forecast possible "objections, in the minds of the private traders, to giving *Singapore* to the Company as a proprietary possession." Unlike the Dutch continental possessions, Singapore was not to be ceded to Britain by the treaty. He therefore suggested that it be proposed to the Company to take the Dutch continental posts and Malacca under the old chartered tenure, "and to take Singapore, *as well as the territory acquired since 1814, on the Continent*, upon the terms of the Act of 1813." There was no legal distinction between island and mainland possessions, "neither Malacca, nor Singapore is legally holden by the Company, and the opportunity of the new Act may be taken to legalize *both occupations*." The balky Chairs might be expected to acquiesce. "In speaking of the consent of the Company, it must not be admitted that an objection from them would be fatal; that is one of the many points on which, until we come to a general settlement, the Crown consents to wave [*sic*] the assertion of its prerogative."

On the whole, the remainder of the draft treaty received the Committee's approbation with trifling or trivial modifications. Thus on the Singapore article, Courtenay noted the Committee's fear lest the Dutch "will have a mental reservation of their objections because the Troops of the East India Company are not mentioned. This is childish, but an alteration has been made which satisfies the Chairs." Again, the Committee repeated what they had previously said on pecuniary points. "If they mean," wrote Courtenay, "that the Dutch are to pay them money, on any of the grounds which they have stated, or on any ground, they will certainly be deceived."⁵⁹

Closely following these considerations, Courtenay put before Canning the question "whether any *Notes* are to be presented on the part of the

⁵⁹ Dutch Records, XXXI, no. 33. "Observations on the letter from the Special Secret Committee, 30 January 1824." It is initialed at the end, "T. P. C." and dated 31 January 1824. The Company's "late learned historiographer," John Bruce, was late only in the sense of *quondam*. He was not to die until 16 April 1826, in his 82nd year. For a short time, according to *DNB*, he had also been a predecessor of Courtenay's as Secretary to the Board of Control.

British Plenipotentiaries." He mentioned the various notes exchanged during the negotiations, but only "that the omission to notice them may not be imputed to neglect." A general note could specify the Moluccas, and the Dutch could disavow "the contrary proceedings of their Officers and Agents," corresponding to what the Dutch would doubtless require of the British, whose disavowals should by no means be as specific as in 1820. Canning approved of an exchange of notes.⁶⁰

On 11 February 1824 the Special Secret Committee addressed a letter to the India Board, "upon which," thought Courtenay, "it is again necessary to trouble Mr. Canning." They would recommend the cession of Bencoolen to the Court of Directors only if the equivalent be granted to them upon the same tenure. They wanted to maintain British influence at Acheen "with the view not only of counteracting the influence of the Americans and the Dutch, but of securing the *entrance* to the Straits of Malacca." Courtenay pointed out the enticements to a collision with the Dutch if the British were to retain a foothold on Sumatra, which would be precisely the opposite of the goal of the negotiations. Other details were of minor importance save for some resistance to the separation of territories in the vicinity of Singapore. "In treating of this part of the arrangement," Courtenay observed, "the Committee evince a considerable misapprehension."⁶¹

D. The Netherlands Consultations and the Achievement of Agreement

The Dutch plenipotentiaries had to send home for advice and decision. This was in part because of the paucity of communications between the London mission and the home authorities. In the foreign office, the acting foreign minister, J. G. Reinhold, whose ignorance of East Indies issues was complete, forwarded to Elout the dispatch from Fagel and Falck dated 12 January 1824, with a humble plea for Elout's judgment.⁶² Elout replied two days later. "Singapore, as the letter indeed observes," he wrote, "as a possession is of little importance for the Netherlands. Under the present political and commercial circumstances, Malacca also seems not of great consequence." One should not forget that Netherlands renunciation of these places would impair Dutch influence with the King of Johore, and "from this quarter we have much to fear by way of piracy." The Sultan of Rhio was their ally, they could not wholly

⁶⁰ Dutch Records, XXXI, no. 33, third part. No date.

⁶¹ *Ibid.*, XXXI, no. 31. [Courtenay] to Canning, 12 February 1824.

⁶² Elout, *Bijdragen*, p. 173. J. G. Reinhold to Elout, The Hague, 18 January 1824.

forsake him. As for the cession of Bencoolen, this was a deficit item and would doubtlessly fail to pay its way under the Netherlands. Nor was the prospect of unifying the west coast of Sumatra going to be easy. The Netherlands possessions on the continent of India were of little financial or political value under the existing conditions prevailing in India, "but for the English, from a political, not a monetary viewpoint, it is very important that they acquire these possessions." Perhaps the Company did not consider this important, but the government must. Elout did not explain this optimistic judgment, which was quite correct (see above, p. 204). It led him to say that the exchange of Malacca and dependencies for Bencoolen was insufficient, and that some money must be added to Bencoolen. Elout was evidently thinking, quite independently of Falck, of the sort of proviso that Canning dubbed "the humourous article" at the eighth conference, which was held the day after Elout submitted his memorandum (see above, p. 208). Like Falck, Elout noted the various claims to opium and the pearl fishery. The sums claimed by the British should be considered at the same time as the Netherlands claims. The plenipotentiaries should remember Raffles and refuse to permit commercial agents in the East Indies; they should remember to speak up about Billiton. These remarks, concluded Elout, were not uttered in condemnation of the Netherlands plenipotentiaries but to offer hints which might be useful in the course of the negotiations.⁶³

Elout's observations, which betrayed a considerable ignorance of the points at dispute as they had been discussed in the conferences, for which Fagel and Falck were responsible, received the king's approval, and on 24 January 1824 Reinhold notified Elout that they had already been dispatched to the plenipotentiaries. He did not inform Elout that the name of the author of these comments had been suppressed, so that Falck and Fagel received them as anonymous emanations of the foreign office.⁶⁴ Accompanying Elout's remarks was a letter from the foreign office dated 22 January 1824. In it Reinhold conveyed the king's general approbation and his confidence in his plenipotentiaries, but at the same time the letter called for more emphasis on monetary considerations, while the memorandum from Elout's anonymous pen was to be considered as offering "hints" for guidance. For good or for evil, these instructions from home could not affect the course of negotiations, bad

⁶³ *Ibid.*, pp. 178-181. Elout to Reinhold, 20 January 1824.

⁶⁴ *Ibid.*, p. 182. Reinhold to Elout, The Hague, 24 January 1824; Van der Kemp, "Tractaat," p. 143.

weather preventing their receipt until 30 January.⁶⁵ Meanwhile, Fagel and Falck presented some further considerations for the home authorities.

Before the eighth conference met on 21 January, the Netherlands plenipotentiaries sent a dispatch to their foreign office. Under date of 19 January 1824, Fagel and Falck wrote — not a report on their discussions with the British — but a disquisition on the Netherlands continental possessions. Extraordinary as it may seem, they did not enclose a copy of their project of 17 January. It had been universally agreed, they asserted, among those who knew, that those possessions in India proper were fiscal burdens bereft of future prospects, “but unfortunately,” they added, “this truth is also no secret to the English.” The British were indifferent to the existence of foreign bodies in the midst of Hindustan, and if this testimony was sincere, then the only way to appraise them was in terms of the income yielded by their privileges. The Netherlands emissaries had seized every opportunity, they wrote, to press these claims, “yet our arguments have made no impression,” nor was there any prospect of renewing these grants of privileges. The British rejected the interpretation of such privileges antecedent to the loss of the Dutch colonies as rights, so that it was of no use to urge the *status ante bellum*. His Excellency would see how difficult their task was to secure any considerable valuation for the continental possessions, but in the next conference they would try to secure the most possible. They believed they were instructed to get rid of them, and appended a document justifying this instruction. This consisted of a tabulation of income and expenses for seven Netherlands factories, showing for the year 1822 a deficit of 28,866 rupees.⁶⁶

On 24 January 1824 Reinhold passed this dispatch on to Elout with the same humble request as before for comment. Two days later Elout presented his views. It was necessary to take the broad, comprehensive viewpoint, as the Netherlands plenipotentiaries were aware. Territorial exchanges and monetary payments must be interrelated as parts of a whole. Precisely because of the low value of the continental establishments this was advisable. “One can’t simply give them away. Their costs are not that heavy.” Besides, it was not absurd to think that England attached more value to their acquisition than it had professed.

⁶⁵ Van der Kemp, “Tractaat,” pp. 233-234. Foreign office to Fagel and Falck, 22 January 1824; *ibid.*, p. 144.

⁶⁶ Elout, *Bijdragen*, pp. 182-185. Fagel and Falck to Reinhold, London, 19 January 1824.

It was gratifying to see the plenipotentiaries intending to press in this direction. From earlier reports it appeared that there was every possibility of inducing the British spokesmen to acknowledge some obligation in regard to the disputed privileges or rights. The opium and saltpeter claims were of high pecuniary significance. Nor could the latest Anglo-French treaty, of 1819, be cited against the Netherlands. "Let this be said more bluntly." Granted that the British could not be expected to turn products over to the Netherlands, it was none the less just and reasonable to ask them to pay for this renunciation. Yet here too it was a question not of an individual right but of the general settlement.⁶⁷

Like the earlier remarks of Elout, this was transmitted to London with no indication of its authorship, but with an exhortatory covering letter from Reinhold. Again storms delayed the delivery, and the materials sent on 27 January only arrived on 2 February. On 27 January in London, Fagel and Falck again wrote to their foreign office, failing to enclose a copy of the British draft, but treating of the pecuniary issues. They reported that the British were demanding £ 100,000 or trade privileges.⁶⁸ Reinhold on 31 January transmitted this letter to Elout "with the friendly request" to advise again.⁶⁹ Elout was ready to present his thoughts, but he did not consider that the dispatch required an answer. It would be better to await the opinion of Falck concerning the commercial privileges which were proposed to take the place of a money payment. A note nevertheless went from Reinhold to London on 3 February to the effect that the dispatch called for no answer and that more information was needed from Falck about the alternative concessions proposed in place of money. It is easy to understand Van der Kemp's anguished exclamation: "And these were the statesmen who preferred London to The Hague as the site of the conferences!"⁷⁰

Since the Netherlands foreign office had not demanded, nor the plenipotentiaries in London volunteered, detailed reports of the discussions to say nothing of the drafts of the proposed treaty, the situation that developed by the end of January required a drastic

⁶⁷ *Ibid.*, pp. 185-187. Elout to Reinhold, The Hague, 26 January 1824.

