Imperial Britain in South-East Asia

Mongkut, King of Siam

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KUALA LUMPUR
OXFORD UNIVERSITY PRESS
LONDON NEW YORK MELBOURNE
1975

Oxford University Press, Ely House, London W.1.
GLASGOW NEW YORK TORONTO MELBOURNE WELLINGTON
CAPE TOWN IBADAN NAIROBI DAR ES SALAAM LUSAKA ADDIS ABABA
DELHI BOMBAY CALCUTTA MADRAS KARACHI LAHORE DACCA
KUALA LUMPUR SINGAPORE JAKARTA HONG KONG TOKYO
Bangunan Loke Yew, Kuala Lumpur

Printed in Malaysia by
ART PRINTING WORKS, KUALA LUMPUR

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Plates

Acknowledgements

Versions of the papers in this volume were published in the following journals, to which acknowledgement is made:

'The relationship between British policies and the extent of Dutch power in the Malay Archipelago, 1784–1871', *Australian Journal of Politics and History*, IV, No. 2 (November 1958), pp. 179–92.

'The annexation of the Cocos-Keeling Islands', *Historical Studies*, VIII, No. 32 (May 1959), pp. 400–4.

'Siam and Sir James Brooke', *Journal of the Siam Society*, XLVIII, Pt. 2 (November 1960), pp. 43–72.

'Pirates and convicts: British interest in the Andaman and Nicobar Islands in the mid-nineteenth century', *Journal of Indian History*, XXXVII, Pt. 3 (December 1960), pp. 505–26.

'Intervention and non-intervention in Malaya', *Journal of Asian Studies*, XXI, No. 4 (August 1962), pp. 523–7.

'The mission of Sir John Bowring to Siam', *Journal of the Siam Society*, L, Pt. 2 (December 1962), pp. 91–118.

'The *Kim Eng Seng*', *Journal South East Asian History*, IV, No. 1 (March 1963), pp. 103–14.

'The Prince of Merchants and the Lion City', *Journal of the Malaysian Branch Royal Asiatic Society*, XXXVII, Pt. 1 (1964), pp. 20–40.

'Harry Parkes' Negotiations in Bangkok in 1856', *Journal of the Siam Society*, LIII, Pt. 2 (July 1965), pp. 153–80.

'British Relations with Vietnam, 1822–1858', *Journal of the Malaysian Branch Royal Asiatic Society*, XXXIX, Pt. 1 (1966), pp. 19–51.

Abbreviations

BC	Board's Collections, India Office Library, London.
BKI	*Bijdragen tot de Taal, Land- en Volkenkunde van Nederlandsch-Indië* (The Hague).
DR	Dutch Records, India Office Library, London.
CO	Colonial Office Records, Public Record Office, London.
FO	Foreign Office Records, Public Record Office, London.
JMBRAS	*Journal of the Malaysian Branch of the Royal Asiatic Society* (Singapore).
JSS	*Journal of the Siam Society* (Bangkok).
SFP	*Singapore Free Press* (Singapore).
SSFR	Straits Settlements Factory Records, India Office Library, London.
SSR	Straits Settlements Records, National Library, Singapore.

I

Introduction

THE papers in this volume are revised versions of previously published articles on British policy in South-East Asia in the nineteenth century. From them certain conclusions seem to emerge.

The first is, of course, the great importance of the decisions taken by Britain, in turn the result of its great strength, based on its command of the sea, coupled with a balance of power in Europe; its industrial capacity; its territorial acquisitions in India. The impact of these decisions on South-East Asia can hardly, perhaps, be over-estimated. In the course of the late eighteenth and nineteenth centuries, the whole region came within the range of influence of what was then the greatest world power, and its attitudes played an essential role in determining the continuance and allowing or disallowing the expansion or redefinition of the empires of minor European powers, like Spain and the Netherlands, and thus also in eliminating from the orbit of the family of nations local sultanates that had maintained at least some sort of existence since the sixteenth century, such as Acheh in Sumatra. They played, as a corollary, a major if initially rather negative role in creating a Malayan state; were responsible for the extraordinary diversity of the régimes that partially displaced, partially preserved and protected the old sultanate of Brunei;

and led to the annexation of the Andaman and Nicobar islands to the Indian empire. The mainland states had in the previous historical phase, and perhaps especially in the eighteenth century, enjoyed an independence of European influences far greater than that of the archipelagic region: they struggled with one another, rather than with the Europeans. Their pride and their isolationism left them catastrophically exposed in the new period. Again what substantially determined their future was their relationship with Britain. Burma unwisely fell out with its new neighbour in Bengal, and in three stages lost all its territory to the Indian empire. Vietnam continually declined relations with the major maritime power in the South China Sea, and was by it left to the French. The fortunes of Laos and Cambodia had long been determined by those of Vietnam and Siam. But Siam continued, in part through diplomacy, in part through concessions, territorial and otherwise, and in part through the moderation of the British, to maintain its independence throughout the period.

As a result of these processes of interaction between British decision and local conditions and decisions, states were created in South-East Asia that bore a varied relationship, in status and area, to the states of the previous phase. In area, there were some precedented, some unprecedented changes. On the mainland the rough outlines of the eighteenth century did not greatly change in the nineteenth, though there were smaller changes of significance. In the archipelagic region, on the other hand, there were an unprecedented division between the peninsula and the islands, an unprecedented complexity in northern Borneo and Sulu, and ultimately an unprecedented unity through the rest of the islands. Earlier Indonesian empires had sat astride the Straits of Malacca; Netherlands India did not do so after 1824. Earlier Indonesian empires had claimed a wide area, but they had claimed it in quite different terms from those of Netherlands India. Indeed in the earlier period, interstate relations had been

vague and boundaries imprecise, in accordance with the cultural diversity and demographic immaturity of the region. Now a new rigidity appeared in terms of international frontier and allegiance, even if international law developed and expanded to reflect the diversity of this, as of other regions of nineteenth-century European expansion. Indeed, in studying the impact of the European powers in this period, we gain insights into the development of the concepts of occupation, of protectorate, of extra-territoriality. It is apparent, for instance, that the normal British anxiety not to disturb the Dutch (plus occasional British pressure on the Dutch), the British wish to keep the archipelagic region free of other major powers, and the determination of the Dutch based in Java to create the wider realm of Netherlands India whenever they could afford it, played a role, alongside the development of positivist concepts of international law, in depreciating the status of Indonesian powers in contractual relationship with the Dutch. In Malaya and Borneo, the general British reluctance to act assisted in developing concepts of protectorate and indirect rule, and in reviving the notion of chartered company administration. On the mainland, the all-important readiness of the British to compromise with Siam, and to accept it as a member of the family of nations, was conditioned on Siam's readiness to accept the something less than parity with European nations involved in the extra-territorial system that Europe developed initially in relation to Turkey and China; and the negotiations with Siam, particularly on the part of Harry Parkes, illustrate the expedients involved and their effect on Siam's domestic as well as foreign policies.

The states created in South-East Asia in the nineteenth century bear a close relationship in area, but not in status, to states of the present. The processes of interaction between British decision and local conditions and decisions in fact virtually created the frontiers of the states that today local elites seek to rule as nation-states. Even apart from always

independent Siam, there are, of course, exceptions, like the Andaman and Nicobar islands, whose relationship with India has been reformulated, the Cocos-Keeling islands, made over to Australia, and the still-protected state of Brunei. But in general the colonial dependencies of the nineteenth century look to becoming nation-states in the twentieth. The problems they face include not merely the cultural and ethnic diversity and economic backwardness that are the legacy of several centuries of history, and not simply of the immediate past, though that witnessed extensive change in these fields. They include also the continued involvement of major powers in South-East Asia even after the passing of the British hegemony during the twentieth century. And they are, moreover, compounded of the special demands of the nation-state in terms of allegiance and homogeneity. A study of the processes by which the states were created in the nineteenth century must cast further light on what is perhaps the primary problem of modern South-East Asia, the building of nations.

For these processes were the result of various policies by no means, of course, all related to the character or conditions of the area, and worked out with all the haphazardness necessarily involved in the execution of policies in a domestic and world context, and perhaps some extra haphazardness too. Even absence of mind, once thought a major factor in British imperialism but more recently discounted, played its part: the annexation of the Cocos-Keeling islands was clearly a case of mistaken identity. Elsewhere, there were motives, and to spare. As Robinson and Gallagher have argued in the case of Africa, so again in the case of South-East Asia, the strategic considerations of empire as a whole played a major role in decision-making in London. This meant in the case of South-East Asia that many British decisions were determined by extra-South-East Asian considerations: by relations with powers in Europe; by the need to protect the territorial dominion in India; by the desire to avoid conflict with

China, particularly before the end of the East India Company's monopoly in 1833; by the concern to preserve a command over the flanks of the route to China throughout the period. Direct economic considerations played a lesser role in London, particularly after South-East Asia ceased in the late eighteenth or early nineteenth centuries to be considered significant as a source of spices or as a means of amplifying the trade to China, and before the rubber boom of the early twentieth century made Malaya a major dollar-earner, though the conflict with the Dutch in the 1830s and the 1840s and the resultant moves in Borneo had in part economic origins. But London does not exhaust the centres of decision-making. Calcutta and Delhi, Penang and Singapore, Kuching and Labuan, Bangkok and Hong Kong, were involved too, with their officials, adventurers, merchants, and newspaper editors, their commercial and careeristic interests; and they enjoyed a certain independence before the inauguration of world-wide electric telegraph communication and the opening of the Suez Canal in 1869. Often decision-makers in these centres were concerned with more particular interests than the imperial authorities; but, so as to secure the approval of the latter, the former strove to make those interests coincide with some broader strategic consideration. Beyond or intermixed with all these motives, and affecting in one way or another all these people, were the biddings of philanthropy and the calls of conscience, interlinking with the desire for empire and the desire to avoid it. And, finally, further diversifying a diversified and diversifying process of decision-making, there were the quirks of individuals, including complex characters like Stamford Raffles and James Brooke and a host of lesser figures, and the play of circumstance and accident.

The creation of new states in South-East Asia was spread over an extended period of time, in itself a diversifying factor. In view of the motivation of Britain's policies, it is no surprise that many of the major decisions had been taken

well before the improvement of communications, the establishment of closer ties with world markets, and the growth of the ambitions of other powers that belong to the last two or three decades of the nineteenth century. The papers in this volume suggest that much of the shape and even of the political character of British Malaya was determined before the 'intervention' of the 1870s, and that Siam was already settled on a path that differed from that of its neighbours in the 1820s, or certainly in the 1850s. Burma's future was perhaps irremediably settled in the 1850s if not in the 1820s. Vietnam's decisive moves belong, it would seem, to the 1850s. Here, indeed, the major decisions followed the break between China and Britain, and thus other European powers, in the 1840s. That period saw also a British conflict with the Dutch, lying behind in turn the creation of the Sarawak *raj* and the colony of Labuan. But in general the destiny of the archipelagic region was determined in 1814 or in 1824 by the Anglo-Dutch arrangements of those years, and only confirmed in 1871 by a further Anglo-Dutch treaty. If the rounding-out of the various states continued into the twentieth century—so that the period of their existence is relatively short—the major decisions had been taken at least two generations previously, in a period that saw the hey-day of British power, though not the hey-day of British imperialism.

II

The Relationship between British Policies and the Extent of Dutch Power in the Malay Archipelago, 1784–1871

THE expansion of Britain's economy from about the middle of the eighteenth century was reflected in increased mastery of the China tea trade, and it was this trade that accounted for the importance of the Malay Archipelago in British commercial policy. The difficulty of financing exports from China without extensive imports in specie was one of long standing, though as the century drew to a close it was gradually being surmounted as a result of the East India Company's territorial expansion and its consequent hold upon the Indian opium supplies, for which a demand was developed in the Celestial Empire. Meanwhile, however, it remained necessary for the country traders—the private traders in the East—to collect jungle and marine produce from the Malay Archipelago as a further contribution to the Company's Canton investment.

The failure of the Dutch to compete successfully with the British, which became more evident as the century proceed-

ed, helped to account for their concentration upon Java, over much of which they were able to acquire sovereign possession, and for their enforcing increased cultivation of colonial products like coffee. In the greater part of the Peninsula and Archipelago, the Dutch position had long largely rested upon contracts and treaties with the native states: contracts and treaties more concerned with questions of commerce than questions of government, more with deliveries of products than transfers of sovereignty. Naval forces operating from principal Dutch settlements had excluded foreign traders and held this commercial empire together. Now economic weakness reduced their effectiveness; and even the old spice monopoly—still of some, though decreased, importance—was threatened. The Dutch became perhaps even more sensitive about the right they assumed—denied by the British Government and the Company, and continually infringed by the country traders—to exclude foreign navigation from the Archipelago. As Henry Dundas, the leading member of the India Board, was to remark in 1791:

> The jealousies and apprehensions of the Dutch relative to the Navigation of the Eastern Seas ... rest on a ground they dare not avow. I mean their consciousness of the radical and internal weakness of their sovereignty in the Eastern Isles, and they are afraid that the communication we may have with the Natives would lay the foundation for their total shaking off of the miserable dependence in which they are held by the Dutch....[1]

The future of the Dutch empire in Java and beyond was, however, affected by motives in British policy which were other than commercial. The increase of French influence in the United Provinces, it was conceived in London, would prejudice the security of south-east England; and too vigorous a support of British commercial interests in the Archipelago might help to precipitate the collapse of the Anglophile régime of the Stadhouder. This would involve, furthermore, a threat to the security of the whole empire in the East. The

French might acquire the use of British bases on the continent of India and in Ceylon and renew their menace to the territorial dominion of the Company. From the Archipelago itself they would impede or cut off the all-important trade with China through the Straits of Malacca and Sunda. Substantially the Dutch had to retain their empire, and the interests of the country traders could not, it was realized, be allowed to bring about its disruption. British policy towards the Dutch empire must be a matter of uneasy compromise between local commercial pressures and broader imperial necessities: if only for selfish reasons, it must be weighted in favour of the Dutch.

In the context of vigorous French rivalry with the British in the East, and of vigorous opposition to the Stadhouderate in the United Provinces, this was the only valid policy for the British Government. Its principal defect was illustrated in 1780. Bitter disputes between the British and the Dutch arose, not over the commerce in the East, but over the question of neutral trade in the war of American independence, and the British declared war to prevent the Republic's joining the League of Armed Neutrality. The destruction of the long-standing alliance afforded the Patriot party in the United Provinces an opportunity to overthrow the Stadhouder régime, and the struggle involved an increase of French influence there. The French despatched Suffren to the East and he was able to recapture from the English the Dutch base at Trincomali in Ceylon. Britain's policy towards the Dutch empire had indeed changed. In part it was a question of security, but, since the bid to retain Dutch friendship had failed, there would now be nothing to lose if commercial interests were afforded more play. In the war, therefore, several Dutch possessions were taken by the British.

Again, in the peace negotiations with the Patriots, the Shelburne Government attempted, though without success, to secure Trincomali, and also exerted some pressure on behalf of British commercial interests in the Archipelago. 'The

Dutch have hitherto kept themselves Masters of the Navigation of the Eastern Seas.... It will ... be necessary that the liberty of navigating those seas should be asked for and granted....' These were the terms of the instructions sent by the Foreign Secretary, Lord Grantham, to the British envoy, Fitzherbert. They were based on a memorandum received from the Company, which had demanded 'liberty to navigate and trade to the islands in the Eastern Seas without molestation'. In the preliminary negotiations, conducted with the French, Fitzherbert put forward, as he reported,

> first the demand contained in the East India Company's minute of *navigating* and *trading* to the Islands in the Eastern Seas. And secondly (finding that proposal inadmissible), the Right of free Navigation in those Seas, which is mentioned in Your Lordship's Letter ..., and which ... I have succeeded in obtaining.[2]

Even about this, however, the Dutch plenipotentiaries were deeply concerned: the article should be withdrawn, 'or at least ... so explained as to point out clearly that nothing more was meant by it than a demand of the free navigation of those Seas, which was not to be extended to any share in the commerce of the Spice Islands....'[3] Their concern was not unjustified. The article, the Foreign Office declared, was indeed intended to ensure the essential navigation to China through the Archipelago, but, in so doing, it would permit British subjects to trade within the East Indies at places where the Dutch were not established. The Company's aim would be realized in the sense that the article ensured the right 'to an uncontrouled Trade to any of the islands situated in those Seas, not possessed by the Dutch'. 'It was by no means the intention of the East India Company to pretend to any Trade with the Dutch Establishments there, nor to attempt it in any manner whatever, so that no jealousy whatever need be entertained on that score.'[4] But the Dutch might well be 'jealous'. Their position in the Archipelago depended upon treaties and contracts, frequently not involv-

ing sovereignty or 'possession', and naval forces were lacking: the abandonment of the right to exclude foreign navigation would, under these circumstances, remove the last barrier to foreign trade even within the 'Spice Islands'.

Before the war, the British Company had generally assumed its right to trade and settle in places not possessed nor occupied by the Dutch, and in the 1760s had even interested itself in schemes for a settlement in the region of the Java Sea.[5] Now the Shelburne Government—no doubt with the intention of proving to the Opposition in Parliament that the peace was not entirely disadvantageous—was demanding an explicit Dutch admission of the British right to navigate, while recognizing that this implied the right to trade to places not possessed by the Dutch. The restoration of the old Anglo-Dutch alliance would have been a preferable alternative, and the succeeding Fox-North administration would have been prepared to modify the British demands if it could have been attained.[6] The Patriots, however, could not go so far, and indeed could make political capital out of a demonstration of the alleged hostility of Great Britain. The offending article thus became the sixth of the definitive treaty of 1784.

In the East, the deterioration of Anglo-Dutch relations was illustrated by the foundation of Penang in 1786. Without occasioning an outright clash with the Dutch—it was more or less beyond their sphere of influence—it would provide the additional security for the Bay of Bengal and for the Straits route that their alliance with the French seemed to render necessary. It would also be of some value as an entrepôt for the country traders who collected produce to add to the Company's resources in China. The occupation of Riau further to the south might have been more desirable, so far as the route to China and the Archipelago trade were concerned, but over that island the Dutch had renewed earlier claims in 1784. Indeed, it was this that led the Calcutta Government to accept the Sultan of Kedah's offer of Penang.[7]

In the United Provinces the advance of Patriot power and French influence went hand in hand. The direct object of France, the Foreign Secretary, Carmarthen, declared in April 1787, appeared to be 'the total annihilation of the present Constitution of the Republic and the consequent reduction of that country into a Province dependent ... on the dictates of the Court of Versailles....' The indirect object of France was 'no less than the depriving us of our most valuable rights in the East Indies, if not an absolute conquest of our possessions in that quarter....'[8] No doubt the financial difficulties under which the French monarchy was sinking would in fact have prevented any such attempt, but in London active measures were considered necessary, and in the autumn Anglo-Prussian intervention in the United Provinces effected the overthrow of the Patriots and the restoration of a friendly régime.

British policy towards the Dutch empire now had to be defined anew. In so doing, the members of the India Board accepted as axiomatic the view that it was to British advantage that the Dutch should substantially retain their empire in the East: an indication of an alternative policy would discredit the Anglophile régime in the Republic, and thus adversely affect the security of Britain, and of its empire in the East. There was, however, also the belief that, with the restored régime, the British could negotiate an agreement that would provide more particularly for British strategic needs in the East and effect some understanding over commerce in the Archipelago, an agreement, on the other hand, that would not be to the disadvantage of the Dutch, and would in fact provide a reasonable and lasting basis for friendship and alliance between the two powers.

The India Board in London prepared a memorandum on the terms for such an agreement. While the Dutch settlement at Negapatam, retained in 1784, would be restored, Britain should have the exclusive use, or preferably acquire possession, of the naval base at Trincomali. In the Archipelago, the

Dutch should transfer their rights over Riau, a station that would afford added protection to ships proceeding through the Straits to Canton and provide an entrepôt for the collection of Archipelago produce for transmission to China. In return the spice monopoly would be guaranteed: if the monopoly were destroyed the price of spices would fall, and the British would therefore do better to have the credit of upholding it. In Sumatra, the British Company still had factories on the west coast, its only possession in the area apart from Penang; but the Board proposed that no British traders would in future carry on trade, and no British settlements would be made, east of the easternmost point of Sumatra.

Dundas recognized the importance of a cordial agreement over these points between the two powers: 'the alliance cannot be durable, if there is one particle of jealousy intermixed with it'. The acquisition of Trincomali would add to the security of the British empire, but the weakening of the alliance would threaten it, and it would be better initially not to demand its transfer since this might provoke Dutch 'jealousy'. The other members of the India Board, Lord Mulgrave and W.W. Grenville, apparently favoured making the proposal for immediate acquisition, however, and the Board's memorandum for the Foreign Office also included the demand for Riau, which Dundas himself had considered would not arouse Dutch apprehension.[9] In this he was at once shown to be mistaken, and the whole system, as the Ambassador, Sir James Harris, put it, was placed on 'a slippery footing'.[10] There are indications that Grenville was prepared to abandon commercial claims in the Archipelago if Trincomali could be secured. The Dutch Company might take over the supply of the China treasury; 'and in this case the article of navigation could be so confined as to relate merely to a commodious and safe passage through the Eastern Seas to China, to the exclusion of all trade to or from the islands situated there'.[11] Yet, even with concessions over the

Archipelago, which Harris was not slow to offer, it appeared that the Dutch would not yield Trincomali on terms that would satisfy the British.[12]

In 1790 negotiations were resumed by the new Ambassador, Lord Auckland. The emphasis now shifted from Trincomali, for it was thought that the need for a naval base in the Bay of Bengal might be satisfied by the settlement then being formed in the Andamans: if, however, there were still to be guarantees of the spice monopoly, Riau must be obtained.[13] Again there was strong Dutch opposition to its transfer. The prospect of a new base in the Andamans reduced the importance of Penang, and Grenville and Dundas agreed that it would be better to 'shove that into the bargain' than to give up the hope of obtaining Riau, for which, they decided, there was 'no substitute ... the moment we, by giving the spice trade exclusively to the Dutch, depart from an unlimited communication directly with the Malays in their respective islands'.[14] Simultaneously, Auckland proposed to withdraw both the offer of a spice guarantee and the demand for Riau, and apparently it was decided that this, after all, was not the least desirable of alternatives.

There thus remained the problem of the Dutch empire as it had been illustrated by the disputes over Article 6 of the treaty of 1784. The Dutch wished it stated that the right of navigation, therein admitted, was not a right of trade,[15] but they were confronted with the Foreign Office's comment that this would be 'inconsistent with our General Right by the Law of Nations to navigate and trade to any places as well in the Eastern Seas as elsewhere, not occupied by the Dutch or any other nation'.[16] Dundas's proposals had failed, but some compromise over the question was clearly required: indeed, as Auckland remarked, 'the omission of all explanation whatever respecting our commercial claims in the Eastern Seas' was a circumstance 'which would subject our Friends at Amsterdam to more clamour than they will chuse to incur'.[17] The problem was, however, an intractable

one, and, in the given state of the Dutch empire, no words could be found to frame a compromise. Auckland, for instance, suggested that the British might simply promise not to trade within the Moluccas, but Grenville did not consider this would be satisfactory:

> If the Molucca Islands mean those only of which Holland has *bona fide* sovereignty or occupation, perhaps there would be less difficulty in that point, but I suspect these words would include many to which we do now trade, and always have, and which the Dutch only mean to conquer.[18]

The desirable explanations were deferred, and ultimately no treaty was concluded at all.

Perhaps this weakened the Anglophile régime in the United Provinces: certainly the Stadhouderate collapsed in face of the invading French armies of 1794 and 1795, and a new Patriot régime appeared in the shape of the Batavian Republic. The British Government at once took measures to seize strategically important Dutch colonies, and this necessary shift in policy, as in the war of 1780, also afforded commercial motives play. Many posts in India, Ceylon, and the Archipelago were occupied, and, while there were temporary readjustments after the treaty of Amiens of 1802, in the Napoleonic war Java itself was taken. The approach of peace led to a reaffirmation of traditional British policy towards the Dutch and their empire. Lord Castlereagh indicated in 1813 that Britain would, generally speaking, restore occupied colonies, provided Holland appeared strong enough and friendly enough to justify this, but not even the Prince of Orange could expect the restoration of all the old Republic's overseas possessions.[19] Clearly the Foreign Secretary believed that there was again the opportunity to place Anglo-Dutch relations in the East on a more rational basis, and yet maintain Anglo-Dutch friendship.

In a sense this was done in 1814. Most of the British conquests, with the principal exceptions of Ceylon and the Cape,

were transferred to the new kingdom of the Netherlands. But no provision was made in the convention of that year for the settlement of pre-war disputes over the Archipelago. In part this was realistic: certainly by 1814 the East India Company had no real interest in the spice trade; nor was it now much concerned with the Archipelago and with profiting from the operations of the country traders there, since Indian opium now substantially provided for the tea investment at Canton. But Raffles's administration of Java and the opening of the trade to the East under the Charter of 1813 had led to the establishment of British merchants on that island, interested in distributing British textiles and purchasing coffee.[20] These viewed with concern the restoration of Dutch sovereignty and the prospect of a policy of commercial exclusion. The extensive renewal of treaties and contracts with the native states outside Java, upon which the Dutch Commissioners-General embarked after the restoration of the colonies, likewise aroused the apprehension of country traders and Penang merchants. Raffles had pointed out the legal weakness of the Dutch position in the Archipelago and believed that the British should assure their trade and influence there by themselves establishing settlements and concluding treaties with the native princes. The Indian Government was especially impressed with his emphasis on the importance of protecting the China route: and so he gained the authority under which in 1819 he concluded a treaty of friendship with the yet-independent Sultan of Acheh at one end of the Straits of Malacca and acquired rights to a factory on Singapore island at the other.

In London, the Government had seen that new decisions must be taken on the Archipelago. Raffles's schemes must be used, not to overthrow the Dutch empire, but to press upon the Dutch a compromise by which its continuance could be reconciled with local British interests. So far as the latter were concerned, the Government could not, it was decided, either 'acquiesce in a practical exclusion' of British com-

merce from the Archipelago, or in complete Dutch control of the 'keys of the Straits of Malacca'. The prospects for a compromise would be affected by the preliminary question of 'the extent of the rights claimed by the Government of the Netherlands in the Eastern Seas'. The Dutch, Castlereagh considered, must

> distinguish how much of this claim rests upon strict possession, how much upon concession from the native princes, and by what limits in point of space, or by what rules of intercourse the Netherlands Government proposes to consider the rights and authority of that state to be restrained or modified towards the subjects of other powers frequenting those seas.

In a letter to Lord Clancarty, the British Ambassador to the King of the Netherlands, Castlereagh hinted at the kind of compromise he hoped to achieve. The Dutch, he wrote, could not expect to establish the sort of dominion the British had in India:

> Better far will it be for His Majesty [the King of the Netherlands] to hold Java and any other of his old possessions in direct colonial sovereignty, in which of course he will establish the system he thinks the wisest, but which after all, my opinion is, ought not in prudence to be one of exclusive trade, but that beyond these limits his object should be to have an understanding with that power (I mean Great Britain) which may open the native commerce of the other islands to a fair and friendly competition, without the establishment of any other preponderating military or political authority in those seas to counterbalance that which the Dutch now and long have exercised....[21]

The Dutch Colonial Minister, Falck, denied any determination to exclude foreign commerce or obstruct the China trade, but it was apparent to Clancarty that the claims the Dutch could base upon their contracts with native powers could practically effect exclusion and close the entrance to the China Seas.[22] This suggested that the compromise must turn upon the interpretation of these treaties,

which were now being substantially renewed. The whole question was further complicated by the emergence of a factor that had not apparently troubled British negotiators pre-war, but which the India Board pointed out in a memorandum on the Clancarty correspondence: it would be difficult to insist upon any British rights in respect of the commerce with treaty powers—with native states in contractual relationship with the Dutch—

> without admitting at the same time the equal right of other European nations, and of the Americans, to their share also. Perhaps as the policy of extending British establishments or connexions in the Eastern Islands has hitherto been considered by the British Government as at least extremely doubtful, the utmost length to which our preliminary demand ought to go (and even this subject to the political considerations suggested above) should be a stipulation that the Dutch will form no new engagements, especially on the Island of Borneo, where the possibility of an opening for us is the greatest....[23]

There was now concern lest Britain's example might tempt other great maritime powers to intervene in areas along the all-important route to China.

In the years after 1814, the British Government had been convinced that the convention of that year did not provide adequately for British commercial interests in the Archipelago and for the security of the route to China. It also felt less apprehensive about putting its views to the Dutch than it had pre-war. There was now less reason to be sensitive to public opinion in the Netherlands. As a result of the defeat of France, and of experience of French domination, the new Dutch régime was more stable than the old, and an attempt to provide for British interests in the East was not so likely to provoke a hostile Dutch reaction that would threaten them. Rather paradoxically, it thus became possible to provide for them in effective ways that did not depend on Dutch friendship. But the India Board argued that there was still reason for restraint in dealing with the problem of the

character and extent of the Dutch empire: the possibility of provoking direct intervention by a major maritime power in the area. Perhaps the expansion of American trade in the East during the war, and the general post-war feeling of insecurity, led to some exaggeration of this menace. Without doubt, however, it weighted the decisions in British policy once more in favour of the Dutch.

The compromise agreed upon after the negotiations in London of 1820–4 differed from that envisaged by the India Board. The Dutch, as advised by C.T. Elout, who had been one of the Commissioners-General, wished to avoid any actual definition of the extent or character of their claims, or any inquisition into the structure of their empire. But, while the British accepted the spice monopolies in enumerated Moluccan islands (fine spices were now in any case produced outside the Dutch empire), the Dutch in the course of negotiations did admit an article by which the two parties agreed that no treaty should be made thereafter by either with any native power in the Eastern Seas

> 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 such article to that effect has been admitted, such article shall be abrogated upon the conclusion of the present treaty.

It was stated to be understood that all existing treaties had been communicated by the one party to the other, and all made in future would be so communicated. In fact most of the old Dutch treaties were not communicated to the British.

This article became Article 3 of the definitive treaty of 1824. Article 2 of that treaty was designed to give Dutch trade 'the sort of protection which the British trade enjoys in the Indian ports' and under limitations allowed protective duties in Dutch possessions. The view was early advanced in Penang that the Dutch might acquire sovereign rights in native states by treaty or otherwise—might convert them

into Dutch possessions—and then impose there the protective duties of Article 2 rather than the equal duties of Article 3. Such treaties as the Netherlands plenipotentiaries had communicated in 1824—treaties with Borneo princes, the rulers of Pontianak, Sambas, and Mempawa—had, however, been renewals of old contracts, involving surrender of sovereignty,[24] and thus it was clear that the provisions of Article 3 were intended to apply to the sort of treaty by which the Dutch should acquire sovereignty or possession. What the position would be if the Dutch should acquire sovereignty over a native state by conquest, and not by treaty, was less obvious: no doubt an agreement over contractual relationships seemed to cover adequately most of the Archipelago.

In any case it was impossible to define the position too elaborately without arousing the jealousy of other powers. 'The situation in which we and the Dutch stand to each other is part only of our difficulties', wrote George Canning, one of the plenipotentiaries; '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 difficulties as soon as we can'.[25] A challenge to the Dutch must be avoided, for it was felt that this might invite the intervention of other major powers in areas flanking the route to China. But too obvious and too close an agreement with the Dutch might provoke other powers to intervene against the two allies.

These considerations throw light on other important articles in the treaty of 1824. The Dutch had at first opposed and then finally accepted the occupation of Singapore, and they also proposed to leave Malacca provided the British left Sumatra. As Falck put it, a line would be drawn between their respective possessions, through the Straits of Malacca and passing north of Riau. In the treaty the proposed line was replaced by articles, effecting this same division in different words, less likely to arouse the jealousy of others.[26] A difference arose over Acheh, which was important for its

position at the head of the Straits. It was now British policy to resign all Sumatra to the Dutch, and the more effective their control, the more effectively they would be able to exclude other major powers. Raffles's recent treaty of friendship with the Sultan raised a difficulty, however, which could only be overcome by including, in notes attached to the treaty, stipulations binding the Dutch to establish security in Acheh without infringing its independence.[27]

Falck's dividing line and the articles substituted for it did not extend as far as Borneo, though he certainly believed that Borneo was to be left to the Dutch. This, however, was not stated in the treaty, partly because of fears that the British Parliament might object to the 'abandonment' of Borneo as well as of Sumatra, and partly because so extended an Anglo-Dutch agreement, if it were explicitly expressed, might arouse jealousy among other powers.[28] Indeed the British plenipotentiaries probably felt that the arrangements made over treaty states removed the need, referred to earlier by the India Board, for an 'opening' on the island of Borneo.

The merchants of Penang and Singapore were opposed to Dutch extension on any terms, even if unaccompanied by protectionist measures, because they saw it as a threat to their entrepôt traffic, as a constriction of the scope of their operations. In the 1840s, the Foreign Office is found taking their part. In the case of the state of Siak on the east coast of Sumatra, the British were faced with a threat of Dutch conquest and, in the absence of any precise stipulation in the treaty of 1824, they attempted to counter this by reviving a treaty with the Sultan made on behalf of the Penang Government in 1818.[29] In the case of neighbouring Jambi, they faced the question of a Netherlands treaty with a native power. Here limitations on the Dutch could have been securely grounded on the treaty of 1824. But the Foreign Office was doubtful:

> it must not be forgotten that if we admit that the right of conquest has not been limited by the treaty..., and if we confine our

representations to Holland to the introduction by that power into a treaty with a native state of any article tending to exclude British trade, Holland may very easily put an end to the discussion by leaving no further doubt as to her real position with reference to those states, and by claiming at once the sovereignty over them.[30]

The Dutch indeed claimed that the stipulations of Article 3 did not apply when they acquired sovereignty even if they acquired it by treaty: in that case Article 2 alone applied.[31] With this Palmerston was inclined to agree:[32] and so the question of sovereignty, initially raised by the problem of conquest, and then asked in relation to contracts, displaced the basis of the 1824 compromise. The distinction then drawn between treaty states and possessions was now blurred.

Article 2 had indeed been found to afford little protection for British trade in Dutch possessions. The Foreign Office endeavoured in the recession of the 1830s to uphold the cause of the merchants in Java, related as their interests were to those of important textile manufacturers at home. It was the failure to obtain any real satisfaction from the Dutch that was largely responsible for the Foreign Office's decision to take up the Straits Settlements complaints. By 1838 the official view had already shifted far from that of 1824: 'an extension of Dutch influence or territorial possession', it was remarked, 'would in all probability be attended with consequences injurious to British interest and should be looked upon with jealousy by the Government of this country'.[33]

A more profound challenge to the territorial settlement of 1824 ensued with the Borneo adventure of the 1840s. This again was stimulated by the disappointing results of the negotiations with the Dutch over the Eastern Seas. When the Indian Government advanced the suggestion—derived from James Brooke—that coal from Brunei, a state of north-west Borneo, might be found useful for the Company's steamers, the Foreign Office declared in 1842 that it found no obstacle in the treaty of 1824 to an agreement with that state.[34] The real impulse behind the appointment of

Brooke, now Raja of Sarawak, as agent with the Sultan in 1844, came, however, from concern at Dutch policy, and similar sentiments lay behind the foundation of the colony of Labuan near Brunei in 1846.[35] Brooke later became 'Commissioner and Consul-General to the Sultan and Independent Chiefs of Borneo', a position, according to his instructions of February 1848, designed 'to afford to British commerce that support and protection ... peculiarly required in the Indian Seas in consequence of the prevalence of piracy ... and by reason of the encroachments of the Netherlands authorities in the Indian Archipelago'.[36] Alarmed for the security of their empire, the Dutch sought to strengthen their position in Bali, Lombok, Celebes, Borneo and beyond. The arrangements of 1824 had been further disrupted.

The appointment by the British Government in 1853 of a commission of inquiry to investigate Brooke's proceedings indicated, however, that the Borneo adventure had ceased to have its earlier significance.[37] With the general improvement in economic conditions in the 1850s and 1860s, there was indeed less pressure on the Foreign Office to preserve commercial opportunities for British manufacturers in the Archipelago. In any case domestic influences were prompting the Netherlands Government gradually to liberalize its protectionist policies. In these decades, nevertheless, the Foreign Office demanded tariff concessions, reviving all available claims against Dutch extension in the Archipelago and turning to account the feeling of insecurity this created at The Hague. The explanation of this apparent contradiction is obvious. The doubts about Article 3 had destroyed the 1824 compromise over British commercial opportunities in treaty states, and a liberal system there could now be guaranteed only by the general liberalization of tariffs in Dutch possessions. From the British Government's point of view, some such guarantee was obviously necessary in view of the complaints against Dutch extension—especially on Sumatra's east coast—which emanated from Penang and Singa-

pore from the late 1850s. In fact it was not of course likely that the entrepôt merchants would readily be reconciled to Dutch extension even under such a guarantee, and it was not surprising they should have remained unsatisfied when the Foreign Office signed the Sumatra treaty of 1871, whereby the British withdrew all their objections to the Dutch advance on that island, even in Acheh, in return for a promise of equal commercial treatment.

At one time it was thought that Borneo, too, might have been included in this settlement, but the Admiralty had decided that French naval activities on the opposite shore of the South China Sea—the left flank of the China route—gave Labuan a new importance. Moreover, as long as Brooke maintained a virtual independence in Sarawak, it was thought impossible to make an arrangement with the Dutch over its future disposition. Such an agreement might only precipitate his making it over to a major foreign power, which would render Labuan valueless and menace the right flank of the China route.

These strategic considerations were indeed once more playing an important, even a principal, part in British policies towards the Dutch empire. While the Dutch extended their empire as a means of excluding all major powers from the Archipelago, the British themselves preferred the Dutch to the other major powers. As the Parliamentary Under-Secretary, Lord Wodehouse, wrote in 1860:

> I believe the policy of Mr. Canning's treaty was much the wisest, viz., to leave to the Dutch the Eastern Archipelago.... The exclusive colonial policy of the Dutch is no doubt an evil, but it has been much relaxed of late.... It seems to me in many respects very advantageous that the Dutch should possess this Archipelago. If it were not in the hands of the Dutch, it would fall under the sway of some other maritime power, presumably the French, unless we took it ourselves. The French might, if they possessed such an eastern empire, be really dangerous to India and Australia, but the Dutch are and must remain too weak to cause us any alarm.[38]

Though, as earlier, the Foreign Office was no doubt exaggerating the French threat, its negotiation of the treaty of 1871, given these presuppositions, was a diplomatic triumph in the sense that commercial concessions were secured in return for the recognition of a territorial arrangement desirable in itself. The Straits Settlements nevertheless felt that their interests had been sacrificed, and this feeling was intensified when the Dutch, apprehensive of foreign intrigue, plunged into war with Acheh in 1873. The British intervention in the disturbed west coast states of Malaya in 1874 and 1875 was not, however, designed to compensate the disappointed Settlements. The Government in London was again influenced largely by strategic motives: its change of policy in Malaya was dictated by the fear that if it did not intervene, another power would do so, and gain a foothold in the neighbourhood of Singapore.[39]

Fifty years before, the Dutch had been excluded from the Peninsula, again partly as the result of the British policy of protecting the entrance to the China Seas. The extent of the Dutch empire was indeed largely determined by the decisions over a whole century of the predominant power in southern and eastern Asia. This is not in itself surprising, but the historian may well wonder at the motives and content of the policies that did in fact draw the boundaries of the nation-states of the Malay Archipelago of our own day.

[1] H. Furber, *Henry Dundas, First Viscount Melville, 1742–1811*, Oxford, 1931, p. 103.

[2] Grantham to Fitzherbert, 18 December 1782. FO 27/2. Observations of the Court of Directors, 10 December 1782. FO 27/15. Fitzherbert to Grantham, 19 February 1783, and enclosure. FO 27/5.

[3] Fitzherbert to Grantham, 3 February 1783. FO 27/5.

[4] Grantham to Fitzherbert, 9 February 1783. FO 27/5. Fletcher and others to Grantham, 12 February 1783. FO 27/15.

[5] D.K. Bassett, 'British Trade and Policy in Indonesia 1760–1772', *BKI*, vol. CXX, 1964, pp. 197–223.

[6] Hence the delaying of the final signature of the treaty. Manchester to

Fox, 3 September 1783; Fox to Manchester, 13 November 1783. FO 27/7.

[7] Bassett, *BKI*, vol. CXX, p. 198. For some account of Dutch relations with Riau, see E. Netscher, 'De Nederlanders in Djohor en Siak, 1602 tot 1865: Historische Beschrijving', *Verhandelingen van het Bataviaasch Genootschap van Kunsten en Wetenschappen*, vol. XXXV, 1870, pp. 170–84, 189–203. A recent work has stressed the commercial rather than the naval motive for founding Penang. K. Tregonning, *The British in Malaya 1786–1826*, Tucson, 1965, p. 33.

[8] Carmarthen to Harris, 6 April 1787. FO 37/13.

[9] Dundas, Grenville, Mulgrave to Carmarthen, 21 December 1787. FO 37/20. Memoranda in DR A/10, 26.

[10] Harris to Carmarthen, 11 March 1788. FO 37/22.

[11] Grenville to Harris, 27 February 1788, Historical Manuscripts Commission, *The Manuscripts of J.B. Fortescue, Esq., preserved at Dropmore*, London 1892–1927, vol. III, pp. 445–6.

[12] Harris to Carmarthen, 18 July 1788. FO 37/23 (the *projet* enclosed is attached to Auckland's despatch of 21 January 1791, FO 37/33). Malmesbury to Carmarthen, 7 October 1788. FO 37/24.

[13] Auckland to Leeds, 5 May 1790, two despatches. FO 37/28. Dundas to Grenville, 30 May 1790. Dropmore Papers, vol. I, p. 588. For the Andamans, see V.T. Harlow, *The Founding of the Second British Empire*, vol. II, London, 1964, pp. 361–3, also *infra*.

[14] Grenville to Dundas, 25 June 1790; reply, 1 July 1790. Dropmore Papers, vol. I, pp. 590, 591.

[15] Auckland to Leeds, 30 June 1790. FO 37/29.

[16] Leeds to Auckland, 1 February 1791. FO 37/33.

[17] Auckland to Leeds, 8 February 1791. FO 37/33.

[18] Auckland to Grenville, 13 February 1791. Dropmore Papers, vol. II, pp. 31–2. Grenville to Auckland, 29 July 1791. ibid., p. 145. Grenville to Auckland, 2 September 1791. FO 37/35.

[19] Aanteekening, 18 May 1813. H.T. Colenbrander, ed., *Gedenkstukken der Algemeene Geschiedenis van Nederland van 1795 tot 1840*, The Hague, 1905–22, vol. VI, part 3, pp. 1881–3.

[20] J. Crawfurd, *History of the Indian Archipelago*, Edinburgh, 1820, vol. III, pp. 501–3. H.R.C. Wright, 'The Anglo-Dutch Dispute in the East', *Economic History Review*, 2nd Series, vol. III, no. 2, 1950, pp. 229–39.

[21] Castlereagh to Clancarty, 13 August 1819, no. 13, Secret. FO 37/107, also Colenbrander, vol. VIII, part I, pp. 130–2. Castlereagh to Clancarty, 13 August 1819, private. FO 37/107, also Colenbrander, vol. VIII, part I, pp. 132–3, and N.W. Posthumus, *Documenten betreffende de Buitenlandsche Handelspolitiek van Nederland in de negentiende eeuw*, The Hague, 1921, vol. II, pp. 29–30.

[22] Clancarty to Castlereagh, 20 August 1819. FO 37/107, also Colenbrander, vol. VIII, part I, pp. 135–9.

[23] Memorandum undated. DR A/30, numbered 12.

[24] Fullerton's memorandum. SSFR 100 (7 April 1825). Fagel and Falck to Canning and Wynn, 16 March 1824. DR A/31, numbered 44. For the treaties, see C.M. Smulders, *Geschiedenis en Verklaring van het Tractaat van 17 Maart 1824*, Utrecht, 1856, pp. 167–74.

[25] Note by Canning on Courtenay's memorandum of 15 January 1824. DR A/31, numbered 8.

[26] Memorandum on Singapore, enclosed in Falck's note of 23 December 1823. DR A/30, numbered 61. Memorandum of 15 January 1824. DR A/31, numbered 8.

[27] Courtenay's memorandum on the Special Secret Committee's letter of 11 February 1824, 12 February 1824. DR A/31, numbered 34.

[28] See Hora Siccama's letter of 26 October 1858 in P.J. Elout van Souterwoude, ed., *Bijdragen tot de Geschiedenis der Onderhandelingen met Engeland, betreffende de Overzeesche Bezittingen, 1820–1824*, The Hague, 1863, pp. 311–13; P.H. van der Kemp, 'Mr. A.R. Falck in zijn Vastlegging van onze Aanspraken op geheel Borneo', *De Indishe Gids*, vol. XXXIII, part I, 1911, pp. 1–20; J.E. de Sturler, *Het Grondgebied van Nederlandsch Oost-Indie in verband met de Tractaten met Spanje, Engeland en Portugal*, Leiden, 1881, pp. 283–4; and Falck's notes on Elout's comments on the treaty in A.R. Falck, *Gedenkschriften*, The Hague, 1913, Appendix, p. 569, note. Compare Falck's remark in the plenipotentiaries' conference of 9 January 1824. DR A/30, numbered 55. See also G.W. Irwin, 'Nineteenth-century Borneo: a Study in Diplomatic Rivalry', *Verhandelingen van het Koninklijk Instituut voor Taal- Land- en Volkenkunde*, vol. XV, 1955, p. 65.

[29] Palmerston to Disbrowe, 8 March 1841. FO 37/227.

[30] Mellish's memorandum, 20 May 1841. FO 37/233.

[31] Kattendyke to Disbrowe, 20 April 1842. FO 37/235.

[32] Draft to Disbrowe, and minute of 10 December 1846 attached. FO 37/260.

[33] Strangways to Barrow, 9 January 1838. FO 37/213.

[34] Foreign Office to India Board, 19 March 1842. FO 37/238.

[35] Foreign Office memorandum, 25 June 1846. CO 144/1.

[36] Palmerston to Brooke, 23 February 1848. FO 12/6.

[37] See Stanley's memorandum, 2 August 1852. FO 12/11.

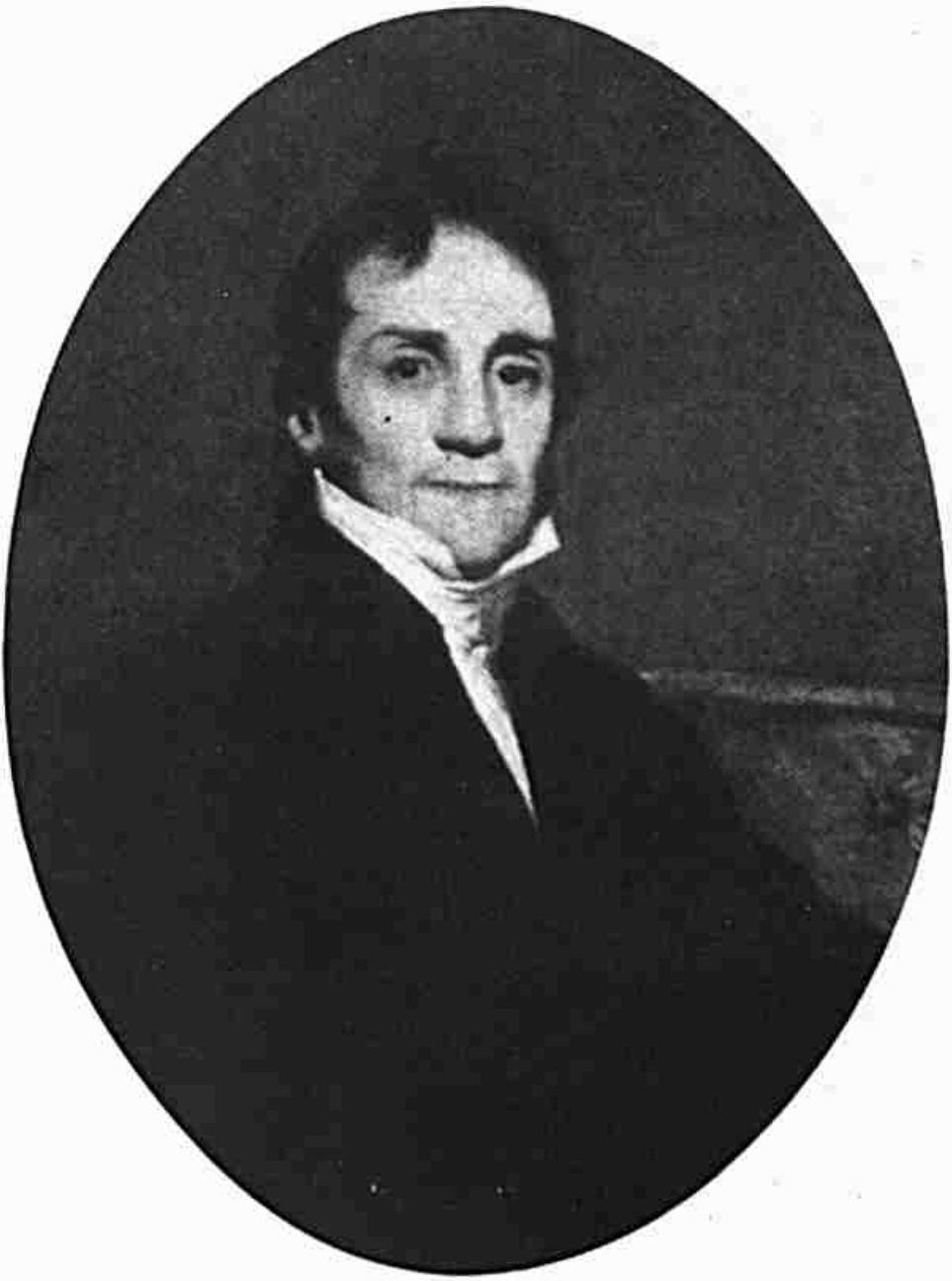
[38] Wodehouse's memorandum, 18 August 1860. FO 12/28.

[39] See C.D. Cowan, *Nineteenth-century Malaya*, London, 1961, chapter 4.

III

The Prince of Merchants and the Lion City

THE Governor-General of the day, Lord Hastings, called John Palmer of Calcutta the 'Prince of Merchants', but, as Dr. C.A. Gibson-Hill pointed out, his political position was also important. He was 'the friend and confidant of a considerable proportion of the men holding high office in the Indian Government from about 1800 until his death',[1] for instance John Adam and Charles Metcalfe, members of Hastings's Council. He also corresponded with a number of Dutch officials in India and, after his visit in 1821, in Java. His letters thus give us much information on the questions that arose between the British and the Dutch over the restoration of the Netherlands possessions in India and the Indies under the convention of 1814, on Raffles's plans for a British empire in the Archipelago and his acquisition of Singapore in 1819, and on the other matters that ultimately the treaty of 1824 was designed to settle. In particular it is possible to view these proceedings more from a Calcutta direction, less from a Bencoolen or Batavia, a London or Brussels direction, than is usual, than, indeed, the present author attempted in an earlier book.[2]



1 John Palmer

C.E. Wurtzburg, who used many of Palmer's letters in his *Raffles of the Eastern Isles*, complained that it was difficult to discover his personal views, 'for he varied the tone of his remarks according to the person he was addressing....'[3] At least, Gibson-Hill commented, this means that his letters tell us something of the recipient's views. 'The one thing that he never set out to be was a solitary voice crying in the wilderness.... He held a wide audience, in fact, by preaching brief, neatly-turned sermons to the converted, at all times a most profitable business....'[4] But, so far as relations with the Dutch and the acquisition of the 'Lion City' were concerned, it does seem that Palmer had fairly defined views of his own: if his views on personalities varied, this did not mean major fluctuations in his views on politics. It is not always very clear what influence these views had on the shaping of British policy, and on the all-important decision late in 1818 to secure a footing at the southern end of the Straits of Malacca though the convention of 1814 had restored Malacca to the Dutch: a decision apparently made in Calcutta and accepted in London. Palmer's views have, however, an intrinsic importance. The 'Prince of Merchants' had no very optimistic opinion of the potentialities of trade in the East Indies, but a very keen appreciation of the strategic importance of the route to China. Finally, it is noteworthy that on the whole Palmer adhered to his political views, even though he had connexions with the Dutch as their commercial agent in British India. At the most this stimulated his capacity for friendship and his epistolary powers to attempts at conciliation and compromise—but attempts involving the Dutch acceptance of the essentials of the British position.

The commissioner for reoccupying the Dutch settlements in India, J.A. van Braam, was disappointed in his attempts to regain old Dutch privileges in relation to customs duties and deliveries of opium and saltpetre.[5] In May 1818 Palmer wrote to him, suggesting that things might have been different had Hastings been in Bengal at the time. The Dutch

Commissioners-General, he thought, should write to the British Governor-General,

> pointing out the advantages and facilities granted the British Settlers and Merchants trading to the Eastward and trusting that in the same Spirit of reciprocity, correspondent Indulgences and Encouragement may be conceded to the Subjects and Concerns of his Netherland Majesty throughout the British possessions in Asia..., and no higher exactions be imposed on one Side than the other....
>
> Nothing can be more obvious than the error of your policy in preserving ephemeral Establishments in any part of India: they are copious Sources of mortification to you, and of vexation to us in time of Peace; and of loss to you and disadvantage to us in time of War. Their Insecurity prevents private Enterprize—their Insignificance, public Exertion, and they go on mouldering away to the degradation of your Name; and the annoyance of our local Administration of Justice, police, and Revenue.
>
> You should therefore tie them all up together and transfer the Bundle of Territory to us, for the price of an equality of Duties between Netherland and British Subjects; an allotment of Opium and Salt Petre at their actual Cost and Charges; and permission to your Merchants to reside at all places where you once enjoyed a Factory.... I would caution your Government against a Hint at retaliation, because I am sure success is more likely to flow from a candid Exposition and conciliatory propositions than from any insinuation of that sort....[6]

Van Braam indeed believed that the British were trying to make continued occupation of the Continental settlements as unattractive as possible with a view to taking them over more cheaply and quickly.[7] Palmer was presumably adding his mollifying and persuasive influence to such more obvious pressures. Commercial reciprocity in the two Indias and the political disappearance of the Dutch from the Continent were indeed to eventuate, after negotiations in London, in the treaty of 1824. The allotment of opium—originally in compensation for the monopoly the British assumed in 1775

—was finally to disappear, though it was still being thought of in London in 1818.[8]

It is possible, however, that emphasis should be placed upon Palmer's attempt to prevent retaliation, which he believed might affect his financial relations with the Dutch Government. Thus he wrote to John Deans, his connexion in Batavia:

> The Commissioner is so little pleased with the treatment he has experienced here and at Madras from the Governments, that you may expect to feel the Effects of it soon, or late, in various retaliatory measures. It may be well worth your Consideration how best and soonest to get a large part of your Property away, lest the facility be cut off, when most needed. I wish that He and his Government owed us less Money, for in their angry humour, perhaps I may be the Victim of their Resentments. I think highly of V. Bm. and conclude that his Government would scorn to wrong an Individual: but the course of their measures may involve that consequence; and I would fain get my Money in before a greater Heat is engendered....[9]

The following month Palmer was writing to Charles Assey in London of a proposed visit to Calcutta by the Lieutenant-Governor of Bencoolen, Sir Stamford Raffles ('humble Thomas is sunk').[10] He thought that Raffles would try to change the Governor-General's policy towards the disturbed north Sumatran state of Acheh where, consequent upon a report by Captain J.M. Coombs of Penang, the plan was to support the pretender Syf-al Alam against Jauhar Alam, the old Sultan.[11] Palmer was a supporter of the former, while Raffles believed an alliance with the latter would better provide against any extension of Dutch power in that region.[12] To provide against it in Borneo he wanted a British settlement established. As Palmer wrote:

> It is said that Sir Stamford is redhot for Settlement in that convenient nook of Borneo where Europeans never voluntarily resort. I think R. may be useful in giving a Character to Malay Policy, generally calculated to improve that People, without for-

getting the reformation of our own. I think them as susceptible of Improvement, as our Traders amongst them are of high Honor; and I am satisfied that the Intercourse may be as largely as beneficially reciprocated....[13]

Raffles was also interested in the possible retention of Malacca,[14] which was still in British hands in mid-1818. It is not clear at this time how much interest in this prospect there was in Calcutta, but Palmer certainly could see its economic importance, and still more its strategic importance as a guarantee for the Straits route to China. He was inclined to prefer retaining it to expanding in Borneo. Presumably with a view to pressing the case if it seemed necessary, Palmer wrote to his friend William Farquhar, the British Resident at Malacca:

I venture to solicit from you, and for public ends, your Sentiments upon the relative importance of, and apparent or probable necessity for our retention of Malacca: for altho every common Observer who has been to the Eastward—or who will look at the Map, and has a limited knowledge of the Commerce Navigation and Policy of the Eastern People and their European Neighbours —must see how undisturbable would be our Security, and our Influence, were we planted there instead of the Dutch, few are competent to appreciate the whole advantage of that Position, and no Man in Asia, so thoroughly as yourself. Perhaps we require even more than that counterpoising Situation for the benefits and Security of our Eastern Trade in general, and it seems to me not yet too late to effect the Object, by some other Establishment more Easterly than Malacca. Some part of Borneo which should not bring us into Collision with the Dutch might be a suitable Plan: but if the Idea of such a Settlement should even be a novelty to you, you will still be the fittest Man I know Sir Stamford Raffles not excepted—to choose the Station; or to pass Judgement upon its Utility. Whether the Dutch with their varying Alliance in Europe may ever be powerful enough to dispute our Superiority in the Eastern Seas is certainly a matter of great doubt: but there can be none upon the facility with which we may within the next 2 or 3 years secure Ourselves against the

Event for ever. The Expence might be more than commensurate however to the Benefits such Stations might assure us: for the Trade is not of certain Importance if it cannot be greatly enlarged; and its protection (including the Intercourse between the Mother Country India with China) might not be the certain result of any such Position amongst the Eastern Islands.

I may be giving you a great deal of trouble and perhaps to very little purpose, for these embryo views may be abortive; but as it is not to gratify a speculative Conceit, nor any selfish purpose, you will not withhold from me your Opinions upon Concerns with which you must be familiar....[15]

Raffles had suggested that, if the Dutch were allowed to retain Malacca, the British should form an establishment at Riau 'or in some of the adjacent islands'.[16] Meanwhile, in Penang, the British merchants pressed Governor Bannerman to mitigate the expected effects of the imminent return of the Dutch to Malacca and to seek alternative means of continuing trade with Malay states. Subsequently Farquhar was despatched on a mission which took him to the west coast of Borneo, where he was anticipated by the Dutch, and to Sumatra where, late in August, he made a treaty with the Sultan of Siak binding him not to make treaties with other nations that might obstruct or exclude the trade of British subjects.[17] On 19 August Farquhar had made a similar treaty at Riau with the Bugis viceroy of the empire of Johore-Lingga, acting on behalf of the Sultan Abdur'rahman.[18] Palmer had correspondents in Penang and knew of the mission. He commented to W.A. Clubley, a member of the Council there: 'with a strong position at Riau, and a firm footing at Acheh, the Straits would be hermetically sealed in war, and the whole influence in them and the contiguous Archipelago, in our hands in peace....'[19]

Whatever influence Palmer's views had in Calcutta, it was certainly the fact that the new mission there determined upon during Raffles's visit was aimed at securing both ends

of the Straits of Malacca. Palmer wrote to the Penang merchant, David Brown:

I have the Satisfaction to inform you that our Government has at length determined upon a more active and decided policy in our Eastern Relations; and that every suitable Effort will be made to secure us the Influence and Dominion of the whole Straits of Malacca. The strongest of the Competitors for Acheh will be chosen as our commercial Ally: and Farquhars Arrangements at Riau, Lingga and Siak will be confirmed and improved, if possible. Ulterior views must be refer'd to the Parent States; but Liberal Sacrifices will be proffered for Malacca and Bangka....[20]

This letter more or less summarizes Hasting's secret minute of 25 October, which indicated the Governor-General's growing suspicion of the Dutch and his determination to safeguard the Straits pending reference home. Among the plans referred home was that of obtaining Malacca, and also setting Bangka against the sum the Dutch owed in connexion with the transfer of Java, a suggestion Raffles had made.[21]

In his letter to Brown, Palmer had wondered to what extent Farquhar's arrangements were susceptible of improvement. If anyone should try to effect it, it should be Farquhar himself, he told Coombs. Just as he was writing, Raffles called, however, and Palmer gained a fuller idea of the contemplated mission.

If no further vacillation distinguish our Proceedings, he carries Instructions of his own Drafting, to form stable Connections, political and commercial, where F. has already put his seal; and the object of his Visit appeared to be to ascertain my notion upon the nature of those Relations. It seemed to be settled that we should neither assume, nor look for Sovereignty, nor any sort of domination—but maintain the Rajahs in their Authority, and under their respective Banners and Passes allow the freest Intercourse of Trade with all People: He suggested a doubt whether if our Flag flew, as it must over our Factory etc., Americans would not be precluded by the Convention, from

trading to Ports in Alliance with us; but I suggested that as the restrictive Clause was expressly designed to protect the Company's monopoly on Sumatra, and which he had by their authority relinquished, and as the effect of the restraint forced them into British and Malay Ports, it might be competent to the Governor General to grant Licences to all Foreigners desirous of so trading, and that with respect to Sumatra the benefits of the Indulgence would be twofold—depressing our Rival, whilst it aggrandized Ourselves.... I gave more readily into this from public motives than from private you may conclude; for so long as we must stick to the barren Side of Sumatra, I hoped to elevate Tapanuli at the Expense of Padang, and so paralyze that Station between the influence of Bencoolen and Tapanuli—which you know has the great local Advantage over all the West Side of the Island. I had in view however to get the Knight out of your waters, for though I fear I may not preclude him I trust I may shorten his Stay among you....

On the whole, however, it is clear that Palmer wished British interest to concentrate upon the Straits of Malacca; and, now that Raffles was entrusted with a mission thither, he was trying to excuse himself for not supporting the claims of his friends in such a way as might impede their rival's execution of policies he had recommended.

I have hitherto suspected, and my Conference has not much weakened the Apprehension, that the Knight is netting out for himself an Empire East of yours; hoping that Bangka, by purchase, or Commutation may be the Seal of it, and Sumatra a Dependency. This last, unless an entire and exclusive Dominion, evidently will not satisfy his Ambition; nor even yield that Occupation which a restless Mind and Frame seem to exact; and especially as it does not allow of his glutting his Resentments against the Dutch—which is, I think, quite a Principle in his politics, if it is not in his nature. I should be inclined to retaliate a Spice of this Gentleman's behaviour towards you, if I did not fear some hazard of delay and all its evils, by making on this Stage of the Mission, a Stand in favour of F. or rather your Govrs. Authority, for his is the exclusive merit of putting an able and

active Instrument in motion, and neither Justice nor Decorum, should permit his title to be disputed, or disparaged ... I dread an interruption to what is going forward, reprehensible and unnecessary as the manner of proceeding is. Besides I know that there exists so vast a Superiority of Judgment at Penang over Sir K. that once within your Influence he will drop into his appropriate Place. I have no wish to depreciate his Talent or fitness, and but for the undeserved and deliberate treatment you experienced from him, I should have respected the Knight more upon Acquaintance than previously.... He is a kind hearted Man, a little selfish in his views of Ambition and policy—perhaps from a conviction that the whole range of Eastern Subjects does not require the Talent of more than one ordinary Man—and that Man he desires to be.

If I can get back my very crude and hasty minute—or review of Sir Stamford's Sketch of Arrangements—you shall have it. It successfully I think exposed the fallacy of his Southern and Eastern Line of Connection—abandoning the Straits of Sunda and all under its Influence—and pressed the immediate dominion of your Straits and acquisition of a footing at Riau and Acheh....[22]

While Farquhar was away, J.C. Wolterbeek and J.S. Timmerman Thyssen had arrived to take over Malacca. After his return, and after the take-over, Farquhar mentioned the English plan to settle further eastwards, for instance at the Karimun islands. This plan, he said, he had already discussed with the authorities at Riau and Lingga. The Dutchmen argued that the whole realm was under their suzerainty by virtue of a treaty of 1784, which they considered still in force.[23] In a letter to Farquhar, Palmer praised the Karimun plan, and wondered if Raffles was being employed simply to provoke the Dutch to some accommodation.

I was delighted to find that your whole Mission had not been abortive, altho the invincible Supineness of our Rulers, merits that we should be excluded from every Place Eastward of Penang. I earnestly hope that Bannerman has instantly detached a Force to protect and give consequence to a small Civil Establishment at Riau and Lingga, Siak, &ca, for on his promptitude, vigor and

determination rests everything we have to accomplish in our new Relations of Policy and Commerce. Sir Stamfords mission is I conclude too late, either from what we shall have already done, or (from what we have not done) what Mynheer will have done ere now. The vital Importance of a Chain of Ports which should secure the Straits of Malacca to us, in Peace and War, seems only never to have occurred to the Public Authorities at Home as in India—nor to have been respected, when forced upon their Notice; and I doubt not that between the Expence and trouble of repairing their negligence the public Interests will groan for years to come. However neither Expence nor Trouble should be our present or future care, for either the Dutch or us, must have the mastery of those Straits; and we shall not escape both, or either of those Evils by Submission to their pretensions. I do hope my Friend that you will be employed to complete the only substantially important measures which have been attempted since the Peace with Holland in these Seas; and that even Sir Stamford may not be used to diminish the value of your previous Services. And yet I can see nothing else in his mission Eastward of Penang, unless it be the certain provocation of Mynheer to terms or Counteraction—for the worthy little Statesman cannot budge a Peg, without exciting their Suspicion and inspiring their Terror and Hatred and Hostility. This however like the general tenor of my Sentiments upon our Eastern Policy and Arrangements is little less than high Treason; and as I don't covet Hostility from Great or little, let my reflections rest with yourself....

Palmer approved Farquhar's plan for a post on the Karimuns;

and with your preliminary Arrangements on one of your Flanks and on the Rear, I should hope to see the British Flag easily exploring, by Dryon and Singapore, just what Seas we liked to visit, and perhaps procure our Friends on Borneo some mitigation of their Dependence....

As a merchant he attached 'no vast Importance' to Sambas and Pontianak and other such native states,

but in Policy we should uphold every one of them not stained with Blood and Pillage; and acquire the Dominion by force of

those which are: for by all means we should strengthen our own hands and weaken those of our plodding Rival whom nothing but defeat, ever diverts from his Designs....[24]

Palmer's major interest was still in perfecting the security of the Straits in peace and war, and there he wanted a settlement. Possibly his friends in Penang were less keen, and a letter to Brown suggests that Palmer was persuading them that it was essential.

I fancy ... that an Establishment of some kind East of Malacca is an indispensible Outwork for Penang; and the sole Security you can have for the passage of a single Bugis or Malay Vessel, westward of Malacca. The Dutch will not suffer Factories or even Intercourse, when they are established; and unless we choose to relinquish the Trade, we must struggle for a possession somewhere in the Straits of Singapore, Dryon, or Bangka....

A firm arrangement with Acheh should guard the other end of the Straits.[25]

The letter to Farquhar indicated some apprehension that Raffles might provoke the Dutch, and this led Palmer to write again to Van Braam, urging the necessity for negotiation rather than retaliation. In the letter he recurred to earlier notions of concessions over opium deliveries and compensation. But he still clearly wanted to obtain the surrender of the Dutch Continental factories and the security of the Straits of Malacca. Some of the Dutch complaints over Raffles had been satisfied, he told Van Braam,[26] and he hoped

that posterior Events may be so qualified by mutual explanation and Concession and Arrangement, as to secure the Harmony prescribed by the true Interests of both States. Whether it is right, or judicious in your Government, to insist on exclusive Connection or Control of the Eastern People, or, in us, to contend against such pretensions, are questions that should be amicably discussed and liberally determined....

It were wholesome I think if you relinquished all your views on Sumatra on the West Side—holding by the South and East

Sides; and leaving us the West and North, and retiring wholly from the Straits of Malacca, leave us the unfettered use of that Channel of Communication, as you enjoy those of Sunda, Bali, &c, receiving in Exchange for what you surrender, Money or Opium at the Cost to our Company; and that the Subjects of both States should have free Access &ca to their respective Countries on an equal footing. It were almost as sound a policy on your part to transfer Malacca to us as Chinsurah, and your idle Establishments on the Coasts of the India; and we ought to pay liberally for them, because these concessions would extirpate the Seeds of Confusion and Discord amongst our Settlements; and those of certain destruction on every Rumour of Hostility to you....

Raffles, he feared, might produce new disputes. If so, the Dutch Governor-General, Van der Capellen, should send someone to discuss them with Lord Hastings, 'our most excellent and liberal Ruler'. Indeed, had Van Braam met him before, no doubt much of what had occurred could have been avoided.[27]

Again Palmer's letter to Farquhar had indicated some apprehension that the Dutch might have anticipated Raffles. Raffles's additional instructions had in fact suggested that he should go to mainland Johore if Wolterbeek had gone to Riau.[28] Palmer was doubtful whether this would be any use. Some people, he told Coombs, had accepted Raffles's

visionary Conceit of being able to treat with Johore; and consequently to acquire an Asylum in the Straits of Singapore which would enable us to paralyze the Trade of Malacca and the Bangka Straits, but Johore is nearly extinct, and must be more subject to the direct authority of the Dutch than Riau or Lingga—or if it be of any sort of importance, is not likely to have been overlooked by them when they are coercing the nominal Dependencies of that obsolete State. I had for a moment thought better of Johore, altho to Sir S. himself, I had hazarded my local and political doubts: reflection however soon satisfied me that unless Johore could give us Riau indisputably, it was not worth a Straw to us either in Peace or War....[29]

Raffles had been anticipated at Riau, but procured from the Temenggong of mainland Johore and from a Sultan of Johore specially recognized for the occasion the cession of a factory on the island of Singapore.[30] After a long argument with Coombs, he also signed a treaty with Jauhar Alam of Acheh.[31] On the latter, Palmer admitted to Raffles that he could not quite agree with him.

I sincerely hope ... that from here, and here only, your Treaty will be acted upon; since, from whatever motive, I apprehend its abortion under the Administration of Penang. If I could command, or sway, it should be safe; and the fairest play possible be given to your Arrangements.

Farther East all is clear and sound in policy. Rights on either Side not founded on the pleasure of the People, are farcical: but the Exercise of Power, in your hands, will be benign; and I hope to see Singapore the crowded Emporium of all the Eastern Seas....[32]

Palmer was prepared to criticize, but also to accept what had happened, not only at the southern end of the Straits, where the settlement he desired had been obtained despite his doubts about Johore, but also in Acheh, where he had believed the British should establish a connexion, though one with Syf-al Alam.

In a letter to Brown, Palmer further criticized the Jauhar Alam policy that the Penang merchant also favoured. He also commented on Brown's evident desire for free trade with native states without the establishment of rival settlements.

I am laboring to accomplish your just and liberal Views of Eastern Policy; and as far as professed Sentiment goes, I dont despair of seeing them adopted, or recommended for adoption, by the Cabinets at Home. I attach great Importance to the Acquisition of Singapore, until your Principles of Policy are honestly recognized by both States; but on any terms, I look to an extension of British Commerce from that Possession; and to the encreasing consequence of Penang, if, as it ought to be, Singapore

is under your Authority. Malacca is in truth sealed up; and may be had for a song, if we are justified at Home: but I am less sanguine of the favourable reception of our recent measures than I was, from the tenor of my Communications down to the end of February. The nearer objects at Home seem to occupy the whole Eye of Government....[33]

The Government at home certainly regarded the friendship of the Dutch as an important element in their European policy.

Furthermore, as Palmer told Assey, the Dutch were protesting about Singapore by reference to the treaty of 1784. Characteristically, he suggested that the solution was, perhaps, conciliation by compensation.

I shall not be surprized that we owe to pecuniary or commercial Concession the Advantage of Sir Stamford's Assumptions. To have is, I observe with him, to hold: but some other Logic is indispensible to justify our measures, and to reconcile a Rival to them.... Lord H. is the staunchest of our Politicians, and appears to hope that our Acquisitions will be confirmed at Home upon their own merits: if however other means of amicable Arrangement can effect the object, we need not care for the more or less of pecuniary Concern. But an infinitely superior Object would be accomplished by the Freedom of the Native States and their total Independence of all Foreign Domination: thereby leaving to all the fruits of their Activity and Resources and saving to the two great Rival Powers the uncompensable Expences of Establishments likely to be overwhelmed at all times by the breaking out of war.

I scarcely hope that this will catch you at Home [in England]: for you can have no particular motive for remaining, if you discover that nothing can be done in Eastern Concerns. The Malay Trade is not important enough to set us Merchants in confederated Movement; and the few who pursue it, perhaps prefer its clandestine and dangerous Advantage to a Change of System which would enlarge Competition. Some of us look rather to political Security and unimpeded Intercourse with China—every Shackle upon which gives a fresh Advantage to others....[34]

Assey was in fact to publish that summer a pamphlet, *On the Trade with China and the Indian Archipelago, with Observations on the Insecurity of British Interests in that Quarter*. The Government in London, like that in Calcutta, was indeed mainly impressed with what seemed most important to British trade namely, as Palmer realized, the route to China. However, they displayed some interest also in the trade to Java and to the other islands of the Archipelago and, when Raffles's proceedings—those in Palembang and elsewhere—provoked Dutch protests in London late in 1818 and early in 1819, they prepared to negotiate over all these questions. News of the acquisition of Singapore arrived in August, and the same month instructions were sent to the ambassador in Brussels.[35]

Palmer meanwhile continued his own attempts to promote a settlement by conciliation and compensation. Van Braam had been in correspondence with Palmer over Dutch rights in Riau-Lingga-Johore, and Palmer had shown his letter to Adam, who communicated its contents to Hastings.

> If its Arguments have not produced conviction of your better Rights in the Singapore Straits, they will at least conduce to make us less peremptory in the assertion of ours; and I know that a Spirit of cordiality and liberal Feeling exists between your excellent Governor and Ours. I would fain procure a compromise between the Governments, and have taken some pains to suggest more than one Expedient to effect it. We wish to leave you the Straits of Sunda and to keep those of Singapore—the navigation free to all; and if your Right[s] be incontestable to secure these by Purchase. What would you say to your old Privilege of Opium, shackled with the exclusion from your Ports and Dependencies of the Turkey [Opium]...?
>
> Reciprocal Alleviation of Duties instead of the present heavy exaction on both Sides. A Swap of Bencoolen for Padang, and a Boundary of respective Possessions in the Equator or some other Line which should not violate any present possessions either party might wish to preserve....[36]

Britain would thus secure all it wanted and the Dutch would

be compensated. And, over opium, public and private interests seemed to coincide. The following month Palmer again wrote to Van Braam:

> I am a great pacificator and Financier, and in my Love of Harmony and the public weal, it occurs to me that the Advantage of your Government and ours might be made one common concern. Suppose you applied for 400 Chests of Opium yearly, at Cost and Charges, and offered in Return to our Government to prohibit the Importation into Java and her Dependencies of all foreign Opium, and lowered the Duties upon Bengal Opium from 100 Dollars per Chest to 50$, would not the profit of your Monopoly upon an article which would not cost you 350 Rupees per Chest compensate for Loss of Duties on Turkey Opium? might you not hope to clear 800 Dollars per Chest upon It? and if, for better Reconciliation of all external Interests and political Irritation you chucked Singapore and its Dependencies into the scale, might you not reasonably hope for such a Concession of Revenue from our Government?... I have ventured to throw my crude notions before our noble Governor General, who feels like a Man and acts like a Statesman. He has not discouraged the Idea, and I do firmly believe that if your exalted and good Governor General were to submit such a proposition there would be a reasonable prospect of Success in It.... I should be too happy to make the Advance for such Opium, clear it out and forward it to you, moyennant le benefice de deux et demi pour Cent, upon the average Sale Value of such Opium....[37]

The 'Prince of Merchants' had an interest in a commission, but also in conciliation. 'Sit cross leg'd for my Effort', he asked Brown.[38]

Early in 1820 no definite decision about Singapore had arrived from home. 'Lord H. in a note to me on the 1st [January] says he fears they attach too little importance to these Eastern Concerns to hazard the slightest umbrage with the Dutch', Palmer told W.E. Phillips, the new Governor of Penang.[39] Early the following month he wrote that 'the occupation of Singapore and the Mission to Acheh' had been 'favourably viewed at Home....'[40] A few days later, it would

seem, news reached Hastings of the proceedings in Europe of August 1819. 'Ministers will insist', Palmer told Raffles, 'upon the Independence of our Trade, and of our commercial Relations in these Seas not in actual abrogation of any acknowledged Right or Title in the Dutch....'[41]

While in Calcutta late in 1819, Raffles had put before Hastings schemes for consolidating the settlements in the Straits, for developing their trade with neighbouring states, including Siam, and for establishing 'a College for the Natives in Singapore, with a view to the diffusion of knowledge and the consequent improvement in Character of the People....' Palmer had earlier believed that the Malays might well be reformed, and he now repeated this view.[42] He was also convinced of the commercial prospects and sent down to Singapore a young merchant, his natural son, Claude Queiros, to open an office there.[43] He congratulated Farquhar in March 1820

upon the rapid and successful progression of your little Colony which I trust hourly to know receives the confirmation of the Government at Home. Preliminary Advices do indeed seem to assure us of that, but still there is no saying what Sacrifices of Interest or Feeling our Cabinet may choose to make for the preservation of that Bond of Union it is desirous of cementing with Holland, and generally with the European Powers....

The attraction of all the Natives to your little Emporium is natural enough, and if it paralyzes Malacca and Riau and even Penang we must be content to receive the greater Sum of Commercial Advantage from the effects of the System and Locality; and set against the depreciation of Penang, the whole Requisition upon the Rival Pretensions of the Dutch. Our commercial and indeed other Friends of Penang, may murmur at the consequences; but if we relinquish Singapore, they may be compensated for a temporary declension of their external Commerce in the adhesion of all those Tribes who have resorted to you for protection, or for profit.... Of such eventual Benefit do I estimate our possession of Singapore that, at the hazard wh. stares us in the face, I am inclined to continue a steady Support to Mr. Q.: for

altho I may suffer by its Surrender to the Dutch, I am satisfied that the Influence of your Administration will permanently support, in some place or other, our extended Dealings with the Eastern People....

He thought 'the Siam Intercourse' ought to be more 'vigorously cultivated....'[44]

Palmer had urged on Brown that the acquisition of a settlement in the Straits was commercially desirable while the Dutch impeded trade with native states. But, of course, Singapore would be all the more valuable if those impediments were removed. So he wrote again to Van Braam:

I do trust my Friend that Affairs respecting our Relations in Asia will be soon settled between the Cabinets at Home upon some liberal and unchangeable basis; and an end thereby put to all feverish Sensations and little Jealousies between us. The best Policy would perhaps consist in leaving a general Intercourse with the Natives of all the Eastern Islands, Java and the Moluccas excepted, equally free to both Netherlanders and British: for the exclusive possession or Dominion is certainly not worth contending for; if even there was no reason for consolidating the Friendship of our nations. I fear you do not concede enough to Circumstances and Times, and are too tenacious of Principles and indeed of Systems, no longer applicable to your old Dependencies or Connections....[45]

But Singapore might yet be lost. According to letters from England of early 1820, the English and Dutch negotiators so far had not met; 'and there is no saying what Elout may do, by his Talent, Knowledge, and Effrontery'[46]—he was one of the Commissioners-General who had returned to the Netherlands. A couple of days after writing this Palmer reported to Phillips: 'Lord H. told me yesterday ... that he expected Singapore would be given up. I can't reconcile this to the public approbation of his Line of Eastern Policy: but I can't suspect the accuracy of his Information....'[47] Certainly there was much doubt in London about the British right to Singapore.[48] Palmer felt there was 'cause enough for great

circumspection in the Settlers; for even if it should happen that the Island is only abandoned, and not surrendered to the Dutch, I apprehend that it would be imprudent to form Establishments, or engage in distant Speculations....'[49] 'I hear', Palmer told Farquhar in October,

that the Dutch are confident that we shall be ousted: but to this hour nothing decisive, nor even indicatory has occurred.... Mynheer however has only to frighten FMll Wellington and Lord Castlereagh with 'disturbing the Peace of Europe' and our pretensions sink; for the Duke knows how cheaply he won his Laurels, and Cash. does not wish the fragility of his Treaties to be tested. Entre nous, I doubt whether Singapore is even worth your struggle for it. Still I will battle all in my power for its Retention, because I think it is the first firm Step in the Civilization of the Eastern Tribes....[50]

These doubts about Singapore are explained more fully in a letter to Phillips of November. Palmer would have preferred

a Station at the western Entrance of the Straits, if a suitable one could have been found, satisfied that the Straits of Dryon and Malacca, and the thousand Channels through the Islands would be thereby better guarded and commanded than from the Eastern End.

Singapore, or any other Position East of Malacca, must owe its Chief Value to its Influence in diverting the Trade from the Dutch and turning their monopolous Policy upon themselves. Of its retention or fate, nothing is yet known, and Lord Hastings infers, on grounds he does not disclose, its Surrender to the Dutch; but until the Queen is beheaded I conclude the question of Singapore will sleep soundly enough....

Trade will rather concentrate on Singapore than be much enlarged by our acquisition of that Post: but some encrease may be expected from the very nature of Commercial Intercourse. A contiguous Island, with deep water round it, can be so effectually fortified as to protect the Shipping: but its remoteness must expose it to reduction in war if the Dutch can maintain a large Naval and Military Force on Java....[51]

In other words, Palmer appreciated the importance of Singapore commercially, but doubted if it fully provided for the security of the Straits, always his major objective. He had made a similar remark to Clubley earlier in the year. Singapore was valuable, but 'it manifestly must owe its support and safety to Pinang, for it is too distant for our protection even if hostile positions did not intervene....'[52] Furthermore, Raffles's treaty with Jauhar Alam had not been followed by measures establishing British influence in Acheh.

Part of the delay in commencing the negotiations in Europe was due to the affair of Queen Caroline and the pressure of business it brought on.[53]

> Singapore is in Statu quo—and so it must remain until the new whale, the Queen, a loose Fish according to some, give place to some other Monster. Meantime we ought to be riveting our possession, and procuring the Malays to protest and even to prevent our Retreat, if we are directed to abandon the Island....[54]

Palmer told Raffles that Hastings still thought the British would withdraw, 'but he has never said why, nor quoted his Authority: we may however suppose twas Canning; for a Director would know as little of the views of the Cabinet as you or I....' The Queen caused delay, he repeated: 'this merry Queen of ours absorbs the whole faculty of the Kingdom—and until She is beheaded, divorced or acquitted, such Affairs as our Eastern Relations will not occupy much of the Ministers attention....'[55]

The negotiations that finally took place in July and August did not lead to any definite conclusion and were postponed.[56] So the position stood when Palmer visited Singapore and from Batavia wrote of it to Hastings in May 1821. He noted a 'Stagnation in the local enterprise of the Settlers', and ascribed it to a dread of its surrender to the Dutch. He also repeated some of his doubts about Singapore's strategic situation.

> Ships cannot be effectually protected from the Shore; and the

China Seas only, within a limited range, may be found subservient to it. All the East side of Sumatra, and East even as far as Riau with its navigation through the Straits of Malacca is independent of the position; and would require a superior Naval Force to be maintained in our Establishments.... The Straits of Malacca and Singapore appear to me so essential for the Security and facility of our Eastern Commerce that I scarcely know the reasonable limit to any Concession we should hesitate to make for their acquisition: the Dutch feel this as fervently, as they do their own incapacity to preserve them against our Power and Cupidity; and I believe they hope as much as I do, that, a liberal negociation at Home may transfer and secure them to us. Their contiguous Establishments are already withered to Skeletons loosely hanging together at great Cost and anxiety: but they are necessitous and require more than a pretext to abandon them. I fear they would sooner resign them to any other People; for the eminent Benefits we have conferred upon their Sovereign have either inspired no gratitude; or we have stifled the Sense of it by the manner of dispensing the Boon. Perhaps too, my Lord, we little People do not carry ourselves in a winning way amongst them—since at least a large Majority of British subjects here contrasts itself complacently on all occasions with the highest among the Dutch....[57]

Back in Calcutta Palmer told Governor-General Van der Capellen that there was still no definite news, though Hastings now seemed to think that the British would retain Singapore.

Up to the present hour the Marquess of Hastings has recd. no Indication from the King's Ministers of the probable result, nor even of the progress of the negociation between the Netherlands and British Cabinets respecting Singapore, and the relations of our respective Govts. as to their Eastern Dependencies. His Lordship appears to think that the Importance attached to the occupation of a Position in the Straits of Singapore by the British merchants, will conduce to some arrangement which shall secure It to us—if even your better Pretension to Singapore is no longer contested. But whatever result the Discussion may have, I am satisfied that an unqualified respect towards your Excellency will

be manifested by the Members of this Government.... It has been matter of great satisfaction to me to remove certain Impressions regarding the political character of Mr. Elout and more especially, the enmity towards the English, as lavishly as fallaciously, imputed to him by heated or prejudiced Persons....

Van der Capellen and Palmer had also discussed the suppression of piracy, and Palmer reported that he had suggested that the British Commander-in-Chief should visit Batavia to discuss it.[58] In fact the suppression of piracy had been a subject of negotiation at home, and an article was to be included in the treaty of 1824.[59]

Late in 1821 still nothing had been decided about Singapore, as Palmer wrote to Farquhar the following April. 'I shall not be surprised if we are left in possession without resolving the right between the Dutch and us. We cant expect them to give in formally and we are as little likely, being in possession, to recognize their pretensions....'[60] Some months later he wrote: 'Not a word about Singapore has been received from Home: we shall have held it so long that it will be ridiculous to resign it to the Dutch: but theirs is the better right I fear: though none of our high authorities admit it.'[61] Palmer had told Queiros he thought 'the place will be retained'.[62]

Palmer's letters to correspondents in Batavia, English and Dutch, indicate some doubts about this sort of proceeding. It provoked Dutch jealousy and retaliation,[63] and in a letter to Van der Capellen, Palmer recurred to his view that the proper solution was compensation.

It is singular that to the present hour we are in entire ignorance of the progress of the negociation respecting Singapore; and what is still more singular, the question itself seems to be actually extinct. I trust my country may not be dishonored by the hollow artifice of giving Strength to Possession by delay and in the confidence that yours will not resent it from the apparent insignificance of the Object; but, that, if it resist your claims, on either the intrinsic merits of the case itself, or of convenience to us, that an

open and candid procedure, in a liberal Spirit, will either resolve your Pretensions, or compensate you for a generous and neighbourly concession. I am myself a convert to the fairness and justice of your Claims, and I consequently wish them to be crowned with that full and special measure of success—by Surrender, or commutation which I know to be the honest Principle for which your Excellency has contended. And I feel myself the better patriot, for this concurrence in Sentiment, from a deep rooted conviction, that no illicit acquisition, was ever preserved without as much trouble as dishonor. That we possess enough, and more than enough, in Asia, is undeniably certain; and that we should disdain to covet the Property of others ought to be an axiom of Generosity and Magnanimity....[64]

A new Governor-General was appointed in 1823.

If Lord Amherst does not bring out the Doom of Singapore, I shall despair of our feverish relations with you [the Dutch] ever subsiding into cordial dispositions. It is a pity some boundary Line—Equator—does not limit our respective Pretensions and prevent the justification of one usurpation by another....[65]

Later Palmer wrote to Van der Capellen: 'I have not yet learnt that Lord Amherst has brought decisive Instructions relative to Singapore, but I presume he has already renewed his Correspondence with your Excellency....'[66]

John Crawfurd had been on a mission to Siam in 1821–2, a failure, as Palmer had commented.

In Governments so infatuated, the commission of crime is necessary to salutary Relations and Changes: but [can] any possible Benefit to Foreigners justify, or even excuse, a recourse to the last argument between cupidity, and barbarous Ignorance and barbarous avarice? If we pursue a cautious policy with Siam, and all similar countries, eventual outrage will provoke retaliation: for we cant trade long with such People without tempting their avarice to the perpetration of some deep dyed Crime, which will set our Forces loose upon them. In the mean time European possessions will generally thrive from the desolation of the Siamese....[67]

Like Lord Amherst, who had vainly visited China, Crawfurd was 'consoled for an abortive mission, by a Government'[68]—he succeeded Farquhar as Resident at Singapore. Despite his earlier remarks, Palmer was not enthusiastic about Raffles's founding of the Singapore Institution: he 'feared the precocity of the Scheme as to the People....'[69] Crawfurd seemed to agree, as Palmer wrote to Van der Capellen early in 1824. 'Neither seems however to have adverted to the possible surrender or evaquation of Singapore....'[70]

With Amherst as Governor-General Palmer had fewer official contacts than with Hastings. So, in the same letter, he wrote to Van der Capellen:

> I regret that I cannot inform your Excellency that it is known some decisive progress has been made towards a final adjustment of our conflicting Pretensions. I have little access to authentic Sources of Intelligence: but all the private Information I receive seems to imply an evation of the question of Right rather than a manly claim to it on one side, or rejection of it on the other—both parties waiting calmly for some contiguous unfortunate Event, to strengthen their Interests or arguments.... I am not knowing enough to determine which is the strongest Party to the Eastward; but if we arrogate that equivocal advantage, I should be glad to see that we use it with equal generosity and Justice. Such conduct would induce perhaps a greater latitude of Indulgence on your part to Foreigners and a greater extension of facility to all commercial Transactions and Intercourse....