⁶⁸ Van der Kemp, "Tractaat," pp. 234-235. Foreign office to Fagel and Falck, 27 January 1824; *ibid.*, p. 144.

⁶⁹ Elout, *Bijdragen*, pp. 186-187. Reinhold to Elout, The Hague, 31 January 1824.

⁷⁰ Van der Kemp, "Tractaat," p. 145, footnote (a) Elout to Reinhold, 3 February 1824. Elout's editor, as Van der Kemp notes, was unaware of this letter; Elout, *Bijdragen*, pp. 188-189. The Hague, 3 February 1824; Van der Kemp, "Tractaat," p. 145.

innovation. Decisions were imminent, and for this Fagel and Falck did not feel themselves competent. On 1 February 1824 they sent to their foreign office a copy of the draft as worked out by the ninth conference (24 January) together with their extended comments; and since they had failed in their previous letters to supply an adequate account of the discussions, a deficiency they phrased differently in their dispatch, they entrusted the delivery of these documents to Captain C. P. J. Elout, who was to supply the missing information and details. In his official ministerial capacity, Falck also addressed a report to the king in which he acknowledged one of his blunders (that of thinking that the British in 1820 had advocated equality of duties), discussed the matter of tariffs and spice trade, and commended the results of his negotiation.⁷¹ In a private letter to Elout, dated 2 February 1824, he suppressed the annoyance expressed in his dispatch to the foreign office in which the plenipotentiaries described themselves as "more encouraged" by the royal approval than "disheartened by the remarks in the notes sent to us." By now Falck must have learned that Elout was the writer of those anonymous notes, for which he currently avowed himself to their author to be "exceptionally obliged." He made the proper comments upon the talents and services of Captain Elout to rejoice the paternal heart, and concluded that "intelligent people" in the East Indies would welcome such a treaty, which he urged Elout, borrowing the latter's terms, to consider as a whole.⁷²

Captain Elout delivered the documents to The Hague by 5 February. Canning in London on the following day addressed a note to Elout, responding to an earlier introduction of his son, and assuring the father "how much pleased I was to have the opportunity of making acquaintance with any of your family." He ended with a possibly ambiguous sentence: "As you were not to come to us again, you could not do better than send us M. Falck, to complete, as I hope, the work which some years ago we happily began together."⁷³

The royal first impression of the draft convention was one of general satisfaction, and his majesty likewise approved of Falck's separate

⁷¹ Van der Kemp, "Tractaat," pp. 147-148. Falck to the king, London, 1 February 1824. Taken from Falck, *Brieven*, pp. 186-188. Misdated 1834.

⁷² Van der Kemp, "Tractaat," pp. 148-149. Falck to Elout, London, 2 February 1824. From Falck, *Brieven*, pp. 258-259: "Ponden sterling zijn hier bij geene mogelijkheid te verwerven, en territoir aan ons af te staan hebben zij niet, behalve Bencoelen."

⁷³ Elout, *Bijdragen*, p. 172. Canning to Elout, London, 6 February 1824.

letter proposing to permit the English to buy a specified quantity of spices at Batavia. Reinhold, in conveying to Elout these expressions of royal sentiment, proclaimed his own complete ignorance of the questions at issue, and thought that the proposed treaty seemed highly desirable since it could be "of a more or less advantageous influence upon our political interests in general." He marked the difference in verbs that had troubled Falck: the King of the Netherlands "cedes" but His Britannic Majesty "grants," and Reinhold thought that the latter term was less absolute than a cession and offered some alternative phrasings.⁷⁴ In the memorandum he submitted to Reinhold, Elout found the draft convention "exceptionally adroit" in general promise of a successful outcome. The exchanges of territory were well arranged. His doubts were few. Fagel and Falck had even fewer.

In their commentary on the draft, Fagel and Falck began with assurances that they had considered all issues as parts of a whole. Three of the first four articles were the same as those agreed upon in 1820. Article 1 granted admission to trade in the Archipelago and India and Ceylon on a most favored nation footing; Article 3 forbade each signatory to conclude treaties with native powers excluding the other, and required the mutual communication of treaties with native rulers; Article 4 called for orders to officials in the East to respect freedom of commerce. Article 2, dealing with the agreement of each party not to levy duties higher than double those imposed on their own nationals, was akin to an article agreed upon in 1820, and while they (Fagel and Falck) initially had resisted, this had only increased the insistence of the British. They eventually acceded, and Elout approved of this as reasonable and better than equal duties. Article 5 dealt with the suppression of piracy, and from this Elout expected much good. Article 6 bound each government to forbid its agents in the East Indies from making new establishments without previous authorization of their respective governments. This proposal came from the British; Fagel and Falck felt no need for such a curb upon Netherlands officials and pointed out that henceforth they could freely establish new posts in Sumatra, just as could the British on the Malay Peninsula. Elout gave his cordial approval. Article 7 excepted the Moluccas from application of the first four articles, with the guarantee of equal treatment for the British if the subjects of any non-Asian state were admitted to trade prior to the ending of the monopoly. Elout approved.

⁷⁴ *Ibid.*, 189-190. Reinhold to Elout, The Hague, 6 February 1824.

Article 8 provided that, beginning with 1825, and for as long as the Netherlands kept their spice monopoly, they would sell to the English at Batavia at the average sales price quantities of spices not to exceed 100,000 pounds of cloves, 100,000 pounds of nutmeg and 25,000 pounds of mace. Fagel and Falck explained this provision as a compensation for the relinquishment of pecuniary claims, with which was combined Articles 11 and 12, which opened Tapanooli Bay and Point Anjer to British vessels. They noted that they had advised the British plenipotentiaries that these concessions were not covered by their instructions, warning them that their government might repudiate them. Against this proposal Elout delivered a barrage of objections, not the least of which was the point that these quantities of spices greatly exceeded Britain's own yearly consumption, and that if the balance were unloaded in European markets, it would have serious consequences for Netherlands exports. Having expressed sympathy with the aims of the London negotiators, Elout recommended the payment of a sum of money rather than this dangerous concession on spices. The article was subsequently dropped.

Articles 9 and 10 concerned the cession of the Netherlands continental possessions to Britain, the transfer of Bencoolen to the Netherlands flag and evacuation of the island of Sumatra by the British. Fagel and Falck drew attention to the divergence in verbs which they attributed to the possession of Bencoolen being vested in the East India Company. Reinhold, as noted above, conveyed his objection to Elout who agreed with him. The terminology should be made more uniform to guarantee the Netherlands title to Bencoolen. Articles 11 and 12 on Tapanooly Bay and Point Anjer were characterized by the plenipotentiaries as harmless, and they confessed surprise that they were acceptable to the British in lieu of a money payment. Elout on the other hand forecast possible frictions, and the articles were eventually dropped.

Article 13 provided for the cession of Malacca and dependencies, and Netherland renunciation of settlements on the Malay peninsula. Article 14 ceded Billiton and dependencies to the Netherlands. Fagel and Falck had fruitlessly sought to derive their title to the island from the convention of 1814. Elout proposed that the article be revised to read in the same way as the following article on Singapore, in which the king of the Netherlands withdrew all objections to its occupation by the subjects of His Britannic Majesty. Further, the British pledged themselves to refrain from establishing posts on other islands of the

empire of Johore. It was necessary, thought Fagel and Falck, to preclude British claims to Lingen, Rhio, and the Carimons. It was hard to obligate their vassal and ally, Sultan Abdul Rahman, to cede part of his territory, but pecuniary compensation would assuage his anguish. Elout proposed that the treaty specify the islands of Johore which were debarred to the British.

Article 16 put the date of the transfer of the territories at 1 March or 1 May 1825, and set down the terms affecting the state of the establishments. The London negotiators explained that time was necessary for the government at Batavia to prepare the native princes. Elout approved. No comments were elicited by Article 17, which assured an opportunity for residents of the ceded territories to remove. Article 18 provided that if either of the high contracting parties were to quit territory ceded to it by the present treaty, which was never to be granted to a third party, its rights were to revert to the other party. Fagel and Falck thought that this article might not be of use to the British only, for the Netherlands might again be able to reassert their authority over Singapore "in the event that this island lose its popularity and consequently may be adjudged by the English authorities no longer worth the costs of occupation and maintenance." To this "absurd stipulation," as Van der Kemp calls it, Elout made no special comment. It is a fair sample of the misjudgment of Singapore by the Dutch which facilitated the renunciation of their claims.

All outstanding debts and accounts deriving from the return of Java to the Netherlands were to be terminated by Article 19, of which the plenipotentiaries seemed proud, since they noted that more than once during the negotiation they had despaired of eliminating money payments. Elout rejected the whole principle of the article. It would be preferable to pay a sum of money once and for all, rather than to save the money by granting rights which could engender future disputes. The Netherlands, he advised, should pay the hundred thousand pounds, or get a reduction in the amount, or arrange payments in installments. He then offered advice upon approaches to use in persuading the British to agree to a more generous settlement. He summed it up by advising his majesty that it would by far be preferable to pay the money rather than grant the privileges proposed by Falck and Fagel.⁷⁵

Reinhold on 13 February acknowledged Elout's memorandum,

⁷⁵ Van der Kemp, "Tractaat," pp. 156-177, contains the most convenient organi-

informed him that it had been presented to the king and that Captain Elout had been provided with corresponding instructions to bring back to the plenipotentiaries. Reinhold did not write in detail to Falck and Fagel, leaving such information to be conveyed orally by the younger Elout. Falck's first response, if it can be called that, was a private letter to Reinhold, 16 February 1824, dealing with his private affairs only, and relating to details in his replacement of Fagel as ambassador. There was no reference to the revision of the draft treaty.⁷⁶

Because of their preoccupation with parliamentary affairs, Canning and Wynn were first able to meet with Falck and Fagel on Monday, 23 February. The Netherlands plenipotentiaries broke with precedent and sent a report on the meeting the following day, making this tenth conference the only one for which two reasonably full protocols exist. Van der Kemp, as a result of depending solely on the limited accounts of the negotiations contained in the Dutch documents, was unable to assess this report accurately. Moreover, the Netherlands source, which was not in the form of minutes of the discussion, but a letter drafted the following day by men unpracticed in this kind of reporting of the conferences, diverges in several respects from the British account, which is much more detailed. This latter comes from the pen of Courtenay who was present not as a negotiator but as secretary to the British delegation. His report is generally followed below as being the more dependable.