In fact by this time negotiations had been resumed in London. They led to the treaty of 17 March. The Dutch had yielded over Singapore, though the present author has argued that the British had not, as Palmer suspected, adopted the tactic of delaying the renewal of discussions with this objective in mind. In theory, at least, the Dutch were compensated over Singapore. They also surrendered their Continental possessions and Malacca, as Palmer had hoped, and other clauses were intended to provide reciprocal commercial

treatment in British and Dutch settlements and to protect the access of native traders to European ports and the trade of Europeans to native states. Something like the 'line' Palmer had suggested was drawn down the Straits of Malacca, and the British left Bencoolen. But Palmer's 'line' had been the equator, or at least he had always wanted to retain north and west Sumatra. Indeed, this was the source of the only comment he appears to have made on the treaty:

> Our Privilege of Trade at the Dutch Ports seems to supersede the necessity for retaining any Settlement on Sumatra; but the contempt of the Feelings of the Natives and our Engagements with them will deservedly load us with obloquy everywhere ....[71]

[1] C.A. Gibson-Hill, 'Raffles, Acheh and the Order of the Golden Sword'' *JMBRAS*, vol. XXIX, part 1, May 1956, p. 2n.
[2] Nicholas Tarling, *Anglo-Dutch Rivalry in the Malay World, 1780–1824*, Brisbane, London and New York, 1962.
[3] C.E. Wurtzburg, *Raffles of the Eastern Isles*, London, 1954, p. 525.
[4] Gibson-Hill, op. cit., vol. XXIX, part 1, pp. 17–18.
[5] Tarling, op. cit., pp. 89–91.
[6] Palmer to Van Braam, 15 May 1818. Papers of John Palmer, Bodleian Library, Eng. lett. c. 86, p. 163.
[7] Van Braam to Falck, 26 May 1818. A.R. Falck, *Ambts-brieven, 1802–1842*, The Hague, 1878, p. 121.
[8] Tarling, op. cit., pp. 2, 97.
[9] Palmer to Deans, 17 May 1818. Eng. lett. c. 86, p. 175.
[10] Palmer to Assey, 26 June 1818. Eng. lett. c. 86, p. 317.
[11] Memo. on the proposed negotiation with Acheen, 17 May 1819. Java Factory Records 64, India Office Library.
[12] Gibson-Hill, op. cit., vol. XXIX, part 1, pp. 18, 16.
[13] In July Raffles wrote home urging 'either that the Dutch should be compelled to withdraw from *Borneo* altogether, or that at least the Equator should form the boundary of their settlements'. Raffles to Secret Committee, 3 July 1818. M.L. van Deventer, *Het Nederlandsch Gezag over Java en Onderhoorigheden sedert 1811*, The Hague, 1891, p. 258. On previous occasions, Raffles had advocated a settlement at Marudu Bay. Raffles to Minto, 10 June 1811. Sophia Raffles, *Memoir of the Life and Public Services of Sir Thomas Stamford Raffles*, London, 1830, pp. 60–2. See also T.S. Raffles, *The History of Java*, London, 1817, vol. I, pp. 240–2.
[14] Van Deventer, op. cit., pp. 258–9.

[15] Palmer to Farquhar, 28 June 1818. Eng. lett. c. 87, p. 3.
[16] Van Deventer, op. cit., p. 259.
[17] Tarling, op. cit., pp. 87–8.
[18] E. Netscher, 'De Nederlanders in Djohor en Siak, 1602 tot 1865....', *Verhandelingen van het Bataviaasch Genootshap van Kunsten en Wetenschappen*, vol. XXXV, 1870, p. 251.
[19] Palmer to Clubley, 21 August 1818. Eng. lett. c. 87, p. 73.
[20] Palmer to Brown, 12 November 1818. Eng. lett. c. 87, p. 222.
[21] Minute by Governor-General, 25 October 1818. Bengal Secret Correspondence 307 (2 January 1819), India Office Library. Van Deventer, op. cit., p. 259.
[22] Palmer to Coombs, 19 November 1818. Eng. lett. c. 87, p. 227. See also Wurtzburg, op. cit., pp. 458–60. Pursuant to the treaty of 1815, the Americans were excluded from all but the major ports in the Company's empire.
[23] P.H. van der Kemp, 'De Singapoorsche Papieroorlog', *BKI*, vol. XLIX, 1898, pp. 401–3, 447–9.
[24] Palmer to Farquhar, 4 December 1818. Eng. lett. c. 87, p. 254. See also Wurtzburg, op. cit., pp. 466–8.
[25] Palmer to Brown, 8 January 1819. Eng. lett. c. 87, p. 289.
[26] Presumably an allusion to Hastings' disapproval of Raffles's proceedings in relation to Palembang, the Lampongs and Padang. See P.H. van der Kemp, 'Fendall's en Raffles' Opvattingen in het algemeen omtrent het Londensch tractaat van 13 Augustus 1814', *BKI*, vol. XLVII, 1897, pp. 406–9.
[27] Palmer to Van Braam, 10 January 1819. Eng. lett. c. 87, p. 290.
[28] Wurtzburg, op. cit., pp. 465–6.
[29] Palmer to Coombs, 1 February 1819. Eng. lett. c. 87, p. 333.
[30] See Nicholas Tarling, *British policy in the Malay Peninsula and Archipelago, 1824–1871*, Kuala Lumpur, 1969, pp. 20–1.
[31] P.H. van der Kemp, 'Raffles' Atjeh-overeenkomst van 1819', *BKI*, vol. LI, 1900, pp. 164–73.
[32] Palmer to Raffles, 18 June 1819. Eng. lett. c. 88, p. 21. See also Wurtzburg, op. cit., p. 525.
[33] Palmer to Brown, 27 June 1819. Eng. Lett. c. 88, p. 55. Partly quoted in Wurtzburg, op. cit., p. 532.
[34] Palmer to Assey, 12 July 1819. Eng. lett. c. 88, p. 90.
[35] Tarling, *Anglo-Dutch Rivalry*, pp. 99–105.
[36] Palmer to Van Braam, 16 July 1819. Eng. lett. c. 88, p. 97.
[37] Palmer to Van Braam, 11 August 1819. Eng. lett. c. 88, p. 130.
[38] Palmer to Brown, 11 August 1819. Eng. lett. c. 88, p. 132.
[39] Palmer to Phillips, 4 January 1820. Eng. lett. c. 89, p. 91.
[40] Palmer to Phillips, 2 February 1820. Eng. lett. c. 89, p. 133.
[41] Palmer to Raffles, 15 February 1820. Eng. lett. c. 89, p. 155. See also Wurtzburg, p. 557.
[42] Palmer to Phillips, as note 39. Wurtzburg, op. cit. pp. 549–53.Sopiha

Raffles, op. cit., Appendix, pp. 3–38.

[43] Palmer to Farquhar, 12 December 1819. Eng. lett. c. 89, p. 57.

[44] Palmer to Farquhar, 12 March 1820. Eng. lett. c. 89, p. 205.

[45] Palmer to Van Braam, 21 April 1820. Eng. lett. c. 89, p. 277. See also Wurtzburg, op. cit., pp. 573–4.

[46] Palmer to Coombs, 18 June 1820. Eng. lett. c. 90, p. 146.

[47] Palmer to Phillips, 28 June 1820. Eng. lett. c. 90, p. 168. See also Wurtzburg, op. cit., p. 584.

[48] Cf. the Memo. quoted in Tarling, *Anglo-Dutch Rivalry*, pp. 107–12.

[49] Palmer to Flint, 16 July 1820. Eng. lett. c. 90, p. 234. See also Wurtzburg, op. cit., pp. 585–6.

[50] Palmer to Farquhar, 30 October 1820. Eng. lett. c. 91, p. 11. See also Wurtzburg, op. cit., pp. 588–9.

[51] Palmer to Phillips, 20 November 1820. Eng. lett. c. 91, p. 61.

[52] Palmer to Clubley, 29 May 1820. Eng. lett. c. 90, p. 90.

[53] Tarling, *Anglo-Dutch Rivalry*, p. 115.

[54] Palmer to Brown, 21 November 1820. Eng. lett. c. 91, p. 74. See also Wutzburg, op. cit., p. 590.

[55] Palmer to Raffles, 22 November 1820. Eng. lett. c. 91, p. 77. See also Wurtzburg, op. cit., p. 590.

[56] Tarling, *Anglo-Dutch Rivalry*, pp. 115–22.

[57] Palmer to Hastings, 21 May 1821. Eng. lett. d. 105, p. 48.

[58] Palmer to Van der Capellen, 25 December 1821. Eng. lett. c. 92, p. 10. Hastings's despatch to the Secret Committee of 1 March 1821 had in fact doubted Elout's apparent frankness. P.H. van der Kemp, 'De Geschiedenis van het Londensch tractaat van 17 Maart 1824', *BKI*, vol. LVI, 1904, pp. 210–13. Palmer had earlier remarked on his 'Effrontery'.

[59] See Tarling, *Anglo-Dutch Rivalry*, pp. 119, 158, 163, and *Piracy* and *Politics in the Malay World*, Melbourne and Singapore, 1963, pp. 18–19.

[60] Palmer to Farquhar, 11 April 1822. Eng. lett. c. 93, p. 103.

[61] Palmer to Morgan, 22 September 1822. Eng. lett. c. 94, p. 277.

[62] Palmer to Queiros, 27 August 1822. Eng. lett. c. 94, p. 171.

[63] Palmer to Morris, 27 September 1822. Eng. lett. c. 94, p. 308.

[64] Palmer to Van der Capellen, 12 August 1822. Eng. lett. c. 94, p. 77.

[65] Palmer to Wappers Melis, 15 June 1823. Eng. lett. c. 97, p. 10.

[66] Palmer to Van der Capellen, 12 August 1823. Eng. lett. c. 98, p. 53. Amherst had in fact only received instructions to report on Singapore and Anglo-Dutch relations generally. Tarling, *Anglo-Dutch Rivalry*, pp. 141–2.

[67] As note 61.

[68] Palmer to Phillips, 6 April 1823. Eng. lett. c. 96, p. 81; d. 105, p. 97. See also Wurtzburg, op. cit., p. 626.

[69] Palmer to Raffles, 31 January 1824. Eng. lett. c. 100, p. 166. See also Wurtzburg, op. cit., pp. 649–50.

[70] Palmer to Van der Capellen, 18 January 1824. Eng. lett. c. 100, p. 91. Partly quoted in Wurtzburg, op. cit., p. 650.

[71] Palmer to Prince, 10 May 1825. Eng. lett. c. 102, p. 90.

IV

Intervention and Non-Intervention in Malaya

RECENT historians of Malaya, affected by the availability of colonial documents, have concentrated rather upon the nineteenth than upon the twentieth century. The peculiar political and social pattern which Malaya possessed in the latter period did, however, derive in a degree from the pattern of the former. Some books, such as those by C.D. Cowan and C.N. Parkinson, have focused on the 1870s as the period of the 'origins of British political control', and of 'British intervention in Malaya'.[1] Perhaps in the very excellence of these works and the drama of the events they describe, there may lie the danger of finding in that decade too great a watershed in the history of European impact on Malaya, in the flow of the nineteenth century to the twentieth. It should not be forgotten that before the 1870s there was a peninsular pattern of Malay states and rulers, of British advice and influence, and that operating within that pattern there were certain habits of action and traditions of thinking.

In some sense the 1820s might be considered a more significant watershed in Malayan history than the 1870s, both for what they witnessed and for what they did not witness. The Anglo-Dutch treaty of 17 March 1824 was, for instance,

important in that it divided the Peninsula from the Archipelago in a way unprecedented in the history of earlier empires in that area, in the history of Sri Vijaya or Malacca-Johore, the Portuguese or the Achehnese or the Dutch. But if, under that treaty, the Dutch were to prevail in the Archipelago, in London and Calcutta it was not inferred that the British should intervene on the Peninsula. A particular concern to avoid conflict with Siam, which had claims over several peninsular states, enforced a more general unwillingness to do other than attempt to develop commerce with neighbouring countries.

The picture of British policy is not complete, however, without reckoning with local attitudes, mercantile and official. The British merchants in the Straits of Malacca looked not so much to the Peninsula as to the Archipelago, even to other parts of South-East Asia and China, for the development of their entrepôt traffic.[2] The elimination of the Dutch during the Napoleonic war and the occupation of Malacca had given them opportunities they had never before enjoyed. It was only with the return of the Dutch after the war—only as a reaction to the apprehended restriction of opportunities in the Archipelago—that Penang began to consider developing the Peninsula; only with the prospect of the Dutch occupation of Bangka did it consider developing the tin of Perak and Selangor and, through Kedah, of Patani.[3] In this movement the local authorities of the Company took the lead. Their efforts were impeded by the southward movement of the Siamese and the activities of the Dutch, now back at Malacca, and complicated by Raffles's proceedings at Singapore. Even after the treaty of 1824, however, the local authorities seem still to have hoped for and worked towards the establishment of British influence on, and the exclusion of Siamese influence from, the Peninsula: they did not believe that the Dutch would fulfil their engagements in the Archipelago and, though they could not establish direct control in the Peninsula in compensation, they attempted to

build up a more indirect influence there. It was very much local initiative, especially that of Governor Fullerton, that led to the treaty of 1825 with the Siamese Governor of Ligor, preventing a Thai invasion of Selangor and Perak, and to the supplementary Anderson treaties of the same year with those two states, which settled a boundary between them and made arrangements over tin and the protection of Penang traders. Governor Fullerton played a large part in the deputation of the Burney mission to Bangkok and in bringing Siamese claims over the east coast, as well as the west, into discussion. Finally the ambiguity of the Burney treaty of 1826 in respect of the allegiance of Perak, though not that in respect to Trengganu and Kelantan, was clarified by local efforts. Fullerton sent Low to make a new treaty with the Sultan, ensuring that he did not send tribute to Siam, and Low additionally refurbished the state administration and secured the cession of Pangkor, already offered, and seen as a means of securing some control over Perak. The Sultan was further assisted when Low was sent to punish pirates in the Kurau river, for the chief who encouraged them was one of the pro-Siamese faction and an opponent of the new Perak régime. These extreme measures led to expressions of disapproval from Calcutta in 1826 and 1827. The anxiety to avoid a clash with Siam underlined the unwillingness to intervene on the Peninsula, which financial considerations also supported. Nevertheless the local authorities had done much to shape the political future of Malaya. The Siamese advance had been limited; and it was clear that, though the removal of the Dutch would not lead to their occupation by the British, Malay states would still exist, and the British might hope to influence them.

In the following decade, despite all the obstacles and the discouragement of their superiors, the Governors of the Straits Settlements continued to develop an influence on the Peninsula, and to make contacts with and advise the princes, especially the Temenggong, the ruler of peninsular Johore.

Indeed they sought to use him in spreading their influence elsewhere, in neighbouring Pahang, for instance. In the early 1830s Temenggong Ibrahim had reputedly associated himself with the pirates from the Riau-Lingga islands who had certainly been connected with his father at the time Singapore was occupied.[4] The anti-piracy commission of 1836, headed by H.D. Chads and S.G. Bonham, found that the Bendahara of Pahang, another officer of the old Johore empire, bought some of the pirates' captives for work in his tin and gold mines. Ibrahim, who, like his father, lived in Singapore, offered his good offices, which were accepted. Governor Butterworth also used Ibrahim for arranging for the release of captives from Pahang in the 1840s.[5]

These proceedings have several interesting features. First of all, they seem to qualify Cowan's statement that 'the British authorities in Singapore were drawn into the affairs of the Peninsula',[6] and to suggest that the Governors were consciously pursuing a policy rather than simply reacting to changed circumstances. If they could undertake no substantial intervention on the Peninsula, still less effect occupation, they had still to attempt to put down piracy as much as possible. This, of course, brought them into contact with princes whose coasts the pirates frequented or who encouraged them, and it was apparent—as it had been in the Kurau operations—that naval operations had broad political effects. This was especially true after the arrival in 1837 of a steamer: by such means, the *Singapore Free Press* remarked, 'the influence round the Peninsula might be strengthened, so as to be used at all times with benefit and effect'.[7] The vigorous operations of the previous year no doubt helped to convince the Temenggong of the error of his (or at least his father's) ways, and here again was another source of influence for the Governors: a prince who was resident in Singapore, open to advice and education, and anxious to build up his own prestige. The second feature of these proceedings, therefore, is that the growth of British influence resulted not only from a

desire for it, but from the availability of means to fulfil that desire. If they themselves had little real power, the Governors needed to have rulers who ruled and who could be advised, means of education, and at least a show of naval strength. These they had at least in the case of Johore; and this is important in considering the cases where these they did not have.

There were, of course, other sources of influence and education at work. It is true that merchants remained interested primarily in the islands rather than in the Peninsula, and the origin of the Temenggong's encouragement of Chinese pepper and gambier planters is unclear. Certainly the Governors wished the rulers to encourage commerce, even though that might initially mean monopoly or near-monopoly. And once Johore had begun to develop, merchants in Singapore became more interested in its fate and in friendship with its ruler. In the peculiar circumstances of the relationship of Settlements and states, advice as well as education came to the Temenggong, as Cowan suggests, from private and non-official, as well as privately from official, sources.[8] Indeed parties tended to form among interested merchants in the Settlements for or against the Temenggong.

The special position that the Temenggong secured in the politics of Malaya and of Britain in Malaya dates, therefore, from an early period. It endured. Ibrahim's son, Abu-bakar, became in 1866 the first prince to visit the English court.[9] In 1885 he was recognized as Sultan of Johore, though the right to appoint an agent at his court that the British secured at the same time was not exercised, and no adviser was appointed for another thirty years.

If the Temenggong was useful to the British, their alliance also supported his influence: in the absence of power, each influence multiplied the other into some semblance of it. This, of course, provoked jealousy among other rulers. A claimant to the Sultanate of Johore, Ali, supported by W.H. Read, a rival of the Temenggong's friends in Singapore, had

to be bought off in the treaty of 1855. This was all the more necessary in that this conflict was connected with a wider conflict in which the Sultan of Trengganu, Baginda Omar, apprehensive of the growing influence of the Temenggong, was looking to the heir of the old head of the Johore empire, the Sultan of Lingga, as a counter-balance.[10] Butterworth's successor, Blundell, was thus anxious to cultivate friendship with the Sultan independently of the Temenggong. The connexion with the Temenggong had been a way of strengthening the means whereby the Governors could hope to increase their influence on the Peninsula. Blundell had now to suggest that their authority be increased. He solicited the Indian Government's sanction for 'occasional visits to the independent Rajas around us, thereby establishing a more friendly intercourse and removing any misapprehension or obstacles that may exist. Such visits should be wholly devoid of any political aspect, and be merely paid as the marks of amity and friendship.' He suggested also that Sultan Omar of Trengganu should send some of his sons to be educated at Singapore.[11]

Blundell, indeed, had an educational policy that helped to shape things to come. In the discussions about education that arose out of Sir Charles Wood's famous dispatch of 1854,[12] he emphasized the importance of developing vernacular (Malay and Chinese) education in the Settlements as a medium for imparting useful knowledge, with English reserved for relatively few students. Rev. B.P. Keasberry was making translations and educating Malays in this way in his boarding school in Singapore—necessarily a boarding school, as Blundell explained.

> There is a wide difference between the eagerness of the Chinese for the profitable education of their children and the utter insensibility of the Malays to any benefits arising from education. The consequence is, that our English Schools are full of Chinese boys, while scarcely a Malay boy is to be found in them. It is wholly out of the question to look for Malays among the Day

Scholars and the only means of securing boys for education, is to obtain them from parents of the poorer classes in a manner almost amounting to purchase....

The Government should support the enterprise, and the Temenggong, Blundell reported, wished to do so too. Keasberry had in fact established an additional 'school for noblemen', with a separate dormitory and mess, for sons of Malay rajas and men of rank. The son and heir of the Sultan of Johore was already there; the Temenggong had promised two of his youngest sons; and the Raja of Kedah had agreed to send his two younger brothers. The Temenggong's patronage, Blundell suggested, would help to convince Malays that the object was education not conversion:

I think that a number of Royal and Noble Malayan youths, brought up together with a perfect knowledge of their own language, some degree of insight into European knowledge and science, and probably with a fair acquaintance with the English language, would tend more to the civilization of the Malayan race, and probably to the comfort and prosperity of those living under Malayan rule, than any other measure that could be adopted....

Subsequently Blundell tried to make the Raffles Institution devote itself rather to such activities—akin indeed to those intended by its founder—than to the teaching of elementary English to mostly Chinese pupils seeking employment in shops or firms.[13]

The Pahang civil war, in which the rival princes, Omar and Ibrahim, intervened on opposing sides, was a test for the Blundell policy. The Governor tried to prevent open intervention by the Temenggong on the ground that he was a resident of Singapore.[14] Omar, on the other hand, had to be persuaded. In May 1858 the Governor visited Trengganu and induced the Sultan to recall his client, Wan Ahmad, from Kemaman, on the Trengganu border, to Kuala Trengganu.[15] In May 1859 the steamer *Hoogly* was sent up ostensibly to search for pirates, but, under this cover, its commander was

to call at Kemaman and direct Ahmad, who had returned there, to proceed to Trengganu. He was also to bring Omar down for his visit to Singapore.[16]

Blundell's successor, Orfeur Cavenagh, at first accepted his policy and his methods. Though early in 1861 Ahmad renewed his attacks upon the Pahang coast, Cavenagh refused to sanction an alliance between the Temenggong and the legitimate Bendahara, taking his stand upon a clause in the Johore treaty of August 1824 that had confirmed the cession of Singapore. Cavenagh had no great opinion of the Temenggong or his standards of government, and was anxious that he should leave Singapore and be guided by the influence of government in the same way as other chiefs. Late in August, however, it became clear that Omar was refraining from support of Ahmad, and the reason was also clear. The Sultan of Trengganu was, in fact, apprehensive of a rumoured Siamese intention to depose him in favour of the Sultan of Lingga (whom the Dutch had deprived of his own throne and who had gone to Bangkok) and thus wished to avoid offending the British. This made it seem safe to revert to a policy of close connexion with the Temenggong, a positive policy. In December, Cavenagh sanctioned a treaty with the Bendahara, fixing the Johore-Pahang boundary and providing for mutual assistance, and for British mediation in any disputes. The Governor urged that this treaty should be the basis of a reappraisal of the British position in relation to all the Malay States and that his authority here should be regularized, if not increased.[17]

The following year, 1862, it seemed that the Siamese threat was about to be realized; in June Cavenagh told the Consul, Sir Robert Schomburgk, whom the Foreign Office, under the Bowring treaty of 1855, now had in Bangkok, that he had heard that a Siamese war-steamer was about to establish the ex-Sultan of Lingga as governor of Trengganu and Kelantan.[18] In 1826 Burney had avoided recognizing Siamese supremacy in these states—the Siamese promised

not to 'go and obstruct or interrupt commerce' there—and Bonham had a few years later sent up H.M.S. *Magicienne*, ostensibly in search of pirates, but also to ward off Siamese war-boats apparently pursuing refugees from conquered Patani.[19] It was thus in accordance with tradition that Cavenagh wished to avoid the establishment or recognition of Siamese supremacy in Trengganu. He tried to persuade the Siamese to abandon the ex-Sultan who, however, went down to Trengganu. Then he tried to persuade the Siamese to withdraw the ex-Sultan. They did not, however, wish to do so merely on the request of the Governor of the Straits Settlements, and so invited Omar himself to make a request. Cavenagh added his persuasion, also a protest against Omar's connivance at renewed attacks upon Pahang. Omar appeared unwilling to agree, presumably because, the Governor having sanctioned the 1861 alliance, he was more afraid of the Temenggong and his friends than of the ex-Sultan. Further representations at Bangkok produced an undertaking to remove the ex-Sultan only on the understanding that Siamese supremacy was recognized. In this situation Cavenagh resorted to force and authorized the bombardment of Trengganu in November 1862.[20]

This violence naturally caused some reaction among the superior authorities, particularly because the Siamese protested and because the matter was connected with party strife in Singapore.[21] This reaction helped to create the situation that the first Colonial Office Governor, Colonel Harry Ord, encountered on his arrival in 1867. Despite the bombardment, Ahmad was victorious in Pahang, and the Indian Government would do no more than authorize an arbitration of the boundary dispute that arose between Pahang and Johore. Ahmad would not accept Cavenagh's mediation, while Cavenagh's superiors would not give him greater power nor allow him to threaten force.[22] Temenggong Abu-bakar finally relinquished his hopes, and this

broke the deadlock. Ord was able to arrange the boundary question.[23]

The Sultan of Trengganu aimed to assert his position under the new dispensation and, taking a leaf out of Abubakar's book, despatched an envoy direct to London. The Foreign Office received Omar's ambassador, then regretted so doing, for Ord reported that he had 'never heard it questioned but that he was, like the Raja of Kelantan, a tributary of the King of Siam, and that as such it was not competent for him to enter into any direct negotiation with a foreign Government'.[24] The India Office, despite Siamese protests, had avoided recognizing Siamese supremacy in Trengganu. The Government at home, however, now relied on the advice of the Colonial Office Governor, and he was influenced by the prevalence of the Read faction at Singapore following the defeat of the 1861 policy.[25] Furthermore, as Cowan shows, Ord found it convenient to work through the Siamese in other matters and in other states.[26] A friendly meeting with King Mongkut confirmed his views.[27] The settled condition of Kedah, Trengganu and Kelantan was, he even inferred, largely the result of the Siamese supremacy.[28]

The violence of 1862, followed by the shift to Colonial Office authority, led therefore to a break in the traditional attitude to the north-eastern states over which Siam claimed supremacy, and indeed to a misinterpretation of the sequence of events that had created contemporary conditions in those states. This change of attitude could not, however, destroy the results of history. These states had been preserved from Siamese occupation and their rulers had a place in the pattern of Anglo-Siamese relations. Though political reasons were further to defer any challenge to Siamese supremacy—the fear arose that it might stimulate equivalent challenges from the French, now established in Cochin-China[29]—the ultimate transfer of Siamese rights to the British and the advisory position they assumed in the early twentieth cen-

tury were well prepared in the days of the India Office Governors.

This is also the case with Kedah. Here Burney had in fact been unable to undo the effect of the Siamese invasion of 1821, and Siamese rights in Kedah had been actually recognized in his treaty of 1826. This being the case, it is not surprising that the local Government was concerned to convince the Siamese that it was not behind the revolts and invasions of 1831 and 1838, and indeed to assist them so far as it lay within its limited power. It may be argued that this was seen as the only way to maintain any stability or influence on the Peninsula: it was necessary to work with the established authority, since it could not be overthrown.[30] This conclusion is reinforced by noticing that Governor Bonham aided in the negotiations that led to the restoration of the exiled Raja of Kedah as a Siamese vassal in 1842. This, of course, restored a somewhat more normal situation: though Bonham could not arrange for Kedah to be treated quite as Perak and Selangor, still he had now a Malay prince to work upon with the means at his disposal. Furthermore, the rulers of Kedah continued to receive a stipend on account of the cession of Penang—except when they proved recalcitrant over the Krian border with Perak[31]—and this also gave them a specially close association with the Government.

Perak (as a result of Low's efforts) and Selangor (partly as a result of Fullerton's efforts) were free of Siamese supremacy. Ord pointed out their chaotic state, and clearly envisaged the interposition of the British as the superior power in that quarter, just as the Siamese were, according to him, the superior power that had put matters right in the north-eastern states. For some years the Colonial Office would not accept intervention; it would not even approve Ord's negotiations to define the acquisition of Pangkor under the 'treaty' of 1826.[32] The motives for the change of policy in London that led *inter alia* to the appointment of Residents in Perak and Selangor and to the occupation of Pangkor have been

brilliantly analysed by Cowan. Parkinson attempted to associate the change in policy with the proximate change from Liberal to Tory Government.[33] Cowan's argument that the major consideration was apprehension lest other major powers should intervene in states that flanked Singapore and the route to China is, however, supported not only by his particular references to the Kimberley correspondence,[34] but by general reference to the history of British policy in the area after 1824. At that time it had been thought that the Dutch might exclude other powers from strategically important parts of the Archipelago, and this indeed had helped to make the clauses of the treaty of 1824 protecting British trade there rather ambiguous. The many complaints made by British traders in the 1830s and 1840s, a time of depression when markets in Java and elsewhere were more than usually coveted, seem to have had a much greater share in the support given to James Brooke against the Borneo pirates and in the establishment of Labuan than Cowan suggests. But if it would be untrue to argue that Labuan was founded as a strategic necessity, certainly it is safe to emphasize that a concern to keep other powers out of the strategically important area still influenced British policy. The challenge to the Dutch in Borneo might indeed provoke others to imitate the British. The treaty with Brunei of 1847 thus provided against annexations by other powers.[35] On the Peninsula—at least outside Siamese areas—no such surety could be obtained except from the general friendship and connexion built up by local authorities with native princes.

Johore, as Ord said, was a 'complete exception'. The other states, especially Perak and Selangor, were unstable, and it is worth analysing the history of the post-1820s period here in order to see what had not, as well as what had, been achieved. The Governors had in fact done something despite their defective means. The boundary between the states had been fixed and the Krian question settled. But the development of British influence, by advice and by deployment of naval

force, proved impossible after 1827, since the local authorities did not dispose of the power that would enable them to make up for the deficiencies in the organization and leadership of these states (as Low had attempted in Perak).[36] The opening up of their tin resources from the 1840s produced an initial period of relative tranquillity, but the strife among the Chinese miners was ultimately to intertwine with aristocratic rivalries and succession disputes so as to place the situation quite beyond the means of control by the Governors. This did not mean they did not attempt a positive policy. The indirect methods by which, as Cowan shows, Ord sought to stabilize the states, had considerable precedent in the activities of Blundell and Cavenagh. Blundell visited Perak in 1854 in an attempt to mediate among the chiefs.[37] Cavenagh intervened against the Hai San miners when, apparently aided by the ruler of the Larut province, they drove their rivals, the Ghi Hin, from the mines. He invoked the Anderson treaty of 1825 and gained approval for his action from his superiors. This he attempted to capitalize, suggesting that the Government might afford the Sultan regular assistance in controlling his refractory subjects or, alternatively, hold the subordinate chiefs responsible. The superior authorities thought the former course might involve too much interference, but also considered the recognition of provincial independence undesirable.[38] But here were precedents for the attempts of Ord and his Lieutenant-Governor, Anson, to mediate, and for Ord's recognition of the Mantri of Larut's independence on their failure.[39] Even the revival of the Pangkor proposal was suggested in Cavenagh's time by the Resident Councillor at Penang.[40]

In Selangor also, the rivalry of the chiefs had produced a situation with which the Governors had not been able to cope. Again the proceedings of Ord and Anson had precedents, as had their difficulties. Anson used the piracy of the 'Selangor incident' of 1871 and its punishment as the basis for diplomatic procedures aimed at strengthening the vice-

regal position of Tengku Zia' u'd-din in Selangor.[41] The Tenkgu was the younger brother of the Sultan of Kedah, a prince in close connexion with the British authorities, and there was in addition a general precedent for pursuing objects of policy simultaneously with the suppression of piracy. The ruler of Johore was persuaded to try to keep Mahdi, centre of opposition to the Tengku, in Johore.[43] Ord also clinched the arrangement for Ahmad of Pahang to intervene on the Tengku's side.[43] In other words, in the absence of regular power and authority, the Governor was using the resources of diplomacy and influence that history had bequeathed.

The intervention sanctioned by Kimberley in 1873 and undertaken by the new Governor, Sir Andrew Clarke, in 1874, was clearly affected both in its extent and its motives by existing conditions and traditions. The proceedings took account, however, rather of the product than of the processes of history. The idea of appointing Residents at the Malay courts, adumbrated by the Colonial Office and carried out by Clarke, was not, of course, a new one. The 'resident system' was ever present in India, and no doubt the idea had thence penetrated eastward. Anderson had suggested it in the 1820s as a possible way of strengthening British influence in Kedah if the Siamese should be turned out.[44] Lord Wodehouse—the later Lord Kimberley—objected to the notion when he thought Spenser St. John wished to introduce it in Brunei.[45] According to Cowan, the re-introduction of the idea in the 1870s may be dated from the report of the Anson Committee on Native States of 1871. This itself, however, had the previous history of British relations with peninsular states very much in mind. 'It deplored the bad influence of European adventurers who attached themselves to Eastern chiefs, but made great play with the flourishing state of Johore, whose ruler was benefited by the advice of British officials acting in their private capacity, but with the approval of the Singapore Government....'[46] The object therefore was

to regularize the procedures whereby rulers had been guided by officials and private advisers, and the case of the Temenggong was very much in mind. This also coloured the attitude of the Colonial Office. Perak and Selangor, as well as Johore, had British treaties dating from the 1820s, and it tended to be assumed that the position there was much as in Johore—that, though Ord had declared Johore to be a 'complete exception', it was there as in that state a matter of giving advice to a responsible ruler.[47] In other states, under Siamese supremacy, there was no call to intervene, nor was there in Johore. In Perak and Selangor the situation was seen to be different, but the quality of the difference was not appreciated. Comparison was drawn too closely with Johore: the peculiar position of its ruler still affected British policy. It was forgotten that to a great extent British influence had been built upon the deployment of naval force, and that the successful giving of advice required readiness to accept it.

Clarke's intervention was impetuous, but initially he seemed to have carried all before him, thanks to his very hustling, to the exclusion of the legal advisers of the contending parties, and to the presence of naval force.[48] It remained to be seen whether merely strengthening the means of imparting advice was enough. The Governor must have recognized some of the facts of the situation when he made the Mantri's private adviser, Captain Speedy, Assistant Resident in Larut, and J.G. Davidson, the Tengku's friend, Resident in Selangor. The position in Selangor was also strengthened by the Tengku's success, thanks to the Pahang intervention organized in Ord's period.[49] It was in Perak itself that the effects of historical misinterpretation were most catastrophic. Here the Resident's advice—admittedly undiplomatically offered—was not acceptable: no basis had been laid for its acceptance and no amount of comparison with Johore could fill the gap. The murder of Birch and the punishment of the Perak chiefs were the results. Paradoxically, however, they contributed to the maintenance of the tradition of

advice and guidance. The Colonial Office, especially Lord Carnarvon, blamed the crisis, as Cowan shows, not upon its own or Clarke's mistakes, but on his successor Jervois's advocacy of annexation, and refused to admit that its original conception of Residents was inadequate.[50] Secondly, the 'Perak War' was in itself an education: it meant that 'advice' would be accepted, and that the idea could be upheld since it was not the practice. So, again, a tradition built up before 1867 remained part of the pattern of twentieth-century Malaya.

If British policy in nineteenth-century Malaya may be considered more of a unity than has sometimes been suggested, it may also be that a greater continuity should be discerned between the nineteenth and twentieth centuries. At all events, it will be important to take into account the origins of British influence and the maintenance of the British tradition of advising Malay rulers when discussing the emergence of the educated Malay elite, the attempts or lack of attempts at constitutional change, and the alleged divide-and-rule tactics of the protecting power in more recent times.[51] The pattern established in the nineteenth century was an enduring one; and no doubt, as in the 1870s, conceptions of that pattern, even if historically misconceived, were historically significant.

[1] C.D. Cowan, *Nineteenth-century Malaya: the Origins of British Political Control*, London, 1961. C. Northcote Parkinson, *British Intervention in Malaya, 1867–1877*, Singapore, 1960.

[2] See Wong Lin Ken, 'The Trade of Singapore, 1819–69', *JMBRAS*, vol. XXXIII, part 4, 1961, *passim*.

[3] C.D. Cowan, 'Governor Bannerman and the Penang Tin Scheme, 1818–1819', *JMBRAS*, vol. XXIII, part 1, February 1950, pp. 52–83.

[4] Wingrove to Bonham, 21 April 1835; Bonham to Prinsep, 23 April 1835. BC 69433, pp. 45, 39.

[5] N. Tarling, *British Policy in the Malay Peninsula and Archipelago, 1824–1871*, Kuala Lumpur, 1969, pp. 54–5.

[6] Cowan, *Nineteenth-century Malaya*, p. 14.

[7] Quoted in Tarling, op. cit., pp. 53–4.

[8] Cowan, *Nineteenth-century Malaya*, pp. 14, 37–8.
[9] Kaye's memorandum, 10 May 1866. CO 273/15.
[10] Tarling, op. cit., pp. 57–61.
[11] Blundell to Secretary, 27 May 1856. BC 189619, p. 67.
[12] Eric Stokes, *The English Utilitarians and India*, Oxford, 1959, pp. 251–2.
[13] Blundell to Secretary, 28 May 1855, 15 December 1855, 18 March 1857. SSR, R 27, R 28, R 31. See also C.B. Buckley, *An Anecdotal History of Old Times in Singapore*, Singapore, 1902, reprinted Kuala Lumpur, 1965, pp. 320–2, 122, 135–6.
[14] *SFP*, 18 March 1858.
[15] ibid., 27 May 1858. Tarling, op. cit., p. 65.
[16] ibid., p. 66. *Straits Times*, Singapore, 28 May 1859.
[17] Tarling, op. cit., pp. 67–9.
[18] ibid., p. 70.
[19] ibid., p. 43.
[20] ibid., pp. 70–2.
[21] ibid., p. 73.
[22] ibid., pp. 74–5. Cowan. *Nineteenth-century Malaya*, pp. 39–40.
[23] Tarling, op. cit., p. 81.
[24] ibid., p. 81. Ord to Granville, 22 December 1869. CO 273/32.
[25] Tarling, op. cit., p. 81.
[26] Cowan, *Nineteenth-century Malaya*, p. 59.
[27] Tarling, op. cit., p. 83.
[28] ibid., p. 83. Cowan, *Nineteenth-century Malaya*, p. 60.
[29] V.G. Kiernan, 'Britain, Siam and Malaya: 1875–1885', *The Journal of Modern History*, vol. XXVIII, no. 1, March 1956, pp. 1–20. Cf. E. Thio, 'The British Forward Movement in the Malay Peninsula, 1880–1889', in K.G. Tregonning, ed., *Papers on Malayan History*, Singapore, 1962, pp. 132–3.
[30] N. Tarling, *Piracy and Politics in the Malay World*, Melbourne and Singapore, 1963, pp. 60, 63.
[31] Tarling, *British Policy*, pp. 41–2.
[32] ibid., p. 83. Cowan, *Nineteenth-century Malaya*, pp. 54–5.
[33] Parkinson, op. cit., pp. 108–11.
[34] Cowan, *Nineteenth-century Malaya*, pp. 166–9.
[35] ibid., p. 146. Tarling, *British Policy*, p. 196.
[36] Cf. J.M. Gullick's remarks on Selangor, *A History of Selangor 1742–1957*, Singapore, 1960, pp. 41–2.
[37] R.O. Winstedt, 'A History of Perak', *JMBRAS*, vol. XII, part 1, June 1934, p. 76.
[38] Tarling, *JMBRAS*, vol. XXX, part 3, pp. 77–9.
[39] Cowan, *Nineteenth-century Malaya*, pp. 119–23.
[40] Ord to Granville, 14 July 1869. CO 273/30.
[41] Cowan, *Nineteenth-century Malaya*, pp. 85–93.
[42] ibid., p. 102.
[43] ibid., p. 108.

[44] John Anderson, *Political and Commercial Considerations relative to the Malayan Peninsula and the British Settlements in the Straits of Malacca*, Penang, 1824, also reprinted in *JMBRAS*, vol. XXXV, part 4, 1965 pp. 101–2.
[45] Minute, 4 November 1855, attached to St. John to Clarendon, 16 July 1855. FO 12/22.
[46] Cowan, *Nineteenth-century Malaya*, pp. 83–4.
[47] ibid., pp. 158–61. Parkinson, op. cit., pp. 56, 59–60.
[48] Parkinson, op. cit., p. 139.
[49] Cowan, *Nineteenth-century Malaya*, p. 189.
[50] ibid., pp. 238, 242–3.
[51] Parkinson, op. cit., p. 208.

V

The 'Kim Eng Seng'

AN interesting episode in the development of British relations with Malaya, and in particular with Trengganu, is that of the junk *Kim Eng Seng*.

In October 1851, Governor Butterworth of the Straits Settlements sent the Supreme Government in India an account of 'an unfortunate occurrence on the East Coast of the Malayan Peninsula'. The Sultan of Trengganu had acted against a trading junk from Singapore 'under the impression that the said Junk was one of the Chinese Piratical vessels that had recently visited the East Coast of the Malayan Peninsula' despite the vigilance of the Royal Navy and the Company's vessels. In March the *Kim Eng Seng*, a Hainan junk, had left Singapore for Trengganu and Kelantan, and having visited the two ports, the junk had stopped at Dungun, where the Nakodah and twelve others went ashore to bathe;

> whilst doing so, they were seized by a large body of Malays, and on the seizure being witnessed from the junk, with preparations for attacking her, the anchor was shipped, and the vessel put before the wind, in the hope of escape, but in vain, the Malays closed, and shortly killed, or forced overboard every living soul. The Junk, on being taken into Trengganu, foundered at the mouth of the river.

The Sultan had on 16 June written to Church, the Resident Councillor, asking about twelve captives who 'declared themselves to be Traders from Singapore under a British pass'. In a reply of 28 June, Church, as yet without further details, had said that a vessel armed as was the *Kim Eng Seng*, allegedly with thirteen guns, twenty-four muskets, ten stinkpots, and thirty barrels of gunpowder, was no doubt a pirate, but asked for more information about the captured Chinese. A few days later, on 5 July, he had discovered that the junk was a trader from Singapore, and despatched a note via the government steamer *Pluto*, which was going on a routine voyage up the coast, asking the Sultan to send the captives down.

> The return of the 'Pluto' brought a letter from the Sultan in which he states that owing to one of the twelve Chinese taken at Dungun having been identified as belonging to a Junk that had attacked a trading boat, the whole of these unfortunate beings had been forthwith executed without waiting for any reply to the reference sent by His Highness's special messengers to this station.

According to the Sultan's letter, the junk had attacked a *prau* off Dungun on 10 June, and twelve Chinese off the junk had been apprehended later that day. The following day the junk was captured by Trengganu gunboats and they reached Kuala Trengganu on 15 June. Five Lingga men identified the twelve Chinese as pirates who had attacked them; the Chinese said they had been fired upon first, but it seemed unlikely that a prau would attack a junk, and the Chinese were duly punished for their piracy.[1]

In August the Singapore Chamber of Commerce received a petition from Chea Leak, a shopkeeper of Singapore who had chartered the Hainan junk. The Chamber examined the witnesses and letters produced before it. From these, and from personal knowledge, the members determined

> that the Junk in question was not on a piratical expedition, that the victims were peaceable traders, and that the destruction of the

Junk and seizure of the cargo and the murder of the crew and passengers, amounting to thirty-five in number, appears to be a most unjustifiable action on the part of the Raja of Trengganu, especially after he had communicated with the Authorities here on the subject, and the Chamber therefore resolved to request that the Government will forthwith send competent and duly authorized persons to make enquiries at Trengganu into the circumstances of the case, in order that should it appear that the Raja of Trengganu has exceeded the strict bounds of Justice, compensation to the families and creditors of the victims may be required at his hands.[2]

Church observed in a reply to the Chamber's Chairman, W.H. Read, that there were many piratical junks in action, that the Sultan had produced a convincing account of the episode, and that the Commander of the *Pluto* had himself seen five Lingga Malays severely burned, allegedly attacked by the junk before it stopped at Dungun.[3] To the Governor, however, he observed that the Hainan junk had been chartered by a 'respectable' shopkeeper, and carried five passengers belonging to Singapore.

It may at once be conceded that when the Junk left this Port, the object of the parties on board was purely commercial. The detailed circumstances as explained by the Sultan appear straightforward. On the other hand it is difficult to believe that the Nakodah, passengers, and others, having families here, would be guilty of the extreme rashness of deliberately committing acts of piracy in the proximity of the port where they were known and had been trading. I am also bound to add that the inhabitants of Hainan are not addicted to Piracy.

I think it is more than probable that the people of the Junk seeing Malay praus approaching became alarmed and fired, supposing them to be Pirates, the Sultan's vessels naturally returned the fire, and the result has, I am grieved to say, been the loss of thirty-five lives. The Charterer admits that when the Junk left this she had stinkpots on board.

The evidence of the five men belonging to Lingga Boats would appear to have had great weight with the Sultan, and in-

duced him to cause twelve Chinese to be executed without waiting for further information from Singapore.

... I would venture to suggest that a communication be made to the chiefs of Pahang, Trengganu, and Kelantan, requesting them in future to send to Singapore all Chinese captured as pirates, together with the Property taken, particularly if there exists the smallest occasion to believe the parties cleared out or belonged to this Port.[4]

Butterworth regretted that Sultan Omar had executed the Chinese on the evidence of the Lingga men when he knew that the junk had a Singapore 'pass'. No doubt the Sultan would explain, and if necessary offer redress and reparation, but, like the Chamber, Butterworth thought a personal communication desirable. Church was sent up to Trengganu and instructed to suggest such compensation for the Sultan's proceedings as he thought fit.[4] The Governor also wrote to the Sultan, declaring that 'passes' were given to protect traders. Perhaps some were obtained unfairly, and in this case the Sultan had evidently had his suspicions. But he should have stayed his proceedings till he had ascertained the result of the reference to Singapore. The Governor was sending Church to examine all the evidence upon which the junk was captured and the crew executed. No doubt the *Kim Eng Seng* was thought to be a pirate vessel, 'and it is just possible that such was the case', but the collision with the gunboats more probably arose from a fear on board the junk that *they* were piratical.[5] In any case, as the Governor had pointed out, those on board the junk had witnessed the proceedings ashore at Dungun.

The Resident Councillor left on H.C.S. *Semiramis* and on 26 September arrived at Trengganu, where he was received by Omar

with tolerable good grace, for it cannot be disguised that he, as an independent and despotic sovereign, must necessarily have felt in a degree humiliated to find a foreign functionary sent to enquire into a case which had already been judicially disposed of by

him. I merely advert to this subject in elucidation of the friendly feeling subsisting and the influence of the British authorities in the adjacent Native States.

Church found little substance in the depositions taken at Trengganu. Some of them conflicted with the Sultan's first letter, one indeed suggesting that the junk was captured north of Trengganu. The evidence on which the Sultan had relied for the sentence of execution seemed inconclusive:

there is not a tittle of satisfactory evidence to connect the junk *Kim Eng Seng* with piracy, much less sufficient grounds for the heartless and hasty proceedings of the Sultan in ordering the decapitation of the twelve Chinese.

The Sultan might be considered blameless over the original seizure of the Chinese and the capture of the junk; but he had too readily accepted evidence against the captives and arbitrarily and cruelly done them to death. He should make compensation for the destruction of property, and pay $5,000 to the widows and their children. Omar, Church added, was a man of ability, but of arbitrary power, and the few Chinese at Trengganu were in an abject state.

The Sultan carries on trade which is totally incompatible with His Highness's position, extremely detrimental to his subjects and persons connected with commerce, most of the Tin produced is sent to Singapore on account of His Highness, he has a brig called the *Dragon*....

The Revenue of the Sultan is chiefly paid out in what is considered improvements; he has erected a Powder Magazine of Masonry, also a store to be used as an arsenal, a large mosque has likewise been commenced....[7]

Butterworth wrote to the Sultan, saying that Church's report confirmed that the *Kim Eng Seng* was on a trading voyage. Evidence that it was piratical was inconclusive, and he demanded compensation to the amount of $11,090, to be paid in two instalments, allowing just $2,000 for compensation for loss of life, and no less than $9,090 for loss of property.[8] The Sultan, the Governor observed in his letter to

the Supreme Government, might be unwilling or unable to pay. In that case the destruction of his town was not a retaliation that he would recommend,

> as it would effectually put an end to the harmony now subsisting on the East Coast of the Malayan Peninsula, and to the valuable trade at present carried on between Trengganu and this Port, whilst incalculable misery would be inflicted on numberless families wholly unconnected with the outrage.

The only alternative was the seizure and destruction of the Sultan's property, such as his trading brig.

The legal member of the Council at Calcutta, C.K.M. Jackson, found in European international law some basis for a demand upon the Sultan, though it differed from the Governor's. So far as concerned the persons killed on board the vessel, the conduct of the attacking parties was a violation of the law of nations, since there was no justification for assuming that the junk was engaged in piracy. Compensation was certainly required in this case.

> The case as regards the unfortunate beings captured on shore, and subsequently executed, appears to me to assume a different aspect. They were captured on the Sultan's territory, and Colonel Butterworth informs us that there is no reason to doubt, but that the Sultan acted bona fide with respect to them. The mere fact that the Sultan sent for further information concerning the vessel to one of our stations did not substantiate a contract on his party not to punish them until he received an answer.... It seems that some of the crew were identified as having been previously engaged in piracy, and on this evidence (whether it was clear or not does not appear) they were all executed.

Presumably they were tried, and, the Sultan being independent, the trial could not be questioned. Compensation could not be required: but enough could be claimed under the first head 'to enable the Government to compensate all parties'.[9] The application of legal definitions to the case produced a demand for compensation, though one on a different basis from Butterworth's.

The President in Council in Calcutta recognized that political complications were involved in any attempt to enforce such a demand on a peninsular chief. He decided that,

notwithstanding all that can be said in extenuation of the act which he had committed, the Sultan of Trengganu may properly be called upon to pay whatever may be sufficient to enable the Government to compensate all injured parties. Adverting, however, to the possible consequences of enforcing such a demand, the President in Council is desirous that the matter should be submitted for the consideration of the Most Noble the Governor-General.[10]

Dalhousie recorded a minute concurring with Jackson.

There seems no reason to doubt that the Sultan really believed the Junk to be a pirate; although he acted with culpable precipitancy, he is not liable to the charge of having executed a deliberate massacre.

The execution of the twelve men was according to his own forms, and grievously wrongful as it was, I see no means of repairing the evil in any way. This is not the case in respect to the Junk. Her owners are known, and the property may be properly compensated for.

The sum referred to was too large, but some sum should be demanded, and if the Sultan should refuse, perhaps his brig and boats should be destroyed, not his 'wretched town', as that would injure innocent people and make the Sultan an enemy for ever.

Great caution should be exercised in pressing the demand lest we should be requiring the man to pay more than he really has it in his power to pay. But if he can pay and will not, the course I have suggested above is the only practicable one which occurs to me.[11]

Thus Dalhousie was prepared to put the claim Jackson urged; but he hoped it would be such that the Sultan would pay up without further intervention from the British Government.

These comments were withheld from Butterworth. The fact was that he had already made his substantial demand, and the Indian authorities duly awaited the result. The result was that the Sultan insisted that the *Kim Eng Seng* had committed piracies—perhaps its people behaved themselves at Singapore, 'but once at sea with a pass they became pirates and plunderers as is notorious with junks, pukats, etc.'—and the Officiating Governor asked for instructions from the Indian authorities as to further action.[12] The Raja now asserted, they remarked, that the Chinese had been justly executed, and he did not consider himself bound to pay compensation on the grounds Butterworth had urged.

> The Governor-General in Council instructs me to say that your predecessor, Colonel Butterworth, should not have made any such demand on an independent chief without having procured the previous authority of the Government of India.
>
> His Lordship in Council moreover observes that it is by no means proved that the Hainan junk which left Singapore on the 6th of March 1851 and which was afterwards captured on the 9th and 10th June after a severe contest, had not intermediately committed acts of piracy.
>
> Mr. Church who was deputed to inquire into the matter took evidence which showed that the Junk had been at Trengganu in the latter part of March but he did not trace the vessel further. He obtained no evidence to show what had become of her for the subsequent two months and a half till she was captured fifty miles to the north west of Trengganu near Kelantan....
>
> Mr. Church in his letter of 28th of June says that no innocent trader would have the armament this junk was reported to carry and which had been preserved by the Trengganu chief, but no attempt appears to have been made either at Singapore or Trengganu to show that her armament was less than had been stated by the chief....
>
> His Lordship in Council also considers the Junk to have been overmanned with 29 Sailors. This and other suspicious circumstances above enumerated should have been satisfactorily cleared

up before the direct and straightforward evidence given by the Sultan's officers was disbelieved.

In conclusion I am directed to state that the Governor-General in Council disapproves specifically of the demand made on the Sultan of Trengganu and desires that it may not be enforced.[13]

The Supreme Government, faced with the unwillingness of the Sultan to pay the amount Butterworth had on doubtful grounds demanded, had to face a problem of enforcement, and decided against it. No alternative demand could, of course, be made, and it was now pointed out that, if the evidence that the junk had committed piracy was doubtful, there was no evidence that it had not. The original statements in the Sultan's letter had not been disproved, the Supreme Government argued, and it even drew attention to the dubious deposition that the junk had been captured near Kelantan.

In Singapore there was great disappointment at this turn of events. The *Free Press* observed that the Government seemed disposed to leave 'traders sailing out of this port' to 'the tender mercies of the native Rajas who may chuse to appropriate their goods and put them to death on any charge, however unfounded'.[14] The *Free Press* used the *Kim Eng Seng* episode in its dispute with the *Straits Times* over Sir James Brooke and the suppression of piracy: 'the Trengganu affair shews that a little encouragement only, such as the systematical vilification of those who have been engaged in its suppression, will suffice to enable it to burst forth afresh in all its horrors'.[15]

The Singapore Chamber of Commerce petitioned the President of the Board of Control in London against Dalhousie's decision, urging that Church had found the junk non-piratical, and nothing showed that this was not so. The trade between Singapore and the east coast by junks and native craft would be 'endangered' if the native chiefs were 'allowed to entertain the belief that they may plunder these vessels and murder their crews, without being liable to be

called to account for their actions by the Government from one of whose ports those trading vessels proceed....'[16]

At one point in the dispute the *Free Press* had been even more indignant. One of the twelve Chinese, Chea Nee, had escaped and reached Singapore late in 1851. According to his statement, nine of the twelve Chinese had actually been executed while the *Pluto* was at Trengganu. 'This atrocious and cold blooded murder ... gives a graver character, if possible, to the whole transaction, and the interests of humanity imperatively demand that a serious example should be made....' Church, however, observed that Chea Nee gave the date of the execution as 8 July, while the *Pluto* did not reach Trengganu till the 12th. The *Free Press* retreated, but urged inquiry and, if required, punishment.[17]

None, as has been seen, resulted, and the Court of Directors, to which the Board of Control sent the Chamber's memorial, concurred with the Indian Government that no further proceedings were necessary.

> The Sultan of Trengganu is a friendly chief, his coasts have been greatly infested by pirates, the prisoners whom he put to death underwent a formal trial according to the customs of his country, and neither in that political act nor in the attack on the junk is there the smallest reason to believe that the Sultan in the one case, or his subjects in the other, acted otherwise than under a sincere belief that the vessel was piratical. There were also several suspicious circumstances connected with the junk which you have pointed out, and which neither Mr. Church nor Lt.-Colonel Butterworth made any attempt to clear up....[18]

The matter was brought before the House of Lords by the Earl of Albemarle. 'The Government had been very solicitous of late to put down piracy', he observed; 'and this outrage, though perhaps strictly speaking, it could not be called an act of piracy, nevertheless very nearly approached it.' Perhaps it could be referred to the commission sitting in Singapore.[19] Nothing, however, came of this curious proposal to refer the matter to the Commission of Inquiry into

Brooke's proceedings (which, in any case, had not yet come together).

In a previous discussion of the *Kim Eng Seng* episode,[20] the present author sought to interpret it in the context of developing British relations with the Peninsula. Since the days of Governor Bonham, the Straits Government had placed major reliance upon the Temenggong of Johore in its attempts to exert an influence among the neighbouring states. The able Sultan of Trengganu became somewhat concerned at this rather exclusive association of Temenggong and Governor and anxious for contacts of his own with the Government; and of his desire for friendship Butterworth indeed was aware.[21] There seemed to be some suggestion in the *Kim Eng Seng* episode that the local authorities' way of interpreting the evidence and anxiety for precipitate action derived from a 'predisposition against a ruler opposed to the Temenggong'. This interpretation might, however, be modified by the fact that the *Singapore Free Press*, though it was to prove far from friendly to the Temenggong, and indeed much disposed to favour the claims to Johore of Ali, the son of Raffles's Sultan,[22] was, as has been shown, insistent upon action against Sultan Omar. There might equally be nothing political—no suggestion of *parti pris*—in the gubernatorial attitude.

It was certainly true that there was much to extenuate Omar's action. Certainly there were many Chinese pirates active at this time along the east coast, and a band of them had raided the town of Singgora.[23] It was also true that many of them used Singapore for gaining supplies and information and for disposing of booty, and in the state of the administration there, they could still come away with a Singapore port-clearance (which was what the 'pass' was).[24] The fact that a 'respectable' Chinese merchant was involved would equally not disprove piracy, and, as for passengers being aboard the *Kim Eng Seng*, it was possible for the piratically-inclined on a junk to put them below when occasion

suggested.[25] The British naval forces were most inadequate —the government steamer *Hoogly* was a notorious 'snail'[26] —and in such a situation the Sultan might well be a desperate man. Certainly there were some grounds for dealing cautiously with him, and none at all for the suggestion that his act was piratical. In its more sober moments, indeed, the *Free Press* admitted that the Sultan had made a 'mistake', and urged an increase in naval forces with a view to eliminating occasions for future such mistakes.[27]

There was something to be said on the other side, however, even apart from the extra information that the *Free Press* acquired—for instance, that the supercargo of the *Kim Eng Seng* had lived in Singapore nearly all his life,[28] and that the arms on board were intended for sale at the east coast ports to junks who needed them for protection against pirates.[29] The evidence of the Sultan's officers, as the *Free Press* later argued, was suspicious, since they were the parties who captured the junk. The Governor-General had latterly urged that there was no evidence to show that the junk had *not* committed piracy between March and June. But the burden of proof lay with the Sultan to show that it *had*. Nor was there any real evidence of legal proceedings under Muslim law being taken by the Sultan against the captives before their execution at Trengganu.[30] The principle the *Free Press* was urging was the British one, that a person was innocent till proved guilty. But, even if this notion were to be considered valid as a ground for criticizing the Sultan, it afforded cause, as the *Free Press* said, for further enquiry, and not, as the Governor made out, for a precipitate demand for compensation and, if necessary, punishment.

There is room for some doubt as to the motives of the Indian authorities for not following this course. The *Singapore Free Press* thought it might be attributed to the customary policy of non-intervention, urged the desirability of exerting 'a moral influence' over the peninsular rulers, and suggested that 'other civilized powers' might intervene if the

British did not.[31] Possibly it was thought in India that any such action might have caused difficulties with Siam which had claims of suzerainty over Trengganu, more or less left in suspension by the Burney treaty of 1826.[32] In his minute, however, Dalhousie had not directly referred to this political matter, though political considerations had been seen to be involved. He had been concerned about destroying innocent people and ruining relations with Trengganu for ever, though, of course, this latter consideration might be connected with a concern to avoid raising the suzerainty issue. He was prepared to put in *some* demand for reparation and to contemplate, if necessary, *some* measure of punishment. Butterworth, however, had already put in a demand for compensation of some size. If the Sultan refused to pay it, it would be difficult either to retreat and ask for less, or press on with punishment. And he did refuse.

The *Singapore Free Press* remarked on Butterworth's favourable opinion of Omar,[33] and so did his successor, Blundell.[34] But it seems that we have still to account for a remarkable precipitancy in the actions of Church and Butterworth and, if this is not to be ascribed to a Machiavellian design to make the Peninsula safe for the Temenggong, it is still evidence of a lack of that same sort of sympathetic consideration for Omar that Ibrahim received. Such an episode could not have occurred in British relations with Johore; nor would such an attempt at punishment have ensued. No doubt the objects of gubernatorial policy had their creditable side. The loss of life involved seemed to require some active measures. Church's comments in his report on the state of affairs in Trengganu perhaps hint at a desire to reform and to westernize, and no doubt this was a fairly general feeling, shared by the press, the Chamber of Commerce, and even perhaps by its then chairman, W.H. Read, though he was (but possibly only slightly later) a friend and patron of Ali, if not of Omar. It still appears that the tradition in gubernatorial policy—the close connexion with the

Temenggong—obscured the possibility of developing a direct and intimate parallel connexion with the Sultan of Trengganu.

Possibly the episode led to increased British activity against the Chinese pirates, and certainly it made the Sultan more cautious.[35] In a way, the more important results were negative. The *status quo* in relation to Siam and to the east coast was left undisturbed. This made it possible for Blundell to attempt a more constructive policy and work for a *détente* among the east coast princes. He finalized the settlement between Ali and Ibrahim, tried to establish a connexion with Omar, and encouraged the princes to send their sons to be educated in Singapore. He also faced the problem of the civil war in Pahang, in which Omar and Ibrahim intervened on opposing sides. His successor, Cavenagh, facing the same problem, reverted in 1861 to a policy of connexion with the Temenggong and sanctioned the Johore alliance with Pahang. Omar reacted by intensifying his connexion with Siam and his interference in Pahang, and Cavenagh was led to the bombardment of Trengganu of 1862, a challenge to Siam and a punishment for Omar. The *Singapore Free Press* declared that 'the Trengganu chief has long required some such lesson as that he has now received.... He probably expected that his conduct in the present case would be passed over with the same impunity which attended his seizure and destruction of a Singapore trading junk in 1851.'[16] The reaction that followed this violence, a pro-Siamese reaction on the whole, even with W.H. Read, influenced the policy of the first Colonial Office Governor, Ord, after 1867. But, in the interim, Omar's party was victorious in Pahang, and in general, thanks in part to the Blundell policy, his position was strong enough for him to avoid submergence beneath a recognized Siamese supremacy.

There had been no punishment in 1851, and the developments of the intervening period modified the effect of the punishment when it did come. Siamese supremacy was rec-

ognized. Perhaps this might have come about if violence had eventuated in 1851, though, on the other hand, it might well have impeded the improvement in Anglo-Siamese relations that led to the Bowring treaty of 1855. When Siamese supremacy was recognized in the late 1860s, Anglo-Siamese relations were much better. Furthermore, Omar had a place in them that he could not have occupied if the *Kim Eng Seng* episode had effected a further building-up of the Temenggong's influence on the Peninsula, and in particular in Pahang; or if his friendship with Britain had been impeded by an earlier bombardment; or if Blundell had not attempted that constructive policy of direct connexion and sympathy with Trengganu that seemed to be so lacking in the dispute over the junk and its wretched crew.

[1] Butterworth to Halliday, 13 October 1851. BC 140596, p. 3. Sultan to Church, 16 Shaban 1267. ibid., p.35; also *SFP*, 16 July 1852. Church to Sultan, 28 June 1851. BC 140596, p. 37. Butterworth to Barker, 17 April 1851. ibid., p. 43. Church to Sultan, 4 July 1851. ibid., p. 38. Sultan to Butterworth, 13 July 1851. ibid., p. 40.

[2] Petition of Chea Leek to Chamber of Commerce. BC 140596, p. 10; Resolution of Chamber, 5 August 1851. ibid., p. 33; *SFP*, 16 July 1852.

[3] Church to Read, 6 August 1851. BC 140596, p. 34; *SFP*, 16 July 1852.

[4] Church to Butterworth, 8 August 1851. BC 140596, p. 30.

[5] Butterworth to Church, 8 September 1851. BC 140596, p. 44.

[6] Butterworth to Sultan, 6 September 1851. BC 140596, p. 47.

[7] Church to Butterworth, 4 October 1851, and depositions. BC 140596, pp. 49, 58; *SFP*, 28 April 1854.

[8] Butterworth to Sultan, 9 October 1851. BC 140596, p. 63.

[9] Minute by Jackson, 23 December 1851. BC 140596, p. 71; *SFP*, 28 April 1854.

[10] Halliday to Secretary, 26 December 1851. BC 140596, p. 73.

[11] Minute by Dalhousie, 5 January 1852. BC 140596, p. 89; *SFP*, 28 April 1854.

[12] Raja to Butterworth, 2 April 1852; Blundell to Elliot, 15 May 1852. BC 140597, pp. 7, 3.

[13] Allen to Blundell, 11 June 1852. BC 140597, p. 10; *SFP*, 28 April 1854.

[14] *SFP*, 16 July 1852.

[15] ibid., 23 July 1852.

[16] Memorial to J.C. Herries. BC 140598, pp. 4, 11.

[17] *SFP*, 5, 12 December 1851. Statement of Chea Nee, 29 November 1851.

BC 140596, p. 80; *SFP*, 5 December 1851. Church to Blundell, 5 December 1851. BC 140596, p. 78.

[18] Court to Governor-General in Council, India Political, 26 January 1853, no. 2, paras. 4–6. Despatches to India and Bengal, vol. 79, p. 1162, India Office Library.

[19] *SFP*, 14 October 1853.

[20] Nicholas Tarling, *British Policy in the Malay Peninsula and Archipelago, 1824–1871*, Kuala Lumpur, 1969, pp. 62–3.

[21] Butterworth to Halliday, 13 October 1851. BC 140596, p. 3.

[22] See, e.g., *SFP*, 17 December 1852.

[23] *SFP*, 30 May 1851.

[24] See, e.g., *SFP*, 30 May 1851, 29 October 1852.

[25] As in a case reported in the *SFP*, 20 February 1852.

[26] Tarling, op. cit., p. 63.

[27] *SFP*, 29 October 1852, 22 April 1853.

[28] *SFP*, 16 July 1852.

[29] *SFP*, 11 July 1851.

[30] *SFP*, 28 April 1854.

[31] *SFP*, 14 October 1853. Also quoted in C.B. Buckley, *An Anecdotal History of Old Times in Singapore*, Singapore, 1902, vol. II, p. 575. The reference to 'other powers' is interesting in the light of Professor C.D. Cowan's analysis of the motives for British intervention in 1874, *Nineteenth-century Malaya*, London, 1961, chapter 4.

[32] Tarling, op .cit., p. 62.

[33] *SFP*, 28 April 1854.

[34] Blundell to Halliday, 11 December 1851. BC 140596, p. 76.

[35] Tarling, op. cit., p. 63.

[36] *SFP*, 20 November 1862.

2 Emperor Minh-mang

VI

British Relations with Vietnam, 1822–1858

MR Alastair Lamb has published a documentary account of the East India Company missions to Vietnam or 'Cochin-China' during the Tay-son rebellion and the reign of Gia-long.[1] It is clear that the major motives of the first of these, that of Chapman, were both political and commercial: its object was, on the one hand, to anticipate a French plan to use Vietnam to threaten the British position in Asia, and, on the other, to participate in the trade to China as a means of relieving the drain on specie incurred by extensive tea-purchases. Somewhat similar motives lay behind the short visit Lord Macartney paid to Tourane on his way to Peking in 1793. In the interval, the French in the treaty of 1787 had promised aid to Nguyen Anh against the Tay-son in return for French settlements and preferential status. The treaty was not officially implemented, but its progenitor, the missionary Pigneau de Behaine, Bishop of Adran, secured some aid for the prince, and Governor-General Wellesley was much concerned about possible French influence in the subsequently reunited empire. This led to the mission of John Roberts. The earlier British missions failed because of the disturbed conditions in Vietnam.

The Roberts mission arrived at a time when Gia-long, the erstwhile Nguyen Anh, having reunited the kingdom, had no need of the support of the British or the French and saw no reason to risk his country's independence by entangling himself with them. Gia-long may perhaps have had other motives also. The penetration of alien influences might dissolve the hardly-won unity of Vietnam and the loyalty of the mandarinate to the Nguyen dynasty. Moreover, the dynasty's Confucian attitude to foreigners was not simply loyal imitation of China. In the civil wars Chinese armies had penetrated the country, as on previous occasions in Vietnam's history. In some sense an isolationist attitude *vis-à-vis* the Europeans was a guarantee of Vietnam's independence of its great neighbour to the north.

Lamb's work concludes with an account of the Crawfurd mission sent to Emperor Minh-mang in 1821-2 again by the Supreme Government in Calcutta. The major object was commercial. It was a period in which the Free Trade was searching for new outlets in Asian commerce. Singapore had recently been founded, and it was 'extremely desirable, under the present stagnation of trade', to negotiate a renewal of commercial contacts with Vietnam. The important point was to disarm apprehensions of the British and lay the foundation for a friendly intercourse, and nothing was to be demanded by way of 'forts and factories, exemption from municipal jurisdiction and customary imposts, monopoly of favourite articles of produce, and exclusion of rival European nations....' But, if possible, Crawfurd was to work against the maintenance of monopolies and for the establishment of a single duty reckoned by tonnage or measurement. He was also to investigate the views and position of 'other European nations' which might be influential at the court of Cochin-China.[2] In fact the Calcutta Government was still concerned about the French, who indeed had attempted to revive their connexion with Vietnam in the Restoration phase.[3]

At Saigon, Crawfurd was asked if the mission was from the Governor-General or from the King of England.[4] The mandarins also wished to examine the Governor-General's letter to the Emperor. To this Crawfurd agreed, and a 'tedious' conference ensued as to the terms employed.[5] The inquiry as to the origin of the mission was repeated at Tourane.[6] An invitation to Hué followed, but the entourage was limited.[7] At the capital a further discussion ensued on the terms of the letter.[8] At an audience the First Minister announced 'that the request made by the Governor-General of India was acceded to; and that English ships would be admitted freely to trade in the King's dominions....'[9] It also became plain that no royal audience was to be granted, the Minister first arguing that this was because Crawfurd's was a purely commercial mission, then that it brought only a letter from the Governor-General and not one from the English King.[10] Minh-mang also refused to accept the Governor-General's presents 'because, as it was alleged, we had come here only to ask for trade, and had not yet gained any actual advantage from our intercourse....'[11] In turn Crawfurd declined to accept presents for the Governor-General, and the Vietnamese then withdrew their reply to his letter.[12]

'Had the objects of the mission in any respect been of a political nature', wrote Crawfurd, 'or had there been any chance of our maintaining a future connexion with the country, it would perhaps have been necessary to have assumed a higher tone, but under existing circumstances such a line of conduct in the negotiations certainly did not appear to me the best means of ensuring our present success or the proper security against embarrassing the government I had the honour of representing....'[13] Indeed Crawfurd saw no advantage in the Governor-General's attempting further diplomatic intercourse: 'all the acts of the Indian Government are at once associated in the minds of the Cochin Chinese with our territorial aggrandisement'. However, a

direct intercourse with the Crown might flatter the Court at Hué and so improve commercial relations. It should be merely complimentary: a naval commander might deliver a royal letter and a present.[14] Crawfurd believed these would be accepted.

These recommendations followed from his analysis of the situation *vis-à-vis* Vietnam. On the political side, he felt 'that no foreign influence exists ... hostile to our own political interests. Of all European nations the Cochin Chinese entertain great jealousy, nor is it in the least degree probable as long as the country remains as it now is, united and free from insurrection or internal dissention, that they will permit any European party to establish an influence of the least importance in their councils....'[15] Cochin-China itself was not likely to be a formidable enemy and, if it came into the hands of an enemy, or into an alliance with one, a blockade of the Mekong and the Red River could bring it to terms.[16] Any menace to India would indeed be 'visionary'. The resources of the two areas were quite disparate.[17] The Cochin-Chinese 'are not our immediate neighbours, but far removed from the sphere of our Indian politics.... They have nothing to apprehend from us, nor do I conceive that our Indian power can ever have anything to apprehend from them.'[18] From Cochin-Chinese bases foreign Europeans might threaten the China trade: but in the circumstance such a threat was unlikely to materialize.[19]

On the commercial side, Crawfurd thought the prospects had been exaggerated. 'Cochin China will afford a market for some of our manufactures and colonial produce, and supply us in return with articles suited both to the European and Indian market; but ... it appears to me that the intermediate intercourse which it will enable us to maintain with portions of the Chinese Empire with which we have at present either no intercourse at all or a moderate one will prove a more valuable channel for the employment of our trade than our direct intercourse with the country itself....'[20] The

trade between Vietnam and China in Chinese junks was substantial. Vietnam also opened a trade with Singapore initially in Chinese junks, and from 1825 there were royal ventures.[21] Cochin-China might become a medium of British commerce with little-known parts of China. 'The grounds ... are already laid in the trade of the Chinese junks with Cochin China, and in the traffic recently established between the latter country and the British possessions in the Straits of Malacca.... The freedom which has been established of late years in the silk trade in Great Britain, will tend greatly to the encouragement of such an intercourse; but the removal of the restraints upon the tea trade, would occasion a far more important extension of it....'[22] These were the origins of Crawfurd's suggestion of occasional complimentary missions to Hué from the King of Great Britain. The chances of action on this were small while the Company enjoyed a political monopoly (save for the colonies in Ceylon and New South Wales) east of the Cape of Good Hope. Crawfurd in fact grounded his chief expectation on the abolition of the Company's main commercial monopoly. Indeed the Company no longer attached the importance it had before the French wars to amplifying the trade at Canton through traffic in South-East Asia.

If in British policy the Crawfurd mission conduced to inactivity, it was not without at least a negative result in Vietnam. It is clear that Gia-long, once established in a reunited kingdom, had not been disposed to favour continued French influence. The British mission pointed out to Minh-mang, as Lamb suggests, the possibility that French influence might produce British intervention. It 'put the seal on the Nguyen policy of avoiding all European entanglements whatsoever',[23] and news of the first Anglo-Burman war did nothing to alter it. Even had Crawfurd's suggestion been acted on, it would surely have been in vain.

In the commercial field, the Vietnamese Government made promises that seemed liberal enough to Crawfurd,[24]

and also to his employers, the Court of Directors, who, however, doubted if the mission had been influential in securing liberalization.[25] In practice trade was to develop largely via Singapore. It came to involve not only junks, especially from nearby Hainan, and royal Vietnamese vessels, but also Cochin-Chinese topes. In the year 1830–1, some thirty-five junks and topes came to Singapore from Cochin-China and Cambodia, aggregating some 2,225 tons,[26] and in 1835–6 fourteen topes came from central Vietnam alone.[27] From the Singapore trade the royal government indeed sought to profit by establishing a monopoly (though Crawfurd had congratulated himself that 'in Cochin China neither the Sovereign nor his officers are traders themselves'),[28] and this was enforced against the topes by denying the Cochin-Chinese sailors the right to carry arms.[29]

Their trade was thus especially subject to the depredations of the 'orang-laut' pirates of the Riau-Lingga archipelago in the 1830s, and later of the Singapore-based Malays and Chinese junks. In 1836 some Cochin-Chinese were taken to India as witnesses against nine Malays accused of piracy and brought in by H.M.S. *Wolf*.[30] Cochin-Chinese captives were often sold by the pirates to Malay rajas and Chinese and Arab merchants at Pahang for use in the mines. The anti-piracy commission of 1836, H.D. Chads and S.G. Bonham, exerted some pressure on the Bendahara, and late in the year his relative, the new Temenggong of Johore, was sent off to fetch some more Cochin-Chinese captives.[31] In the early 1840s, the Vietnamese junks were attacked by pirates from Galang dispersed in 1836 and settled on Singapore island. 'Canton junks' attacked them, too.[32]

If the pirates were thus permitted to limit intercourse with Europeans even at Singapore in order to benefit the royal monopoly, the general objective of keeping Europeans out of Vietnam itself was more difficult to attain in the case of religious than of commercial adventure. For a while Minh-mang tolerated the predominantly French Catholic mission-

aries, but in the 1830s, following the insurrection of Le Van Khoi, toleration gave way to persecution. Crawfurd had suggested that while the country remained 'free from insurrection', no 'European party' would be able to establish an influence. The insurrection that now occurred was connected by Minh-mang with external missionary influences: the example of Pigneau's aid to Nguyen Anh came to mind. Minh-mang's successor, Thieu-tri, sought also to rid his country of missionaries, but they persisted in returning, seeking conversions, even martyrdom. W.C. Butterworth, Governor of the Straits Settlements, was indeed to opine: 'certainly the privations and hardships that these Missionaries undergo in their sacred calling, and the numbers that readily embrace it afford a noble example to, if they do not throw into the shade, our efforts in the propagation of a purer faith, with fourfold the expenditure....'[33] It was, in fact, impossible to avoid contact with these Europeans. The increasingly violent attempts to drive them from the country became, however, increasingly dangerous as European naval strength in East Asia increased and as Vietnam's strength, in part because of its lack of contacts with the West, relatively decreased.

In Siam, which Crawfurd had also visited, the situation was very different. There, too, he had had to produce the Governor-General's letter before it was presented to King Rama II.[34] He had the feeling, too, that the Governor-General's presents were represented as tribute.[35] He was asked if the King of England would write to the King of Siam.[36] He noted the 'alarm and jealousy' caused by the Company's conquests.[37] In future, Crawfurd concluded, the Siamese commerce must be carried on through Chinese junks. Political relations, he thought, should be conducted from India, whether the Company continued to rule there or not. The recent extension of the British and the Siamese dominions made them neighbours, he observed, presumably referring both to the British acquisitions in the first Burma war and to the Siamese invasion of Kedah, and brought the

Siamese 'within the pale of our Indian diplomacy....' An envoy at the Siamese court would, however, only be a source of irritation. 'The sea on one quarter, and impracticable mountains and forests on another, are barriers which, together with the fears and discretion of the Siamese Government, will in all likelihood preserve us long at peace with this people....'[38]

In the event, Anglo-Siamese relations developed rather more positively than Crawfurd appears to have anticipated. In the Burney treaty and agreement of 1826, the Siamese assented to commercial provisions, including a vague clause that might be taken as prohibiting monopolies and another establishing measurement duties, and also to political arrangements over the northern states of the Malay Peninsula. Some commercial development ensued, and a trade was developed at Bangkok by Europeans, like the Scotsman Robert Hunter. In the early 1840s, an extension of the system of tax-farming struck blows at this trade. The indifference of the Indian Government to the argument that 'monopolies' were thus being created enabled Hunter, who had meanwhile fallen out with the King, Rama III, to make his private quarrel a public issue. If, however, at this point there was some danger of a breach in the peaceful development of Anglo-Siamese relations, the risk was reduced in as much as those relations had so far developed in a more positive way than Anglo-Vietnamese relations.

There are two sets of reasons for this all-important contrast in the relations of Siam and Vietnam with the major European power in Asia. Firstly, Britain's concern with Siam was much deeper, commercially and, as Crawfurd makes clear, politically. Indeed his Cochin-China mission was only a pendant to his Siam mission, while Burney did not attempt Hué as well as Bangkok. Secondly, and more importantly, the Siamese attitude, though, as Crawfurd's account shows, bearing some similarity to the Vietnamese, ultimately differed in its reaction to foreign contacts. In

Siam there was no history of civil war and foreign intervention but, on the contrary, one of adjustment to the shifts of power in eastern Asia. And there was no Confucianist mandarinate to reckon with.

The end of the tea monopoly, Crawfurd had suggested, might give the Cochin-China trade a new importance. In fact this did not happen. It was again rather indirectly that Cochin-China was affected by new departures in British policy. The proposals for a new mission thither resulted from changes in China, precipitated indeed by the abolition of the Company's monopoly. One major restraining influence on the 'Indo-Chinese' policy of the Company had been its belief that the powers there were feudatories of China, and any disturbance of relations with the former might adversely affect the Company's position in the latter. The Company's monopoly ended under the charter of 1833. The home Government took over the direction of policy. Then, under Free Trade pressure, relations with China deteriorated into the first 'Opium War'. A new access to the China trade was afforded not via Cochin-China, but by the opening of 'treaty ports' and the annexation of Hong Kong. A change in policies towards the Indo-Chinese nations might, however, be anticipated. The old inhibition of the Company's China policy was removed, and the way was perhaps clear for a new departure in relations with the neighbouring countries under the guidance of the Foreign Office, pressed by the commercial crisis of the 1840s. Perhaps, too, having, as the Supreme Government had put it,[39] modelled itself upon China, Vietnam would follow China's new example. The history of the relations between Vietnam and the predominant European power in Asia was also affected by the attitudes of other nations, like the French and the Americans, now also more active in East Asia,[40] and by the reactions of the Vietnamese to them. Minh-mang had significantly already sent an exploratory embassy to Europe in 1840. Significantly also, the Société des Missions Etrangè-

res persuaded Louis Philippe not to receive it, and the French Navy was subsequently given orders to protect the missionaries.[41]

A paper prepared in July 1845 by Charles Gutzlaff, Chinese Secretary to the Superintendent of Trade at Hong Kong, pointed out the effect the British treaties with China must have upon surrounding nations, Siam, Vietnam, Korea, Japan.[42] The Siamese, he suggested, were apprehensive of the British. But the Nanking treaty secured some advantages even for Siam, since its junks would share the security guaranteed to British ships.

Gutzlaff argued that Vietnam had also gained from the Nanking treaty, perhaps to an even greater extent. The Emperor considered himself a vassal of Peking, but 'is in constant fear of subjugation'. Hence, according to Gutzlaff, 'a state of defence somewhat in a European manner' and, earlier, the French friendship. In the Anglo-Chinese war, Minh-mang 'no doubt desired most sincerely, from political motives, the humiliation of the Chinese, but could at the same time not divest himself of the habitual reverence he owed to the Great Emperor, nor dispel all the fear of encroachments upon his country by the English....' The new King, Thieu-tri, had in fact benefited, with 'new avenues for his trade' opened by 'British prowess ..., so that vessels freighted by Government may now not only go to Canton and Amoy as heretofore, but likewise proceed to the three other ports. The greater liberty granted, has likewise given new impulse to the Chinese junk trade, which from Hainan, Kwangtung and Fukien visit Tonkin and Cambodia in large numbers....' Politically, too, the Chinese had become less oppressive.

Thus the Chinese Secretary suggested that, not simply from fear of the English, but also from a knowledge of the advantages their victory had brought, the Siamese and Vietnamese Governments might welcome a new relationship.

An emissary to Bangkok from the Government in London might, leaving aside the political and territorial matters, secure a revision of the commercial parts of the Burney treaty and put an end to monopolies in Siam. A consular agent could then be appointed.

Chinese settlers in Hatien and Saigon traded to Singapore, and royal Vietnamese vessels also visited the southern ports. No square-rigged vessels regularly visited Vietnamese harbours, Gutzlaff reported.

> Previous attempts to open a regular intercourse have practically failed, though in some measure theoretically succeeded. The Government adopted this expedient to frustrate all enterprises of such a nature, and whilst granting in vague terms, and even under favourable conditions, the commerce, the Mandarins prevented every vessel that came in, on the strength of these promises, to carry on business....
>
> What we have principally to contend with is the cupidity of the Government to monopolize as much as possible all valuable articles and export them in its own bottoms. The same aversion towards foreign intercourse as in other Indo-Chinese Countries does not exist here, and the Court has given a noble example in having the most complete arsenal, on European principles, fortresses, and navy created by his own subjects, under the direction of Frenchmen and now without their aid. With people of such a turn of mind one can reason and prove that a free intercourse and moderate duties, are even in a pecuniary point of view, more advantageous to the King, than a monopoly. There ought moreover to be reciprocity, if the royal vessels enjoy great privileges in visiting our ports, why should we not claim a similar boon?...

The opening of Hatien, of Saigon, of the nearest port to Hué and of Hanoi, might be requested. Gutzlaff's optimism here seems to be founded on a misreading of Vietnamese policy: the objections to intercourse were not merely those of a commercial monopolist. He was also perhaps unduly optimistic over the effect of appointing 'an accredited Envoy from Her Majesty'.

Sir John Davis, the Superintendent of Trade and Governor of Hong Kong, had recommended a mission to Japan, and now endorsed, with reservations about Korea, Gutzlaff's wider proposals: 'the recent example of China, to which the ultra-Gangetic nations of the Continent of Asia have been in the habit of looking with awe and respect, might influence the latter very favourably in the event of any overtures on our part towards a more extended intercourse....' He asked for authority to visit them.[43]

The Foreign Office referred to the India Board the notion of a treaty-making mission to Siam and Vietnam on the part of Her Majesty's Government.[44] The India Board was doubtful. A negotiation with Siam might even undermine the Burney treaty. As for Vietnam, no treaty existed: 'and if the experiment of entering into negotiation with Cochin-China were tried by Her Majesty's Government, the degree of success attendant on it, would enable them to judge whether it would be advisable to extend the scheme hereafter to Siam'. Any treaty made should contain a distinct stipulation against monopolies that might nullify an alleged freedom of trade.[45] Thus the Indian authorities were prepared to experiment beyond the pale of their diplomacy in Vietnam. Here British interests were sufficiently unimportant to allow a new approach. In the case of Siam, British interests were more important, and a new approach, originating in a dubious breach of the treaty, might only risk the existing relationship. Again, therefore, it was not a lack of British endeavour, deriving from a lack of interest, that promoted Vietnam's isolation. Indeed, in this case, the very lack of interest promoted a new endeavour, while the weight of British interest in Siam contributed to the caution among the Indian authorities, whose advice the Foreign Office followed. Only in the sense that it was twenty years since Crawfurd had recommended a royal mission were the British responsible for Vietnam's isolationism: for meanwhile relations with other powers had increased it.

A full power was sent to Davis, authorizing a negotiation with Vietnam.[46] Davis thought there was some chance of success: 'The Government of Cochin-China, ever since the Chinese war, has shown a disposition to conciliate us, which justifies the expectation that a formal Mission will not be otherwise than well received....'[47] Davis's optimism may have been reinforced by an episode in Anglo-Vietnamese relations of 1845. If so, he was drawing a mistaken lesson from it.

The royal Vietnamese trade with Singapore had continued into the 1840s, and it was on one of the emperor's ships that Governor Butterworth proposed early in 1845 to send a letter to the Chief Minister acknowledging the 'humane liberality' of the Emperor in restoring the rescued crew members of the British barque *Mellish*, wrecked on the Paracels, and the Arab barque *Allowie*, driven on shore in Phuyen Bay. Butterworth also referred the matter to the Indian Government: a present from the Governor-General and a letter, he suggested, 'would greatly tend to cement the good understanding which is growing between the Authorities here [in Singapore] and the Cochin Chinese....' In the event, the Governor's letter and a letter from the Governor-General to the Emperor, with some presents, were sent up on H.C.S. *Phlegethon*. At the same time Butterworth sent up some captives taken from Cochin-Chinese topes by Malay pirates and sold in Pahang, retrieved with the help of the Temenggong of Johore.[48] The Governor had received a petition from a Cochin-Chinese woman, urging the release of her family and others still in Pahang, supported by representations from the commanders of the Vietnamese vessels that had brought down the crews of the *Mellish* and *Allowie*. He had asked the Temenggong to go up in the *Diana*, and some captives were secured, thanks to 'this greatly belied or much changed prince'.[49] No doubt the Vietnamese Government had hoped by courteous conduct to avoid deeper in-

volvement with the Europeans. The Singapore and Indian authorities hoped, by repaying it, to conciliate the Vietnamese and foster commercial relations. Their complimentary mission was not treated in a very complimentary way.

On 19 September Captain R.S. Ross took the *Phlegethon* out of Singapore, intending to proceed to Tourane Bay and then to communicate with the Court at Hué.[50] On the 28th the steamer stood off Nha-trang harbour, facing southerly currents and north winds, and Ross determined to make for the nearby port of Hone Kone and obtain fuel. A coasting tope reported, however, that it was only 'a small Fishing Village where no supplies could be procured' and recommended proceeding to Nha-trang, 'the residence of the Governor of the province'. Near Nha-trang 'the Mandarin in charge of the village on the south side of the entrance of the river' said that, since the ship bore presents for the Emperor, he must report its arrival to the Governor at Nha-trang. On the 29th, Ross landed to meet the Governor, 'Low-Van-Dick', a Tonkinese, who enquired if the crews of the *Mellish* and *Allowie* had reached Singapore safely, and another mandarin, 'Whin Dow'. All vessels bearing presents for the King, it was again explained, were under his special protection, and the crew must do nothing to procure supplies or refreshments. In three days these would be ready and, with a letter from Low-Van-Dick, the *Phlegethon* would be able to go northward. In fact Low-Van-Dick tried to persuade Ross to abandon his intention to do so, and later attempted to have the presents landed, in order, Ross thought, to cause delay and prevent the steamer's departure for Tourane.

On the 4th Ross decided that there was no intention to supply firewood, purchased 3,500 billets from a Chinese, and steamed out of the harbour. But two attempts to pass Cape Varela failed in face of the southerly current and north-east breeze, and 'very reluctantly' Ross took the *Phlegethon* back to Nha-trang. There he asked Low-Van-Dick to forward

the letters for the Chief Minister and, apparently, for the King, to Hué. He agreed to do so, 'and at the same time suggested that I should address a letter to the Chief Minister, reporting the arrival of the vessel, which I lost no time in penning, requesting therein that an officer of rank might be sent down accompanied by an interpreter duly authorised to receive the cases containing the presents for the King, as also to convey to me the answers to the letters from the Governor-General of India and the Governor of Singapore....'

On the 18th Ross met a mandarin from the capital, 'Moyenton', 'sent to France a short time since to make purchases of jewellery for the King of Cochin China', with an interpreter who had accompanied him to France.[51] Moyenton had apparently come down to Nha-trang in response to an intimation from Low-Van-Dick of the *Phlegethon's* return thither, and not as a result of Ross's letter which had not reached Hué when he left. The following day he inspected the presents on board and drew up a description for reference to the capital. Moyenton seemed disappointed that, according to Ross's information, there was no likelihood of an Anglo-Siamese war over the Hunter affair. He also mentioned that an American frigate had visited Tourane, had demanded that some French priests be sent on board, had been refused 'on the grounds of their not being of the same nation', and had then opened fire on the town, killed and wounded seventeen men, and destroyed several junks.[52]

Ross went to Nha-trang again on the 21st. The letters to the Chief Minister had been returned for translation, and this was done. The further interval was partly taken up with a 'sumptuous banquet' given by the Vietnamese, with 'Champagne, Sherry, and other Wines and liquors' from the *Phlegethon*, and with a demonstration of that vessel's thirty-two-pounders and congreve rockets. On the 6th 'Tam-dang Whack', a third-class mandarin, arrived from the capital, with answers to the letters and instructions about the presents. Of the latter the watch and the singing bird were tested

and made over to Moyenton, and the other cases landed under salute. At Nha-trang again, Ross was shown Thieu-tri's presents for Queen Victoria.