Falck began by requesting a change in the terminology applied to Bencoolen, and "it was proposed to say 'Bencoolen etc *are ceded.*'" Next Falck proposed wording the article concerning Billiton in the same manner as the Singapore article, using the expression, "His Britannic Majesty withdraws his objection," etc. To this the British plenipotentiaries offered no objection. In identifying the Moluccas in connection with Article 7, Falck declared that "Ceram was in the very centre of the Moluccas and commanded Amboina and Banda, the most important of the Spice Islands." Considerable discussion developed on this article. "The British Plenipotentiaries represented the intercourse with Ceram as an object to which the British Merchants attached considerable importance, with the view particularly to the disposal of

zation of the articles, the plenipotentiaries' comments, and Elout's advice. Fagel's and Falck's annotations in Elout, *Bijdragen*, pp. 191-200. Elout's recommendations, *ibid.*, pp. 200-208. Elout to Reinhold, 12 February 1824.

⁷⁶ Elout, *Bijdragen*, p. 208. Reinhold to Elout, The Hague, 13 February 1824; Van der Kemp, "Tractaat," pp. 235-236. Falck to Reinhold, London, 16 February 1824.

their woollens." Falck thought that if such trade was actually in effect, "it might continue though not legally authorized." An alternative phrasing was advanced, prohibiting intercourse with the Moluccas "on the footing upon which it now is," but this pleased no one. Eventually it was agreed that the Dutch in a note could include Ceram among the prohibited islands while excluding Celebes and Timor.

With respect to Article 15 specifying the islands of the empire of Johore, "Falck said that His Netherland Majesty objected, as the British Plenipotentiaries had done, to the form which the Dutch Plenipotentiaries had proposed." He therefore named Battam, Bintang (Rhio), Lingen and the other islands southward of the Strait of Singapore. "Mr. Falck then referred to *Acheen*, as the most difficult point." It will be recalled that in 1819, after establishing Singapore, Raffles had negotiated a treaty of defensive alliance with Acheen, the northernmost region of Sumatra, excluding other states from settlement in the kingdom. (See above, p. 54). This, Falck indicated, was contrary to the principle of terminating all British ties with Sumatra. "The Dutch however," he said, "were as anxious as the British Plenipotentiaries to exclude a third power, though they thought that the danger of an American settlement was very much overrated." The British felt that it was for them to undertake to nullify the treaty while preserving the right of hospitality at Acheen, all of which would better be mentioned in a British note rather than incorporated in the treaty.

Falck informed Canning and Wynn that his king had objected to the three articles concerning the allocation of quantities of spices and rights at Tappanooly and Point Anger. "His Government would rather withdraw these three Articles, and pay a sum of money, but £ 100,000 was thought too much. He proposed £ 50,000. The British Plenipotentiaries expressed their willingness to concur in the proposition to withdraw these articles, and to restore the money payment, but would not go below the £ 100,000 originally fixed." This contretemps evidently was the salient episode in the conference to the Dutch representatives, for they placed it at the head of their report, although their account of it is somewhat different. Concerning the British they wrote:

The omission of the three articles . . . was in their eyes *a serious disappointment*⁷⁷ and they spoke about this at greater length than

⁷⁷ These words are italicized and in English in the original.

we had expected, particularly also because of the communications already made to the East India Company. The latter had already expressed satisfaction with the arrangements as agreed upon. Now new negotiations with them would be necessary, etc., etc. The question quickly followed as to what we had to offer in place of these omitted articles. Our arguments that in the relinquishment of Sinkapoer, Malacca, etc., England had recompense enough, found no acceptance, nor did our offer of £ 50,000 which we made in the further course of the discussion. Mr. Canning said, among other things, that he would prefer the arrangements as they were first drafted, but that if the treaty had to contain a pecuniary settlement, then it was beneath the dignity of the contracting parties to speak of any sum less than £ 100,000.

The last phrase, which has the tang of authenticity, evidently injected a subcutaneous irritant, for at the conclusion of their dispatch, Fagel and Falck wrote that they felt "that in order to arrive at a conclusion, we shall be obliged to agree to the payment of the full sum of £ 100,000; it is fitting at least to be granted a generous period of time to pay and that all stipulations for interest be waived; for this also (we in turn may match Mr. Canning) ought *to be beneath the dignity of the contracting Powers.*"⁷⁸ This read better in The Hague than in London, where what took place was also recorded by Courtenay. By his account, the British plenipotentiaries said nothing to admit the possibility of a reduction below £ 100,000. "Mr. Falck said, that part of the arrangement would be facilitated, if time were allowed. Mr. Canning offered a payment by installments. Mr. Falck did not wish that, but desired leave to make the payment at any time in 1825, and offered interest. Mr. Canning assented; but declined the Interest."⁷⁹ The various hypotheses that come to mind for reconciling the British "readiness to concur" in Courtenay's minutes with Fagel's and Falck's hearing their "serious disappointment" at dropping the three articles scarcely seem to merit statement. Fagel and Falck wrote later that the extension of the time of payment to any date in the year 1825 sweetened the pecuniary concession, since by then remittances

⁷⁸ This is in italics in the original manuscript, according to Van der Kemp, "Tractaat," p. 179, footnote (a).

⁷⁹ Courtenay's manuscript reads "Mr. Falck assented; but declined the interest." This makes no sense, so the text has been emended to read: "Mr. Canning assented; but declined the interest."

from Batavia should cover the transfer of the hundred thousand pounds.⁸⁰ The conference ended with agreement "to have a full conference on Saturday next, and in the meantime Mr. Falck to see Mr. Williams Wynn, and the latter to make the necessary communications to the Company."⁸¹

Accordingly, Falck and Wynn met the following day at the India Board for the eleventh conference, which was largely editorial in business. Wynn got Falck to specify the two dozen Netherlands possessions outside of Java, Malacca and Sumatra, where they maintained Residents or other functionaries. The articles affecting the Moluccas, Bencoolen, Malacca and Billiton were revised to correspond with what had been agreed upon the day before. The second part of the Singapore article was changed so that instead of the "remaining islands belonging to the ancient Kingdom of Johore," it read the "Carimon islands, Battam, Bintang, and Lingen, and the other islands south of the Straights of Singapore." It was agreed that the Dutch note was to be in answer to the British, and each was to be communicated to the other in advance of signing. Certain details in the notes were arranged and then the conference closed.⁸²

This conference proved to be the last one formally held, no meeting occurring on Saturday, 28 February, as had been planned. Nor was any other formal discussion held, although there was correspondence between the two parties, and the texts of the notes were exchanged. But the negotiations as such were closed. It remains to present their results.

⁸⁰ Elout, *Bijdragen*, p. 216. Fagel and Falck to Reinhold, London, 17 March 1824.

⁸¹ Dutch Records, XXXI, no. 20. [Tenth] Conference, Foreign Office, 23 February 1824; Elout, *Bijdragen*, pp. 210-212. Fagel and Falck to [foreign office], London, 24 February 1824. See also Van der Kemp, "Tractaat," p. 179, footnote (a) for corrections to Elout. Van der Kemp, *ibid.*, pp. 179-180, reacts with irritation to Canning's views of dignity. Unaware of Canning's problems of dealing with the East India Company, he tends to consider these as a dodge. Finally, he mistakenly thinks that the idea of an exchange of notes first appeared at this conference.

⁸² Dutch Records, XXXI, no. 20. [Eleventh] Conference, India Board, 24 February 1824.

CHAPTER VI

THE TREATY

A. The Treaty of 17 March 1824

On 17 March 1824, the treaty was officially signed and the notes previously agreed upon were officially exchanged. The official languages of the treaty were English and Dutch, although the word which Fagel and Falck used for their own tongue was Low German (Nederduitsch).¹ Comment on the text of the treaty (see Appendix) ² after the account of its evolution seems superfluous.

The British note blamed the difficulties between the two governments in the East upon their subordinate agents. "The disavowal of the proceedings whereby the execution of the Convention, of August 1814, was retarded, must have satisfied Their Excellencies the Netherland Plenipotentiaries, of the scrupulous regard with which England always fulfills her engagements." Canning and Wynn in turn looked "with sincere pleasure" upon "the solemn disavowal" by the Netherlands government "of any design to aim, either at political supremacy, or at commercial monopoly, in the Eastern Archipelago." The note in recalling the exemption of the Moluccas from the general stipulations for freedom of trade, trusted that the abolition of the monopoly of spices would remove the basis therefor, and undertook to identify the region of the Moluccas. After undertaking to make the British treaty with Acheen conform to the general policy underlying the treaty just signed, Canning and Wynn commended the population at Bencoolen to "the friendly and paternal protection of the Netherland Government," espe-

¹ Cornelis Theodorus Elout, *Bijdragen tot de Geschiedenis der Onderhandelingen met Engeland, betreffende de Overzeesche Bezittingen, 1820-1824*, ed. P. J. Elout van Soeterwoude (The Hague, 1863), p. 217. Fagel and Falck to Reinhold, London, 17 March 1824.

² The texts of the treaty and notes are taken from the official printed version, "Presented to both Houses of Parliament by Command of His Majesty, 1824," (London, 1824). The versions in later compendia such as *Treaties and Engagements Affecting the Malay States and Borneo*, ed. William George Maxwell and William Sumner Gibson (n.p. [London], 1924, pp. 8-17, have many minor and a few major inaccuracies.

cially since "as lately as the year 1818" treaties with native chiefs had improved their situation:

The system of forced cultivation and delivery of Pepper was abolished; encouragement was given to the cultivation of Rice; the relations between the cultivating Classes and the Chiefs of the Districts were adjusted; the property in the soil was recognized in those Chiefs; and all interference in the detailed management of the Interior was withdrawn, by removing the European Residents from the Out-Stations, and substituting in their room Native Officers. All these measures were calculated greatly to promote the interests of the Native Inhabitants.