> On my making enquires as to whether any answer had been returned to the Governor General's letter, I was told that the King of Cochin China could address no other than a crowned Head, and that the Governor General's being ruler over so vast a country as India, and specially appointed thereto by the Queen of Great Britain, the King of Cochin China could not make a greater acknowledgment of the compliment that had been paid by the friendly communication and the Presents from the Governor General, than by addressing a letter to that Sovereign who had appointed so wise and excellent a Ruler to the charge of so large a portion of Her Majesty's possessions....

On the 8th Ross received the King's letter at a special ceremony, and on the following day left Nha-trang, to reach Singapore again on the 14th.

The visit of the *Phlegethon* would, Butterworth thought, afford a 'pleasing contrast' with that of the US frigate.[53] In fact the reception of the purely complimentary mission had not been very favourable. A visit to the capital had been opposed, and the Court at Hué had insisted on communication with the British and not the British Indian Government. It was, in fact, anxious to avoid entanglement: its kind treatment of the shipwrecked had the same object as its harsh treatment of the missionaries. Its major object was not to secure intercourse with London instead of Calcutta, nor even to preserve the royal commercial monopolies. The lesson it drew from events in China was in fact to induce it still further to decline European contacts. The activities of one 'Western' power, moreover, had not encouraged the Vietnamese to involve themselves with another.

Davis did not seem properly to understand the motives of the Court at Hué, and was unduly optimistic about his mission on the part of Her Majesty's Government. Moreover before he actually undertook it, the French had clashed

violently with the Vietnamese at Tourane.[54] The result, Davis suggested, would probably be that future visitors would be well treated.[55] He congratulated the French commander: 'C'est ainsi qu'on est quelquefois obligé d'exiger, le respect des peuples demi-sauvages envers les Nations civilisées de l'Occident. On commence par détruire à coups de Canon les barricades de la barbarie; puis s'ensuivent la Religion, la Commerce, avec leurs résultats'.[56]

Later in the year Davis was to argue by contrast that his mission might be better received just because it was by contrast peaceful. In fact his judgment was still awry. Among the results of the Tourane affair of 1847 was an edict supposedly excluding Europeans from Vietnam and putting a price on missionary heads.[57] The new Emperor, Tu-duc, apparently also brought to an end the royal trade to the southward. The 'unfortunate collisions' of 1845 and 1847, Harry Parkes, the British consul at Amoy, later reported, 'appear to have increased to a high degree of animosity the unfavourable prejudices ... previously conceived against foreigners, and have led to the prohibition of all intercourse with foreign nations, so that no square-rigged ship of Cochin China is now seen at Singapore, nor are foreign vessels any longer allowed to traffic at Cochin Chinese Ports....'[58]

Early in October 1847 Davis announced that he was now about to leave for Tourane with the steam frigate *Vulture* and the sloop *Ringdove*.

> I propose to obtain an audience of the King, and to offer for consideration and acceptance a few simple Articles of a Treaty of mutual friendship and Commerce, which may admit of enlargement or modification according to circumstances. The most difficult part will be the relaxation of that species of monopoly, which the rulers of the country have reserved to themselves in the trade.
>
> They have always been sufficiently friendly towards the British, and it is only about two years since the Governor General of India sent the 'Phlegethon' Steamer to Tourane Bay, with a

Letter and Present for the King, to thank him for the assistance and protection which had been afforded to the shipwrecked crews of two Merchantmen.

The difficulty, attending any Mission from the Government of India, has always been the absence of the Sovereign character in the Governor General. The King alleged that he could not receive a Letter or Mission from one who was not a Sovereign in himself. This scruple is entirely superseded by the Commission which I have the honor to hold from Her Majesty.

I think it probable that, on the principle of contrast, the harsh treatment received by the Cochin Chinese from Commodore Lapierre may operate in our favour, and we at least have not the subjects of jealousy and disagreement which brought on their collision. The vicinity of our Indian Empire and our successes in China, are additional reasons why we should be treated with respect and consideration....[59]

Almost all the opinions Davis offered here seem to have been unsound. He was to be disappointed accordingly.

On 9 October Davis arrived at Tourane from Hong Kong, with Gutzlaff and Lieutenant Sargent as aides-de-camp. 'The conduct of the French in their Visit of April last appears to have left a feeling of apprehension that was calculated to be aroused by the arrival of our two Ships; but the sight of the English flag first, and our intercourse afterwards, soon allayed this....' After some delay, 'occasioned principally by the incessant and heavy rain', Davis sent on shore a letter to the minister at Hué, expressing his wish to present his royal credentials to the King in person, and to negotiate a treaty of friendship and commerce. On the 15th, two officers arrived from Hué 'to enquire concerning our wishes and intentions'. They came aboard on the 16th and next day Davis met them ashore.

Her Majesty's Commission of Full Powers, which I had shown to them on board, they appeared to have considered in the light of a letter or Document addressed to their Sovereign (and such perhaps it virtually was) but they had further prepared a gilded

Chair or Litter for its immediate reception and conveyance to the Capital, which obliged me to explain that I must be the bearer of my own credentials, intended as they were to be presented in person, and not otherwise. This of course became the principal subject of a very friendly discussion at the entertainment which they had provided for us. It was evident to myself that I could enter on no effectual negociation except at the Capital, and with persons nearer to the King than these two Commissioners. They represented that the present being the rainy Season, the journey to Hué would be attended with much difficulty, but I replied that for the honor of seeing their King, and for the sake of establishing more intimate relations between our Countries, I disregarded all difficulties and inconveniences....

At length the commissioners agreed to refer to the King, 'only asking me to state in Chinese writing the real nature of the case, that they might not be involved in trouble....' Davis agreed, and agreed also to wait for a reply.

By the 20th, however, he was already getting impatient: 'it appeared to me that there was a disposition to delay and evade....' Gutzlaff and Captain MacDougall of H.M.S. *Vulture* went ashore to require 'a decisive answer on the subject of my proceeding to the Capital....' The commissioners said they must await the reply from Hué. On the 21st, Davis 'considered it necessary... to bring the Commissioners to the point', and sent Gutzlaff ashore with a note requiring a written reply. MacDougall followed, 'and as usual infused some decision into their proceedings....' A written note arrived, asking for a few days' delay. On the 22nd, Davis wrote another note, 'expressive of the extreme importance of my being early authorised to proceed to the Capital....' At last, on the 25th, it was announced that the commissioners would come on board that afternoon. 'Their previous proceedings had led me to be very far from sanguine as to my being invited to Hué, and when they arrived according to appointment I was not altogether unprepared for the announcement which they brought....' They again referred to

'the inundated state of the Country' and 'observed that there was no precedent at Hué for the reception of an Envoy by the King and that the letter from the Governor General on the late occasion had been received on the Coast and forwarded to the Capital....' Davis replied 'that they must be aware I had not brought a letter from the Governor General, but was commissioned by Her Majesty to negociate at Hué, and that my Commission was a document which I could only present in person....' The commissioners asked the Superintendent to send ashore for the King's presents to Queen Victoria. Davis said that they should send them on board, and then return presents would be given, and that in any case he must leave on the 27th.

> We shall thus part on civil terms at least, and if more progress has not been effected it may be attributed perhaps to the impression made on this timid and cautious people by the late conduct of the French, which they represented to us as having been altogether unprovoked on their part....
>
> It may be added that the rains, which have been incessant since our arrival, and the inundated state of the country, have at least afforded a pretext to the Cochin-Chinese Government against my proceeding to the Capital....[60]

Even credentials from the Queen had not secured Davis a royal audience. He was now disposed to think that the French attack was responsible for this attitude: in fact it seems only to have confirmed the Court of Hué in a continued policy of attempted non-involvement. His mission did not in the event conclude with an exchange of presents. He was about to send ashore for the Emperor's, when he learned that the commissioners were not prepared to accept the Queen's in return. This, as in Crawfurd's case, 'put an end to the whole question'. But Davis still apparently attached importance to the commercial system in Vietnam:

> the chief monopolist in the country seems to be the King himself.
>
> Did Her Majesty's Government consider it worth while to pursue the subject of a mission to Cochin-China, the most effec-

tual course would perhaps be by proceeding straight to Hué. This town lies about fifteen miles up a river to the north of Tourane Bay; but unfortunately there is a bar at the mouth of this river, with only twelve feet of water at high spring tides. No vessel therefore of any size, except an iron steamer, could accomplish the task....[61]

Davis's successor, S.G. Bonham, was early in 1848 given a full power enabling him to negotiate with Japan and Vietnam: 'you may be guided by the opinion which you may form in China as to the probable advantage to be derived from an attempt at negotiation with the Governments of these Countries....'[62] In fact the only dealing Bonham appears to have had with Vietnam was over Victor Howes, whose vessel, the *Little Catherine*, had been wrecked late in 1847 in the Gulf of Tonkin, and who had been imprisoned. Bonham persuaded the senior naval officer at Hong Kong to allow H.M.S. *Royalist* to call *en route* to Singapore at Tourane. There, as Governor Butterworth reported, the commander 'succeeded with much judgment and quiet determination in effecting the release of Mr. Victor Howes' who was brought to Singapore. Lieutenant Gordon had reached Tourane on 7 April, 'and with much difficulty compelled the Authorities to receive the Despatch....' He waited some days for an answer, and on the 15th Howes was handed over.

> The people behaved with much duplicity—first they informed me they knew nothing about him—then that he had left in a Junk —and then that he was at Quang-binh about 150 miles distant (the place where he was wrecked), it now turns out that he has been imprisoned within ten miles of this place, since April 1st, having been brought here with the intention of shipping him off in a Junk for Canton, whether for the purpose of returning him to his country or not appears doubtful.

Bonham was not sure how the Vietnamese Government intended to dispose of Howes, but thought it 'not improbable

they considered he might be a Frenchman. This is the only way in which I can at all account for the conduct they evinced on the occasion, as the Cochin Chinese Government is understood to entertain hostile feelings towards France in consequence of the destruction of the Cochin Chinese Ships ... in April 1847.'[63]

In Singapore the Chamber of Commerce had begun to press for a revision of commercial arrangements with Siam, and, following the failure of the Davis mission, Vietnam was included in their representations. In October 1848 the Chamber sent a memorial direct to Palmerston at the Foreign Office.[64] Crawfurd, in his retirement acting as an agent for the Singapore merchants in Britain, brought the memorial before the Foreign Secretary. He suggested, however, that 'a formal and consequently expensive Embassy to the Courts of Siam and Cochin China is not desirable, and that the most eligible course will consist in sending a couple of Steamers of light draught, under the care of an experienced and discreet naval officer, being the bearer of a letter from her Majesty to the Sovereigns of the two countries, with one from the Secretary of State to their Ministers, but without any powers to negociate'.[65] This recommendation was somewhat on the lines of his recommendation for Vietnam in the 1820s, though then he had considered Siam exclusively an Indian matter.

Early in 1849, at the request of the Singapore merchants, Crawfurd returned to the charge. The Vietnamese monarch, he declared, was 'stated to be disposed to give up trading, and pursue a more liberal commercial policy....' The mission to Cochin-China, consisting of a war steamer, would simply deliver a letter from the Queen and one from the Secretary of State 'requesting a continuance and expansion of the commercial intercourse between the two nations. The liberal policy understood to have been of late pursued by the King, and of which the advancing trade of Cochin China ... seems

to be satisfactory evidence, will render any further effort unnecessary....' A letter from the Queen would ensure reception at Hué. In view of 'the untoward circumstances which attended the recent visit of a French Admiral, the less military display the better....'[66]

Palmerston sent Crawfurd's remarks to the India Board for comment. The President admitted that a more liberal system in Siam and Vietnam would benefit British commerce. He still felt, however, that an attempt to secure this might 'produce only embarrassment and loss. If, however, the mercantile community, and Her Majesty's Government, at their own cost, and after due deliberation are inclined to run the risk, I should not deem it my duty to press further upon Your Lordship the doubts to which I have referred.' Not that he thought Crawfurd's paper removed those doubts. In the case of Vietnam, either the advance of 'liberal policy' would make a mission 'needless', or 'the jealous and unsocial despotism would make it fruitless'.[67] The India Board thus grudgingly assented to a mission to Siam. Really their objections remained, and now clearly extended to Vietnam also, no doubt with more justice. For them Davis's mission had been an experiment, and it had failed.

The Foreign Office now referred to the Board of Trade, asking for their views, while observing 'that attempts to force prematurely commercial intercourse with nations like Siam and Cochin China which are ignorant of the strength of other Powers, falsely confident in their own, bigoted in religion, and full of narrow-minded prejudices in political and commercial matters, frequently lead to the necessity of an inconvenient exertion of naval and military force in order to avenge injuries and obtain redress for wrongs'.[68] The outcome of this reference was influenced by the activities of Montgomery Martin. As Colonial Treasurer at Hong Kong, he had in 1844 urged the opening of trade with Japan, and back in London late in 1845 he had urged the conclusion of treaties with Siam, Vietnam and Cambodia in a memo-

randum the Foreign Office recognized as 'taken from Mr. Gutzlaff'.[69] Now, early in 1849, he brought forward a plan for a 'tentative commercial mission' to Japan, Siam, Korea and Vietnam, emanating from the Queen's Government. The Board of Trade asked Martin to collect information on the possibilities of trade with Japan, and he went north accordingly to visit the manufacturing districts.[70] During the following months, a number of petitions came in, urging a mission to the four countries concerned.[71]

In August 1849 the Singapore Chamber sent a new memorial to Palmerston. British trade in Siam was worse off than ever, it alleged, while the trade with Cochin-China was carried on either by clandestine British vessels or by unarmed Vietnamese topes readily falling a prey to pirates. The new King was reported to be favourable to commerce and a treaty might be made. The memorial repeated an idea already under consideration, that the envoy should be Sir James Brooke, the Commissioner and Consul-General in Borneo.[72] In November Palmerston referred this to the India Board and to the Board of Trade.

> It appears to me that it might be advisable to direct Sir James Brooke to communicate with the Merchants at Singapore and to ascertain what are the chief inconveniences which their trade suffers in Cochin China and in Siam; and thereupon to proceed to those Countries and try and get those inconveniences remedied. I think that this course would perhaps be more likely to be attended with success than if a formal mission were sent to Cochin China and to Siam with instructions to propose Treaties framed on a European model....[73]

The Board of Trade now replied to the earlier reference as well as to this. A 'strong impression' was 'entertained in the manufacturing districts in the North of England in favour of Her Majesty's Government making an attempt to extend our commercial relations with Siam and Cochin China....' The Board thought that Brooke's employment in the way Palmerston suggested 'might be attended with benefit to the

British Trade in the Eastern Archipelago'. The instructions should be 'of the most general character' and should leave Brooke's judgment 'unfettered', for instance over the measurement duties, favoured in 1821 but now criticized.[74] The India Board merely referred the Foreign Office to its earlier expressions of opinion. Palmerston decided the mission should go forward.[75]

In March 1850 Brooke wrote from Singapore, proposing to go to Vietnam in August or September, and asking that a letter from the Queen and £500 worth of presents should be sent out. He also suggested that he might proceed thither via Hong Kong and there collect a letter from the Chinese Commissioner, Seu, recommending that Vietnam, vassal of China, should follow China's example.[76] The Foreign Office consulted Davis in England. He thought that little was to be expected from a commercial monopolist like the ruler of Vietnam. The mission should go in April, otherwise it rained incessantly, and it should go not to Tourane Bay but to the Hué river. The presents were not usually accepted. Palmerston indeed felt that £500 was too much to spend, and the Foreign Office determined not to send any until it was clear that the Emperor would enter into negotiations and accept presents. It did, however, send out a letter from the Queen.[77]

In Bangkok Brooke was quite unsuccessful, and he advocated a change of policy towards Siam and towards its tributaries in the Malay Peninsula and Cambodia. Over the latter the Vietnamese also had claims, and, pending the adoption of his new policy, Brooke proposed not to visit Hué. But his recommendations were not followed by the Foreign Office, and in the event he was not again employed in this region.[78]

The commercial interests, however, had not lost sight of the wider opportunities outlined by Gutzlaff and Martin, and when John Bowring was appointed to succeed Bonham as

Superintendent, he was given appropriate powers and instructions to negotiate, when feasible, with Siam, Vietnam and Japan.[79] As Bowring passed through the Straits on his way to Hong Kong, the *Singapore Free Press* speculated on his chances in Siam and Vietnam. He would easily be able, it thought, to secure a 'most satisfactory' treaty in Bangkok, since the new King, Mongkut, was well disposed.

> Cochin China, it is true, does not promise such a favourable opening, but even in regard to it much may be done by a prudent and skilful mode of proceeding. It would be unwise to attempt forcing on the conclusion of treaties if there is found a disinclination to it, but a friendly explanation of the advantages to be derived by all parties from extended commercial intercourse could not but prove beneficial. And if under one pretence or another intercourse could be renewed from time to time, the prejudices and apprehensions, (for we believe the latter are great obstacles to intercourse with Europeans) of the Cochin-Chinese government would be gradually overcome, and amicable relations established. The interests of humanity ought to make us solicitous to establish such relations with Cochin China, as then means might be found of inducing the Cochin Chinese government to abandon those horrible persecutions of its Christian subjects and their teachers, which every now and then break out.[80]

Bowring in fact was anxious to attempt the mission to Japan first. He felt it unwise, however, to go without 'a respectable armament', and this could not be provided owing to the outbreak of the Crimean war. He decided instead to attempt the easier mission to Siam.[81] At Bangkok, he was indeed successful. Bowring found the Siamese anxious that the Vietnamese should not suppose they were giving way to the menace of the steam sloop *Rattler* which he had brought up-river: they therefore urged him to carry out his instructions to go to Vietnam too. Mongkut himself had brought the matter up in a previous correspondence with Bowring and again referred to it in the negotiations.[82] It was very much a matter of maintaining Siam's prestige

with its neighbours. Among these Burma—against which Britain had just fought a second victorious war—was no longer a significant power. But Siam and Vietnam were rivals and joint suzerains of Laos and Cambodia.[83]

The Singapore Chamber of Commerce had a different reason for urging Bowring to go on to Vietnam. In expressing approval of his Siam treaty, they hoped 'that ere long an equally favourable opening may be obtained for commercial intercourse with Cochin China'. The Superintendent replied that he would hope to go 'when relieved of duties claiming more immediate attention....' He told Clarendon, the Foreign Secretary, that he felt he 'should follow up, as early as possible, my success in Siam by a visit to Cochin China'. At present he could not again leave China. Meanwhile some presents from the Queen should be sent out, he recommended, while he would ask the Admiral to send a ship to Tourane to announce his purpose to the Vietnamese authorities. 'The manner in which this announcement is received will enable me to judge whether it is best I should proceed alone, or wait the period when I can be accompanied by the Ministers of France and the United States. I am disposed to think their presence might be an embarrassment and not a facility in my proceedings, the more so, should my indications to the Court of Hué be favourably received....'[84] In China the three treaty powers were supposedly co-operating at this juncture. In Siam, however, Bowring had acted on his own. After the experiences of the 1840s, there were good reasons to think he might do better by unilateral action in Vietnam also.[85]

Late in May, Bowring wrote to his son Edgar: 'The management of the Siamese Treaty must strengthen me. It is really a noble work—and I hope to succeed in Cochin China too when I have any ships at my disposal....'[86] In August he declared: 'If I had had a Ship or Ships I would have put the Cochin Chinese Treaty *en train*—but I have no ships....'[87] The following month, however, Bowring was able to

obtain the services of H.M.S. *Rattler*, and despatched Thomas Wade, the Acting Chinese Secretary, to carry his communication to the Court at Hué. He told Clarendon he considered himself pledged by his promise to the King of Siam. 'Ulterior proceedings must, of course, depend upon circumstances and may be considerably influenced by the answers I expect to receive....' An insurrection in Tonkin might induce Tu-duc 'to receive my Envoys in a not unfriendly spirit, and as we know the foreign trade of Cochin China is almost annihilated by the pirates who now swarm upon the Coast that circumstance may also tend to facilitate negotiations'.[88]

Bowring's estimate of the commercial position and of the possible importance of the piracy issue was perhaps as mistaken as earlier references to the liberalization of Tu-duc's policy. The royal trade had been brought to an end: trade, as Parkes reported, was 'confined to Chinese Junks and topes or native boats, who, with extraordinary enterprise, risk the penalties of their Government and the dangers of the Seas to dispose of their surplus produce at Singapore, and obtain in return articles of foreign manufacture which are still in request among the Cochin-Chinese. The smallness of these boats and their defenceless condition render them an easy prey to the pirates of the China sea....'[89] In 1852, indeed, the *Singapore Free Press* had reported that, because of the Chinese pirates, the small Vietnamese topes had ceased to come to Singapore. The following year, however, it reported that they were again venturing on the voyage.[90] But if the King of Vietnam had abandoned the royal trade—originally a function, not a cause, of the policy of limited communication—because of a desire to limit communication still further, it was hardly reasonable to suppose that he would be induced to expand communication out of concern for a trade that had all along been clandestine.

Bowring instructed Wade to go to Tourane and if possible Hué, in order to collect information and make arrangements

for his reception. Wade should if possible himself convey a letter announcing the forthcoming mission 'to the highest authorities having the direction of foreign affairs....' He must if necessary try to convince the Vietnamese that this would be better than sending the letter to Hué, while he waited for a reply at Tourane.[91]

On 31 August the *Rattler* arrived at Tourane Bay, and on 1 September, Wade and Captain Fellowes went up to Da Nang on the left bank of the river. They were received at the '*Kung Kwan*', or public hall, by the chief local authority, 'Le Hwui', who had come off the day before. 'He offered us fine bananas and very bad native tea in common English crockery cups with saucers belonging to a different set', and reported that he had advised the Governor-General at Quang-nam of the *Rattler's* arrival. The Governor's answer would arrive that night, but a reference to the capital would be required before the letter could be forwarded. On the 2nd, having no reply from Quang-nam, Wade landed again. Le Hwui explained that the Governor had been absent 'praying for rain'. Told that this 'tardiness' might oblige the British to go to Quang-nam, 'he implored us not to go', lest he be fined six months' salary. On the 4th, two linguists appeared from the provincial capital. One of them ultimately 'consented to take a note from me to the Governor General praying His Excellency to name a time and place at which I might wait on him, and having made much parade of saddling a pony which I do not believe he mounted, departed about noon....' On the 6th, the Governor-General at last arrived, and Wade and Fellowes went to meet him at the public hall. It was made clear that, unless he saw the letter, it could not go to the capital, and that then it could only go if it contained nothing objectionable, and that Wade could not go with it under any circumstances. 'I rejected the supposition that anything objectionable could be contained in a letter of the Plenipotentiary or that a letter from him to the Prime Minister could be returned. Such things, I said, had

formerly happened in China, but not of late years.' Bowring, Wade declared, was instructed by Queen Victoria to visit the Court at Hué, and the letter was a preliminary proceeding. But the Governor-General was 'inexorable'. Wade suggested that he might then have to carry the letter to Hué. 'This, he said, would cause him much trouble, but he could not help it.' Wade determined to yield over the letter and allow the Governor-General to see it. In return he would try to secure permission to use the twenty-day delay that its reference to Hué would involve for a visit to Quang-nam. At least he might thus gather some information and fulfil one object of the mission, perhaps indeed more effectively than by a visit to Hué: even if such a visit had been conceded, the monsoon, about to set in, might make it in this respect unprofitable. But 'not a single person could he allow to go to Quang-nam for a single day....' Abruptly, 'in the hope that the announcement might have some effect', Wade said he would go to Hué next morning. But the Governor-General did not seem 'disconcerted'.

On the 7th, the *Rattler* steamed north for the Hué river. At the bar Wade took to the cutter.

> I was accompanied by a Chinese teacher and had prepared an open note stating that I was charged with a letter for the capital; that finding I could not transmit it through Quang-nam without considerable delay, I had come; and that I had landed with no one but a single Chinese follower in order to avoid creating alarm or suspicion. As we rounded the point, some people signed to us not to go further up the stream. I immediately landed, and gave the note to some decent looking men who approached salaaming in a somewhat Indian style. One of these disappeared with it. I wrote the word *kung kwan* on the sand, on which one of them directly invited me into that building.
>
> It was a far less respectable one than that at Tourane, but having inspected it, I decided that it would do to reside in for a few days, and the boat's crew having brought in my baggage, I sent to request Captain Fellowes to go to sea at once. It had been

arranged that the Rattler should cruise a few days off Hai-nan, which is comparatively unknown ground, my hope being that, when the authorities found me fairly planted on shore, they would either forward me to the capital, or bring me in contact with some one deputed by the Prime Minister to receive the letter. In this I was disappointed....

A great many people stood outside the hall. 'Spears were planted in the ground right and left of the building, to indicate a line which the gazers were not to pass, but in vain....' The hall itself was thronged with people, none of whom admitted to any official status though many proved in fact to enjoy it. Wade refused 'a large supper', and next morning bought his own breakfast, declining 'to accept hospitality from officials with whom I was denied intercourse'.

During the day Wade walked through the village, 'accompanied ... by some of the people from the fort, and, besides these, by the whole of the village population of every age and description. My guides laid about them with the rattan, but to no purpose. The crowd yelled, dispersed laughing, and reassembled again; and, though curious to annoyance, no one treated me with the least incivility.' In the evening two dragon-boats of armed men dressed in regular uniforms arrived at the hall.

Shortly after dark, as I was standing in front of the building, one of these soldiers came up to me, and, as well as I could make out from his gestures, and such words as resembled Chinese in his language, gave me to understand that his Emperor was going to decapitate the commandant, for allowing me to land, and that I was to go to the capital on the morrow, there to be trampled upon, by what I could not gather.... To his face I laughed at his supposed menaces, and on reflection I decided that the whole story was an invention intended to intimidate me, or to move me to compassion on behalf of those whom my act was alleged to have committed.

Next morning Wade found the line of spears stretched right round the house, and a strong guard of the new troops

had been posted. 'They were in red, yellow & green uniforms of coarse cloth, with a breast plate of the same marking their companies and battalions, the titles of the latter being the same as those of the metropolitan force at Peking, Vanguard, Elite, etc., etc. Their arms were lances with bamboo or lancewood shafts, very rough scimitars, and a few flint muskets, with the bayonet always fixed, very old but pretty well kept....' At last an official—though not one admitting to his apparent rank—appeared. Wade gave him a memorandum explaining his mission and declaring 'that my business was too important to be left undone, and that, if I could not go to the capital, I must request that an officer should be sent thence as soon as possible'. The official begged him to return to Tourane, and a letter from the commandant pointed out that Davis had adhered to the rule that foreign vessels should only proceed thither. Davis's title was given in full, and from this, as also from the arrival of the troops, Wade concluded that the Vietnamese were acting on instructions from the capital. Wade urged that Her Majesty's ships of war 'had ever had the right of going into all ports of the world', and that he had a mission to carry out. The correspondence continued till the 13th, when the *Rattler* reappeared. The buoys were removed, and Wade was taken out in a boat to meet the cutter.[92]

Wade had refused to return to Tourane and transmit Bowring's letter through the Governor-General at Quangnam:

> for, feeling that such a confession of defeat would not only induce a much greater delay than that with which the Rattler had already been threatened, but would more than probably affect to its disadvantage the reply to Your Excellency's letter, I had made up my mind when I left Tourane rather to face the responsibility of returning to Hong Kong without having delivered the letter, than to risk such an alternative.
>
> Judging those I had to deal with by the Chinese, I counted

both on their fears and curiosity. The result proves the error of my calculations....

It was up to Bowring to decide whether a reconnaissance of the Hué river and 'some other trifling information' counterbalanced 'the non achievement of the ostensible object of my mission'.

In conclusion Wade suggested that no officer and no fleet would gain much by a visit to Tourane: it was as Canton to Peking, as Nagasaki to Yedo. Like Davis (who indeed had not had to deal with the Quang-nam provincial authority), he advocated an approach to Hué itself. The 'presence of a moderate force within the bar' would 'ensure the concession of any terms we might demand. But the difficulties of the entrance could only be overcome by vessels of light draught, and when this victory shall have been gained, it is doubtful how far, either in honor or profit, it will prove remunerative ....' The Government was 'exclusive', 'thoroughly despotic', 'the official establishment infinitely burdensome', the people 'poor and indolent, apparently without a luxurious requirement that it would pay any but a Chinese market to satisfy ....'[93]

Bowring observed that 'the same repulsive and exclusive spirit which characterizes all the Indo-Chinese populations East of the Ganges was displayed in every possible form'. Wade was 'placed ... at a distance from the Capital, unaccompanied by anything in the shape of a demonstration to give weight to his Mission'; perhaps no other result could therefore have been expected. 'It is obvious that the policy of the Cochin Chinese will continue to be that of repudiating the advances of foreigners, so long as foreigners can be kept in positions too remote to cause any anxiety....' Bowring had regarded the Wade mission as experimental: his conclusion was that he might be successful if he could 'with the assistance of a Steamer of light draught approach the Capital and be accompanied by two or three Ships of War....' He did

not apparently doubt, as did Wade, the value of any treaty that might be secured, or of any commerce that might result.[94]

Some months later Bowring told his son, Edgar, that the Wade mission had had some effect. It had been reported that the Catholic persecutions had ceased. 'The King had been much alarmed at the probable consequences of his refusing (or rather his Mandarin's refusing) to receive the letter I had sent—it was reported that I had been there myself on the *Rattler*—but at all events the Letter had produced a very salutary effect. If I can get away for a few weeks without prejudice to other affairs I think I should like [?] to run down to the Capital and see whether I can bring the Cochin Chinese into the circle of commercial activity. At present the trade is small but it might become important if piracy was put down [?] and the coasts freed from interruption. However every thing depends upon instructions from home—co-operation from the new Admiral,—Chinese and Japanese affairs....'[95] Bowring also told Parkes he might be going down to Hué.[96] The Foreign Office, more extravagant than in Palmerston's day, had decided not to countermand the presents for Tu-duc ordered in 1855.[97]

Before the Wade mission, Bowring had suggested that its result would help him to decide whether or not to co-operate with the other treaty powers over Vietnam. Late in May 1856 the French envoy Montigny asked if he might announce to the King of Vietnam Bowring's anticipated mission, and Bowring replied that he would be 'much obliged.... It is my intention to visit Cochin China, whenever the many demands upon the naval service in these parts will enable the Admiral to place at my disposal a becoming maritime force, and you may be assured of my friendly and earnest co-operation....' Montigny's letter to Tu-duc, taken up by the *Catinat* in August, threatened action if no treaty were made, and expanded the threat by declaring that Bow-

ring was coming with a fleet to negotiate a similar treaty.[98]

In September 1852 the French minister in China, Bourboulon, had proposed a negotiation with Vietnam, involving a demand for religious toleration, or at least security for French and Spanish missionaries; a commercial treaty; and the cession of Tourane as in the treaty of 1787. Carrying out this scheme, and also a negotiation with Siam, had been deferred by the Taiping crisis in China and by the Crimean war.[99] Then Bowring had revived French interest in Siam by communicating the treaty he had made, and the Montigny mission had been set up. It was Bowring also who, late in 1855, had suggested that the French envoy's credentials might extend to Vietnam as well.[100]

In the event, Montigny went first to Siam, then to Cambodia, while the *Catinat* went up to Tourane and then to the Hué river, then captured the Tourane citadel in order to compel the delivery of the envoy's letter.[101] By the time Montigny arrived in January 1857, the *Catinat* had had to leave, and the envoy was unable to conduct successful negotiations. Nor could he retaliate, lest this provoked further persecution of the Christians. Later in 1857, in fact, Tu-duc had the Spanish bishop Diaz decapitated.[102]

Meanwhile Napoleon III had been considering missionary proposals for intervention in Vietnam. The Brenier committee reported in May that punitive action was justified, and that French forces, present in the East owing to the second China war, should occupy Hué, Hanoi and Saigon. Possibly the outbreak of the Indian Mutiny, which would absorb British attention, influenced the French Emperor in favour of the plan. But what precipitated action was Bourboulon's report on the failure of the Montigny mission: it had only made matters worse, as the murder of Diaz suggested. Tourane should be seized in order to guarantee the execution of a treaty providing for the protection of missionaries and for commercial concessions and an indemnity. This was the genesis of the joint Franco-Spanish expedition

authorized at the end of 1857.[103] Action was delayed by the joint negotiation with Britain in China during the early months of 1858. Only at the end of August did the expedition reach Tourane. This was seized, but it proved impossible to attack Hué itself overland in the monsoon or by sea, and the revolt the missionaries prophesied in Tonkin did not materialize. The expedition took Saigon but did not follow the Crawfurd policy of acting in Tonkin at the same time: the monsoon was against it.[104] The French were on the way to creating the future colony of 'Cochin-China'.

In Hong Kong the *Register* proclaimed that the Anglo-French jealousies of Pigneau's days had died out. 'We may doubt the success of any commercial settlement at Tourane, but if it is to form a link in the chain of European intercourse with the East, if it is to aid in spreading western civilisation and a more liberal policy in this quarter of the globe, it is not France alone but the whole of commercial Europe that will profit by the step, and we of all others, should be the first to wish the expedition God speed, even though the motives in which it first originated were those of opposition to our own power....' 'We can see nothing in France establishing a Colony in Cochin China that should cause England any degree of dread....'[105] In the Straits, the *Singapore Free Press* thought that the French had disarmed any British opposition by delaying the expedition till the co-operative action in China had been brought to a close. 'As to the rest of the civilized world, they may be expected to look on with unqualified approval....'[106]

When Lord Elgin had been appointed High Commissioner in China in April 1857, Bowring had been ordered not to leave Hong Kong.[107] He reported thence on the French expedition which in some sense he had set in motion, and which naturally he also did not view unfavourably. In July he had told Edgar of the French action that was expected. 'They have long had a fancy for locating themselves there. It will tend to the extension of Trade and there is perhaps no locali-

ty where less mischief will be done as regards our interests....' The following month he surmised that France might take possession of Vietnam 'and plant her oriental influence there where there is little to resist her,—and she will hang on the flanks of China,—Burma and Siam,—not without a view to further troubles in India. I wonder whether I shall be allowed to go there....' He thought the French might ultimately embarrass themselves and the British and menace Siam and Cambodia. On the whole, however, he laid most stress on the embarrassment the French would cause themselves. 'I am afraid the French are going to commit a great folly in taking territorial possession of Cochin China—it will be very costly—very fatal to life—commercially and politically of small value.' Sir Robert Schomburgk, the Consul at Bangkok, had, he said, a plan for taking Pulau Condore 'to counteract French influence. I hope such projects will not be listened to—they will only induce the French to hold with greater tenacity to their foolish schemes of conquest—which will *rot* under them if left to themselves....'[108]

In London the French expedition did not pass unnoticed. The British Ambassador in Paris, Lord Cowley, had reported on the subject early in November 1857. Montigny's mission had not been well treated, he had written. Count Walewski, the Foreign Minister, had said that the missionaries had made 'great complaints of the treatment to which they have been exposed', and that the French Government would have 'to take steps to obtain redress'. So far Cowley had not discovered what those steps would be.[109] In December he had a further conversation with Walewski, who told him of the plan for a joint Franco-Spanish expedition to ask for satisfaction for the murder of Diaz. Cowley told Clarendon that this showed 'how bent are the French Government on proclaiming themselves the protectors of the Roman Catholic Religion all over the world'.[110]

In September the following year, Bowring reported home Bourboulon's announcement of the blockade of Tourane,

and Cowley was instructed to speak to the French Government about it. Walewski had said the objective was to obtain redress for the murder of a missionary. Cowley should try to 'ascertain what may be the ulterior object, if any, of the French Government in this matter'. No doubt the Vietnamese will submit: what would the French do?

> Do they merely seek to obtain a guarantee for the future security of Christians in general or merely of Roman Catholics? do they propose to establish commercial relations with Cochin China? or do they contemplate a permanent French occupancy of any part of the Cochin Chinese territory?
>
> Your Excellency will of course shape your enquiries so as not to convey the impression that the French operations are viewed with jealousy or suspicion; but the interests which England has at stake in those quarters are quite sufficient to account for our wish to be informed of any proceedings on the part of European Nations calculated to affect the state of possession and society in that part of the world.[111]

Walewski gave Cowley a history of Franco-Vietnamese relations since the 'treaty' of 1787 and described the origin of the present expedition, 'but what its result would be he could not say. A treaty of friendship after a marked and ample reparation for the murder of Monseigneur Diaz, in order to prevent a repetition of such atrocities, with guarantees against their renewal for the future, was the object of the French Government. Whether it would be obtained or not was another point.' The capture of Tourane had not brought the Vietnamese to terms, and the expedition would attempt to threaten Hué. Cowley 'expressed the hope that in the event of the final success of the French Arms, of which I did not doubt, protection for the Christian religion in general would form one of the conditions of peace'. Walewski's reply showed that the instructions to Admiral Rigault de Genouilly referred only to Roman Catholicism. On the guarantees France would require, the decision was largely left to the Admiral. From Walewski's 'general tone', how-

ever, Cowley inferred 'that a prolonged, if not a permanent occupation of Tourane may be in contemplation, and the Admiral is not a man to be easy in the terms he imposes, if by severity he can add to his own reputation or to the prestige of France....'[112]

The Foreign Office does not seem to have gone beyond these enquiries, even though the expedition went on to seize Saigon. No doubt they were influenced by some of the factors that the local press had mentioned and that the French had presumably taken into account: the Mutiny in India, the Elgin mission to China, the overall co-operation with the Second Empire since the days of the Crimean war. But it is also significant that Cowley's major concern was apparently the future of non-Catholic Christianity in Vietnam. Vietnam had in fact established no commercial and political relationship with the predominant power in Asia, Great Britain, which thus felt no great concern over its future. In part this was because of the commercial unattractiveness of Vietnam. But that had not prevented the despatch of a number of diplomatic missions, none of which had been welcomed by the Vietnamese, whose attitude to the mild British approaches was no doubt affected by the more violent activities of the French and Americans. The rejection of the Wade mission indeed led Bowring to foster and associate himself with a new French venture, and more or less eliminated the final chance of establishing a prior relationship with Britain.

The British Government in India was, as Crawfurd had seen, politically concerned with Siam, but not with Vietnam. A memorandum prepared for it after the capture of Tourane suggested that French expansion would open Vietnam to commerce. That expansion must be kept within certain limits, but could be tolerated so long as Siam and Laos remained independent of France. A French fleet at Tourane might indeed check the Russian fleet in the north; an eastern Cherbourg was not 'cause for serious anxiety'.[113] The

Admiralty, however, was to find that the establishment of the French on one side of the seaway to China added to the importance of Labuan and northern Borneo on the other. Perhaps the major immediate impact of the French expedition on British policy was in fact to strengthen a wavering interest in north Borneo.

The Siamese had pursued a very different course. They had come to terms with the British and then with the other European powers. King Mongkut of Siam may have the final word. In a letter of 1865 to Norodom of Cambodia, he wrote: 'It so happened that the Vietnamese were stubborn and determined to hold on to their old policy. They did not know the real strength of the maritime powers and there was nobody to tell them of the real might and custom of these distant lands.'[114]

[1] A. Lamb, ed., 'British Missions to Cochin China: 1778–1822', *JMBRAS* vol. XXXIV, parts 3 and 4, 1961.

[2] ibid., pp. 177–8, 180.

[3] G. Taboulet, *La Geste Française en Indochine*, Paris, 1955, vol. I, pp. 282 ff.; E. Denis, *Bordeaux et la Cochinchine sous la Restauration et le Second Empire*, Bordeaux, 1965, pp. 38ff.

[4] John Crawfurd, *Journal of an Embassy from the Governor-General of India to the Courts of Siam and Cochin China*, Second ed., London, 1830, vol. I, p. 319.

[5] ibid., pp. 324–6.

[6] ibid., pp. 358, 362.

[7] ibid., p. 365. Not only did the Vietnamese 'strenuously and firmly oppose everything like a decent and respectable appearance in the mission, but they carried this conduct so far as to infringe even upon the personal comforts of the reduced number that were to proceed. It was evident that their object was to render the mission as obscure as possible, and to give it an indifferent reception'. G. Finlayson, *The Mission to Siam and Hué*, London, 1826, p. 336.

[8] Crawfurd, op. cit., vol. I, p. 374.

[9] ibid., pp. 379–80.

[10] ibid., p. 381. Crawfurd argued that John Roberts had been received by Gia-long. ibid., p. 382. This was so. See Lamb, op. cit., pp. 136–7.

[11] Crawfurd, op. cit., vol. I, p. 395.

[12] ibid., pp. 415, 422.

[13] Lamb, op. cit., p. 193.
[14] Crawfurd, op. cit., vol. I, pp. 474–5.
[15] Lamb, op. cit., p. 196.
[16] ibid., pp. 195, 198. See also Crawfurd, op. cit., vol. II, pp. 292–3.
[17] ibid., vol. I, p. 474. But he admitted elsewhere (vol. II, p. 294) that a French empire there could in time be 'troublesome and dangerous to our Indian commerce and empire'.
[18] Crawfurd, op. cit., vol. I, p. 473.
[19] Lamb, op. cit., pp. 214–15.
[20] ibid., p. 194.
[21] ibid., pp. 205–6; Crawfurd, op. cit., vol. II, p. 321; Wong Lin Ken, 'The Trade of Singapore, 1819–69', *JMBRAS*, vol. XXXIII, part 4, December 1960, p. 155.
[22] Crawfurd, op. cit., vol. II, pp. 324–5.
[23] Lamb, op. cit., p. 231.
[24] ibid., p. 215.
[25] Court to Governor-General in Council, Political, 6 April 1825, no. 234, para. 112. Despatches to Bengal, vol. 99, pp. 464–6, India Office Library.
[26] *Asiatic Journal*, New Series, vol. VII, January 1832, Register, p. 22.
[27] List of Native Ports, 1835–6. BC 69433, p. 399.
[28] Lamb, op. cit., p. 215.
[29] Wong Lin Ken, op. cit., p. 156.
[30] In one source the witnesses are referred to as Chinese. *Asiatic Journal*, New Series, vol. XXI, December 1836, Register, p. 242. Elsewhere, their vessel is described as a Hainan junk coming from Cambodia. The correspondence of the officials in India makes it clear that the crew was in fact 'Cochin-Chinese'. Depositions at Singapore, 5 May 1836; Elliot to Chief Secretary at Madras, 2 July 1836; McFarlan to Prinsep, 3 August 1836. BC 69433, pp. 752, 761, 777. It seems that Vietnamese thus manned some of the 'Chinese' junks engaged in the trade to Singapore. The same also seems to apply to a junk taken by the Galang raiders who were attacked by the boats of H.M.S. *Andromache* in June 1836. Proceedings in Chads and Bonham to Prinsep, 29 July 1836. BC 69433, pp. 345, 363.
[31] Proceedings in Chads and Bonham to Prinsep, 29 July 1836. BC 69433, p. 363. Ditto, 6 September 1836. BC 69433, p. 410. Bonham to Prinsep, 8 October 1836, and enclosures. BC 69433, p. 566. Proceedings in Bonham to Prinsep, 29 December 1836. BC 69433, p. 609.
[32] Nicholas Tarling, *Piracy and Politics in the Malay World*, Melbourne and Singapore, 1963, pp. 206–7, 209.
[33] Butterworth to Secretary, 20 May 1851. FO 17/185.
[34] Crawfurd, op. cit., vol. I, p. 124.
[35] ibid., p. 145.
[36] ibid., p. 156.
[37] ibid., p. 192.
[38] ibid., pp. 471–2.
[39] Lamb, op. cit., p. 178.

[40] The French navy was increased in East Asia in 1843. Cf. Guizot to Lagrené, 9 November 1843, reprinted in C. Lavollée, *France et Chine. 1. Traité de Whampoa (1844)...*, Paris, 1900, pp. 13–17. The Americans had, of course, already sent Edmund Roberts as an envoy to Cochin-China in 1833. He had been told that his mission was superfluous as Cochin-China ports were open. Negotiations never started: the preliminaries broke down over the question of 'correcting' the President's letter to the Emperor. Edmund Roberts, *Embassy to the Eastern Courts of Cochin China, Siam, & Muscat...*, New York, 1837, pp. 187, 206–7, 211.

[41] R.P. Delvaux, 'L'ambassade de Minh-Mang à Louis-Philippe, 1839 à 1841', *Bulletin des Amis du Vieux Hué*, vol. XV, no. 4, October–December 1928, pp. 259–63. Soult apparently had told the envoys that there would be no military intervention in favour of the missionaries. Denis op. cit., p. 52 n.

[42] 'Remarks upon the establishment of a Commercial Treaty with Siam, Annam (or Cochin China), Korea and Japan', 12 July 1845. FO 17/100.

[43] Davis to Aberdeen, 6 May 1845. FO 17/99. Same, 1 August 1845. FO 17/100.

[44] Foreign Office to India Board, 24 November 1845. FO 17/107.

[45] Ripon to Aberdeen, 11 March 1846. FO 17/117.

[46] Aberdeen to Davis, 18 March 1846. FO 17/108.

[47] Davis to Palmerston, 24 November 1846. FO 17/115.

[48] Butterworth to Edwards, 29 September 1845, and enclosures. FO 17/117. Butterworth to Beadon, 6 March 1845. India Political Consultations, Range 197, vol. II (11 April 1845), India Office Library.

[49] Butterworth to Currie, 4 April 1845, and enclosures. BC 104244, p. 3.

[50] Ross to Butterworth, 15 November 1845. FO 17/117.

[51] Possibly 'Moyenton' is Nguyen Truong, stated to have been a member of the embassy to Louis-Philippe of 1840. Taboulet, op. cit., p. 367.

[52] There are variant accounts of the proceedings of U.S.S. *Constitution* at Tourane in April 1845. For instance, Taboulet, op. cit., p. 365, quotes a French account, saying that Commander Percival, appealed to by the arrested Mgr. Dominique Lefèbvre, titular Bishop of Isauropolis, seized three mandarins visiting his vessel as hostages, but finally released them and departed. This account is followed in Joseph Buttinger, *The Smaller Dragon*, New York and London, 1958, p. 391. But the present Cochin-Chinese version insists that much greater violence occurred. On Ross's report, no doubt, Butterworth based his letter to India in 1847, quoted by D.G.E. Hall, *A History of South-east Asia*, Second edition, London, 1964, p. 610.

[53] Butterworth to Secretary, 2 December 1845. FO 17/117.

[54] Lefèbvre had ultimately been recovered in 1845 by the *Alcmène*. See Taboulet, op. cit., pp. 363–7. This is the visit described in a contemporary article, there wrongly ascribed to the year 1844. 'Notices of Cochinchina made during a visit in the spring of 1844, by M. Isidor Hedde, a member of the French mission to China', *The Chinese Repository*, vol. XV, no. 3,

March 1846, pp. 113–24. Lefèbvre returned to Vietnam in 1846 and was again arrested and sentenced to death, but deported to Singapore in February 1847. Buttinger, p. 392. Not knowing this, Admiral Cécille sent the *La Gloire* to secure his release; the *Victorieuse* had also come to Tourane to deliver a letter to the king in favour of the Christians. To compel attention the captain of the *La Gloire*, Lapierre, seized the sails of five Vietnamese corvettes. Subsequently, believing that the Vietnamese meditated an attack, several of their junks were destroyed. One man was killed, one wounded on the French side. A different French source suggests that 10,000 Vietnamese were killed. Taboulet, op. cit., pp. 371–3. More realistic perhaps is Davis's estimate, that most of the 1300 on board were killed, with the exception of those taken off two of the junks before the French burned them. J.F. Davis, *China during the War, and since the Peace*, London, 1852, vol. II, pp. 298–9.

[55] Davis to Palmerston, 25 April 1847. FO 17/125.

[56] Quoted in W.G. Beasley, *Great Britain and the Opening of Japan 1834–1858*, London, 1951, p. 75n.

[57] A. Launay, *Mgr. Retord et le Tonkin Catholique (1831–1858)*, Lyon, 1893, pp. 271, 274.

[58] Note enclosed in Parkes to Hammond, 3 August 1855. FO 17/236.

[59] Davis to Palmerston, 4 October 1847. FO 17/130.

[60] Davis to Palmerston, 26 October 1847. FO 17/130. Davis published a very similar account of his mission. Davis, vol. II, pp. 304 ff. Taboulet's account, vol. I, p. 374, is mostly mythical.

[61] Davis to Palmerston, 30 October 1847. FO 17/130.

[62] Foreign Office to Bonham, 3 January 1848. FO 17/138.

[63] Colonial Office to Foreign Office, 31 March 1848, and enclosure. FO 17/148. Palmerston to Bonham, 15 April 1848. FO 17/138. Bonham to Palmerston, 17 June 1848, and enclosures. FO 17/143. Bonham to Palmerston, 19 July 1848, and enclosure. FO 17/144.

[64] Memorial, October 1848. FO 17/162.

[65] Crawfurd to Eddisbury, 26 December 1848. FO 17/151.

[66] Notes enclosed in Crawfurd to Eddisbury, 1 March 1849. FO 17/161.

[67] Hobhouse to Palmerston, 24 March 1849. FO 17/161.

[68] Foreign Office to Board of Trade, 9 April 1849. FO 17/161.

[69] Beasley, pp. 56–57, 60–61. Memo. by R.M. Martin, 12 November 1845. FO 17/107.

[70] Beasley, p. 83. Memo. in Labouchère to Palmerston, 10 January 1849. FO 17/161.

[71] A number of these, from Halifax, Huddersfield, Manchester, Sheffield, Bradford and Birmingham, are in FO 17/161.

[72] Memorial, 20 August 1849. FO 17/162.

[73] Palmerston to India Board, 5 November 1849, FO 17/163.

[74] Board of Trade to Foreign Office, 22 November 1849. FO 17/163.

[75] Hobhouse to Palmerston, 10 November 1849. FO 17/163.

[76] Brooke to Palmerston, 6 March 1850. FO 69/1.

[77] Davis to Hammond, 6 May 1850. FO 69/2. Memo., 1 May 1850; Foreign Office to Brooke, 22 June, 2 July 1850. FO 69/1.

[78] *Vide infra.*

[79] Foreign Office to Manchester Chamber of Commerce, 3 February 1854; Clarendon to Bowring, 13 February 1854. FO 17/210. Beasley, pp. 96–97.

[80] *SFP*, 7 April 1854.

[81] Beasley, pp. 98–102.

[82] *Vide infra.*

[83] Neon Snidvongs, 'The Development of Siamese Relations with Britain and France in the Reign of Maha Mongkut, 1851–1868', unpublished Ph.D. thesis, University of London, 1961, pp. 275–6.

[84] Bowring to Clarendon, 7 May 1855, two letters and enclosures. FO 17/229.

[85] The American envoy of 1850, Balestier, had made no progress in either country. At Tourane he had to begin by apologizing for the proceedings of the *Constitution* in 1845. J.F. Cady, *The Roots of French Imperialism in Eastern Asia*, Ithaca, 1954, p. 137.

[86] Bowring to Edgar Bowring, 26 May 1855. English MSS. 1228/129, John Rylands Library, Manchester.

[87] Bowring to Edgar Bowring, 5 August 1855. English MSS. 1228/134.

[88] Bowring to Clarendon, 6 September 1855. FO 17/233. The insurrection was presumably that in the Son-tay and Bac-ninh provinces near Hanoi, led by a Lê pretender, Duy Cú, and the poet Cao Ba Quat. Lê Thành Khôi, *Le Viet-nam*, Paris, 1955, p. 361.

[89] As note 58.

[90] *SFP*, 29 October 1852, 29 April 1853.

[91] Bowring to Wade, 13 August 1855. FO 17/233.

[92] Memorandum enclosed in Wade to Bowring, 17 September 1855. FO 17/233.

[93] Wade to Bowring, 17 September 1855. FO 17/233.

[94] Bowring to Clarendon, 8 October 1855. FO 17/233.

[95] Bowring to Edgar Bowring, 25 April 1856. English MSS. 1228/151.

[96] Parkes to Hammond, 10 June 1856. FO 69/5.

[97] Clarendon to Bowring, 2 January 1856. FO 17/242.

[98] Taboulet, op. cit., p. 395. H. Cordier, 'La politique coloniale de la France au début du second empire (Indo-Chine, 1852–1858)', *T'oung Pao*, Series 2, vol. X, 1905, pp. 310–11, 675–6. Bowring told Clarendon simply that Montigny had asked for his co-operation, 'but at present there is not a single sloop of war at my disposal'. Bowring to Clarendon, 13 June 1856. FO 17/247.

[99] Cady, op. cit., pp. 99–101.

[100] ibid., pp. 144–5. Clarendon to Cowley, 18 February 1856. FO 27/1109.

[101] H. Cordier, 'La France et la Cochinchine, 1852–1858: La Mission du *Catinat* à Tourane (1856)', *T'oung Pao*, Series 2, vol. VII, 1906, pp. 497–505. See also Bowring to Clarendon, 28 November 1856. FO 17/252.

[102] H. Cordier, 'La politique coloniale de la France au début du second

empire (Indo-Chine, 1852–1858)', *T'oung Pao*, Series 2, vol. XI, 1910, pp. 371 ff. Cady, op. cit., pp. 154–5.

[103] ibid., pp. 178 ff. H. Cordier, 'La politique coloniale de la France', *T'oung Pao*, Series 2, vol. XII, 1911, pp. 39–44, 52, 157–62. Taboulet, op. cit., vol. I, pp. 401 ff.

[104] Cady, op. cit., pp. 211–17. Caine to Hammond, 13 December 1858. FO 17/301.

[105] *Hong Kong Register*, 31 August, 7 September 1858.

[106] *SFP*, 16 September 1858.

[107] W.C. Costin, *Great Britain and China 1833–1860*, Oxford, 1937, p. 231. Bowring to Edgar Bowring, 11 June 1857. English MSS. 1228/186.

[108] Bowring to Edgar Bowring, 12 July, 15 August, 18 September, 3 December 1858. English MSS. 1228/220, 220, 224, 228.

[109] Cowley to Clarendon, 6 November 1857. FO 27/1205.

[110] Cowley to Clarendon, 4 December 1857. FO 27/1207.

[111] Bowring to Malmesbury, 27 September 1858. FO 17/299. Malmesbury to Cowley, 16 November 1858. FO 27/1240.

[112] Cowley to Malmesbury, 21 November 1858. FO 27/1262.

[113] Memo. by C. Alabaster, 1859, quoted in B.L. Evans, 'The attitudes and policies of Great Britain and China towards French expansion in Cochin-China, Cambodia, Annam and Tongking 1858–83', unpublished Ph.D. thesis, University of London, 1961, p. 41.

[114] Quoted in Snidvongs, op. cit., p. 209.

VII

Siam and Sir James Brooke

THE revolutionary impact of economic and social change in South-East Asia in the nineteenth century was intensified by the simultaneous remodelling of its political map. The frontiers of Siam were indeed modified, and its old-fashioned imperial claims widely displaced, but its economic and social history was profoundly affected by the fact that, alone among South-East Asian powers, this kingdom retained its political independence. The explanation of this lies, on the one hand, in the attitude of the Siamese ruling groups, and, on the other hand, in the policies of Great Britain, the predominant power in the area; and a survey of Anglo-Siamese relations is essential to an understanding of modern Siam. In this survey, the mission to Bangkok of Sir James Brooke should hold a crucial place, since its failure produced a crisis in these relations, the prompt resolution of which re-established them on a new basis and largely determined their future course.

The conquering advance of the East India Company in India from the late eighteenth century onwards aroused concern among the Siamese who, like the Vietnamese, feared lest the ambitious British should extend their activities to the Indo-Chinese peninsula. This was not, however, the Company's intention. There was a general disposition against an

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expansive policy in these regions, and, more particularly, the Company wished to avoid conflict with a country on the confines of China, a tributary of the Emperor who permitted it to carry on its profitable monopoly trade in tea at Canton. The apprehensions of the Siamese tended to add to the possibilities of conflict, for they provided an argument against the unrestricted admission of British commerce, additional to that provided by the traditional trade monopolies on the part of king and court, and such a policy in fact risked provoking the British. There was another potential source of dispute in Siamese claims over the northern states of the Malay Peninsula. Penang had been ceded to the Company in 1786 by the Sultan of Kedah, a vassal of the Siamese, and the English authorities remained afraid that it would involve them in a conflict with his suzerain.[1] In 1818, Kedah invaded Perak at the instigation of the Siamese, who in turn invaded Kedah itself in 1821. Penang merchants and officials believed that Siamese hegemony would destroy their commerce and influence on the Peninsula, and the Governor was urged to drive the invaders from Kedah. But, he asked, 'would the Siamese let us stop there? and are we disposed to furnish the more powerful nations in our neighbourhood, the Burmans, Chinese, and Cochin-Chinese, with additional grounds for distrusting our friendship and accusing us of an ambitious and aggrandizing spirit?' The Supreme Government in Calcutta considered that a war with Siam would be 'an evil of very serious magnitude'.[2]

An attempt to deal with the problems by conciliatory negotiation had proved a failure. With the establishment of Singapore, a move had been made to open up commerce with Siam. John Palmer was financially interested in the venture of John Morgan, who was allowed to trade at Bangkok, but made a loss. This he attributed to the frauds practised on him, and he thought no treaty would protect merchants from such treatment 'without some person being on the spot to represent them'.[3] But this was most unlikely. Following

this discouraging episode, John Crawfurd had visited Bangkok. He thought that commerce there was not for Europeans, and political relations, the concern of the Supreme Government, should be conducted without appointing an envoy at the Siamese capital. Indeed the Siamese had viewed his mission with distrust: it was thought that he 'had come to view the Empire of Siam, previous to the English fitting out an Expedition with ships of war to come and conquer and seize on the Empire....'[4] The Supreme Government became doubtful about sending further missions, lest an outrage were committed that would necessitate a punitive war. The only possible policy seemed to be one of great caution that might abate Siamese distrust, and induce the Bangkok Government perhaps to treat foreign commerce more liberally at home and in its tributary territories.

In 1824, however, the Supreme Government declared war on the Burmans, and it subsequently decided to send Captain Henry Burney on a friendly mission to Bangkok while these hostilities were going on. It observed that

> all extension of our territorial possessions and political relations on the side of the Indo-Chinese nations is, with reference to the peculiar character of those states, to their decided jealousy of our power and ambition, and to their proximity to China, earnestly to be deprecated and declined as far as the course of events and the force of circumstances will permit. In the case of Siam, an actual feudatory of the Chinese Empire, it should be especially our policy to avoid contiguity of dominion or intricacy of relations with that state, and the consequent and necessary hazard of collisions and rupture.... Even the negotiation of treaties and positive engagements with the Siamese Government... may be regarded as open to serious objection lest any future violation of their conditions should impose upon us the necessity of resenting such breaches of contract....[5]

The present, however, seemed a favourable opportunity for attempting to deal with the problems of the Peninsula and commercial relations. The idea was at first mooted of ceding

some conquests in Tenasserim to the Siamese in return for concessions on these points. In fact, no such offer was made, but the Siamese assented to a commercial agreement and treaty in which they sacrificed some of their limitations upon British commerce. The chief provisions were that British merchants were to 'buy and sell without the intervention of other persons', i.e. monopolists; that residence might be granted; that the importation of opium and the exportation of rice were prohibited; and that a duty was to be levied by measurement of the vessels at the rate of 1,700 ticals for each Siamese fathom. Thus the Siamese proved less rigid than their Vietnamese neighbours: neither the more genuine interest in commercial monopoly, nor their fear of the Company, prevented their change of policy. They were conscious of the power of the British, who were defeating their Burman neighbours, but also more disposed to temporize. And, on the other hand, the British had a rather greater commercial interest in Siam than in Vietnam, and they had a common boundary in Malaya and were acquiring one in Tenasserim. If the Siamese were less isolationist than the Vietnamese, the British, as Crawfurd recognized, were more deeply concerned with Siam than with Vietnam.

Burney had in fact to concede Siamese claims in Kedah under Article 13, and under Articles 12 and 14 to compromise on those in Perak, Kelantan, and Trengganu.[6] The Penang authorities were disappointed, and sought to remedy the situation by sponsoring James Low's direct intervention in Perak. For this they were reproved by Lord Amherst, the Governor-General. They must not exaggerate, he said, the menace involved in the proximity of the Siamese to their settlement.

> In point of fact, we have... far more reason to apprehend inconvenience from the extreme dread of our power operating on that timid and suspicious race, so as to impede a free and liberal commercial intercourse between the subjects of the two nations, than from the existence of opposite sentiments.... Our only national

object of policy hereafter in relation to the Siamese should be to endeavour to allay their jealousy of our ultimate views ... and to derive from our connexion with them every attainable degree of commercial advantage, by practising in our intercourse with them the utmost forbearance, temper, and moderation both in language and action, by striving to cultivate a friendly understanding with the Court and its provincial Governors in our neighbourhood, and above all, by faithfully and scrupulously observing the conditions of the treaty which fixes our future relations....[7]

The Supreme Government thus believed that the Burney treaty might prove the basis of increasingly friendly relations with Siam, and thus of increasingly liberal commercial policies in that country.

In some sense this view proved correct. Trade was not merely conducted by Chinese junks, as Crawfurd had prophesied, though junks from Siam came to form one of Singapore's most valuable trades.[8] Europeans developed a trade at Bangkok itself, chief of whom was the Scotsman Robert Hunter, who had four vessels annually making voyages by the mid-1830s.[9] The duties were so heavy on square-rigged vessels, however, that most of the produce exported to Singapore went on Chinese and Siamese junks.[10] Furthermore, in the late 1830s and 1840s, the Siamese Government extended the system of tax-farming, so as virtually to restore monopolies, for instance in 1839 in the case of sugar,[11] and leading Siamese began trading in their own square-rigged vessels.[12]

At this time, too, Hunter became involved in his quarrel with the Government of Rama III. At the time of the British expedition to China, it had ordered a steamer from him. When the expedition had safely returned to India, the Siamese refused to buy it, and Hunter sold it to their enemies, the Vietnamese.[13] As a result of the quarrel, Hunter promoted protests to the Indian Government about alleged Siamese infractions of the Burney treaty, for instance a me-

morial of May 1843 protesting at the sugar monopoly, at a prohibition on teak exports, and at the excessive punishments inflicted for importing opium.[14] The Indian Government declared that the monopoly did not violate the treaty; and that no interference was at that time required.[15] A further memorial from Hunter urged action to secure some redress over the sugar monopoly and over the breach of agreement to purchase his steamer, and to conclude a new arrangement with the Siamese replacing the heavy measurement duties: 'the successes of Great Britain in China are fresh in their memory....'[16] Governor Butterworth in the Straits Settlements thought that most of Hunter's complaints lacked substance, but that the Burney treaty should be revised.[17] The Court of Directors thought the British right of remonstrance against the sugar monopoly not clear enough to justify action.[18]

The Company had been cautious in its dealings with Siam and caution had been enjoined on the local officials at Penang. Conflict with Indo-Chinese powers might damage its position in China itself. Vietnam was thus left alone, and Siam handled in a restrained way that no doubt helped its Government to compromise in the Burney treaty. The end of the Company's monopoly of trade to China, the Crown's assumption of diplomatic relations with that empire, and the British victory in the ensuing war, suggested a new departure in relations with the Indo-Chinese powers. The Siamese Government, too, was at this time riskily provoking Hunter and the local British traders. But its earlier moderation served it well, and the Company opposed interference. It was still cautious, too, still concerned about the risks of collision and war. If Siam was not now to be considered in relation to China, it could still be considered in relation to Burma and to India in general: it was still, in Crawfurd's phrase, within the pale of Indian diplomacy. General political considerations operated against any disposition to rush to the defence of the commercial interests of the Bangkok mer-

chants or the Straits Settlements. There was a treaty with Siam: it was best to avoid risking the bases of relations it settled even if the Siamese were said to be infringing particular clauses.

The British officials in China also urged a new negotiation with Siam. Charles Gutzlaff suggested that the Bangkok Government was 'always activated by the jealousy of a neighbour, whose territorial possessions border since the Ava [Burma] war upon its own, and very apprehensive, that it will not be able to maintain its independence, as long as the English remain so powerful....' But it had also held its suzerain, China, to be invincible, and surprise at China's defeat must have been 'overwhelming'. Moreover, Gutzlaff reasoned, 'the freedom secured to Great Britain's commerce' by the treaty of Nanking 'has also been participated in by the junks' of Siam. 'They had hitherto been considered as mere interlopers, liable to seizures and immense extortions, whenever the Mandarins had a quarrel with them, but now they were at once recognised as traders that might visit the ports whither British shipping repaired, with perfect security of their property and at very moderate charges....' An envoy from the British Government would surely be able to secure a revision of commercial relations with Siam. The political topics and territorial disputes he would consider 'as foreign to his mission, and entirely unconnected with the affairs of the Home Government....' A consular agent at Bangkok would be able to advise the heir presumptive on his accession, and that prince—the future King Mongkut—was 'a devoted friend to foreigners, tolerably well acquainted with our improvements and anxious to better the conditions of his country....'[19]

Gutzlaff's suggestions were endorsed by Sir John Davis, the Superintendent, and then, despite Gutzlaff's attempts to divide off 'the affairs of the Home Government' from those of India, referred by the Foreign Office to the India Board. That Board characteristically replied that the Burney treaty

was 'sufficient for the objects of trade and Friendship', and doubted 'the policy of risking the advantages possessed under the present treaty in an attempt to obtain greater advantages under a new engagement'. At least an experiment in Vietnam should be made first.[20] The India Board also opposed the Board of Trade's proposal to appoint a consular agent in Bangkok for the purpose of certifying that Siamese sugar was not slave-grown and could thus qualify for importation into Britain at the new lower rates of duty. A City merchant, Parker Hammond, approached the Foreign Office and proposed the appointment of a Bangkok merchant, Daniel Brown, as consul, and the negotiation of a new treaty with Siam. The proposal was repeated later in 1846 and in 1847, but Hammond was told that the Government 'had no occasion to avail themselves of his suggestion'.[21] Possibly the interested merchants brought the matter before Sir James Brooke during his visit to England from October 1847 to February 1848.[22]

The commercial pressures that influenced the 'opening' of China had affected British policy in the Archipelago, too, and the Government, determined to oppose the extension of the Dutch and to suppress piracy, had afforded Brooke support in Sarawak and Brunei. At this time, he was thus at the height of his official career: he was Governor of the new colony at Labuan and also Commissioner and Consul-General to the Sultan and independent chiefs of Borneo. Those interested in the Siam trade sought an extension of his activities to their sphere. In August 1848, Hammond & Co. again alluded to the sugar monopoly in Bangkok and other alleged infractions of the Burney treaty, and suggested that, in view of the China war, a British remonstrance would be heeded by the Siamese court. The Governor of Labuan, it was said, would willingly endeavour to remedy the decline of trade and a new treaty might be made.[23] The India Board, duly consulted, still adhered to its views of 1846.[24] Attempts

to by-pass the Indian authorities in seeking action at Bangkok were thus still unsuccessful.

Meanwhile in Singapore the Chamber of Commerce had taken the matter up. It tried the Governor-General first, complaining of monopolies as infringing the Burney treaty and of the measurement duties specified in the treaty as hindering competition with native craft, and protesting at arbitrary acts against British subjects. A new treaty should be made, establishing equitable duties, securing unrestricted trading, ending the prohibition on rice exports, and appointing a consul.[25] Despairing of the Indian authorities, the merchants turned to the Royal Navy. In May they called the Senior Naval Officer's attention to arbitrary proceedings against the firm of Silver, Brown & Co., whose exports to Singapore had allegedly been prohibited, and suggested his proceeding to Bangkok 'to give protection to British Trade and persons, in any emergency which the unsettled state of affairs there may render necessary, and further to require that such arbitrary proceedings as above alluded to be put a stop to and guarded against hereafter'. Perhaps he might be able to put relations with Siam on a better footing, or take security for the faithful execution of the existing treaty. Commander Plumridge took no action, so the Chamber turned to the Commander-in-Chief. Sir Francis Collier replied in turn that he must refer to the Admiralty. The Admiralty referred to the Foreign Office and the Foreign Office to the India Board—with predictable results.[26]

Meanwhile the Singapore Chamber had followed up with a direct approach to the Foreign Secretary, Lord Palmerston. Its memorial of October 1848 urged the conclusion of a new treaty with Siam and one with Vietnam, where what the India Board saw as Davis's 'experiment' had failed.[27] In bringing the memorial before the Foreign Secretary, Crawfurd recommended for both countries an informal naval visit rather than a formal embassy.[28] Early in 1849 he suggested that the mission to Bangkok should consist of two

small war steamers under a naval officer. Their appearance would have a 'wholesome' effect, but no negotiation should be attempted.[29] Again the India Board was asked to comment. The President felt that Crawfurd was merely proposing to try the effect of a threat at Bangkok, but grudgingly assented to a new mission.[30] Montgomery Martin had urged that a new mission should be sent by the Queen's Government and be unconnected even with Hong Kong which, he argued, was 'still viewed in the Countries adjacent to China as connected with the East India Company and their Indian Territories—seeing that the three Governors in succession [Pottinger, Davis and Bonham] have been in the Military and Civil Service of the East India Company....'[31] The Singapore memorial of August proposed appointing Brooke as envoy and, with the Board of Trade's support, Palmerston assented to his leading an informal mission. To some extent the Government regarded Brooke as a 'Superintendent of Trade' in the Archipelago,[32] and this was in a sense an extension of his activities into an area so far the concern of the Superintendent at Hong Kong. It is not certain that this implied that the Government accepted Martin's analysis of the position of the Hong Kong officials. Perhaps, like the Siam merchants, it simply hoped that Brooke would be successful in mainland South-East Asia because of his success in the Archipelago.

This new South-East Asian orientation of Indo-Chinese diplomacy did not, however, mean that South-East Asian matters were fully covered in Brooke's instructions. Nothing was said in them about the territorial relations with Burma and with the Malay states that had once made Crawfurd consider Siam purely an Indian concern. The India Board, grudgingly assenting to a mission, had apparently grudged observations about its conduct. The instructions authorized Sir James Brooke to visit Siam if he thought that he 'might be able to make some arrangements that would effect an improvement in the British Commercial Relations with that

Country'. The commercial stipulations, it was suggested, might bear some relation to those made with other 'imperfectly civilized States', such as China and Turkey. The other stipulations should provide for 'the unrestricted right' on the part of resident British subjects to exercise Christian worship, and for 'the exclusive jurisdiction of British authorities over British subjects', as provided for in Brooke's Brunei treaty of 1847. In conducting negotiations with the Siamese and Vietnamese, Brooke was to

> be very careful not to get involved in any dispute or hostile proceedings which would render our position in Siam or in Cochin-China worse than it now is, or which might compel Her Majesty's Government to have recourse to forcible measures in order to obtain redress. It is very important that if your efforts should not succeed, they should at least leave things as they are, and should not expose us to the alternative of submitting to fresh affront, or of undertaking an expensive operation to punish insult....[33]

The Foreign Office did not provide Brooke with a letter from Queen Victoria to the King of Siam, and at Singapore it was thought that this would prove 'a serious obstacle in the way of success'. Sir James, however, thought that it might be 'turned to advantage, and aid me in maintaining the high and firm position which it is necessary to take with Indo-Chinese nations....' His 'first impression', on receiving the instructions in March, was 'that in order to ensure the maintenance of our present relations, the proposed Treaty should be of a very general character, and the arrangements for the amount of duty, and the future conduct of the trade, be afterwards attempted in a supplementary treaty'.[34]

The explanation of this suggestion appears from a letter Brooke wrote at this time to his friend John Templer:

> I shall not advance to them; I shall not seek to make a treaty in a hurry. I shall try to remove apprehensions and obstacles, and pave the way for the future. The king is old and an usurper; he has two legitimate brothers [Mongkut and Isaret], clever and

enlightened men, who ought to be raised to the throne, and the least help on the reigning sovereign's decease, will place one of them on it.

This done, Siam is opened, really and substantially, to English commerce and capital, and it is a noble country, second only to China. A treaty, extorted by fear (for no other way could we get one) would be but a wasted bit of parchment, unless enforced, and if enforced it must be by arms alone, for as to persuasion, it is thrown away with this people. Patience and time are therefore requisite.... It is a clumsy style of diplomacy, and with time, perfect sincerity, good intention and scrupulous attentions to the rights of Siam, must have weight; and this is high diplomacy. The Prince Chow-fa-Mongkut is an educated man, reads and writes English, and knows something of our literature and science. His brother... has a great mechanical turn, and has himself made a small steam-engine and fitted it in a boat!! And these two are the legitimate brothers of the old savage king, who seized the throne. And are they not worthy instruments?...[35]

He also wrote to his uncle, Major Stuart:

I consider that time should be given to the work of conciliation, that their prejudices should be gradually undermined, rather than violently upset, and that as we have delayed for thirty years doing anything, that in the course of this policy we may wait till the demise of the king brings about a new order of things. Above all, it would be well to prepare for the change, and to place *our king* on the throne,

namely Mongkut, 'a highly accomplished gentleman, for a semi-barbarian'.[36]

The Chamber of Commerce at Singapore believed that 'an imposing display of Force calculated to impress the Siamese with a due sense of the power of Great Britain and its earnestness on this occasion will much facilitate negotiations and avert a risk of failure....'[37] The Raja of Sarawak did not, however, wish to force a convention on the Siamese,[38] and commented that they might 'from fear' be 'open to conciliation without concession, and I shall consider it fortunate if my visit only paves the way for a more frequent

and friendly communication, or if it provides some sure indication of the best course to be pursued in future....'[39]

Brooke, it is clear, associated the King, Rama III, with the restrictive commercial policies of the preceding decades, and like Gutzlaff, believed that his brothers, educated by French and American missionaries, might follow quite a different policy when they at last secured power. This event could not be long delayed, since Rama III was an old man, and meanwhile the mission would perform a holding operation, and encourage and conciliate the princes. The policy the Raja appears to have contemplated for the future was not unlike the policy of 'indirect rule' he had sought to follow with Raja Muda Hassim in Brunei, and which he had recommended as the proper policy for the sultanate of Acheh.[40]

The mission had been delayed while Brooke and his party recuperated from illness at Penang,[41] and in June and July they were held up in Singapore waiting for a ship. Spenser St. John, the Raja's secretary, found it hard to be angry with Admiral Austen, since he was Jane's brother.[42] In fact, Austen thought that August was the best time for crossing the notorious bar of the Menam,[43] but, when the mission at last arrived there, the larger of its two steamers, the *Sphinx*, stuck in the mud. It was to this fact that St. John was to attribute the failure of the mission.[44] Probably, however, only an overwhelming force, such as Brooke had been against using, could have affected Rama III's belief that more was to be lost than gained by any further treaty concessions. He had just turned away an American mission,[45] and he was set against any further invasion of Siamese customs and traditions even by the British.

Brooke went up to Paknam in the other steamer, the *Nemesis*, and met the Phraklang on 16 August.

What passed... was as follows—Was I aware (it was asked) that there was a Treaty between Siam and the East India Company? How could there be two Treaties? Was my object to annul the Company's Treaty? Had not the Company a right to make a

treaty? What was the difference between a treaty with the Company and a treaty with the Queen? Were the Queen and the Company one and the same? Was not a treaty made with one the same as if made with another? To these questions I replied that I was aware of the existence of the Treaty—That there could be two Treaties—That the Company had a full right to make a Treaty having been empowered by the Queen to do so—That the difference between a Treaty with the Queen and a Treaty with the Company was that the first was a direct Treaty made with the Queen and the other an indirect Treaty made with the Company which held its authority under the Queen—That the Queen was not the same as the Company, but the Company was the same as the Queen—The one being the Sovereign—the other holding its power under the Sovereign. It was now proposed that the two Sovereigns should make a Treaty.

The following day the Phraklang's eldest son visited Sir James on board the steamer.[46]

Assuming that Brooke would be demanding a large decrease in customs duties, the King doubted if it were right to assent, as the Phraklang appears to have suggested doing in the hope of maintaining friendly relations, and perhaps gaining concessions in Malaya. Rama III also thought that Brooke's credentials should be examined. It seemed, therefore, that the lack of a letter from Queen Victoria might be turned to account by a monarch who had come to the conclusion that more was to be risked by yielding to Brooke, as he had to Burney, than by not yielding. He suggested also that Brooke's conversation with the Phraklang could be turned to account: if a new treaty were required, it could be argued, then a representative of the Supreme Government must revoke the old; and it was objectionable either to increase or reduce the number of articles in the old treaty. There is no evidence in the King's memoranda that the attacks on Brooke in Singapore and in London on account of his policy in Borneo influenced Rama III's attitude, but it may have been so.[47] As for the more pro-European party,

they could do little. The King was dying, and there was uncertainty over the succession. In such circumstances, the greatest circumspection was necessary at court.[48] It seemed that the India Board's doubts might be justified.

Brooke, all unawares, went up to Bangkok, noting extensive fortifications on the way, and met the Phraklang and the Senabodi on the 26th. 'Every attention that politeness could dictate was shown during this meeting which passed off in the most friendly manner, and it was arranged that any communications which I wished to make to their Government should be made in writing', and delivered through the Phraklang's son. Brooke seems still at this juncture to have hoped for a favourable result. It was only 'a few days subsequently to this interview', he reported, that 'a marked change occurred in the conduct of the Siamese officers towards the mission, their friendly behaviour was succeeded by coldness and distrust', and that he thought he experienced various attempts to demean or provoke him. The Phraklang's son pointed to the King's displeasure as the reason. But the *Sphinx* had withdrawn beyond the bar, and this, Brooke thought, perhaps encouraged the Siamese to demonstrate 'their real feeling towards us', which was, after all, what he had purposed to discover.

Whether he wished further to test or even to provoke this feeling, or whether he was so committed by his agreeing to put in written proposals, is not clear, but Brooke abandoned his earlier plan to work for a merely general agreement, and despatched to the Phraklang several letters and the heads of a treaty and a commercial convention. His first letter emphasized the need to consolidate the friendship established by the treaty of 1826. 'Will the ministers of Siam', he asked in a second letter, 'endanger the friendly feeling which has lasted so long—Will they refuse the cordial and sincere alliance now offered by resisting the just and moderate demands of a powerful state like England?' He mentioned the opening of the trade under the Charter of 1833, the Government's

protection of commercial interests, the war with China. Now the Government wished to point out the violations of the Burney treaty and to suggest the conclusion of a new and better one. In a third note, Brooke introduced his general proposals, which would, he said, modify the treaty in some respects. For instance, it would give British subjects a right to reside in Siam, and to lease or purchase land for domestic and commercial purposes and for burial-grounds, though not for plantations and estates. British merchants would be able to reside or trade anywhere in Siam under most-favoured-nation stipulations, and Christian worship would be freely allowed. No regulation would be permitted that would injure the trade of British subjects. Consuls or superintendents of trade should be appointed at principal ports if thought desirable, and would decide, with Siamese authorities, any disputes between British and Siamese subjects. Articles of the Burney treaty not specifically modified were to remain in force, and its principle of reciprocity was to be maintained.[49]

In another letter, introducing the commercial convention he proposed, Brooke sought to expound the advantages of a free trade between the two countries.

> The revenues of Siam, like the revenues of every other country, are dependent on its internal prosperity; and its internal prosperity is greatly dependent on its foreign trade; burdensome duties must limit trade, the paucity of trade must distress the mass of the people, and the distressed condition of the people must affect the revenues of the monarch and the stability of his throne ....

According to his proposals, the Siamese Government were in future to monopolize seven articles, but paddy and rice were to be freely exported, and thus production would greatly expand. At present, it was doubtful if the Siamese could rightly monopolize any products, Brooke observed. Transit duties were to be fixed, the opium prohibition maintained, and measurement duty reduced to 500 ticals.[50]

After some procedural difficulties, replies were secured 'amid a mass of words', as Brooke put it, refusing 'every article of the proposed Treaty ... under one pretext or another'. The first letter complained of the obscurity of Brooke's utterance, but praised his friendly sentiments. A second letter insisted that the Siamese desired friendship, and approved of Brooke as 'a person of wisdom and affability'. It denied any violations of the Burney treaty. Some Singapore *sampan pukats* had been seized in 1839 and in 1846 because they were smuggling opium; and the prisoners had nevertheless been released at the request of the Straits Government, though it had done nothing to prevent smuggling. The Senabodi next commented on the Raja of Sarawak's treaty proposals. They opposed the provisions on residence, pointing out the objectionable activities of Hunter, who had been expelled in 1844.

> If the English should come in large numbers and reside in Siam and should pass about in the provinces, controversies and quarrelling would rise and proceed to blows, and an Englishman or a Siamese be killed and then the matter would become serious ... it cannot be allowed that many English subjects should come here to reside, it would prevent the quiet of the country and cast a shade on the subsisting friendship....

As for the Christian religion, American missionaries had long been present, often usefully employed in writing letters and translating books, and no obstructions had been placed in the way of the exercise of Christian rites: there was thus no call for a treaty article on that point. The appointment of consuls was equally superfluous, and, as for consular jurisdiction, Siamese subjects in foreign lands were expected to follow local laws. A new treaty seemed unnecessary, and the Burney treaty, made with Bengal, but in effect with England, was adequate. Elaborate treaties were difficult to execute.[51]

As for the commercial convention, the Senabodi stated that they could not agree to the reduction of the measure-

ment duties or to the general exportation of rice. 'The object seems to be assiduously to prepare long communications from beginning to end filled with winding crooks and twists, without end, to blot out, to destroy, to change the fixed rules and customs of a great Country which has been established for many hundred years, and bring them all into confusion and ruin....'[52]

Sir James regretted in reply that the Senabodi 'should have forgotten the gravity of advanced age, the dignity of exalted position, and the duty due to the King their master',[53] and departed for Singapore. He pointed out to Palmerston that the mission had been insulted by not being received at Court.

> The total want of attention—the want of courtesy in the Phraklang in not returning my visit; the non-permission for any communication with the Siamese nobles—The slight of placing a man of low rank about the mission —The confinement forced upon us by the improper attendance when abroad and the tone of the High Ministers' letter are all just matters of complaint and demonstrate that amicable communications with the Siamese Government should cease till their feeling of hostility shall have been corrected....[54]

These slights were accompanied by 'specific acts of outrage and wrongs committed against British subjects', Brooke alleged, and the Government must 'decide on the effect which our submission to them may produce on the neighbouring countries, and on British interests'. In dealing with Siam, as with other despotic states,

> a resolute attitude and an unflinching determination to support our rights, is the only means of avoiding hostilities, or of attaining permanent peace after a single struggle.
>
> The hope of preserving peace by an expedient Policy—by concession, submission, by indifference, or by any other course, than by rights firmly maintained by power justly exerted, is both a delusion and a cruelty; and after years of embarrassment and the sacrifice of a favourable prestige leads to a sanguinary war.

An adherence to this principle has raised our Indian Empire, and established the reign of Opinion which maintains it; and the departure from this principle has caused the present deplorable condition of our relations with Siam, and the consequent and embarrassing circumstances which no longer permit of Palliation or inactivity.... I can only arrive at the conclusion that there is no other course open to Her Majesty's Government, except to demand the freedom of British subjects unwarrantably detained, —a just reparation for injuries inflicted, a fair remuneration for pecuniary losses entailed by violations of the Treaty,—and either a more equitable Treaty in accordance with the observance of civilized nations, or a total withdrawal of British subjects and their property from Siam.

Should these just demands firmly urged be refused, a force should be present immediately to enforce them by a rapid destruction of the defences of the river, which would place us in possession of the capital and by restoring us to our proper position of command, retrieve the past and ensure peace for the future, with all its advantages of a growing and most important commerce.

I offer this opinion with the more confidence, from a firm conviction that should any delay be interposed, Her Majesty's Government will, within a short time, be forced to pursue the measures here recommended, under less favourable circumstances ....

To justify these views, and incidentally to refute the Senabodi, Brooke produced cases of outrages, infractions of treaty, and 'total disregard of international rights'. The first violation of the Burney treaty, he observed, had been ignored, and this indifference on the part of the British authorities had led the Siamese to ignore all international obligations. The treaty, too, was of a type that needed to be 'resolutely enforced'. There were the vague stipulations over Kelantan and Trengganu, and the sacrifice of Kedah, which ought now to be reconsidered. The commercial provisions were even more objectionable. There was no security for any permanent residence, or for any trade except at Bangkok.

The treaty provided for the seizure of opium as contraband, but this could not permit the cruel treatment meted out to the crew of the *sampan pukats*. Burdensome duties and other vexations were imposed on British vessels. The treaty was, moreover, violated by 'the system of monopolies' maintained by the Government of Siam, and by its prohibition of the exportation of some articles of merchandise. Other infractions of the treaty brought forward by the merchants related to 'acts of violence—arbitrary conduct on the part of the Siamese officers—the impossibility of recovering just debts—the total denial of justice— the delays of passes and numerous other vexations and impositions....' Sir James thought that the complaints were 'well founded' and that there was 'a direct exertion of arbitrary power, and an indirect system of spoliation carried on by the authorities against British subjects....' He also mentioned the case of thirty Ceylonese priests detained in Siam for years against their will, an 'outrage' he considered

> the climax to the presumption of the Siamese, and of the accumulated wrongs which they have offered to the English; and submission will increase this presumption without solving the difficulty....
>
> Justice—compassion—interest—dignity—and a consistent ... course of Policy appear to me to call for decisive measures to be taken without delay.[55]

The Siamese, he told Templer, 'must be taught a lesson.... Our policy should be commanding, and our power exerted when necessary. My policy in Sarawak has been high-handed against evil-doers, and there, and in England and in Siam, there are bad to be punished, as well as good to be cared for....'[56] The evil-doers in England were the Radical Joseph Hume and the Raja's other assailants.

The revolution in British policy that Brooke proposed was also to effect a dynastic revolution in Siam. In his journal he had written that 'the Parties may be divided into a King's party, and a Princes' party, and it may generally be taken for

granted that the Princes themselves and the party adhering to their cause, are favourable to Europeans, whilst the King and the opposite party are opposed to them....' It was, however, difficult to appraise 'the relative strength of these factions in case of these disputes proceeding to extremities....' The Princes had to behave cautiously in view of the uncertainty over the succession, and communicated with the mission only 'in a private and guarded manner'. Brooke now proposed that decisive action should effect the enthronement of Mongkut, a prospect to which he had earlier looked forward.

> Siam may now be taught the lesson which it has long been tempting—its Government may be remodelled—A better disposed king placed on the throne—and an influence acquired in the country which will make it of immense commercial importance to England. At the same time the Malayan States (particularly Kedah) may be placed on a footing to save them from the oppressions they are now subjected to....

An envoy in a man-of-war should demand the persons and property of British subjects, and redress and remuneration for wrongs and losses. 'This would be refused; in six hours afterwards the capital would be in our possession and in three months the whole question would be arranged which in any other way will cause Her Majesty's Government a few years embarrassment before arriving at the same result ....'

Brooke argued also for a new policy towards Vietnam.

> Cambodia ... is the Keystone of our Policy in these countries, —the King of that ancient Kingdom is ready to throw himself under the protection of any European nation, who will save him from his implacable enemies, the Siamese and Cochin Chinese. A Treaty with this monarch at the same time that we act against Siam might be made—his independence guaranteed.—the remnants of his fine Kingdom preserved; and a profitable trade opened.—The Cochin Chinese might then be properly approached by questioning their right to interrupt the ingress and egress

of British trade into Cambodia. The example of Siam—our friendship with Cambodia, and our determined attitude (not Treaty seeking) would soon open Cambodia to our commerce and induce the Cochin Chinese to waive their objections to intercourse....

The invading Vietnamese were interfering with trade at the Cambodian port of Kampot, and this, Brooke thought, would form the basis of the—obviously 'commanding'—approach he now advocated to the Vietnamese. 'I have thus sketched a course of policy which I believe would be highly advantageous and which would enable us by exerting our power, so to regulate it as to influence these Governments without taking possession of the countries....'[57] He hoped he would be granted 'full powers', which he would use 'discreetly but with a high hand. No one can know what we give up in these countries for want of energy and action. We ought to have these slaves who crouch before arrogance in their own masters tremble at the least demand from us. Now is the time. The tide which ought to be taken at the flood....'[58]

In recommending in June that Brooke should take with him an imposing force, the Singapore Chamber of Commerce had declared that trade with Siam, except by Siamese vessels, was 'all but extinct', and suggested 'that no course of proceedings short of actual hostilities can now or hereafter place our relations with that country in a worse position than that in which they now are'.[59] After Brooke's failure, the Chamber was divided as to future policy. One group of memorialists thought that 'a more advantageous treaty than the one at present in force cannot be concluded with the existing Government, unless by means which they would be unwilling to see employed'. Singapore supplied Bangkok with British manufactures. This trade went on in the hands of Bangkok Chinese, 'and while the present pernicious revenue system pursued by the Siamese Government continues, your Memorialists entertain strong doubts whether any attempt

to force this trade into other hands and into other channels, would in any degree tend to improve or extend British commercial relations with Siam....' The commercial difficulties were 'not to be attributed to any petty attempt to interrupt British Commerce or evade the existing Treaty, but seem entirely connected with the internal administration of the Government, which no treaty, however skilfully framed, could possibly remedy, nor anything else, short of a complete change in the policy of the Government regarding the mode of levying and collecting the revenues....' The question should rest 'until a change of Government and policy take place, when peaceful negociations may be resumed with better hopes of success....' A warlike demonstration might 'convulse the whole Kingdom, put a stop for years to all trade, and perhaps ultimately render the establishment of British power in the Country indispensable....'[60] The *Singapore Free Press* thought the aim here was

> to suggest the expediency of confining the trade with Siam to Singapore and the discontinuance of the attempt to prosecute a direct trade with that country, recommending in effect that the provisions of the existing treaty should be suffered to fall into disuse, and all preceding violations of it, and injuries to British subjects, quietly winked at. This course, although it might tend to the temporary advantage of the Memorialists, does not appear to us to be that best suited for upholding the respect due to the British nation, or for assuring the ultimate advantage of British trade with Siam....[61]

Other memorialists indeed rejected the proposal as inconsistent with the previous views of the Chamber. If direct intercourse ceased, Singapore might derive some partial and uncertain benefit. But, even if Singapore's interests were alone to be considered, 'we entertain no doubt whatever that, if our intercourse' with Siam 'is fairly and freely opened up, the Geographical position and other advantages enjoyed by Singapore must, under any circumstances, secure for it a very considerable portion of the Siam Trade, and we have no

apprehension that, from such a Trade, left to find its natural channel, Singapore must ever be largely benefited....'[62] Crawfurd noted these differing views and later saw the Foreign Secretary.[63]

Palmerston did not in fact follow Brooke's recommendations.[64] No doubt this was not because he was sympathetic to the notion that Siamese trade might be confined to Singapore (as Crawfurd had thought back in the 1820s). Such narrow Straits Settlements views were unlikely to be endorsed at home. Indeed, the views of the second group of memorialists were, on this point, ultimately to prove more realistic. Generally there were these tensions in the Singapore position. To some extent its prosperity depended on the undeveloped character of South-East Asian trade: development, the opening of new ports and routes, might threaten its dominance; but it could still hope for a substantial share of an expanded trade.[65]

More relevant, perhaps, to the nature of the decision in London—on which there seem to be no official memoranda to offer guidance—was the proposal of the first group of memorialists to await a change of Government and policy, rather than to resort to warlike demonstration. This sort of view not only suited certain commercial interests involved in the indirect trade: it was consonant with the trend of British policy towards Siam as so far conducted by the Indian authorities and the India Board. Brooke had been told that, if he did not succeed, he should at least not make it necessary for the Government to engage in a punitive operation. The India Board had opposed any negotiation that might risk relations with a marcher territory for a doubtful advantage. The Foreign Office had finally secured its grudging assent to the mission, but had inherited some of its unwillingness to engage in political adventure. Furthermore, it was widely held—as by Gutzlaff, so at first, by Brooke—that the accession of a new king in Siam would in any case bring a more liberal policy. Anglo-Siamese relations would broaden

down from the Burney precedent: their narrowing was only temporary, and was not a cause for violent interruption.