The Netherlands note in reply confirmed the exclusion of the Molucas from the free trade provisions of the treaty as well as the geographic limits of this island group as set forth in the British note, adding that in cases of distress vessels could find at the forbidden ports "those good offices and succours which are due to suffering humanity." Fagel and Falck foresaw no difficulties in regulating relations with Acheen, while in respect to Bencoolen they took note of receiving the texts of treaties signed in 1818 between the Lieutenant Governor and native chiefs, as well as a dispatch of 1823 from Hastings on this subject. "They experience great satisfaction in saying, that, far from having cause to dread retroactive measures, the individuals interested in the existing order of things may, on the contrary, cherish the hope that the new Government will respect their acquired rights, and their welfare." They guaranteed the observance of these local treaties and expressed themselves as assured of "the equitable and benign intentions of the British Government, towards the Inhabitants of *Malacca*, and the other Dutch Establishments ceded by the Treaty." This same sentiment of confidence in the good intentions of the British prevented Fagel and Falck, so they wrote, "from insisting that the orders and instructions which shall be addressed to the English Authorities in India" on the transfer of territories "should be conceived in such clear, precise, and positive terms, that no cause of uncertainty, or any pretext for delay, may be discovered in them." In view of the "moderation and equity" displayed by the British plenipotentiaries, such an insistence would be unnecessary.

The exchange of notes merits some remarks. P. H. van der Kemp regards the British reference to "the scrupulous regard with which England always fulfills her engagements" as a "truly impudent allega-

tion," and chides Falck and Fagel for their tacit acceptance of this impertinence. As for the acceptance by the Dutch of the British acknowledgment of "the solemn disavowal, on the part of the Netherland Government, of any design to aim, either at political supremacy, or at commercial monopoly, in the Eastern Archipelago," this Van der Kemp obviously regarded as a supreme political absurdity. "The object of the treaty," he writes, "was precisely to establish our political supremacy in the Archipelago;" it was no wonder that the British "with sincere pleasure" recorded the disavowal of this goal, "but were our Netherlands diplomats nothing but children?"³ Whatever their faults in general, in connection with this passage, at least, Falck, Fagel, Elout, Reinhold, and King William do not deserve characterization as juveniles. "The Eastern Archipelago" surely included Singapore and probably included Borneo. The treaty explicitly recognized British possession of the one and did not establish Netherlands supremacy over the other. The statement in the note appears to be more correct than Van der Kemp was willing to grant. He further terms the references to Acheen in the notes "a shabby treatment," and to an explanation of Fagel's and Falck's forbearance to exact from the British a guarantee of the issuance of firm orders to their agents in the Indies, Van der Kemp appends a "hm!"⁴ Not having Courtenay's minutes of the conferences available, he is unsure whether Borneo was intended to be reserved to the Netherlands. We now know that Falck's line, on which Van der Kemp hung his uncertainties, ended just eastward of Singapore Strait and did not allot Borneo to either power.⁵

What Van der Kemp left unmentioned was the handsome tribute to Raffles implicit in the British note and echoed faintly in that of the Netherlands plenipotentiaries. The reference in the fourth paragraph from the end of the British note to the reforms introduced at Bencoolen

³ Pieter Hendrik van der Kemp, "De Geschiedenis van het Londensch Tractaat van 17 Maart 1824," *Bijdragen tot de Taal-, Land- en Volkenkunde van Nederlandsch-Indië* vol. 56 (The Hague, 1904), p. 180.

⁴ *Ibid.*, pp. 181-182. Fagel and Falck yielded on this point "not only on the ground of our conviction of England's good faith," which drew a "hm!" from Van der Kemp, but also because of private assurances from Wynn that the British would issue "positive and definitive" orders. Elout, *Bijdragen*, p. 215. Fagel and Falck to Reinhold, London, 17 March 1824.

⁵ Van der Kemp, "Tractaat," pp. 184-186; 207. See above, pp. 201-203. Graham Irwin, *Nineteenth-Century Borneo: A Study in Diplomatic Rivalry*, *Verhandelingen van het Koninklijk Instituut voor Taal-, Land- en Volkenkunde*, vol. 15 (The Hague, 1955).

since 1818, all of them stemming from Raffles, may seem to foreshadow later principles of liberal imperial policies. But although some eminent nineteenth century British administrators regarded the replacement of European Residents in the out-stations by native officers as decidedly betokening the later policy of indirect rule, this view is no longer tenable.^{5*}

B. Approval of the Treaty in the Netherlands and in Great Britain

On the day of the ceremony of signing the treaty and exchanging the notes, Fagel and Falck drew up a report to their foreign office on the immediate background of these culminating events. Falck being unable to travel as a result of an attack of gout, they entrusted all, or almost all, of the documents to Captain Elout to take home. Between Falck's physical suffering and Fagel's distraught state, they forgot to enclose in Captain Elout's packet of papers the text of their own note to the British plenipotentiaries. Its absence was not even noted in the Netherlands foreign office, which had to be pricked into consciousness by the king. When Fagel learned of this blunder, for which he was responsible, he was incredulous and full of apologies. "I am," he protested, "very meticulous in this sort of thing," and sent off a belated copy of the note, which arrived at the end of the month.⁶

Because the treaty involved a transfer of territories, Article 58 of the Netherlands constitution required its approval by the States General. The king requested that a draft of a bill be prepared as well as an explanatory memorandum to accompany it. Accordingly, Reinhold drafted such a bill and memorandum and sent them to Elout with a plea that he change them as he saw fit. Elout saw fit to rewrite both completely and sent all these documents to Falck. The latter preferred Elout's draft to Reinhold's as being briefer and limited to justification of the territorial exchanges, although he could not refrain from suggesting a few changes in expression. Reinhold in advance announced

^{5*} John Bastin, *The Native Policies of Sir Stamford Raffles in Java. An Economic Explanation* (Oxford, 1957), p. xiv, refers to the attribution to Raffles of the idea of Indirect Rule by Sir Frank Swettenham, Sir Hugh Low, and Sir Hugh Clifford, who believed that in building up Indirect Rule they were following Raffles. Bastin controverts this view.

⁶ Elout, *Bijdragen*, pp. 214-217. Van der Kemp, "Tractaat," pp. 187-189. Captain Elout left London for Dover on 19 March to embark for Calais. Van der Kemp presents the various communications in his footnotes, taken from foreign office archives.

himself in agreement with Elout's revision, and so the official explanatory memorandum was from Elout's hand.⁷

The explanatory memorandum, which was presented to the States General in May 1824 along with the treaty and the bill, began with a perfunctory reference to 1820 and then moved on to the exchanges in territory. Elout justified the concentration of Netherlands possessions in the Archipelago, and consequently the cession of the continental possessions. These had lost their former value, while Malacca from its return to Netherlands control to the present day had not attracted a single Netherlands merchant. As for Singapore, the dispute over rights was not easy to resolve. On the other hand the British had asserted their right to Billiton. "England nevertheless renounced this claim on condition that the Netherlands will also withdraw all objections to the occupation of Sinka Poer." This interpretation of Elout's was not only at variance to his constant injunction to the plenipotentiaries during the negotiations to consider all issues together as parts of a whole. It was also completely false. The Netherlands withdrawal of objections to the British occupation of Singapore was not equated with the British renunciation of claims to Billiton.

Elout maintained that "the possession of Billiton is indispensable" for the Banca tin mines, and praised "the important acquisition of Fort Marlborough or Bencoolen" and the removal of all foreign influences from Sumatra. "The expansion of Netherlands trade and industry; the preservation of tranquility in these regions, and therefore in the whole Indies Archipelago . . . is thereby largely guaranteed." The possible repetition of the disputes of the past three years was obviated. Finally, the sum owed to Great Britain was reduced to one hundred thousand pounds, which was to be borne by the overseas possessions.⁸

The introduction of the bill in the States General drew unusual applause. Some members wanted assurance that the Indies would pay the £ 100,000. The government referred them to the explanatory memorandum "which contains that assurance." The two leading speakers in the public discussion on 25 May 1824 were Beelaerts van Blokland and Van Alphen. The former agreed completely with the cession of the continental Indian possessions. Malacca had formerly been important,

⁷ Elout, *Bijdragen*, p. 218. Elout to Falck, 3 April 1824. Van der Kemp, "Tractaat," pp. 189-190.

⁸ Elout, *Bijdragen*, pp. 220-222. "Memorie tot Adstructie." Printed in the *Staatscourant* of 19 May 1824. E. de Waal, *Nederlandsch-Indië in de Staten-Generaal sedert de Grondwet van 1814*, 3 vols. (The Hague, 1861), I, 90.

and the speaker offered a tribute to the memory of J. A. van Braam (who had died in 1820). With Pulo Penang and Singapore "in the hands of the mistress of the seas," the loss of Malacca was unimportant "since we can now no longer call the strait of the same name our own, and in peace time it remains open to us." He could only deplore that the Netherlands had not taken possession of Singapore when this could have been done without a contest. "By now we cannot challenge the right of occupation by Great Britain, and we may consider ourselves fortunate that the claim which we intended to assert in this connection could be placed in the scales of the exchange." As a whole, Beelaerts van Blokland thought his country had come out of the negotiations quite well, and his one disappointment was the failure to recover possession of the Cape of Good Hope. He gave his approval to the treaty.

Van Alphen recalled past disputes and said: "I applaud the principles upon which this treaty with England is based." He was aware of the importance of undisputed control over Sumatra and he expressed some sentimental regret at the cession of Malacca. The Netherlands was going to be confronted by a powerful commercial competitor and consequently the government must encourage and strengthen individual enterprise. "I vote for the law." In fact, approval of the law sanctioning the treaty was unanimous.⁹

Across the Channel the treaty underwent a somewhat different course of treatment. Before the signing, its provisions had to be cleared with the East India Company. On 6 March 1824 Wynn addressed a letter to the Secret Committee, which, he wrote to the Chairman of the Court of Directors and of the Committee, he trusted "will when communicated to the Court of Directors induce them to sanction the cession of Bencoolen." In conversation he had explained why it was impossible to make all the notes and other documents available to the Directors, but there would be no objection to "your affording to them *verbally* any further explanation which may appear requisite." The letter sufficed, since on 17 March the treaty was signed. That evening in a letter, sandwiched into the midst of an account of outrages in Ireland and parliamentary maneuvers, Wynn wrote: "I have today signed the treaty with the Netherlands for giving up Bencoolen (which costs us 96,000 *l* per annum), and receiving in return all their settlements on the continent of India, Malacca, and abandonment of their claims on Singapore,

⁹ De Waal, *Nederlandsch-Indië*, I, 90-95, quoting the *Staatscourant* of 11 and 26 May 1824. Van der Kemp's summary: "Tractaat," pp. 191-194.

and 100,000 *l* in cash. No bad bargain." ¹⁰ This was smug if somewhat misleading.

A bill was drafted and presented to parliament providing for the transfer to the East India Company of the possessions acquired from the Netherlands by the treaty. Because approval by the East India Company was desired, on 14 June 1824 "a Special General Court of Proprietors of East India Stock" was convoked. William Astell, since April the Chairman, moved the support of the bill, and the motion was seconded by Campbell Marjoribanks, the Deputy Chairman. Astell, tracing the history of the transaction, explained that the Special Secret Committee appointed in 1820 had closed their proceedings in March, "and the Court of Directors, considering that the matters on which their judgment was called for were obviously of too delicate a nature to be discussed even by the general body of the executive, sanctioned the proceedings of the Committee, on the general statement made by them." Astell reassured R. Jackson, Esq., that "not a step was taken in the business without communication with the Court of Directors, or its Committee." Jackson then expatiated on the course of Anglo-Dutch relations in the East and heaped encomiums upon Raffles, concluding with sincere thanks to the king's government, the Court of Directors, and "that servant who was mainly the cause of our achieving so important an object. (*Hear!*)."¹¹ Others addressed the meeting, "the motion was then agreed to, and the Court adjourned."¹¹

On 17 June 1824 the discussion in the House of Commons was opened by George Canning. He briefly traced the frictions in the East that had followed the retrocession of the Dutch colonies, and without mentioning any names declared "that in the course of 1816 and 1817, not less than half a dozen treaties were negotiated by the individuals to whom he had alluded, without the shadow of an instruction for that purpose." These treaties the Crown had refused to honor. Canning's choice of dates absolved Raffles who was in England in those years. About this period, Canning went on, "repeated representations were made to him of the grasping disposition which the Netherlands authorities showed, to drive the English out of the trade, and to retain the exclusive possession of it themselves." Canning had consequently asked

¹⁰ *Memoirs of the Court of George IV, 1820-1830*, ed. Duke of Buckingham and Chandos, 2 vols. (London, 1859), II, 47. Dutch Records (Commonwealth Relations Office), XXXI, no. 43. Wynn to William Wigram, 6 March 1824.

¹¹ *Asiatic Journal and Monthly Register for British India and its Dependencies* (London), for July, 1824, pp. 61-69.

for specific instances which he might then bring before the Netherlands government for redress. He received only general assurances "of the covetous disposition of the Dutch In vain did he call for facts." The Netherlands government, on the other hand, presented complaints of the obstacles placed in the way of restoring their possessions. Canning now became specific, at least for a diplomat defending a treaty before parliament.

It happened, too, most unfortunately, that, at the time to which he was referring, an individual, in one sense most distinguished, who had exhibited great zeal and ability whilst filling the office of governor of Java (governor Raffles), was sent as resident to Bencoolen. Some how or other, the humble name of resident, which implied nothing more than a superintendent of pepper, was changed into the high-sounding title of lieutenant-governor of Bencoolen. The Netherlands government took alarm at this circumstance, and imagined that the British intended to make Sumatra the seat of a government among the islands, equal in power to that which they possessed on the continent of India.

In this passage Canning achieved an even greater if more artistic remoteness from reality than had Elout in his explanatory memorandum. The studied ambiguity in the "praise" of Raffles was balanced by the absence of references to Sir Stamford's forays to Semangka Bay, the Lampongs, Palembang, and other places in or near Sumatra. As a result of this reticence, Canning etherialized Dutch alarms into pipe dreams.

In the negotiations which led to the bill currently before the house, Canning declared, it was necessary to secure a disavowal on the part of the Netherlands of any aim at exclusive trade. "It was not, to be sure, usual in diplomacy to frame treaties for the purpose of recording principles, but as in the present case it was the only point at issue, it was done." In this way Canning further etherialized the entire series of disputes in the Indies. Not that there were no real gains to register. "By the same treaty Great Britain became possessed of Sincapore," said Canning, thereby repudiating carelessly or deliberately the contention he and Wynn had consistently expressed during the conferences that Britain was already in possession of Singapore. Great Britain, he went on, also acquired "about twelve islands which the Dutch possessed off the coast of India." Perhaps the most charitable interpretation of this geographical fatuity would be that Hansard's reporter transcribed his

notes in haste. Canning may have used the word "islands" for the Dutch enclaves, and on this fulcrum the reporter's pencil may have levered the dozen Dutch possessions into the water. "Those islands," Canning continued, "were of no great importance in themselves; but there were many inconvenient questions of rights and revenues connected with them," which he illustrated. The objects sought by the treaty were three: "First, the recognition of the principles of free trade; secondly the acquisition of Singapore," and third, "the ridding the Dutch of their possessions on the continent of India Every one of those objects had been obtained by the treaty." In return, the British gave up Bencoolen "and had agreed upon a line of demarcation between the British and the Dutch settlements." He thus revived the concept of a demarcation line which was implicit in the treaty. "He thought that he could convince the House that the cession of Bencoolen could not be considered a very serious loss to Great Britain . . . So far was Bencoolen from being an advantage, that it was actually maintained at an annual charge of 85,000 *l.* . . ."

To complaints that the government "had not wrested more from the Dutch he really could not have the face to say that we had a right to expect more than we had obtained." How could the British complain of the Dutch monopoly of spices "when we possessed a monopoly of cinnamon, opium, salt, etc.?"

It might afford some consolation to those who had a particular regard for those savoury ingredients, to know that Singapore was found to be particularly well adapted for the production of spices He did not pretend to be a judge of the value of Singapore which we had gained by the treaty. He only knew that, from the time when he first became connected with Indian affairs, Singapore, had been pointed out to him as the unum necessarium for making the British Empire in India complete. It completely commanded the Straits of Malacca, which were a most important channel of navigation.¹²

In the debate, unlike that in the States General, there was some opposition. It was led by Joseph Hume, member for Aberdeen and one of the leaders of the Radicals. He condemned Castlereagh's return

¹² *Parliamentary Debates, New Series*, vol. XI (London, 1825), cols. 1442-1446. 17 June 1824. On the unum necessarium, see above, pp. 92-93.

of Java to the Dutch as inconsistent with the retention of the Cape of Good Hope. A strong partisan of Raffles, he denounced the bill and regarded the treaty as appeasement of the Netherlands and the abandonment of the natives. Britain had yielded too much. "It was true, we had obtained all the ports in the Straits of Malacca, and also the island of Sincapore; but as to the former, he would merely observe that a pig-stye was as good; and as to the latter we were in possession of it before." Wynn undertook the refutation of Mr. Hume. The East Indies interests defended the treaty and bill. William Astell, Chairman of the Court of Directors, who had moved the endorsement of the bill in the Court of Proprietors, repeated his endorsement in the House of Commons. William H. Trant, of the Indian interest, "observed that the arrangement which the treaty had sanctioned, had received the approbation of the commercial houses interested in the trade of the Indian Archipelago . . ." William T. Money, of the Company interest, one of Raffles' friends, highly approved of the treaty: "The settlement of Sincapore was becoming more and more important very day, and the country was highly indebted to sir S. Raffles for the fostering care with which he had superintended the planning of it." Sir Charles Forbes, founder of the notable Bombay agency house of Forbes and Company, introduced a dash of cold realism. In reference to the alleged grasping spirit of the Dutch, he said: "In this respect there was not much difference between the Dutch and the English powers in that quarter. There were six of one, and a half dozen of the other. The ruling principle of both was rapine. In looking over this treaty he could consider it in no other light than as a division of spoil between the English and Dutch governments, in which no attention whatever was paid to the claims of the native powers." Forbes feared that the Dutch would continue to expand. "He regretted the precipitation with which the negotiators had acted. If they had waited for the arrival of sir S. Raffles, which was daily expected, they might have escaped many of the errors into which they had fallen." But he specified none of these numerous errors.¹³ The government had the votes, the bill was passed, the treaty became law.

If the conferences had been deferred to Raffles' arrival, they would have had to wait until August. The ship *Mariner* having left Bencoolen on 10 April 1824 brought Raffles and his wife to Plymouth on 22 August. "Here we are, thank God, safe and sound," he wrote that

¹³ *Ibid.*, cols. 1447-1451.

day.¹⁴ The fervor of his expression was not forced. He had embarked on the *Fame* on 2 April. Some hours later, twenty to thirty miles from Bencoolen, the ship caught fire and in ten minutes was abandoned, fortunately without loss of life. But Raffles lost everything else in the flames, property he estimated as worth twenty to thirty thousand pounds. "But the loss which I have to regret beyond all is my papers and drawings; all my papers, of every description," materials for a history of Sumatra, Borneo, "and every other island in these seas; my intended account of the establishment of Singapore," linguistic data, "a grand map of Sumatra," to which he had devoted the past six months, all his collections in natural history, plants and animals alike, including "a living tapir, a new species of tiger, splendid pheasants, etc., etc. . . . All, all, has perished; but thank God, our lives have been spared, and we do not repine."¹⁵ In September Falck saw him in London and wrote: "Raffles has been here a few days, still vere animated in spirit and conversation, but physically I found him very much reduced in strength. He has had his fill of Asia. Even if I had had the inclination to expostulate with him over his actions, he would have disarmed me with the obliging expressions he used about the treaty, which met with his full approval." The only trace of resentment Raffles expressed was implicit in his reference to "the Gentlemen at Calcutta, always thinking of other things." Falck said he was "ready to give any explanation which I might ask him for." With some kindly mention of mutual acquaintances in the East Indies, Raffles' last encounter with a Netherlands official ran tranquilly to its end.¹⁶ The interview had an elegiac air, and Falck seems to portray Raffles as a mellowed and aged man. He was in truth physically debilitated. If he had had his fill of Asia, Asia had taken its toll of him. He still had time to defend his actions in the East through correspondence with the East India Company, and with Humphrey Davy to found the Zoological Society, in the two years left to him, before he died at the age of forty-five.