Brooke's recommendations also covered Cambodia and Vietnam and, of course, again were not accepted. But Palmerston did seek further information about Kampot. Crawfurd had pointed to its trade with Singapore in Chinese junks and small square-rigged vessels: it could become an entrepôt for distributing British manufactures, and 'at the same time check the exclusive commercial policy of the Siamese'.[66] Some information was later received from Governor Butterworth, who drew upon Catholic missionaries.

> The King of Cambodia is now hemmed in between two rival and powerful Potentates, who would readily resent any supposed offence, with a view of seizing upon some coveted portion of his territory, which would in all probability have long since been divided between them, but for the advantage of having a neutral and powerless State, so well situated for settling their disputes, and making war upon each other without injury to their own immediate subjects. Doubtless the King of Cambodia would gladly and gratefully place himself under the protection of any European Power that would guarantee him protection against the Siamese and Cochin Chinese; but to make a treaty with him independent of the guarantee would tend only to increase his difficulties, without offering the smallest benefit to the contracting party....

The trade at Kampot, one of the few remaining ports, could 'never be considerable, in consequence of the main entrance to the country, the Mekong..., with all its feeders flowing into the Sea through the territory of Cochin China.... The country, too, had been devastated by recent Siam-Vietnam wars. Thus, 'without the aid of Great Britain, Kampot or any other port in Cambodia, can never become a commercial Emporium'.[67] The Governor quoted an article in the *Singapore Free Press*. The Cambodians, it suggested, sought to use intervals of peace in the Siam-Vietnam wars to develop intercourse with outside nations. The trade at Kampot

which they sought to foster was imperilled by pirates (hence the use of vessels of European construction). 'Here is a point where the wedge might be inserted, that would open the interior of the Indo-Chinese Peninsula to British Commerce, as the great River of the Cambodians traverses its entire length and even affords communication into the heart of Siam....' Another number, also published in August 1850, had pointed out the presence in Singapore of an employee of the King of Cambodia during the preceding months. His real purpose, it was thought, was 'to solicit the assistance of the authorities in suppressing piracy... and thus to render the intercourse with the Port more free and open....' Surely Britain would not so neglect her interests, the paper continued, 'as to refuse the proffered friendship, especially as it will afford her a favourable opportunity of renewing that system which led to the establishment of the British name in the East, that of protecting the weak from the oppression of the powerful....'[68]

Before this information had reached the Foreign Office, Palmerston had heard of a rumoured Cambodian proposal for a political connexion.[69] Butterworth in turn reported on this. He declared that 'no overtures have been made to me, either directly or indirectly, to test the feelings of the British Authorities, relative to a Treaty of friendship'. A confidential agent of the King, Constantine Monteiro, had the previous year shown him his instructions, but they were not of a political nature, 'and finding that he had fallen into the hands of the Editors of the Local Journals, I did not even seek an interview with him....' The King's request for protection against the Chinese pirates, however, he had communicated to the Commander-in-Chief, and the *Semiramis* had been sent up in November.[70] In addition, it may be added, an unofficial gesture was made. The commercial firm of D'Almeida sent the *Pantaloon* to Kampot, with the Danish adventurer, L.V. Helms, as supercargo.[71]

According to a Cambodian chronicle for 1849, three

Europeans came to trade, 'Evang, Williams, and Hillomes'. Subsequently the King sent two envoys to Singapore with a letter to 'Joachim' instructed to ask the French for an alliance to facilitate commerce.[72] This, it has been argued, is really a reference to the Monteiro mission of the following year, concerned with the English.[73] Indeed, if 'Hillomes' is Helms, not only the date but the order of events is mistaken, though 'Joachim' may be identifiable with one of the D'Almeidas.[74] On the other hand, it is not impossible that the Cambodians, supposedly seeking contacts with European powers, sought contacts with the French, and this may be all that the alleged proposal of an alliance meant. Equally, nothing may have been said of alliance in communications with the English authorities. But the proposal to co-operate against the pirates had been accepted, and, while they certainly did exist in the Gulf of Siam, the presence of the *Semiramis* off Kampot could undoubtedly also be of political significance. The newspapers had indeed associated the two: protecting the weak traders from the powerful pirates, and protecting the weak Cambodians from their powerful neighbours, were connected operations.

Whatever the local officials may have hoped or tried to do, with their limited authority and indirect means,[75] it is clear that Monteiro's presence in Singapore before Brooke left on his mission must have influenced the recommendations he ultimately made in the hope that the Home Government might break away from the traditions of Indian diplomacy in the area. The recommendations were not followed, and nothing came of the Kampot enquiries. But the situation was changed, as anticipated, by the death of Rama III and the accession of Mongkut.

In July 1851 Helms was in Bangkok, where Mongkut promised to do all he could to encourage foreign trade.[76] In August, Brooke, who was in England defending himself against the Radicals' attacks on his proceedings in Borneo, received a letter from the Phraklang's son, who had been in

touch with him, describing the illness of Rama III and his death early in April, and the elevation of Mongkut to the throne by the Senabodi, and the appointment of his brother, Isaret, as Second King. The new King, it was added, 'fully understands the relations of Foreign Nations.... any intercourse or consultation may hereafter be conducted in an easier manner than before'.[77] The Phraklang, like his son, had, in fact, played an important part in these events,[78] just as he had earlier been in favour of a reappraisal of relations with Britain. Brooke urged a new mission, so as to 'enable us to place our relations... on a satisfactory footing', and 'guide the reforms which they are about to make in their Government'. He would be glad to go and bring back a treaty, and thought it should be done at once. 'There really is no finer a field for the rapid extension of commerce than in Siam—there is now no danger of collision and from the character of the present King—his brother the Wangna or subking and his ministers we may gain everything we desire and open a direct trade between the two countries second only to the trade with China....'[79]

The Foreign Office was in favour of a mission—though, Palmerston thought, without 'any great Parade ... I think it a mistake to send grand missions to these semibarbarous chiefs'. Brooke would again be the envoy, and the Foreign Office this time sought to arrange with him beforehand the outlines of the treaty he might propose at Bangkok, in effect correcting his 1850 proposals.[80] The instructions were duly prepared early in September, Brooke planning to leave in October. He agreed that the force with the mission should be as before: it certainly 'should not present itself in a less dignified shape.... If it did so, the King, being a vain though a well-intentioned and educated Man, might imagine that we held him cheaper than his Predecessor.' Brooke suggested spending £500 on presents, principally 'scientific instruments and objects, as both of the Kings are men of science'. He might also have this time a letter from the Queen. Pal-

merston agreed to all this, and to giving the envoy a certain discretion in regard to alterations in the draft treaty.[81]

According to the instructions, Brooke was to consider the 'general principles' of the despatch of 1849 'still applicable', but more specific direction was given on some points. For instance, it was stated that, in regard to consular jurisdiction, reciprocity was out of the question:

> It is of vital importance to the security of the persons and property of British Subjects in an imperfectly civilized State like Siam, that a right of jurisdiction in all matters in which they are concerned should be secured to the British Agent resident in such State; but the same necessity does not exist for giving, nor indeed has the British Government the power of giving to Siamese Agents in the British Dominions a concurrent jurisdiction with British judicial authorities in cases in which the interests of Siamese Subjects are concerned....

The declaration that opium was contraband, it was thought, would only encourage smuggling and demoralization in the foreign trade, and importation under duty would be preferable; but, if the Siamese insisted upon prohibition, they must not expect British aid in enforcing it. The British Government was also against the specification of monopolies in treaties. Measurement duties, though simple in operation, would discourage imports of a 'bulky or cheap description', and perhaps a better arrangement could be made. The two conventions Brooke had suggested should be made into one.[82]

Some days later, Brooke heard from the Governor of the Straits Settlements 'that the King of Siam is anxious that no British mission should be sent to Siam and no change made in the external Policy of the Kingdom until after the funeral of the late King which takes place in April next....' Perhaps the mission should be postponed; or 'a discretion should be allowed to Sir James Brooke to make his first visit purely of a complimentary character and so to lay a foundation for a treaty, remaining in the East in the discharge of his ordinary

duties until the negotiation can be effectively commenced and returning on its conclusion'.[83] A decision followed to defer the mission till after the funeral,[84] and 'Sir James went down to hunt with Harry Keppel....'[85]

The following March, the Permanent Under-Secretary, H.U. Addington, asked on behalf of the new Foreign Secretary, Lord Malmesbury, if Brooke were ready to leave.[86] The Raja was now down at Brighton and declared that 'the season for the journey overland and the residence in Siam is very unfavourable and would alone be a good cause for the postponement of the mission. In my present state of health I require a few months longer residence in England....' The feeling in Siam was very favourable, but 'if we evince any anxiety for a treaty we shall raise their suspicions and a treaty after all without the cordial support of the government would only be a future source of trouble....' A letter from Bangkok showed that reforms were in progress: measurement duties had been lowered to 1,000 ticals, and the interdict on rice exportation had been modified. Opium was to be farmed, and sold only to Chinese immigrants, and English and American merchants were to trade where they pleased, and establish their own chapels and burial grounds. Brooke suggested that the commercial and political changes in progress were a reason for putting off the mission till their completion. He would be ready to leave for Singapore in October, 'so as to reach Siam during the cold season when the Ships engaged may be anchored off a weather shore'.[87] Brooke thus argued against the early despatch of the mission, as he had earlier argued for it, and it was put off by the Government till the autumn.[88]

The *Singapore Free Press* attributed some of the reforms to the contacts made by Brooke on his visit.[89] The reduction of measurement duties it attributed to the representations of Helms.[90] Indeed it may be argued that Mongkut was anxious to stave off a British mission till his power was fully established, but that then he would wish to prepare the way

for it.[91] But if Brooke saw the reforms indeed as an argument for deferring the new negotiation, Crawfurd saw them as an argument for not negotiating at all. Before Brooke's previous mission, as he reminded the Foreign Office, he had suggested that it should have been merely complimentary, and simply express the Queen's desire for friendly relations and the extension of commerce.

> This recommendation was derived from my own experience which satisfied me that the vain Court of Siam was ambitious of direct communication with the Crown and impatient of one with the vicarial Government of India. The recommendation to abstain from negotiation arose from a thorough conviction that any attempt of the kind would not only fail, but might arouse suspicion and provoke irritation.

So it had, and Crawfurd felt that a further mission would be 'inexpedient, indiscreet', and could not 'be expected to be followed by any beneficial results....' The Siamese were 'semi-barbarous, and although essentially unwarlike, they are unspeakably vain, presumptuous, and suspicious, while through frequent intercourse with the Chinese they are by no means strangers to our Indian supremacy, and the means by which it was acquired....' Some might expect more from a commercial negotiation now that 'a prince of far more enlightened views than any of his predecessors' had succeeded to the throne. 'Such hope, I am satisfied, would be utterly delusive. That prince was raised to power by the very same men who gave such a categorical refusal to the propositions of the last mission, and down to the present time, they continue in the exercise of authority, while the powerful party opposed to them is still more reluctant to advance, more national, and consequently more jealous of foreign interference.' Even if a treaty were made, its provisions would be evaded, like Burney's. 'My assured conviction is that a liberal commercial policy is more to be hoped for, on the part of the Siamese, without a Treaty, than with one. They would,

in my opinion, feel fettered, uneasy and suspicious when shackled by stipulations which compulsion alone would make them abide by—a compulsion which, to say the least, it would be both inconvenient and unprofitable to exercise.' Indeed, some improvements had already been made voluntarily. A 'frequent, friendly, and complimentary correspondence' with the Governors at Singapore and Labuan would encourage this 'spontaneous development' and would be preferable to a mission. 'Too busy an interference in the affairs of Siam might even put to risk the very power of its liberal sovereign, against whose reforms, as might be expected, there is a powerful party at Court as already stated ....'[92]

The Foreign Office asked the advice of the India Board, and this agreed with Crawfurd. 'Mr. Crawfurd's letter contains a great deal of good sense and sound reason, founded upon much practical experience, upon this question, and I should be disposed on the whole', the President wrote, 'to let well (or ill?) alone in this matter. Time and experience will probably teach the Siamese Government what is their real interest in promoting friendly intercourse with us. Raja Brooke is not likely to convince them.'[93]

The attacks upon Brooke's policy in the Archipelago had been meanwhile intensifying, and no doubt this afforded a reason for his staying in England. In August, Lord Stanley, the Parliamentary Under-Secretary, was arranging an interview with him as to the course of British policy in relation to piracy in the Archipelago. In October he told his friend, W.H. Read, that he was 'working hard to place our policy in the Archipelago upon such basis as to prevent any future obstruction arising from the malice and spleen of individuals ....' It was arranged that he should leave his post at Labuan, but have greater scope as Commissioner, and in November he ceased to be Governor.[94] His future activities would include the new mission to Siam, though the time originally

set for it had passed by. That matter had 'rested' with the receipt of the India Board letter, Addington later wrote, for

in the meantime Mr. Hume had been making representations to this office in inculpation of Sir James Brooke, and desiring an investigation into his conduct as Raja of Sarawak, Governor of Labuan, Consul General, and Suppressor of Piracy in the Indian Archipelago.

The season accordingly went by without anything fresh having been done in furtherance of Sir James Brooke's projected Mission to Siam.... I have heard speak in the Office of a sort of roving commission having been projected by or for Sir James Brooke which was to embrace Cochin China and other Countries in that part of the world; but I know nothing about such a project.[95]

In fact, Lord Stanley had been dealing with it. The aim seems to have been to modify the controversial policies in the Archipelago—and thus Brooke left Labuan—but to amplify his field of activity as Commissioner, to make him in name what he had been in fact in 1849 and, despite the India Board, to despatch him again to Bangkok.

In November Sir James sent in to the Foreign Office a letter from the old Phraklang's son, now the Kralahom, which welcomed the prospect of a new mission.

As to the three kingdoms embracing Siam, Burma, and Cochin-China, they are not far from being equal in the number of their subjects, and they are all adjoining countries.—But Burma, judging falsely of her own power and being ignorant of the power and forces of other Kingdoms, has fallen into collision with the English power, and thereby lost much territory and many subjects.

After this allusion to the second Burma War, which had broken out in April 1852, it was emphasized that the King and High Ministers of Siam were 'well accustomed to estimate the comparative strength of Kingdoms and Nations ....'[96]

Late in December, there were further ministerial changes: the Aberdeen Coalition took office, Lord Malmesbury was replaced by Lord John Russell, Lord Stanley by Lord Wodehouse. On 31 January, Brooke wrote to Wodehouse, asking 'whether the appointments by the late government are to be confirmed; and at the same time, should any change of this arrangement be contemplated, Sir James Brooke will be glad of an opportunity of stating to Lord John Russell or to Lord Wodehouse the reasons which he previously used to Lord Malmesbury in its favour'.[97] It was at this point that Addington prepared his memorandum with a view to explaining the situation.

Whether Sir James Brooke is or is not a proper man for undertaking the negociation of a Treaty with Siam is a question for the Secretary of State to determine. Some are vehemently opposed to him; others vehemently favourable. I am neither the one nor the other. But I think him a very capable man.

The main point for consideration, however, is not the man but the thing. Ought we, or ought we not, to endeavour to conclude a Treaty with Siam under the altered circumstances of that Country? This question does not appear to me to have been quite satisfactorily solved, and I cannot but think that we should do well to refer the communication from the Siamese Minister to the India Board, and once more request their consideration of the matter.

Russell thought Crawfurd's arguments against a treaty conclusive; 'there might be some use, but also some danger in an embassy of compliment'. He would consider the matter further.[98]

Addington then learned from Brooke that Malmesbury had agreed to appoint him 'as regular Minister Plenipotentiary to Siam and other Principalities of the Eastern Archipelago with a salary of £1,000 a year.... This arrangement, as far as I can understand, seems to have originated with Lord Stanley. At all events I had nothing to do with it; and am unable to see utility of it at this moment....'[99] On 7 February, the

Raja of Sarawak saw Lord John Russell. In a note of the following day, he emphasized that he could not demean himself by accepting a lower public position than that he had previously occupied, and would rather separate himself from the public service and promote the cause of Sarawak independently; in other words, having lost the Governorship, he must expect the appointment as Minister Plenipotentiary.

> On the question of Siam, Sir James Brooke may venture to say that the jealousy of that government, as well as every other in the East, is not excited by intercourse and is not allayed by non-intercourse: it is of a permanent character, arising out of the constant territorial aggrandisement of the East India Company. The former mission to Siam in 1850, undertaken under circumstances of peculiar difficulty and delicacy, owing to the strong aversion of the reigning monarch to the English, so far from exciting jealousy, imparted a degree of confidence to the present King and his ministers which has since led to a friendly correspondence, and has induced them to propose an embassy to England. It is a remarkable circumstance that on the occasion of the last Burmese war the East India Company despatched a mission to Bangkok to allay any jealousy which might exist; and under more favourable auspices, an alarm is now entertained during the pending contest with Burma of exciting jealousy by the proposed mission....[100]

The tide was, in fact, again to be taken at the flood.

Sir Charles Wood, now at the India Board, was on the whole opposed to the mission. He was, like his predecessor, 'inclined to think that trade will introduce itself on a better footing, and in a manner more likely to be permanent than Government can do for it by treaty'. This was also the opinion of the Chairman and Deputy-Chairman of the Company. 'Whether there is any necessity for a visit of compliment is another matter, but I should not think it worth the expense.' They should wait: two Siamese envoys had come down to Rangoon, and some further contact with Bangkok might become desirable in relation to Burma.[101] Russell according-

ly decided that there was 'no immediate advantage' in sending an ambassador to Siam. Brooke would retain his consular appointment.[102] Thus the new ministry declined to adhere to Stanley's plan of giving Brooke the benefit of the Siamese doubt so as to enable the Government to redefine its policy in Borneo without striking at his prestige, or appearing to join in the attacks upon him. Brooke was to be left as Consul-General, and so he was informed on the 19th.[103] The Raja then proposed to leave for Borneo on 4 April.[104] By that time the Coalition had yielded to Radical pressure and agreed to appoint a commission of inquiry into the Borneo proceedings.[105]

Brooke's position as 'Superintendent' in the Archipelago had been informal. But the change of attitude towards him did not produce an outcry, since the pressures of the 1840s for a forward policy there had lessened. The reversion to letting well (or ill) alone in relation to Siam, partly the result of Brooke's involvement with the proposed mission, largely the result of the long-held views of the India Board, did not, however, last. With the appointment of a new Superintendent of Trade at Hong Kong in 1854, the Foreign Office, reverting to its Davis policy, took the opportunity to give John Bowring instructions to negotiate with Siam as well as with Vietnam and Japan.

[1] Minute by Lord Hastings, 25 October 1818. Bengal Secret Correspondence 307 (2 January 1819), India Office Library.

[2] Minute by Governor Phillips, 17 September 1823. SSFR 91 (2 October 1823); BC 22627, p. 123. Governor-General in Council to Phillips, 17 January 1824. SSFR 94 (15 April 1824); BC 22627, p. 177.

[3] O. Frankfurter, 'Unofficial Mission of John Morgan, merchant, to Siam in 1821', *JSS*, vol. XI, part 1, 1914, pp. 3–5.

[4] Phraklang to Governor, n.d. SSFR 89 (20 February 1823).

[5] Gov.-Gen. in Council to Gov. in Council, 19 November 1824. SSFR 99 (4 January 1825).

[6] Walter F. Vella, *Siam under Rama III*, New York, 1957, pp. 120–1; Nicholas Tarling, *British Policy in the Malay Peninsula and Archipelago, 1824–1871*, Kuala Lumpur, 1969, pp. 34–5. Copy of treaty and commercial convention in, e.g., FO 69/2.

[7] Gov.-Gen. to Gov. in Council, 23 July 1827. SSFR 142 (6 September 1827).
[8] In 1830–31 36 junks were involved, 4,900 tons in all. *Asiatic Journal*, New Series, vol. VII, January 1832, Register, p. 23.
[9] R. Adey Moore, 'An Early British Merchant in Bangkok', *JSS*, vol. XI, part 2, 1914–15, p. 25.
[10] G.W. Earl, *The Eastern Seas*, London, 1837, p. 177.
[11] Neon Snidvongs, 'The Development of Siamese Relations with Britain and France in the Reign of Maha Mongkut, 1851–1868', unpublished Ph. D. thesis, University of London, 1961, p. 136.
[12] Vella, op. cit., p. 128.
[13] Snidvongs, op. cit., p. 141. Moore, *JSS*, vol. XI, part 2, p. 33.
[14] *The Burney Papers*, Bangkok, 1910–14, vol. IV, part 2, pp. 81–3.
[15] ibid., p. 106.
[16] ibid., pp. 129–35.
[17] ibid., pp. 160–6.
[18] Court to Gov.-Gen., 2 January 1846. FO 17/150.
[19] 'Remarks upon the establishment of a Commercial Treaty with Siam, Annam (or Cochin China), Korea and Japan', 12 July 1845. FO 11/100. Gutzlaff had been a missionary in Siam. W.F. Vella, 'Origins of Survival Diplomacy in Siam: Relations between Siam and the West, 1822–56', unpublished M.A. thesis, University of California, 1950, p. 40. Mongkut had begun to learn English in 1843 from an American missionary. Snidvongs, op. cit., p. 208.
[20] Ripon to Aberdeen, 11 March 1846. FO 17/117.
[21] Memo., 19 August 1848. FO 17/150.
[22] The dates are from Sir S. Runciman, *The White Rajahs*, Cambridge, 1960, pp. 88, 91.
[23] Statement by Hammond & Co., 11 August 1848. FO 17/150.
[24] India Board to Foreign Office, 23 August 1848, and enclosures. FO 17/150.
[25] Chamber of Commerce to Gov.-Gen., 28 January 1848. FO 17/151.
[26] Ker to Plumridge, 17 April 1848; Ker to Collier, 21 August 1848; reply, n.d.; Foreign Office to India Board, 6 November 1848; reply, 13 November 1848. FO 17/151.
[27] Memorial, October 1848. FO 17/162.
[28] Crawfurd to Eddisbury, 26 December 1848. FO 17/151.
[29] Notes enclosed in Crawfurd to Eddisbury, 1 March 1849. FO 17/161.
[30] Hobhouse to Palmerston, 24 March 1849. FO 17/161.
[31] Memo. in Labouchère to Palmerston, 10 January 1849. FO 17/161.
[32] N. Tarling, 'The Superintendence of British Interests in South-east Asia in the Nineteenth Century', *Journal Southeast Asian History*, vol. VII, no. 1, March 1966, pp. 97–110.
[33] Palmerston to Brooke, 18 December 1849. FO 69/1.
[34] Brooke to Palmerston, 5 March 1850. FO 69/1.

[35] Brooke to Templer, 12 June 1850. John C. Templer, ed., *The Private Letters of Sir James Brooke...*, London, 1853, vol. II, pp. 299–300.
[36] Brooke to Stuart, 17 June 1850. ibid., p. 304.
[37] Logan to Brooke, 14 June 1850. FO 69/1.
[38] Spenser St John, *Rajah Brooke, The Englishman as Ruler of an Eastern State*, London, 1897, p. 113.
[39] Brooke to Palmerston, 2 July 1850. FO 69/1.
[40] St John, op. cit., pp. xi–xii; Tarling, *British Policy*, pp. 136, 191.
[41] Spenser St John, *The Life of Sir James Brooke...*, Edinburgh and London, 1879, pp. 217–18.
[42] ibid., p. 221.
[43] Austen to Admiralty, 2 July 1850. FO 69/2.
[44] St John, *Life*, p. 222.
[45] Vella, *Rama III*, pp. 131–4.
[46] Brooke's Journal. FO 69/1. Some of the following quotations are also taken from this.
[47] Vella, *Rama III*, pp. 135–6. O. Frankfurter, 'The Mission of Sir James Brooke to Siam,' *JSS*, vol. VIII, part 3, 1912, p. 25.
[48] Snidvongs, op. cit., pp. 179–81.
[49] Brooke's three notes of 4 September 1850, and proposed treaty. FO 69/1.
[50] Brooke's note, 10 September 1850, and enclosure. FO 69/1.
[51] Phraklang's three notes of 18 September 1850. FO 69/1. For the Chinese smugglers of 1839, see *The Burney Papers*, vol. IV, part 2, pp. 95–103.
[52] High Officers to Sir James Brooke, 24 September 1850. FO 69/1.
[53] Brooke to High Ministers, 28 September 1850. FO 69/1.
[54] It has been said that Brooke was not received at Court because of the King's illness. Vella, *Rama II*, pp. 11, 139.
[55] Brooke to Palmerston, 5 October 1850. FO 69/1.
[56] Templer, op. cit., vol. III, p. 7
[57] Brooke to Palmerston, 5 October 1850, Confidential. FO 69/1.
[58] Brooke to Eddisbury, 7 October 1850. FO 69/1.
[59] As note 37.
[60] Memorial by Boustead and Co. and others to Palmerston, 1850. *SFP*, 17 January 1851.
[61] *SFP*, 24 January 1851.
[62] Hamilton, Gray and Co. and others to Palmerston, received 19 December 1850. FO 69/2.
[63] Crawfurd to Stanley, 21 December 1850. FO 69/2. Crawfurd to Derby, 25 March 1852. FO 97/368.
[64] Palmerston to Brooke, 6 February 1851. FO 69/3.
[65] On the development of Singapore's trade, see Wong Lin Ken, 'The Trade of Singapore, 1819–69', *JMBRAS*, vol. XXXIII, part 4, December 1960; and Chiang Hai Ding, 'A History of Straits Settlements Foreign Trade. 1870–1915', unpublished Ph.D thesis, Australian National University, 1963.
[66] Crawfurd to Stanley, 21 December 1850. FO 69/2.

[67] Butterworth to Secretary, 20 May 1851. FO 17/185. Cf. his analysis to Vella's, *Rama III*, pp. 107–8.

[68] *SFP*, 23, 30 August 1850.

[69] It was mentioned in an interview with Hammond. Hammond to Palmerston, 19 May 1851. FO 97/368.

[70] Butterworth to Secretary, 21 August 1851, and enclosures. FO 17/185

[71] L.V. Helms, *Pioneering in the Far East*, London, 1882, pp. 95–108.

[72] A.B. de Villemereuil, ed., *Explorations et Missions de Doudart de Lagreé*, Paris, 1883, p. 355.

[73] C. Meyniard, *Le Second Empire en Indo-Chine (Siam-Cambodge-Annam): L'ouverture de Siam au commerce et la convention du Cambodge*, Paris, 1891, pp. 360–1.

[74] Joaquim was the eldest son of the founder of the firm, José d'Almeida, who died in 1850. C.A. Gibson-Hill, 'George Samuel Windsor Earl' *JMBRAS*, vol. XXXII, part 1, May 1959, p. 109 n.

[75] In 1853 H.M.S. *Bittern* was sent from Singapore to convoy the junks to Kampot. The Siamese Government complained that its visit caused some alarm in villages round the Gulf. N. Tarling, *Piracy and Politics in the Malay World*, Melbourne and Singapore, 1963, pp. 215, 219.

[76] Helms, op. cit., pp. 109–22.

[77] Letter to Brooke, 23 April 1851. FO 69/3.

[78] Vella, *Rama III*, pp. 12–13.

[79] Brooke to Palmerston, 24 August 1851. FO 69/3.

[80] Foreign Office to Brooke, 29 August 1851, and note thereon. FO 69/3.

[81] Addington's Memo. on Brooke's mission to Siam, 4 September 1851. FO 69/3.

[82] Foreign Office to Brooke, September 1851, two drafts, and treaty *projet*. FO 69/3.

[83] Memo. by Brooke, 18 September 1851. FO 69/3. Mongkut had written to Governor Butterworth, 22 May 1851. [G. Coedès, ed.,] 'English Correspondence of King Mongkut', *JSS*, vol. XXI, part 1, 1927, pp. 7–10.

[84] Foreign Office to Admiralty, 20 September 1851. FO 69/3.

[85] St John, *Life*, p. 238.

[86] Addington to Brooke, 23 March 1852. FO 97/368.

[87] Brooke to Addington, 24 March 1852, one private, with enclosures. FO 97/368.

[88] Foreign Office to Manchester Commercial Association, 22 April 1852. FO 97/368.

[89] *SFP*, 4 July 1851.

[90] *SFP*, 29 August 1851.

[91] F.W. Riggs, *Thailand: the Modernization of a Bureaucratic Polity*, Honolulu, 1966, pp. 27–8. The last tribute China, it may be noted, was sent in 1852: it was, we are told, discontinued lest Europeans should misunderstand the status of Siam. Snidvongs, op. cit., pp. 42–3.

[92] Crawfurd to Derby, 25 March 1852. FO 97/368.

[93] Herries to Malmesbury, 28 May 1852; 16 June 1852, private. FO 97/368.
[94] G.L. Jacob, *The Raja of Sarawak*, London, 1876, vol. II, p. 62; Tarling, *British Policy*, p. 202.
[95] Memo., 4 February 1853. FO 97/368.
[96] Brooke to Malmesbury, 17 November 1852, and enclosure. FO 97/368.
[97] Brooke to Wodehouse, 31 January 1853. FO 12/13.
[98] Minute, 5 February 1853. FO 97/368.
[99] Minute, 6 February 1853. FO 97/368.
[100] Brooke to Russell, 8 February 1853. FO 12/13.
[101] Wood to Russell, 14 February 1853. FO 97/368.
[102] Note, 16 February 1853. FO 97/368.
[103] Foreign Office to Brooke, 19 February 1853. FO 12/13.
[104] Brooke to Foreign Office, 24 February 1853. FO 12/13.
[105] Tarling, *British Policy*, p. 203.

VIII

The Mission of Sir John Bowring to Siam

IN 1854 the Foreign Office instructed Sir John Bowring, Governor of Hong Kong and British Plenipotentiary in China, to make commercial treaties if possible with Japan, Siam and Cochin-China (i.e. Vietnam), providing for 'British jurisdiction over British Subjects—for the interpretation of the terms of the Treaty by the British Version—for the power of revision at the expiration of a stated time—and for participation in all the benefits which now or hereafter may be conceded... to foreign nations....' He was to be 'careful as to the terms in which you may engage... to extend to the subjects of... those States in the British dominions advantages equivalent to those granted in them to British Subjects. The form of stipulation in this respect should be that the subjects of those States shall enjoy in the British dominions the privileges granted in those dominions to the subjects of other Countries....'[1] These instructions applied some of lessons learned in the opening of China and illustrated the developing system of extra-territoriality. Like the instructions prepared for Brooke, they said nothing about Malaya or Burma or the territorial questions that

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Crawfurd in the 1820s had placed within the field of Indian diplomacy.

The treaty with Siam which Bowring signed on 18 April 1855 was eminently successful.[2] On his arrival, Anglo-Siamese relations had been regulated by the treaty and commercial agreements made on behalf of the Governor-General of British India by Captain Henry Burney in 1826, modified later in Rama III's reign by the system of farming taxes in kind amounting to monopoly in all but name, and then again with the accession of Mongkut in 1851 and the installation of a new Kralahom and a new Phraklang by a lowering of the consolidated or measurement duties, the establishment of an opium farm, and some alleviation of the prohibition on the export of rice. The new treaty was to displace the monopolies by a system of export and import duties, to open the rice trade, and to provide for the appointment of a consul and for extraterritorial jurisdiction. But it said little about the political contacts of Siam with British Burma and with the northern states of the Malay Peninsula, about which Bowring had not been instructed. Yet these contacts had also been regulated by the Burney treaty—article 13 of which had conceded Siamese supremacy in Kedah, and articles 12 and 14 of which had compromised on Siamese claims in Perak, Kelantan and Trengganu—and affected by subsequent events, such as the revolts of 1831 and 1838 that had led to the restoration of the Malay Raja of Kedah, and the attempts of the Governors of the Straits Settlements to uphold the independence of the other states. The Bowring treaty did not directly concern itself with these affairs. But on the other hand, since its commercial effects were revolutionary, so also were its political effects. It vastly enhanced the prospects of Siam's retaining its independence in a Far East much changed by the revolution in and after the 1840s in European relations with its suzerain, China. The treaty formed part of the Europeanization of economic and political relations that Mongkut and his ministers carried through (in anticipation

of Japanese modernization) in order to retain for Siam its place among the nations. The Siamese understood that Britain was the predominant power in Asia (the second Burma war had just reminded them in any case, while Bowring brought a quaintly-christened steam sloop with him); and, on the other hand, Britain behaved moderately, both at home (despite Brooke), and in Bangkok, where the treaty was negotiated.

Sir John Bowring, writing in the 1860s, congratulated himself: 'the Anglo-Siamese treaty has brought most beneficial fruits. The number of vessels engaged in foreign trade has been centupled, the sides of the Menam are crowded with docks, the productive powers of the land have increased, and with them the natural augmentation of property, and the rise of wages....' Siam, he added, 'is a country of progress, and is sending forth her youth to be educated in the best schools and colleges of Europe'.[3] Harry Parkes, the consul at Amoy, who had accompanied Bowring to Siam—as had Bowring's son John ('Mr. Park and your Excellency's upspring', as Mongkut called them)[4]—commented on 'the remarkably liberal and enlightened characters of its two present sovereigns, and certain of their liberal ministers', and declared that 'the whole country has been freely thrown open to the enterprise of our merchants'.[5] In fact Parkes's biographer was to declare that the success of the negotiation was substantially due to Parkes: he 'conducted all the preliminary negotiations, upon which the success of the Mission mainly depended....'[6]

Lane-Poole was reading between the lines of Bowring's published 'personal journal' of the mission.[7] Unpublished, however, are some official documents, including Bowring's despatch to Lord Clarendon, the Foreign Secretary, describing the mission, and the enclosed journals kept by Parkes and young Bowring. These sources point out what may be assumed to be inaccuracies in the 'personal journal' and add much information about the content of the dis-

cussions especially on political matters. The documents also seem, on the whole, to prove Lane-Poole's point, though perhaps only if it is assumed that Parkes took the major part in the negotiations the 'Parkes' journals describe. It was Bowring, we are told, who most impressed Mongkut.[8] But, so far as responsibility for the success of the negotiations on the Siamese side is concerned, the documents emphasize the general conclusion of Bowring's 'personal journal', that the Kralahom—the son of the Phraklang of Rama III, and correspondent of Brooke—bore a greater part than Mongkut himself.

On arriving off the bar of the Menam on 24 March, the Plenipotentiary sent his son and Parkes up to Paknam to announce the mission's arrival and to obtain assent to his going up to Bangkok in the *Rattler*. 'It appears there are two parties—one wishing to maintain the ancient restrictive system, the other willing to liberalize Siamese policy. I wish to proceed to Bangkok in the *Rattler*: if I obtain permission, it will be evidence that the more enlightened ministers have the ascendency.'[9] The arrangement the two younger men made involved the Plenipotentiary going up to the capital in 'the King's barges', the *Rattler* following 'within twenty-four hours.... The point on which there is more fidgettiness is lest it should be supposed by the Cochin Chinese that they (the Siamese) are giving way to menace, and they therefore urge my going to Cochin China....'[17] The other topics of these discussions—our source here being Bowring's published journal—were the restriction of communication with the American missionaries in Bangkok and the mode in which the King should receive the embassy, which Parkes insisted should be that in which Louis XIV's ambassador, Chaumont, had been received. 'The grand difficulties', Bowring wrote, 'will obviously be to deal with the monopolies which have destroyed the trade, and to enable our merchants to buy and sell without let or hindrance....'[11]

The negotiations that led Sir John to this conclusion are

described in the first journal of J.C. Bowring and Henry Parkes.[12] At Paknam they had met the Governor of Paknam; then Mr. Hunter, presumably the interpreter, who was the son of the British merchant who had fallen foul of Rama III; and then the Governor of the province, Chaophraya Mongkri Suriwong, the Kralahom's brother. The question of the steamer was referred to Bangkok. The Kralahom subsequently arrived to discuss it and accepted the compromise proposed by the envoys. The *Grecian*, the other vessel supporting the mission, was to remain outside the bar all the time.

> The Phrakralahom referred to the proceedings of the French frigates in Cochin China in 1847 as a proof that the action of vessels of war was not always of a peaceful nature, and stated that the resort to force in that instance had caused considerable alarm in this country. We of course avoided any discussion on a subject in which we had no concern and only imperfect information, but merely observing that the communications held with Cochin China during the same year by certain English vessels of war were of the most friendly nature, we would then have avoided further allusion to that country had not His Excellency directly enquired whether it was Your Excellency's intention to visit and negotiate a Treaty with Cochin China, adding that the Siamese Government expected that the Cochin Chinese would be called upon to agree to a Treaty of similar tenor to that which Your Excellency would negotiate with Siam....

The envoys said that the Plenipotentiary had instructions to go to Cochin-China when he could. The Kralahom observed that some previous plenipotentiaries had gone there, but no treaty had ever been signed. Then he discussed Siam's ability to 'sustain a large Foreign Commerce', which he considered 'very limited, partly on account of the small quantity of land available for cultivation, and partly owing to the want of industry and enterprise on the part of the people....' The envoys pointed to the vast plains and the population of five million: 'all that was needed ... being that the industry of

the people should be protected and encouraged, and an open market provided for their produce, the surplus proceeds of which they would be disposed to invest in comforts now denied them....' Foreign trade increased the public revenue, too.

The envoys then visited Bangkok and met the Phraklang, another brother of the Kralakom's. A conversation again took place on Cochin-China and on commercial potential. It was the Phraklang also who attempted to prevent communication between the envoys and the American missionaries, then in disgrace with the King over a dispute with the customs officers and over articles in Singapore newspapers ascribed to them. The envoys asserted their right to an 'unimpeded intercourse'. The Phraklang asked about the proposed new treaty and 'the effect it would have upon the old Treaty of the East Indian Company....' The Plenipotentiary would, the envoys replied, submit proposals only after preliminary discussion; and they stated that 'the Company's Treaty of course required amendment in consequence of the many changes that had occurred since it was negotiated, but that many of its stipulations would still be retained....' Further discussions followed with the Kralahom, who also wanted a draft of the British proposals. He opposed the firing of salutes at Bangkok, and hoped the steamer would not go beyond two forts under construction a mile below the British 'factory' (Hunter's old house). And there was also discussion about the audience with the First King, Mongkut, the envoys insisting on the precedent of the reign of King Narai, rather than that of the Company's or the U.S. President's envoys.

On 2 April the *Rattler*, with some difficulty, crossed the bar, and Bowring met Suriwong to discuss arrangements for the morrow's interviews: so the second of the 'Parkes' diaries tells us.[13] The following day Bowring visited the Kralahom, still at Paknam, and a little later the same day the visit was returned. The published journal does not give much

of the discussion at these interviews, and what it does give it apparently refers to the second meeting.[14] According to the 'Parkes' journal, however, the second meeting dealt only with 'the Chinese pirates which infest the Gulf of Siam in the South West Monsoon', and with the Kralahom's 'wish to have a number of Siamese youths instructed in navigation on board English vessels'. Most of the conversation took place at the first interview, and it was perhaps then that, according to Bowring's own despatch, the Kralahom 'spoke with considerable asperity of the existing state of things', asked if the Plenipotentiary sought the good of the Siamese Government, the Siamese people, or Great Britain (the good of all three was the reply), and declared that Bowring had 'great opposition to encounter—but everything depended on the King— I should have his best aid'.[15] In the first interview, according to the 'Parkes' narrative, there was some reference to the plan of the Americans and the French—operating in China in concert with the British—to send embassies also to Siam. The Kralahom was glad the British ambassador had in fact arrived first for,

> having perfect confidence in Sir John Bowring's friendly feelings towards Siam, and the full assurance that in his negotiations he sought the benefit of their country equally with that of Great Britain, they had trusted that he would be the pioneer of the new relations to be opened between them and the West, as they could then count upon such arrangements being concluded as would both be satisfactory to Siam, and sufficient to meet the demands that might hereafter be made by other of the Western Powers....

The Plenipotentiary suggested that the King should nominate his plenipotentiaries and trusted that the Kralahom would be selected. The Kralahom replied that it was not the custom to confer such full powers as Bowring possessed, 'but that he trusted that no difficulties would be experienced in the course of the negotiations if Sir John Bowring kept the object of permanent benefit to Siam in view....' So the

Kralahom indicated Siamese understanding of the international situation and of the predominance of the British; and hinted also at the opposition to change by some at court and the expected representation of these interests at the negotiations.

Now Bowring proceeded by barge up to Bangkok and the same evening saw two of the King's pages, Phra Nai Sarapet and Phya Woropong, who discussed the proposed salute by the *Rattler* and the audience ceremonies.[16] According to Bowring's despatch, he considered the salute important in making the steamer's presence 'generally known in order to assist my negotiations'. The King and some nobles opposed it, but Bowring was against giving in to them lest it led to 'other experiments upon my forbearance'. The pages said it might alarm the people, and the Plenipotentiary agreed to allow time for a proclamation to be issued to warn them.[17] According to the published journal, the messengers also discussed the appointment of the Siamese negotiators, saying 'that the Phra Kralahom would be really the person to manage these matters, though the King intended to nominate a council of five'.[18]

The following evening the Plenipotentiary had a private audience with Mongkut. Here the documents add little to the published account. Mongkut again referred to the prestige question of Cochin-China, a matter he had in fact brought up in earlier correspondence with Bowring,[19] and mentioned his intention to send an ambassador to England. So far as the present negotiations were concerned, he was planning to appoint a commission, including the two Somdets, the Ong Yai and the Ong Noi, father and uncle of the Kralahom, including also the Kralahom and the Phraklang; and he agreed to discussions with the last-named before the public audience.[20] Early next morning, according to the 'Parkes' diary, Parkes and J.C. Bowring saw the Phraklang, but he had not yet received formal instructions to negotiate. In the evening the Phraklang, having been to the palace,

called on the Plenipotentiary, but said he was 'still unauthorized to treat on these subjects', and referred to the Kralahom as 'the fittest person for His Excellency to confer with'. According to the published account, the appointment of a consul was discussed,[21] but it seems more likely that this took place at the meeting with the Kralahom later in the evening.

The 'Parkes' journal gives a full account of this discussion of the 5th. In it the Kralahom denounced the system of monopolies, saying that

> the system of taxation at present pursued in the country falls most oppressively on the poorer and producing portion of the population. Scarcely an article of consumption could be named that does not bear a high tax—and not only one tax, but in many cases several—as for instance Sugar, which is taxed in the course of its cultivation, after the Canes are reaped, on its way to Market, and upon its Exportation. What renders these taxes more burdensome than they otherwise would be is the manner of collecting them through a farmer—that is by transferring the Government interest in the tax to the person who pays the highest sum for the privilege of collection, and who of course retains a considerable profit for himself over and above the amount paid by him to the Government....' Under this system, the country', observed the Phrakralahom, 'grows poorer daily, and is losing its commerce through having so little produce to export; what therefore is chiefly needed is, that the people should be relieved of their burdens, their industry encouraged, and a market provided for their produce. But who has the power to effect this great change? Dare any of the ministers propose it, and brave the clamour that would immediately be awakened by those in high places, and by the numerous nobles, monopolists, &c., who are all interested in the preservation of the present pernicious system?'—'Your Excellency', continued the Phrakralahom, 'should well weigh the matter, and if it be *the benefit of the Siamese people* that you have at heart, your influence should be exerted with the King to bring about that radical and necessary change which cannot otherwise be accomplished.'