Canning outlived Raffles by a year, and at his death in 1827, Falck wrote to Elout that his "loss will hit you and distress you perhaps more than anyone else in the Netherlands. For a couple of years," he continued

¹⁴ Sophia Raffles, *Memoir of the Life and Public Services of Sir Thomas Stamford Raffles . . . by his Widow* (London, 1830), p. 579. *Asiatic Journal* for September 1824, pp. 330-331.

¹⁵ *Asiatic Journal* for August 1824, pp. 220-224.

¹⁶ Elout, *Bijdragen*, pp. 249-250. Falck [to Elout]. London, 17 September 1824.

having had a continuous opportunity in his capacity as ambassador to observe Canning, "but especially since the beginning of the current year, I never saw him without noticing that he was declining in everything but irritability." In fact, Falck wondered that his physicians had not cautioned him against a breakdown, but he realized that Canning had not given them much opportunity to admonish him.¹⁷

It would be easy and agreeable to follow, like a Victorian novelist, the careers of the other participants in the controversy over Singapore, to picture Hastings upon his return being dined by Wynn who privately mocked him as "the Lion of the East, Commander of the Faithful, etc., etc., the most exalted Caliph Hastings,"¹⁸ to allude to the unceremonious and even ignominious dismissal of Wynn from the cabinet after a political blunder which cost him the support of the Duke of Buckingham,¹⁹ to commemorate Falck's services to both Belgium and Holland after the fission in 1830; to mourn Captain Elout's untimely demise and embroider his father's later career. But none of these or other stories which might come to mind is relevant to the present account, which properly came to an end with the conclusion of the treaty of 17 March 1824. Singapore belonged to the British, and whatever was to happen in the future, it would not be the Dutch who would seek to oust them.

C. Conclusions

To the question of responsibility for the British acquisition of Singapore, the answers have varied. It was Raffles, it was Hastings, it was Canning, it was the Special Secret Committee, it was Captain Daniel Ross, it was Timmerman Thijssen, who failed to take appropriate measures to eject Farquhar when the Major had been left as the settlement's vulnerable first Resident. Farquhar himself for a time claimed the honor. If the preceding account has any truth, it should show the futility of attempting to attribute the acquisition of Singapore to any one man.

Nor would it suffice to say grandiosely that all of them together accounted for the outcome. Of course Raffles negotiated the series of

¹⁷ *Ibid.*, pp. 254-255. Falck to Elout, Leamington (Warwickshire), 17 August 1827.

¹⁸ Buckingham, *Memoirs of the Court of George IV*, I, 477. Wynn to Buckingham, East India Office, 18 July 1823.

¹⁹ Cyril Henry Philips, *The East India Company, 1784-1834* (Manchester, 1940), pp. 259-261.

treaties in 1819 with the chief of Singapore and his ad hoc sultan, but he had negotiated treaties elsewhere, and with local authorities less illegitimate than these, and had hoisted the British flag at assorted points in the Archipelago without founding any colonies, because these efforts were abjured by higher authority. Was it Hastings, then, who was responsible? He had tried to scuttle Raffles' expedition after it was launched, but was too late. Should Hastings therefore be regarded as founding Singapore because he did not succeed in preventing its birth?

Could it have been Canning, who early in the negotiations in July 1820 was willing to evacuate the island? Before the House of Commons, Canning declined all responsibility for the selection of Singapore and transferred this to his advisers. If not Canning but his counsellors, then the Special Secret Committee, Courtenay, and Wynn, would have to be considered. Wynn may be dismissed. Courtenay provided the analysis and arguments both for retention and for alternatives, and was much more important than has been generally acknowledged, but he did not make decisions although he supplied the grounds for them. The Special Secret Committee urged retention, but so also had the private traders and the press.

None of these sidelines champions of Singapore chose it. This was Raffles' accomplishment, seemingly. But Singapore had not been his first choice. If it has to be numbered, one would have to term it his third. He had tried first to establish a post on Semangka Bay. Calcutta had vetoed that. Then he had hoped to take Rhio. Only when he found that port preempted, did he finally turn to Singapore, after inspecting the Carimons to satisfy Farquhar. Thus it was the Dutch, by resuming their ties with Rhio, who deflected Raffles from the choice of an inferior port to Singapore. For this, Wolterbeek who negotiated the Rhio treaty deserves little credit. He was the instrument of the Commissioners General, but those gentlemen would surely and justly, as well as indignantly, have rejected the title of founders of Singapore.

It is apparent from the answers, that the question as posed is meaningless. The British acquisition of Singapore exhibits a tangle of purpose, counter-purpose, and chance; of individual decisions made for valid or invalid reasons in a context the power of which seems to argue for some degree of cultural determinism.

A series of pressures thrust the British on the path of commercial expansion in the East: the growth of the cotton manufacture and the urgency of new markets; the operations of the East India Company and especially their China trade, and the activities of the British

private traders in India, and the Archipelago. Under the circumstances, British officials, regardless of personality, tried to extend the areas under their control. Bannerman's efforts against the Dutch in 1818 illustrates this clearly. These men could rise to the rivalry by fusing economic aims with still more inspiring motifs drawn from patriotism (including xenophobia, var. *Hollandiensis*), and moral ideas (opposition to slavery and the slave trade, the promotion of enlightened modes of government, the protection of natives from wicked foreigners). They were imbued, some of them, with the visions of the reformers at home, and these ideas enhaloed their expansive goals with the aureole of universal cosmic progress.

The Netherlands, in some ways like Britain, were propelled toward consolidating, reserving, and expanding their colonial empire, but the officials who had to devise and execute these policies were quite unlike their British counterparts. The Netherlands officials came from a very different background. For about a quarter of a century, no new men were bred in the experience of colonial administration, with the exception of a handful who served under the British occupation, and this was enough to disqualify one of the ablest of them, H. W. Muntinghe, from appointment as one of the Commissioners General. They had been cut off, just as their nation's diplomats had been cut off, from the stimulating conduct of independent affairs, and as the Netherlands merchants had been cut off from the profits of colonial commerce. They were apt to be lacking in ardor, in dexterity, enterprise, and decision.

To say that the Kingdom of the Low Countries at this time was suffering from a depletion of talents is only to draw an empirical conclusion, explicable in the light of the experience of the previous decades. Falck was assuredly not a great statesman, but he was not a complete nonentity, either. As a diplomat, he was shrewd in small things but intellectually underpowered for large issues; he was persistent to the point of nagging, lazy in preparation, faulty if not downright ingenuous in judgment, and deplorably ignorant about colonial matters, over which he presided for more than five years. He was to become the butt of Canning's celebrated rhyming dispatch of 1825. Yet Charles Watkin Williams Wynn does not seem to have been more generously favored by nature, and he was a less earnest person than Falck. The difference in their competence as revealed in the conferences lies in the men over and under them. Wynn looked more capable than he was because he had a Canning to lead him and a Courtenay in

support. Falck appeared possibly worse than he need have, thanks to the cooperation of incompetents like Van Nagell and Reinhold in the foreign ministry, men of lesser stature than himself; nor did he enjoy the staff underpinning that would have compensated for his own inadequacies. In 1823-24, Elout, somewhat stronger than Falck and better versed in colonial affairs, was unable effectively to brief his colleagues in London — and it should be remembered that the locale was of their choosing — in part because he was sidetracked in the ministry of finance, and in part because of the inadequate accounts of the proceedings which they furnished to the home authorities.

Fagel in 1820 had been a satisfactory harness mate for Elout, although as a team they had prevented Canning from losing Singapore by their rejection of his generous terms, being convinced that the occupation of the island by the British was not merely illegal but that they would shortly be convinced of this and withdraw. But Fagel in distress in 1823-24 was unable to pull his weight with Falck, and each heightened rather than offset the weaknesses of the other. Van der Capellen may have been a more modest proconsul than Hastings and more estimable as a person, but he was a man of protestations rather than deeds, and like Hastings was replaced.

For all this, as well as for the general selection and administration of personnel, King William was responsible. William was oriented toward business, and he was not always aware of the differences between the business of state and the state of business. His imperviousness to imponderables was to shatter the unity of his kingdom in 1830. None the less, had he been a monarch of perceptive brilliance and versatile art, such as one cannot readily call to mind from the history of Europe in the nineteenth century, he would still have had to work with the common clay at hand. It is difficult to picture anyone molding a first rate civil service and diplomatic corps quickly out of the materials available, although an abler king would have more effectively employed a Van Hogendorp or a Muntinghe, and insisted upon more efficient procedures in the conduct of the work of government offices. Even the best personnel in the country would have been handicapped by the economic apathy and political lethargy of the Netherlands, and by the greater power of Britain. The most one could have expected would have been more skillful playing of a relatively weak hand. Yet it is at the least doubtful whether this could have precluded the British occupation of Singapore, or procured their withdrawal therefrom.

If the forces thrusting British and Netherlands officials in the East

into rivalry and collision, and the personnel who were involved, are considered, do these factors suffice to put the British at Singapore? The Netherlands' was the more passive side. From Timmerman Thijssen and Wolterbeek to Governor General Van der Capellen and ministers Falck and Elout, they were all of a piece, moderately serviceable every-day material, vat dyed to a mousy shade of bureaucrat. If any of them were to have been removed, the hole could have been invisibly patched from the same bolt, and there is no reason to think that the outcome would have been any different.

Had the British Governor General been less arrogant, he would perhaps have repudiated Singapore, but Hastings' personality was not unique. It was that of a considerable number of his class and can be duplicated among other Governors General, few of whom were distinguished by a great humility. There is no reason for believing that his predecessor or successor would have been more complaisant toward the Dutch. In any event, Hastings executed orders from home in holding on to the settlement. Subtract Canning and much of the salt of the verbal exchanges would be gone, but, all things considered, it is hard to see any radically different orientation which would be appropriate to a British foreign minister.

On the other hand, if Raffles had drowned when his ship nearly capsized on the way to Calcutta in September 1818, it is hard to picture the Union Jack at Singapore. In fact, if one subtracts Raffles prior to January 30, 1819, the pattern of the picture is sharply altered. No other man in the field was so persistent, resourceful, and ebulliently insubordinate in his eagerness to create a new establishment against the Dutch as a bastion of British profit and power. He was the one indispensable man, necessary but not sufficient, in the story of the British acquisition of Singapore. Eliminate him for a period of a few months, from his appearance in Calcutta in the fall of 1818 to his signature on the agreements of 30 January and 6 February 1819, and there is no one who can fill his place, surely not Bannerman, not Farquhar, no one. And yet one must immediately add that taking Singapore was not the same as holding it. Raffles disappears as a factor in the situation shortly after he landed on the island; the centers of decision are no longer in the Archipelago but in Calcutta to a degree, and in London.

In short, the impersonal course of events in the East presented a critical situation in the second half of 1818. Various resolutions of this situation were possible. Raffles undertook a direct attack upon a small

sector in the area of collision, but his landing at Singapore rather than at some other port was in part chance. That the British sooner or later would have tried to establish a point in the Archipelago from which to advance and protect their commerce is shown more than once, as in Grant's testimony before the House of Lords' Committee, and that the disequilibrium in the Indies required adjustment was confirmed by the preparations for conferences in Europe before news arrived of the occupation of Singapore. But the particular resolution of the difficulties which was adopted, whereby Great Britain acquired Singapore, took its origin in the impetuous action of Raffles. He then disappeared into the shades and the more impersonal forces ground along to a final conclusion on 17 March 1824.

APPENDIX

THE TREATY OF 17 MARCH 1824 AND THE RELATED NOTES

TREATY BETWEEN HIS BRITANNICK MAJESTY AND THE KING OF THE NETHERLANDS, RESPECTING TERRITORY AND COMMERCE IN THE EAST INDIES, SIGNED AT LONDON, MARCH 17th, 1824.

In the Name of the Most Holy and Undivided Trinity.

His Majesty the King of the United Kingdom of Great Britain and Ireland, and His Majesty The King of the Netherlands, desiring to place upon a footing, mutually beneficial, Their respective Possessions and the Commerce of Their Subjects in the East Indies, so that the welfare and prosperity of both Nations may 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; and being anxious that all occasions of misunderstanding between Their respective Agents may be, as much as possible, prevented; and in order to determine certain questions which have occurred in the execution of the Convention made at London on the 13th of August 1814, in so far as it respects the Possessions of His Netherland Majesty in the East, have nominated Their Plenipotentiaries, that is to say: —

His Majesty The King of the United Kingdom of Great Britain and Ireland, The Right Honourable George Canning, a Member of His said Majesty's Most Honourable Privy Council, a Member of Parliament, and His said Majesty's Principal Secretary of State for Foreign Affairs; — And the Right Honourable Charles Watkin Williams Wynn, a Member of His said Majesty's Most Honourable Privy Council, a Member of Parliament, Lieutenant-Colonel Commandant of the Montgomeryshire Regiment of Yeomanry Cavalry, and President of His said Majesty's Board of Commissioners for the Affairs of India: —

And His Majesty The King of the Netherlands, Baron Henry Fagel, Member of the Equestrian Corps of the Province of Holland, Counsellor of State, Knight Grand Cross of the Royal Order of the Belgic Lion, and of the Royal Guelphic Order, and Ambassador Extraordinary and

Plenipotentiary of His said Majesty to His Majesty The King of Great Britain; — And Anton Reinhard Falck, Commander of the Royal Order of the Belgic Lion, and His said Majesty's Minister of the Department of Public Instruction, National Industry, and Colonies: —

Who, after having mutually communicated their Full Powers, found in good and due form, have agreed on the following Articles.

ARTICLE I.

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: Their respective Subjects conforming themselves to the local Regulations of each Settlement.

ARTICLE II.

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 the double of that at which the Subjects and Vessels of the Nation to which the Port belongs, are charged.

The Duties paid on exports or imports at a British Port, on the Continent of India, or in Ceylon, on Dutch bottoms, shall be arranged so as, in no case, to be charged at more than double the amount of the duties paid by British Subjects, and on British bottoms.

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 six per cent.

ARTICLE III.

The High Contracting Parties engage, that no Treaty hereafter made by Either, with any Native Power in the Eastern Seas, shall contain 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: and that if, in any Treaty now existing on either Part, any Article to that effect has been admitted, such Article shall be abrogated upon the conclusion of the present Treaty.

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 Power in the Eastern Seas; and

that the like communication shall be made of all such Treaties concluded by Them, respectively, hereafter.

ARTICLE IV.

Their Britannick and Netherland Majesties engage to give strict Orders, as well as 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.

ARTICLE V.

Their Britannick and Netherland Majesties, in like manner, engage to concur effectually in repressing Piracy in those Seas: They will not grant either asylum or protection to Vessels engaged in Piracy, and They will, in no case, permit the Ships or merchandize captured by such Vessels, to be introduced, deposited, or sold, in any of their Possessions.

ARTICLE VI.

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 Settlement on any of the Islands in the Eastern Seas, without previous Authority from their respective Governments in Europe.

ARTICLE VII.

The Molucca Islands, and especially Amboyna, Banda, Ternate, and their immediate Dependencies, are excepted from the operation of the I. II. III. and IV. Articles, until the Netherland Government shall think fit to abandon the monopoly of Spices; but if the said Government shall, at any time previous to such abandonment of the monopoly, allow the Subjects of any Power, other than a Native Asiatic Power, to carry on any Commercial Intercourse with the said Islands, the Subjects of His Britannick Majesty shall be admitted to such Intercourse, upon a footing precisely similar.

ARTICLE VIII.

His Netherland Majesty cedes to His Britannick Majesty all His Establishments on the Continent of India; and renounces all privileges and exemptions enjoyed or claimed in virtue of those Establishments.

ARTICLE IX.

The Factory of Fort Marlborough, and all the English Possessions on the Island of Sumatra, are hereby ceded to His Netherland Majesty: and His Britannick Majesty 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.

ARTICLE X.

The Town and Fort of Malacca, and its Dependencies, are hereby ceded to His Britannick Majesty; and His Netherland Majesty engages, for Himself and His Subjects, never to form any Establishment on any part of the Peninsula of Malacca, or to conclude any Treaty with any Native Prince, Chief, or State therein.

ARTICLE XI.

His Britannick Majesty withdraws the objections which have been made to the occupation of the Island of Billiton and its Dependencies, by the Agents of the Netherland Government.

ARTICLE XII.

His Netherland Majesty withdraws the objections which have been made to the occupation of the Island of Singapore, by the Subjects of His Britannick Majesty.

His Britannick Majesty, however, engages that no British Establishment shall be made on the Carimon Isles, or on the Islands of Battam, Bintang, Lingen, or on any of the other Islands South of the Straights of Singapore, nor any Treaty concluded by British Authority with the Chiefs of those Islands.

ARTICLE XIII.

All the Colonies, Possessions, and Establishments which are ceded by the preceding Articles, shall be delivered up to the Officers of the respective Sovereigns on the 1st of March, 1825. The Fortifications shall remain in the state in which they shall be at the period of the notification of this Treaty in India; but no claim shall be made, on either side, for ordnance, or stores of any description, either left or removed by the ceding Power, nor any arrears of revenue, or any charge of administration whatever.

ARTICLE XIV.

All the Inhabitants of the Territories hereby ceded, shall enjoy, for a period of Six Years from the date of the Ratification of the present Treaty, the liberty of disposing, as they please, of their property, and of transporting themselves, without let or hindrance, to any Country to which they may wish to remove.

ARTICLE XV.

The High Contracting Parties agree that none of the Territories or Establishments mentioned in Articles VIII. IX. X. XI. and XII. shall be, at any time, transferred to any other Power. In case of any of the said Possessions being abandoned by one of the present Contracting Parties, the right of occupation thereof shall immediately pass to the other.

ARTICLE XVI.

It is agreed that all accounts and reclamations, arising out of the restoration of Java, and other Possessions, to the Officers of His Netherland Majesty in the East Indies, — as well those which were the subject of a Convention made at Java on the 24th of June, 1817, between the Commissioners of the Two Nations, as all others, shall be finally and completely closed and satisfied, on the payment of the sum of one hundred thousand pounds, sterling money, to be made in London on the part of the Netherlands, before the expiration of the Year 1825.

ARTICLE XVII.

The present Treaty shall be ratified, and the Ratifications exchanged at London, within Three Months from the date hereof, or sooner if possible.

In witness whereof, the respective Plenipotentiaries have signed the same, and affixed thereunto the Seals of their Arms.

Done at London, the seventeenth day of March, in the Year of Our Lord one thousand eight hundred and twenty-four.

(L.S.) George Canning.

(L.S.) Charles Watkin Williams Wynn.

The Netherlands version of the treaty is in the Dutch language, and signed H. Fagel and A. R. Falck.

The British Note appeared as follows:

NOTE ADDRESSED BY THE BRITISH PLENIPOTENTIARIES TO
THE PLENIPOTENTIARIES OF THE NETHERLANDS.

In proceeding to the signature of the Treaty which has been agreed upon, the Plenipotentiaries of His Britannick Majesty have great satisfaction in recording their sense of the friendly and liberal spirit which has been evinced by Their Excellencies the Plenipotentiaries of His Netherland Majesty; and their conviction that there is, on both sides, an equal disposition to carry into effect, with sincerity and good faith, the Stipulations of the Treaty, in the sense in which they have been negotiated.

The differences which gave rise to the present discussion, are such as it is difficult to adjust by formal Stipulation: consisting, in great part, of jealousies and suspicions, and arising out of the acts of subordinate Agents, they can only be removed by a frank declaration of intention, and a mutual understanding as to principles between the Governments themselves.

The disavowal of the proceedings whereby the execution of the Convention, of August 1814, was retarded, must have satisfied Their Excellencies the Netherland Plenipotentiaries, of the scrupulous regard with which England always fulfils her engagements.

The British Plenipotentiaries record, with sincere pleasure, the solemn disavowal, on the part of the Netherland Government, of any design to aim, either at political supremacy, or at commercial monopoly, in the Eastern Archipelago. They willingly acknowledge the readiness with which the Netherland Plenipotentiaries have entered into Stipulations, calculated to promote the most perfect freedom of Trade, between the Subjects of the Two Crowns, and their respective Dependencies, in that part of the World.

The undersigned are authorised to express the full concurrence of His Britannick Majesty, in the enlightened views of His Majesty The King of the Netherlands.

Aware of the difficulty of adapting, at once, to a long established system of monopoly, the principles of commercial policy which are now laid down, the Undersigned have been authorised to consent to the exception of the Molucca Islands from the general Stipulation for freedom of Trade, contained in the Treaty. They trust, however, that, as the necessity for this exception is occasioned solely by the difficulty of abrogating, at the present moment, the monopoly of Spices, its operation will be strictly limited by that necessity.

The British Plenipotentiaries understand the term *Moluccas*, as applicable to that cluster of Islands, which has Celebes to the Westward, New Guinea to the Eastward, and Timor to the Southward; but that these three Islands are not comprehended in the exception: nor would it have included Ceram, if the situation of that Island, in reference to the two principal Spice Isles, Amboyna and Banda, had not required a prohibition of intercourse with it, so long as the monopoly of Spices shall be maintained.

The Territorial exchanges which have been thought expedient for avoiding a collision of interests, render it incumbent upon the Plenipotentiaries of His Britannick Majesty to make, and to require, some explanations with respect to the Dependents and Allies of England, in the Island from which She is about to withdraw.

A Treaty concluded in the year 1819, by British Agents, with The King of Acheen, is incompatible with the 3d Article of the present Treaty. The British Plenipotentiaries therefore 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 in the Port of Acheen. But as some of the provisions of that Treaty, (which has been communicated to the Netherland Plenipotentiaries) will be conducive to the general interests of Europeans established in the Eastern Seas, they trust that the Netherland Government will take measures for securing the benefit of those Provisions. And they express their confidence, that no measures, hostile to The King of Acheen, will be adopted by the new Possessor of Fort Marlborough.

It is no less the duty of the British Plenipotentiaries to recommend to the friendly and paternal protection of the Netherland Government, the interests of the Natives and Settlers, subject to the ancient Factory of England at Bencoolen.

This appeal is the more necessary, because, so lately as the Year 1818, Treaties were made with the Native Chiefs, by which their situation was much improved. The system of forced cultivation and delivery of Pepper was abolished; encouragement was given to the cultivation of Rice; the relations between the cultivating Classes and the Chiefs of the Districts were adjusted; the property in the soil was recognised in those Chiefs; and all interference in the detailed management of the Interior was withdrawn, by removing the European Residents from the Out-Stations, and substituting in their room Native Officers. All these measures were calculated greatly to promote the interests of the Native Inhabitants.

In recommending these interests to the care of the Netherland Government, the Undersigned request the Plenipotentiaries of His Netherland Majesty to assure their Government, that a corresponding attention will be paid, on the part of the British Authorities, to the Inhabitants of Malacca, and the other Netherland Settlements which are transferred to Great Britain.

In conclusion, the Plenipotentiaries of His Britannick Majesty congratulate Their Excellencies the Netherland Plenipotentiaries, upon the happy termination of their Conferences. They feel assured, that, under the Arrangement which is now concluded, the Commerce of both Nations will flourish, and that the Two Allies will preserve inviolate in Asia, no less than in Europe, the friendship which has, from old times, subsisted between them. The disputes being now ended, which, during two centuries, have occasionally produced irritation, there will henceforward be no rivalry between the English and Dutch Nations in the East, except for the more effectual establishment of those principles of liberal policy which both have this day asserted in the face of the World.

The Undersigned request Their Excellencies the Plenipotentiaries of His Netherland Majesty, will accept the assurances of their distinguished consideration.

(Signed) George Canning.

Charles Watkin Williams Wynn.

London, March 17th, 1824.

The English language version of the Netherlands note read thus:

REPLY OF THE NETHERLAND PLENIPOTENTIARIES TO THE
NOTE OF THE PLENIPOTENTIARIES OF GREAT BRITAIN.

The Undersigned, Plenipotentiaries of His Majesty The King of the Netherlands, have found in the Note, which is just delivered to them by Their Excellencies the British Plenipotentiaries, a faithful recapitulation of the communications which had taken place at the time, when circumstances, independent of the will of the Negotiators, caused a suspension of their conferences.

Summoned to resume a work, the completion of which has ever been desired with equal sincerity by both Parties, the Undersigned have not failed to recognize in their Co-labourers in this work, that spirit of equity and conciliation, which facilitates the arrangement of the most complicated questions, and to which they cannot do justice at a time

more fitting, than that which is about to sanction, by the signature of a formal Treaty, the Resolutions, adopted after a most strict examination, as eminently useful for the maintenance of a good understanding even among the inferior Agents of the Contracting Powers.

This essential aim and principal tendency of the Treaty is evident to all who read its different Articles with attention. What is therein expressly stipulated ought to suffice for the removal, by common consent, of all uncertainty which might present itself in the sequel. However, as the British Plenipotentiaries have considered it necessary to enter into some further details, the Undersigned, who, on their part, are sensible of the importance of leaving nothing doubtful in so important a matter, have no difficulty in following them through these details, and in supplying, by a concise display of their view of the subject, the answer which is due from them to the aforesaid Note of Their Excellencies.

The 7th Article contains an exception to the general principle of liberty of commerce. The necessity of that exception, already admitted by England in the Conference of 1820, rests upon the existence of the system which respects the exclusive Trade in Spice. Should the determinations of the Government of the Netherlands lead to the abandonment of that system, the rights of free trade will be immediately restored, and the whole of that Archipelago, which has been very justly described as comprised between *Celebes*, *Timor*, and *New Guinea*, will be open to all lawful speculations, on the footing to be established by local Ordinances, and, so far as particularly concerns the Subjects of His Britannick Majesty, in conformity with the grounds sanctioned by the Treaty for all the Asiatic possessions of the Two Contracting Powers.

On the other hand, so long as the exception in question remains in force, the ships which traverse the Moluccas must refrain from touching at any Ports but those whereof the description has been officially communicated to the Maritime Powers some years back; except in cases of distress, in which it is superfluous to add, that they will find in all places, where the Flag of the Netherlands may be flying, those good offices and succours which are due to suffering humanity.

If the Government of Great Britain conceives it to be a real advantage, that by disengaging itself, according to the principles sanctioned by the Treaty which is about to be signed, from the connections which were formed by its Agents four or five years ago,

in the Kingdom of *Acheen*, it secures, by some new clause, the hospitable reception of British Vessels and Subjects in the Ports of that Kingdom; the Undersigned hesitate not to declare, that, on their part, they do not see any difficulty in it, and conceive that they may assert, at the same time, that their Government will apply itself, without delay, to regulate its relations with *Acheen*, in such a manner, that that State, without losing anything of its independence, may offer both to the sailor and the merchant, that constant security which can only be established by the moderate exercise of European influence.

In support of the information contained in the last Note of the British Plenipotentiaries on the subject of *Bencoolen*, their Excellencies have communicated to the Undersigned the two Conventions respectively signed on the 23d of May and the 4th of July, 1818, by the Lieutenant-Governor of that Establishment, on the one side, and by the Chiefs of some neighboring Tribes, on the other. They have likewise communicated a Despatch of the Governor-General in Council, dated *Fort William* the 9th of May 1823, and according to which the British Government has abolished at Fort Marlborough the monopoly of Pepper; and encouraged the cultivation of Rice; and placed on a firm and uniform footing the relations of the different classes of Natives, as well among themselves, as with their Chiefs. But in as much as the Undersigned are not wrong in supposing that the object of these arrangements has been the security of the agricultural prosperity of the Colony, and the removal of the vexations which often result from the immediate contact of the Native population with the subordinate Authorities of a Foreign Government, they experience great satisfaction in saying, that, far from having cause to dread retroactive measures, the individuals interested in the existing order of things may, on the contrary, cherish the hope that the new Government will respect their acquired rights, and their welfare; and, what the Undersigned are above all things desirous to guarantee, that it will cause the Articles of the above-mentioned Conventions to be observed, on the faith of which the Inhabitants of *Pasummah*, *Ula Manna*, and other Colonists in the interior, have recognised the authority, or accepted the protection, of the British East India Company; saving, however, the power of substituting, with the full consent of the Parties interested, other analogous conditions, if circumstances should render a change necessary.

With respect to the equitable and benign intentions of the British Government, towards the Inhabitants of *Malacca*, and the other Dutch Establishments ceded by the Treaty, the Plenipotentiaries of His

Majesty The King of the Netherlands accept the assurance thereof with unlimited confidence; and the same sentiment prevents them from insisting that the orders and instructions which shall be addressed to the English Authorities in India, relative to the surrender of *Fort Marlborough*, and its Dependencies, should be conceived in such clear, precise, and positive terms, that no cause of uncertainty, or any pretext for delay, may be discovered in them; — being persuaded that the British Plenipotentiaries, after having accomplished their labours with so much moderation and equity, will take care that the result of their common exertions be not compromised by any regard to subordinate interests and secondary considerations. This result the British Plenipotentiaries themselves have described in their last Note, and it only remains for the Undersigned to congratulate themselves on having contributed thereto, and to unite their wishes with those of Their Excellencies, that their respective Agents in their Asiatic Possessions, may ever shew themselves sensible of the duties which Two Friendly Nations, animated with truly liberal views, have to fulfil, both with reference to each other, and also towards the Natives whom the course of events or Treaties have placed under their influence.

The Undersigned avail themselves of this opportunity of renewing to Their Excellencies, the British Plenipotentiaries, the assurance of their most distinguished consideration.

(Signed) H. Fagel.
A. R. Falck.

London, March 17, 1824.

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