The Plenipotentiary admired these views and said they would advance British commerce also.

Then various points in the proposed treaty were discussed. The Plenipotentiary and the Kralahom

agreed as to the expediency of abolishing the old Measurement Dues and substituting in their place a fair Import & Export Tariff, and the Phrakralahom also admitted that British subjects trading to Siam should have the right of renting or purchasing lands or houses subject to certain regulations. But he manifested very considerable opposition to the appointment of a Consul, and particularly to his taking up his residence at Bangkok prior to the growth of a considerable trade.... The Phrakralahom observed that the objections he had raised to the Consul were chiefly those of the King who would desire, in the event of one being appointed to Siam, that the Cochin Chinese should also be required to receive one. That another source of objection lay in the fact that if they agreed to the appointment of a British Consul, other nations would instantly claim the same privilege, and they would find it very inconvenient to have many of these functionaries residing at Bangkok....

Bowring replied that a consul would no doubt be appointed in Vietnam when British interests there were as important as those in Siam. And as for the claims of other nations to appoint consuls,

Sir John Bowring pointed out that if the Siamese Government set their face against these appointments being held by mercantile men, or by any other parties than those salaried for the purpose and deriving no income from any other profession or occupation —then only those Governments would send Consuls who had large interests to look after and protect, and their number would probably be very limited....

In the afternoon of 6 April, the Plenipotentiary and his suite visited the Somdet Ong Yai, the Kralahom and Phraklang of the previous reign, 'at present regarded, though holding no particular office, as the highest and most influential noble in the Kingdom', says 'Parkes'. 'Much more

formality and constraint were observed by the Somdet, who retains his attachment to the old régime, than his more liberal-minded sons who now hold the offices their father formerly administered.'[22] No business was discussed, and he 'left the impression that his age had impaired the earlier powers of his mind'. He was 'one of the principal patrons of and profiters by the existing monopolies....'[23] No business was discussed either, at a private audience Bowring had in the evening with Mongkut, though, according to the unpublished diary, it was arranged that on the 12th the English would join a procession to one of the principal temples. Bowring's impressions again were not very favourable: 'I fear in all a system of do-little, or as little as possible, policy ....' One of the issues was that the King set aside an arrangement the Kralahom had made for the *Rattler* to come right up to the 'factory'.[24]

This matter was, however, settled on the following morning, when Phya Woropong and Phra Nai Sarapet called. The other matter discussed was the wearing of swords at the public audience, fixed for the 9th. Bowring referred to the reception of Chaumont in 1685 and the point was yielded. Then the Kralahom called. As a result of the ensuing conversation, Bowring felt, according to his private diary, 'out of spirits' and doubtful whether Mongkut appreciated 'the great truths of political science'. The Kralahom wished to settle matters, but Bowring felt 'much distrust as to the result', and believed he might have to leave without signing a treaty. According to the 'Parkes' narrative, the Kralahom reported that the King had still issued no instructions, that the public audience was postponed till after the treaty, that Prince Krom Hluang Wongsa, the King's half-brother, had been added to the commission, and that they would all meet at the Somdet Ong Yai's house on the 9th. He told Bowring 'that from the Somdet Ong Noi[25] much difficulty was to be expected, as all the Revenues derivable from the present Farms or Monopolies came under his superintend-

ence and it was only by the Plenipotentiary adopting towards him a strong and decisive line that they could hope to overcome the obstacles he would place in the way of unrestricted trade....'[26] Finally the Kralahom observed that 'it was essential there should be a perfect understanding between the Plenipotentiary and himself on all matters connected with the business they had to arrange, and he would therefore be glad to receive His Excellency's opinions on any points in the negotiations that had not yet been considered between them....' Bowring deputed Parkes and J.C. Bowring to discuss the farms with the Kralahom, to make him 'familiar with the conditions to be demanded on our part', and to obtain his views. That evening, according to the unpublished journal, the two Englishmen collected information on the monopolies from the Kralahom, though the latter said the Somdet Ong Noi tried to keep him ignorant, 'on account of one of his mercenary measures having lately been openly condemned by the Phrakralahom, whereupon a quarrel had ensued between them which was scarcely yet healed....'

According to Bowring's published diary, the Kralahom called on the afternoon of Sunday the 8th. But this is not according to the unpublished sources, and the conversation of which an account is given[27] seems partly to belong to the previous day, and partly to the meeting of Sunday evening between Parkes, J.C. Bowring and the Kralahom (when the Plenipotentiary was not present). Bowring gives a brief reference to this meeting,[29] of which 'Parkes' gives an interesting account. In the morning Parkes had drawn up a memorandum of the treaty in eight articles, 'containing the conditions demanded by Her Majesty's Plenipotentiary'. In the evening, some of the points were discussed with the Kralahom. The Plenipotentiary wanted the abolition of the measurement or consolidated duties of Burney's treaty and the substitution of a moderate import and export tariff. 'The Phrakralahom was at one time disposed to place two taxes

on Exports and allow Imports to be brought in free, but he eventually assented to the view of the Plenipotentiary that a single tax on Exports and the same on Imports would be the preferable plan....' All imports were to pay 3 per cent. The English diplomats mooted the abrogation of Burney's commercial agreement, retaining, in a set of regulations that might be appended to the new treaty, the fourth article about the examination of ships at Paknam. The restrictions on the sale of guns and ammunition had, the Kralahom said, already been removed. At first he was not, however, disposed to agree to remove the prohibition on the export of rice in the old commercial treaty, though finally he assented 'on the understanding that the Siamese Government should reserve to themselves the right of putting a stop to its shipment when they should find it requisite to do so....'

At this point, Prince Wongsa came in and took part in the conversation which shifted to more political topics. The Siamese wanted an article

> restricting those Peguans or Burmese who have now become British subjects from crossing to the Eastward of the Menam when they enter Siam, as they are in the habit of doing, for purposes of traffic. They are afraid that the Laos and Cambodian tribes would not know them to be British subjects, and associating them with the hostile Burmese might attack or murder them. They also mentioned that British Convicts constantly escape from Moulmein and take refuge in Siam....

They asked for British intervention to improve their relations with the Burmese tributary, Chiengtung. The Kralahom also complained of outlaws who crossed from Mergui into Siamese territory north of the Menam Kra: he was willing to go to the spot to meet a British commissioner deputed to re-define the boundary. He thought the Kedah article of Burney's treaty no longer necessary, 'as that State though still tributary to Siam has been restored by the Siamese to the Malays'. Parkes and his colleague referred to the 'inconvenience of introducing into a Treaty so strictly Commercial ...

questions of a political nature and on which some reference would be required to be made to the Government of India'. The Kralahom also mentioned—though not as a subject for a treaty stipulation—the Chinese pirate junks, generally from Macao and Hainan, which attacked junks bound for China from Siamese ports and from Singapore, but which obtained guns and port clearances at the latter Settlement. It was agreed that he should confer on this matter with Captain Keane of the *Grecian*. Finally the negotiators discussed the visit of ships of war. The Kralahom did not wish them to go beyond Paknam since, if people remembered the incident of the French at Tourane in 1847, they would be likely to be alarmed. The English thought that the restriction might be regarded as discourteous and could lessen the authority of the consul.

Thus many points had been discussed before the first meeting between Plenipotentiary and Commissioners on 9 April. Of this again the 'Parkes' diary gives the fullest account.[29] Bowring adhered to his plan of discussing the proposed articles rather than initially submitting a written draft. The meeting considered the memorandum article by article. The Siamese all assented to the first article, providing for perpetual peace and friendship between the two nations. The second article dealt with the right of residence of British subjects, and their right to rent or purchase houses or land, to employ natives, and to exercise their religion. The Kralahom suggested a restriction rather on the Chinese model, that 'the right of residence should not extend beyond a distance attainable within twenty-four hours' journey from the capital', otherwise the Siamese government might be unable to afford adequate protection. These limits would, he said, include Ayuthia, and the Plenipotentiary agreed to them. He suggested that the details about land tenure could be put into the appended regulations, which could be considered when the treaty had been agreed upon. The third article, removing monopolies affecting foreign trade, abolishing measurement

dues, and establishing a tariff, was much discussed among the Commissioners and especially between the Somdet Ong Noi and the Kralahom, the conflicts among leading Thais thus being worked out in the presence and indeed with the aid of the British Plenipotentiary. Several farmers were called in, including a Chinese who farmed about ninety articles, including the most profitable of all, opium. 'The Plenipotentiary observing the opposition on the part of the Somdet Ong Noi stated distinctly to the Commissioners that a change in the present system was indispensable ... and that he who opposed the desired arrangement ... would incur the weight of the serious responsibilities connected with the non observance of the old stipulations.' Most of the objections then collapsed, but definite resolutions and decisions over the tariff were deferred to the next meeting, fixed for the 11th.

The fourth article dealt with the appointment of a consul. The Commissioners wanted this delayed till trade had increased and said that, unless some condition were imposed, 'many other nations would also be sending Consuls to Siam'. The Plenipotentiary was not prepared to consent to a delay of more than twelve months. The Commissioners thought that this condition

> could easily be fulfilled by other nations, whereas that of the existence of a trade could be commanded only by a few. They were not afraid on political considerations to receive a Consul from Great Britain, for they were well aware that we had no wish to extend in the East those dominions under our rule which are already almost too large for our control. This, however, could not be said of other nations.... They... begged the Plenipotentiary to duly consider the peculiar circumstances in which their country—a very small one compared with those of the West—is placed, and to lend them his support by consenting to the postponement of the Consul's arrival until a certain number of British ships had entered the Menam to trade....

Finally the Plenipotentiary agreed to a delay to run from the signature of the treaty till the arrival of ten square-rigged merchant vessels. He explained 'at length' the nature of consular jurisdiction. Other ports than Bangkok were to be considered open—Chantibun and Nakorn Sithammarat (Ligor), for instance—but there British subjects would not be allowed to reside permanently.

Article 6 of the English draft provided for the abrogation or modification of the Burney agreements and, said Bowring, Articles 13 and 14 of his treaty were perhaps 'no longer needed'. But this matter was also put off till the next meeting and so too was further discussion of the last draft Article, Article 8, providing for the interpretation of the treaty by the English version, which the Commissioners opposed. At this meeting, the Thai Commissioners were additionally to bring up certain suggestions about the purchase of land round Bangkok and about the boundary difficulties.

In the evening, according to the unpublished journal, Parkes and the younger Bowring saw the Kralahom and discussed the tariff, the Kralahom having suggested that the rate adopted should be that for exports in Siamese and Chinese junks, more favourable than existing rates for European vessels.[30] It was settled that bullion should be imported and exported freely and free of charge.

On the the morning of the 10th, the Plenipotentiary visited the Somdet Ong Noi, and in the evening Prince Krom Hluang Wongsa.[31] According to the 'Parkes' diary, the former was 'slow to admit that any new arrangement... would be greatly favourable to the development of trade, on the ground that the productions of Siam are small in amount and will not admit of any considerable increase'. The Prince 'expressed an earnest desire to cultivate the friendship of Great Britain, and remarked that as the Treaty they were now engaged in negotiating would bring the Siamese into contact with other Western nations, he trusted they might count upon that friendship being exerted to

shield them from the embarrassments to which their new relations with these countries might lead'.

Late that night the Kralahom told the Plenipotentiary that the meeting of the Commissioners set down for the morrow could not take place, but that he hoped to meet young Bowring and Parkes in the evening and tell them that all had been satisfactorily arranged.[32] In the evening, however, the Kralahom sent a message that events had taken an unfavourable turn, and 'that he found it impossible to persuade the Commissioners and the influential nobles to accede to the conditions of the Treaty set forth by the Plenipotentiary....' According to the published diary, Bowring had some doubts about the Kralahom, but was disposed to believe he faced real difficulties.[33] There is no trace of such doubts in the unpublished material. On Bowring's expressing his annoyance and his determination not to attend the temple ceremony nor, as he had promised, to send the *Rattler* downstream for the day, the Kralahom, according to the 'Parkes' diary, replied that he considered the message 'well suited to the occasion' and asked that Parkes and young Bowring should come to the Prince's house and repeat the message to those Commissioners and nobles who could be there assembled.

This the two Englishmen did, and the Prince and the Kralahom then made known the modifications and alterations the Commissioners wished to introduce into the draft treaty. Several of these were at once withdrawn, such as that providing for 'the punishment of British subjects for speaking of or to Siamese officers in disrespectful terms....' Also produced were the proposed stipulations about renting or purchasing lands: improvement was to be commenced within three years, and within 200 seng (four miles) of Bangkok only those who had rented ten years would be allowed to *purchase* land. The Commissioners also wanted a system of passports for travel even within the limits assigned. They wanted 'Christian' inserted in the provision for the free exercise of religion by British subjects. Paknam was to be the

destination for men-of-war, and only one was to enter the river at a time. A further article was designed to satisfy the Kralahom's wishes over the Peguans and over the Menam Kra boundary.

Another article

had for its object the obtaining an acknowledgment from the British Government of Kedah, the Laos state of Chiengmai, and Cambodia being dependencies of Siam, by stipulating that British subjects, who would be allowed in all ordinary matters to have direct dealings with the officers and people of those Countries, must refer any question of a serious and unusual nature that might arise between them to the Government of Siam for decision.

The English diplomats said that a reference had to be made to the Governor-General. And so the meeting was adjourned with an intimation that, negotiations having been carried on after all, the Plenipotentiary would, after all, consent to attend the temple ceremony. The Kralahom privately stated that Bowring's 'forcible language ... had in reality given him much satisfaction, although he was obliged from obvious reasons to conceal this from the other Commissioners....'

On the evening after the ceremony, Parkes and young Bowring met the Kralahom and the Prince and continued discussing the Commissioners' articles. The bullion clause, and one about the maintenance of the opium farm, were inserted, and also a provision allowing, under certain circumstances, a prohibition on the export of rice, salt and fish. Again there was discussion over the exclusive use of the English version of the treaty, and the tariff on Chinese vessels was considered. The following day Bowring himself examined the Commissioners' suggestions and a new draft was drawn up, laid before the Commissioners that night. 'They consented to withdraw the restriction they had proposed as to single vessels of war being alone allowed to enter the river and agreed that any of Her Majesty's Ships requiring to be

docked might go up to Bangkok for that purpose....' As for the frontier issues, to be omitted from the treaty itself, the Commissioners agreed to receive a copy of a letter addressed to the Governor-General about them, but wanted a reference to London also. The ten vessels, whose arrival in Bangkok was to condition the appointment of the consul, were to be counted as from the signing of the treaty, but the new tariff was to operate in a year's time. 'To avoid the delay of a prolonged discussion and much explanation, the articles of Captain Burney's Treaty to be abrogated by the present one were not specifically stated, it being of course understood that this is the case with all those conditions of the old capitulation that come in conflict with the provisions of the new treaty....' The Plenipotentiary objected to heavy duties on sapanwood, rosewood and salt, but the Commissioners would not reduce them. The amended draft, it was agreed, should now be translated, and then again examined by the Commissioners.

This translation took place on the 14th with the help of the American missionaries. In the evening, Parkes and young Bowring waited on the Commissioners. 'Their number was limited as in the previous instances to the Prince Krom Hluang Wongsa and the Phrakralahom—the Somdet Ong Yai being seriously ill, the Phraklang indisposed, and the same being also said of the Somdet Ong Noi.' The matter of the English version was referred to the King, 'who they knew was opposed to its adoption'. And the question of the high duties was referred to the full meeting of the Commissioners on the following day, the public audience being fixed for the 16th.

On the 15th, all the Commissioners, save the elder Somdet, were present, and many other nobles and dignitaries also. The younger Somdet wanted men-of-war to land their guns at Paknam, but this Bowring successfully opposed.[34] 'The more serious question of the English being considered the standard version was settled by an arrangement of the

First King—the stipulation remained but it was transferred by His Majesty's wish from the Treaty to the Regulations....' The Somdet Ong Noi

proposed that the Export Duty on Dried Fish ... should be removed, and an Inland or Transit Duty be imposed instead. To this proposition the Plenipotentiary distinctly declined to accede, there being room to believe that the object the Somdet Ong Noi had in view was the imposition of a heavy Inland Duty on this article in the place of the moderate Export Duty of the Tariff and it was reported that a tender for the farming of this Inland Duty which had been sent in to the Somdet Ong Noi only yesterday, and held out to him terms very profitable to himself, was the inducement which prompted him to propose the change....

The high duties on salt, sapanwood and rosewood were the subject of 'a lengthy and tedious discussion'. The Phraklang, 'who had the principal interest' in the rosewood duty, consented to its reduction, 'but the Commissioners generally, and the Somdet Ong Noi in particular', opposed the reduction of the others. Finally some reduction on sapanwood was secured but none on salt; and so the Plenipotentiary 'declined to place the sale of spirituous liquors under the same restrictions as opium, a point desired by the Commissioners....'[35] So the discussions concluded.

The following day the public audience with King Mongkut took place.[36] One point Bowring's despatch makes is that the King 'again and again referred to the distinction between a Treaty made with the Representative of a Sovereign and those contracted with the Envoys of Governor-Generals'. And in a private audience with Bowring immediately after the public one, 'he expressed great anxiety to be thought well of among the nations of the West—he asked whether there was any Eastern Sovereign who knew as much of English as he did—hoped that Her Britannic Majesty would write to him that he might say he was correspondent of the Queen of England....' It was arranged that he should write in his own hand to acknowledge the

presents Bowring had brought, which included a 'Phantasmagoria Lantern'. According to the published journal this was decided at another private interview late on the 17th, at which Bowring also persuaded Mongkut to withdraw his restrictions on the American missionaries.[37]

Mongkut himself had compared the English and Thai versions of the treaty and two verbal alterations had been made.[38] It was duly signed on the 18th.[39] The following day the Plenipotentiary gave a dinner for the Commissioners. According to Bowring's published account, 'the Kralahom spoke very sensibly about the treaty; so did the prince. They begged us to bear in mind the difficulties they had to encounter, and especially to arrange that a just and wise consul should be sent.'[40] According to the unpublished narrative, Parkes and J.C. Bowring went to Prince Krom Hluang Wongsa's after dinner.

> When there he observed that throughout the negotiations now concluded he and the Phrakralahom had been placed almost alone, and in a position of great responsibility. He represented that they cannot always count upon the support of the King because he allows himself to be influenced by others, and there is still a strong Court party opposed to foreigners, and consequently to the New Treaty.—That he and the Phrakralahom would make every effort in their power to counteract the representations of the latter party and give the Treaty full effect, but as any untoward consequence of these new relations—which not only extended to England but would also lead to negotiations with other foreign nations—would certainly be visited on their heads, it might happen that they would be unable on some occasion to withstand the cabal of their opponents and the sudden displeasure of the King, and thus they might lose their present position, which to them would be little short of destruction, for loss of office with the Siamese involves also that of income and all emoluments. That they trusted however that should cause for disagreement at any time occur, the British Government would not hastily have recourse to forcible measures, but would treat their Government with indulgent consideration, and would also ex-

tend to them the protection of England in the event of the Americans, French, or other foreign nation making additional or unreasonable demands with which they would be unable to comply....

The English diplomats also paid a number of visits to the Second King.[41] On the whole, he avoided speaking of political affairs. Bowring suggested in his despatch there was 'great reason to believe that the status of the Second King is by no means a comfortable one—that he is the object of no small amount of jealousy—and that the greatest prudence is necessary on his part to maintain his present and to secure his future position in the Empire'. His agent, Captain Knox, 'an Irish gentleman', intimated that 'on the death of the two old Somdets, he would probably take a more active part in public affairs....'[42] When Parkes called on the Second King on the 22nd to collect his presents for Queen Victoria, 'His Majesty dropped a word or two as to the Treaty and its probable effect'. According to the unpublished diary, 'he trusted these would be all that could be desired, and hinted that if the management lay with him, or was conducted in accordance with his views, then such would be the case....' With further leavetakings, the mission ended.

Bowring had written to the Governor-General about Kedah and the boundary questions, and, he told Clarendon, the Kralahom 'expressed his satisfaction with the Letter.... No doubt Commissioners will be sent from Siam to Calcutta and I beg to suggest to Your Lordship that it is necessary the Consul should have precise instructions as to the conduct he is to pursue in reference to the matters which regard the Indian Empire....'[43] Bowring's letter to Dalhousie referred to the question of the Burmese subjects of Britain travelling in Siam, to the Kra boundary, and to the proposal that Burney's article 13 should be replaced by an understanding that Chiengmai, Cambodia and Kedah were Siamese tributaries, and that 'the English shall be at liberty to arrange directly with the chiefs or rulers of those States

any ordinary affairs arising between them but in the adjustment of Serious cases they shall seek the intervention of the Siamese Government....'[44] Sir Archibald Bogle, the Commissioner in Tenasserim, duly referred to, had no objections to these proposals, except that he thought the Kra boundary should be retained up to the village of Kra: beyond that a new boundary could be constructed.[45] In the Straits Settlements, Governor Blundell did not see much value in retaining article 13. 'The 12th and 14th articles of Captain Burney's treaty seem of more importance..., as they provide in a measure for the independence of Perak, Selangor, Trengganu, and Kelantan, which states it would not be convenient to see subject in any way to Siamese domination....' Perhaps the articles could be replaced by a special understanding with Siam.[46]

The question of the Malay states was referred home, but the Court left the matter to the Governor-General's discretion. According to a note by J.S. Mill, the India House officials felt they should 'point out the inconvenience if not hazard of officers of Her Majesty's Government entering into treaties with states and countries connected [with] tho' not absolutely subject to India, independently of the Government of India. As in the present instance, a treaty, so concluded, may clash with one previously concluded by the Company.'[47]

In fact the Governor-General appears to have done nothing, while the agreement supplementary to the Bowring treaty made by Parkes in 1856 left the Burney articles in operation. As Bowring foresaw, however, the situation at least as far as the Malay states were concerned was changed by the appointment of a consul, coupled, as it was, with the activities of Blundell's successor, Cavenagh, and with the subsequent transfer of the Straits Settlements from India Office to Colonial Office authority. The Governors of the Straits Settlements had long been inclined to assert the practical independence of the tributary states apart from Kedah,

and had certainly dealt with them on ordinary matters and on many others, even in the case of Kedah. In the 1862 crisis in British relations with Trengganu, Cavenagh cut through the diplomacy of the consul, Sir Robert Schomburgk, which had illustrated the desire of the Siamese to obtain a recognition of their supremacy in Trengganu, and bombarded the Sultan's capital. But the reaction to this violence encouraged the first Colonial Office Governor, Ord, to accept Siamese claims over Trengganu and Kelantan, and so did his success in carrying on with Siamese commissioners some negotiations over Kedah and Kelantan in 1868.[48] These negotiations also led to instructions from the Colonial Office to the effect that normally the Governor could deal directly with Siamese tributaries, but that he must work through the consul at Bangkok if treaties were to be concluded.[49] The general effect was to produce in relation to the northern Malay states the position the Siamese appear to have desired in 1855. On the other hand, Siamese claims in Perak and Selangor were neglected under the new régime, and there in the event Britain ultimately obtained far more than Blundell had contemplated, British Residents being appointed in 1874.

This then was, for the remainder of the century, the solution of the suzerainty question, and to this modification of their old imperial claims in accordance with Western pressure, the Siamese in practice assented. Good relations with Britain, the predominant power in Asia, were important to them, as had been illustrated by the Bowring negotiations and by the proposal to send an embassy to London then made, and subsequently carried out.[50] By coming to terms with the British, the Siamese gave themselves a guarantee for the future. The treaty they sought to make as 'equal' as possible, nevertheless; and they wished to avoid too exclusive a dependence on Britain. Later Bowring was appointed to act as intermediary on behalf of Siam in commercial negotiations with France and other countries. But Mongkut did not wish him to negotiate on political questions, such as rela-

tions with France over Cambodia, lest Siam became too dependent on Britain.[51] In fact Britain's apprehension that it might encourage France to follow suit served to restrain it in dealing with the question of the Siamese dependencies in Malaya.[52] Mongkut, however, showed much understanding in this matter, and one cannot help feeling that his part in the Bowring negotiation was not all he was capable of playing. His peculiar situation early in the reign, placed between old and new parties (not to mention the Second King's evident association with the latter), no doubt as much as his temperament forced him to veer and tack, and at least to appear to let the parties work out their own struggles. Perhaps Bowring's encomium on the Kralahom's behaviour in the negotiations—that of 'one of the noblest and most enlightened patriots the Oriental world has ever seen'[53]—ought to be shared by the King.

Certainly the resultant treaty, the treaties with other nations that followed as foreseen,[54] and the consequent commercial development, helped also to ensure Siam's political independence, undoubtedly the main Siamese objective. The opening-up of Siam, and above all of its rice trade,[55] rather justified the prognostications of the diplomats who understood 'the great truths of political science' than those of the Somdet Ong Noi.[56] An economic and social revolution was inaugurated by the Bowring treaty; or, we should no doubt say, by the Bowring-Parkes treaty. Parkes, as Bowring said, 'understands the art of managing Orientals marvellously well'.[57] And at Bangkok, Bowring himself, an old man, had not perhaps been notable for the 'activité dévorante' Bonham had earlier found 'un peu fatigante' in China.[58]

[1] Clarendon to Bowring, 13 February 1854. FO 17/210.
[2] For the text, see John Bowring, *The Kingdom and People of Siam; with a Narrative of the Mission to that Country in 1855*, London, 1857, vol. II, pp. 214–26; FO 97/368; BC 171870, p. 15.
[3] John Bowring, *Autobiographical Recollections*, London, 1877, p. 250.
[4] Mongkut to Bowring, 4 April 1855, enclosure no. 13 in Bowring to Clarendon, 28 April 1855, no. 144. FO 17/229.
[5] Harry Parkes, 'Geographical Notes on Siam', *Journal of the Royal Geographical Society*, vol. XVI, 1856, p. 71.
[6] S. Lane-Poole, *The Life of Sir Harry Parkes*, London and New York, 1894, vol. I, p. 192.
[7] Bowring, *Kingdom*, vol. II, pp. 248–337.
[8] G.F. Bartle, 'Sir John Bowring and the Chinese and Siamese Commercial Treaties', *Bulletin of the John Rylands Library*, vol. XLIV, no. 2, March 1962, p. 307.
[9] Bowring, *Kingdom*, vol. II, p. 250.
[10] ibid., p. 254.
[11] ibid., pp. 258–9.
[12] Dated 1 April 1855, enclosure no. 2 in Bowring to Clarendon, 28 April 1855, no. 144. FO 17/229.
[13] Enclosure no. 15 in Bowring to Clarendon, 28 April 1855, no. 144. FO 17/229. The material on p. 260 of the published diary belongs presumably to 2 April, though there is no evidence in the unpublished diary that the salute was discussed on that day.
[14] Bowring, *Kingdom*, vol. II, pp. 264–5.
[15] Bowring to Clarendon, 28 April 1855, no. 144. FO 17/229. In fact this appears there under the date 2 April. But anyway it fits better perhaps into the conversation of 5 April, as reported by 'Parkes'. *Vide infra*.
[16] Bowring, *Kingdom*, vol. II, p. 267.
[17] Enclosures nos. 11 and 12 in Bowring to Clarendon, 28 April 1855, no. 144. FO 17/229. See also Bowring, *Kingdom*, vol. II, p. 428.
[18] ibid., p. 268.
[19] Mongkut to Bowring, 18 July 1854. FO 17/216; also in [G. Coedès, ed.,] 'English Correspondence of King Mongkut', *JSS*, vol. XXI, part 1, July 1927, pp. 13–15.
[20] Bowring, *Kingdom*, vol. II, pp. 271–2.
[21] ibid., p. 275.
[22] The 'power and glory of the Bunnag family... was to endure until the close of the nineteenth century'. Prince Chula Chakrabongse, *Lords of Life*, London, 1960, p. 186.
[23] Bowring, *Kingdom*, vol. II, p. 278.
[24] ibid., p. 280.
[25] The Somdet Ong Noi had been deputy-Phraklang under Rama III. Neon Snidvongs, 'The Development of Siamese Relations with Britain and France in the Reign of Maha Mongkut, 1851–1868', unpublished Ph.D. thesis, University of London, 1961, p. 278.

[26] At this point, the Kralahom expressed regret that the King used his pages in communication with the Plenipotentiary. This remark is omitted from the published journal. There, on the other hand, the events of 7 April are given in a different order (pp. 281–3) from that in the unpublished diary, which has been followed in the present paragraph. Bowring thus gives the impression that he saw the Kralahom before the pages, a more proper proceeding. Possibly, too, the conversation with the pages Bowring gives under the date 8 April (pp. 285–6) really belongs to the previous day. There Bowring represents himself as telling the pages that their communications should come through the Phraklang —as if he had thought of this himself.

[27] Bowring, *Kingdom*, vol. II, pp. 286–7.

[28] ibid., p. 288.

[29] But see also Bowring, *Kingdom*, vol. II, pp. 288–90.

[30] G. Finlayson, *The Mission to Siam and Hué*, London, 1826, p. 168. James C. Ingram, *Economic Change in Thailand since 1850*, Stanford, 1955, p. 28.

[31] Bowring, *Kingdom*, vol. II, pp. 290–1, 294–5.

[32] Thus the 'Parkes' narrative: but Bowring's own despatch gives a different time for this announcement.

[33] Bowring, *Kingdom*, vol. II, p. 298.

[34] Thus the 'Parkes' narrative: cf. also Bowring, *Recollections*, p. 244.

[35] Thus the 'Parkes' narrative: cf. also Bowring, *Kingdom*, vol. II, p. 306.

[36] ibid., pp. 306–11.

[37] ibid., pp. 321–3.

[38] According to the 'Parkes' diary.

[39] Bowring, *Kingdom*, vol. II, pp. 323–4.

[40] ibid., pp. 327–8.

[41] See, e.g. Bowring, *Kingdom*, vol. II, pp. 315–17, 324–5, 330.

[42] ibid., p. 303. Knox became Consul in 1864. Abbott L. Moffat, *Mongkut, the King of Siam*, New York, 1961, p. 55n.

[43] Bowring to Clarendon, 25 April 1855, no. 140. FO 17/229.

[44] Bowring to Dalhousie, 17 April 1855. BC 171870, p. 7.

[45] Bogle to Beadon, 18 August 1855. BC 171870, p. 33.

[46] Blundell to Secretary, 27 December 1855. BC 171870, p. 53, and BC 189617, p. 7.

[47] Court to Governor-General in Council, India Political, 1 October 1856, no. 36, paras. 16–21, and note thereon. Despatches to India and Bengal, vol. 100, p. 329, India Office Library.

[48] C.D. Cowan, *Nineteenth-century Malaya*, London, 1961, p. 59.

[49] ibid., p. 63. D. McIntyre, 'Britain's Intervention in Malaya', *Journal Southeast Asian History*, vol. II, no. 3, October 1961, p. 51.

[50] Moffat, op. cit., pp. 47–8, 55–61, 196–203.

[51] ibid., pp. 117–24.

[52] V.G. Kiernan, 'Britain, Siam and Malaya: 1875–1885', *The Journal of Modern History*, vol. XXVIII, 1956, pp. 18, 20. E. Thio, 'The British Forward Movement in the Malay Peninsula', in K.G. Tregonning, ed.,

Papers on Malayan History, Singapore, 1962, pp. 132–3.

[53] Bowring, *Kingdom*, vol. II, p. 304.

[54] Ingram, op. cit., p. 35.

[55] ibid., pp. 37–40.

[56] Though Bowring had prophesied that sugar would probably become 'the most important of all the exports of Siam'. Bowring, *Kingdom*, vol. I, p. 204.

[57] ibid., vol. II, p. 306.

[58] W.C. Costin, *Great Britain and China 1833–1860*, Oxford, 1937, p. 152.

IX

Harry Parkes's Negotiations in Bangkok in 1856

SIAM would be brought 'into the bright fields of hope and peaceful commerce', Sir John Bowring had written enthusiastically to his son Edgar about the treaty he was making in April 1855. 'The country will be absolutely revolutionised by the change—and in a few years I doubt not there will be an enormous trade....' Much, he recognized, was due to his 'auxiliaries', his son John and Harry S. Parkes, the Consul at Amoy. 'Parkes with his admirable tact—John with his great commercial aptitude and knowledge....' He had

> decided that Parkes shall take home the treaty. His services have been invaluable. I hope the government will confer upon him some mark of honour. He truly deserves it—And so does John. I never would have accomplished what I have accomplished without auxiliaries so active, intelligent and trustworthy.... I can ill afford to spare him,—but it is so important the government should be thoroughly informed of all that has taken place here....[1]

Parkes was thus sent home to secure the ratification of the treaty and convey his 'mass of valuable knowledge' about a country with which so great a trade was to develop. 'More-

5 Sir Harry Parkes

over I discovered that there was a strong feeling that the Letters and Presents of the two Kings to Her Majesty the Queen, ought properly to be conveyed by the highest functionary at my disposal, and my appointment of Mr. Parkes has been a particular gratification to them....'[2]

Parkes reached London, after an exceptionally rapid journey, on 1 July.[3] During his stay in Britain, he busied himself with a number of activities. With the help of experts, he drew up a map of Lower Siam based on rough surveys by resident American missionaries.[4] He also presented a paper to the Royal Geographical Society,[5] and travelled in the Highlands with Sir Roderick Murchison.[6] Back in the south, Parkes, after recruiting at Malvern, moved to London, and met Fanny Plumer at the house of some friends of Rutherford Alcock, the Shanghai Consul. Six weeks later he married her on New Year's Day. Nine days after this they left for the Far East.[7]

Meanwhile Parkes had almost throughout his stay in Britain been working on Foreign Office business, in the course of which he added to the impression he had made on Edmund Hammond, the Permanent Under-Secretary, and improved his acquaintance with the Foreign Secretary, Lord Clarendon.[8] Some of the work related to the Siam treaty and to the proposed mission to Vietnam. Early in August, for instance, Parkes produced a number of memoranda on the trade of Siam, Vietnam, and Cambodia, and called attention to the problem of Chinese piracy in the Gulf of Siam, a matter which had been brought up in the Bangkok discussions.[9] He also prepared, at the Foreign Office's request, a memorandum on the opium clause in Article 8 of the Bowring treaty. This clause—which allowed the introduction of opium, prohibited in the Burney treaty of 1826, provided it was sold to the opium farmer—in fact repeated the regulations issued by Mongkut in 1851 and, as Parkes pointed out, the farm provided some compensation to the Chinese farmers for the loss of other monopolies.[10] Lord Shaftesbury

and leaders of the anti-opium movement had accused Bowring of betraying his principles in introducing the clause.[11] Even after Parkes's explanation, Clarendon could not see why the regulation had been made into a clause in the treaty.[12] Parkes also had to deal with the criticisms of the treaty offered by one of the Government's law officers. The discussion, like the instructions to Bowring, illustrates the developing system of extraterritoriality and the use of China and Turkey as bases of reference.

The Queen's Advocate had been asked to comment on the treaty although, as he said, he was ignorant of 'the political, legal and commercial system in Siam....' Firstly, he thought Article 2 vague, in providing that the new Consul was to enforce British subjects' observance of all the provisions of this treaty, and of 'such of the former treaty negotiated by Captain Burney in 1826 as shall still remain in operation': it omitted to set forth what did remain in operation. Article 2 also covered the rather different subject of consular jurisdiction, providing that 'any disputes arising between British and Siamese Subjects shall be heard and determined by the consul, *in conjunction with* the proper Siamese officers'. This, the Queen's Advocate thought, was

> so vague as to be scarcely intelligible. I presume the intention of the article is to provide for the Erection of a Tribunal of which the Consul shall always be a Member, having *exclusive* civil Jurisdiction in all cases in which a British Subject may be either Plaintiff or Defendant, but if so this is not very distinctly expressed. I would further suggest that the number and description of persons who are to constitute the Tribunal in question should be defined, and some provision made for preventing a majority of Siamese officers always overruling the decision of the Consul, and deciding adversely to British litigants. I presume that it is also intended to exempt British Subjects from the Siamese Criminal Jurisdiction *in all cases without Exception*, so as to place them in the same peculiar position in Siam as that which they actually occupy

in Turkey; but if so, there are no words securing them any such complete exemption in all cases without exception.

The Queen's Advocate also questioned a clause in article 5, stipulating that British subjects should not leave Siam, 'if the Siamese authorities show to the British Consul that legitimate objections exist to their quitting the country'. How was the legitimacy of the objections to be determined? 'Debt, the existence of a Criminal charge, the pendency of a Civil Suit, intention to evade legal process, and various other objections will all be relied upon as legitimate objections.' Difficulties could arise if the consul were to exercise a discretionary power to detain British subjects against whose departure the Siamese Government offered objections he deemed legitimate, or if he could allow them to leave despite such objections. The article should be 'more precise' in its terms.

The Queen's Advocate also suggested there were important omissions. First, there were 'no provisions for the protection of British subjects, their dwellings, offices, warehouses, and ships from arbitrary search, or arrest without any judicial proceedings, or formal authorisation'. Second, 'the question of the liability of British Subjects and their Property in Siam (whether real or personal) to the Civil Jurisdiction and process of Siam appears to be left undetermined'. Third, 'no provision appears to be made for securing to British Subjects the right of disposing freely of all real Estate which they may acquire under Article 4; or the right of succession, or administration to real or personal Property in Siam including the collection and securing of debts due to the Estate of a deceased person either by the Consul or otherwise'. Fourth, there was 'no sufficient provision for protecting British Subjects against any indefinite amount of taxation or public burden of whatsoever kind'. Fifth, there were 'no provisions for Cases of wreck, or for securing to British Subjects a sufficient period for

winding up their affairs, and for departure in case of a rupture with Siam....'[13]

In turn Parkes was invited to comment on the Advocate's report.[14] He argued that Bowring had 'secured as complete and advantageous conditions as the opportunity afforded. A single fortnight—being the interval between the spring-tide which floated H.M.S. *Rattler* up to Bangkok and the succeeding one which enabled her to quit the river—was the whole of the time which His Excellency could command both for state ceremonies and negotiations.'[15] Half of this time elapsed before the Siamese really got down to business,[16]

> and a few days only remained when they met Sir John Bowring's propositions with numerous conditions of their own,[17] few of which were found admissible in respect either to form or subject, and on others relating to details it appeared unwise to treat while our local information and experience were so very limited. Care was however required that the Siamese Plenipotentiaries should not be led by the too summary rejection of their proposals to offer similar opposition to those of Sir John Bowring, but they were eventually satisfied with the adoption of a few only, and those in a modified shape, by His Excellency's representations that the consideration of details, and of other subjects put forward by them which had no immediate connection with the scheme of a Commercial Treaty, would be much more conveniently reserved for a future occasion.
>
> These circumstances added to the slowness of the Siamese Plenipotentiaries to concur in, or apparently to understand many of the new measures submitted to them, and the difficulty of intercommunication in a language wholly unknown to every member of the Mission, convinced Sir John Bowring of the necessity of confining his negotiations to the simplest and most essential points.

His proposals thus concerned the appointment of a consul and his jurisdiction, freedom to possess houses and land, unrestricted exercise of the Christian religion, abolition of measurement dues and establishment of a tariff, abolition of

certain monopolies and of inland taxation, access to the interior, most-favoured-nation treatment, interpretation of the treaty by the English version, and the right of revision in ten years. The treaty secured all these points, 'and if imperfections are observable in the working of some of its provisions, or if other desirable stipulations have necessarily been omitted, it will be seen that an opportunity has been provided for remedying these deficiencies, which are attributable... to the obstacles above set forth....'

The Advocate objected to the vague stipulation over previous treaties. The Burney treaty and agreement, Parkes explained, had long been held to contain stipulations disadvantageous to British commercial interests. Bowring did not, however, feel authorized to cover the political questions which the Burney treaty also dealt with: he could not, therefore, propose the abrogation of the entire treaty; 'and to avoid an inconvenient subject of discussion, His Excellency considered it advisable to omit the enumeration of the several articles or passages annulled or affected by the present Treaty, the general rule being understood by the Siamese that all conditions of the old Treaty that are opposed to those of the new, are cancelled by the latter....' The Siamese proposals about the Malay tributary states, one of the issues in the Burney treaty, about a redefinition of the Menam Kra boundary with the British provinces in Tenasserim, and about restricting British Burmese subjects travelling in Siam to the area west of the Menam lest they were attacked by ignorant Laos and Cambodian tribes, all these proposals were referred to the Governor-General of India. This reference might lead to new negotiations, Parkes suggested, in which, if thought desirable, a more specific abrogation might be secured of parts of the Burney treaty, care being taken to preserve in some way the stipulations over assistance in case of wreck and over the administration of property contained in Article 8.

Parkes defended the clauses over consular jurisdiction,

maintaining that they secured all the Queen's Advocate required. They were, he said, 'framed with the design of placing British subjects under the exclusive jurisdiction of the Consul in all cases civil and criminal in which British subjects are Plaintiffs and Defendants, and also in all cases civil and criminal in which natives of Siam are Plaintiffs and British subjects Defendants; precisely the same effect being aimed at as that of the corresponding stipulations of the Chinese treaties, with the conditions of which the Siamese are perfectly familiar....' This was covered, it was thought, by the leading stipulation of the article, that 'the interests of all British subjects coming to Siam shall be placed under the regulation and control of the Consul', and that the consul should henceforward 'give effect to all rules and regulations that are now or may hereafter be enacted for the Government of British subjects in Siam, the conduct of their trade, and for the prevention of violations of the laws of Siam'. Bowring felt, however, that it was desirable

> to promote ... a cordial cooperation between British and Siamese Authorities in all cases in which both British and Siamese interests might be involved, and that the investigation of complaints, whether preferred by Siamese against British subjects, in the Consular Courts, or by British subjects against Siamese, through the medium of the Consul, in the Native Courts, should as far as possible be conducted by British and Siamese officers acting conjointly with or mutually assisting each other, but without either of these functionaries relinquishing the right of decision which they would severally retain in their respective courts. The principal object in view is to give the Consul *a right of access* to the native Courts, and the means of watching, and, to a certain extent, taking part in the proceedings in cases where British subjects are Plaintiffs and Siamese Defendants. Owing to the irregular practices of native Courts some check of this nature becomes indispensable to ensure due consideration or an impartial hearing by the native judges of the claims or charges of a British subject; and whenever the Consul may be called on to hear and determine the complaint of a Siamese against a British subject, the presence of

a Siamese officer would not only facilitate the investigation, but would otherwise be desirable as affording the Siamese Government the most open means of satisfying themselves on the impartiality of our proceedings.

The Queen's Advocate had also objected to a clause in Article 5 dealing with the departure of British subjects from Siam. This, however, was something the Siamese negotiators had especially urged. 'Feeling that they had surrendered all control on British subjects and being inclined probably to estimate the good faith of foreign officials by their own imperfect standard, they sought... in this stipulation an additional guarantee that British offenders or defaulters should not have it in their power, by suddenly fleeing the country, to escape the pursuit of justice.' The 'legitimacy' of Siamese objections would presumably be ascertained by suit or prosecution in the consular court, and the presence of Siamese authorities at the hearing would demonstrate the equitable character of the consul's decisions.

As for the first two omissions the Queen's Advocate noticed, Parkes thought his remarks had already shown 'that no arbitrary interference of this nature or liability to Siamese Jurisdiction is contemplated or allowable on the part of the Siamese'. If, however, the exclusive jurisdiction of the consul over British subjects needed to 'be more explicitly set forth', Parkes suggested 'that the Siamese Authorities be induced to subscribe to certain Judicial rules or other Agreement which would place this point beyond question'.

The omission of a provision securing British subjects the free disposal of real estate was partly remedied by Article 7 in Burney's treaty which provided that 'whenever a Siamese or English merchant or subject who has nothing to detain him requests permission to leave the country, and embark with his property on board any vessel he shall be allowed to do so with facility'. The clause might at least provide the basis for negotiating something more explicit. Another article of the Burney treaty, the eighth, covered other omis-

sions mentioned by the Queen's Advocate, namely the right of succession and the case of wreck, except that it did not explicitly deal with the recovery of debts due to the estate of a deceased person. But by Article 6 of the Burney treaty the Siamese were bound to endeavour to recover the debts of a living creditor, and they were pledged by Article 8 to restore property to the heir. 'It may be hoped therefore that the Siamese Authorities will not refuse to agree to any amplification or amendments in these provisions of Captain Burney's Treaty, that in the opinion of the Queen's Advocate will render them better adapted to present requirements.'

The fourth omission had indeed been made: but, on the other hand, 'no right of levying public burdens on British subjects has been conceded to the Siamese, and I presume that in Siam as in China the Government will look to receive no other impost from foreigners than the authorised customs on their trade, and the ordinary ground tax on the lands of which they may acquire possession'.

As for the final objection, it was doubtful if the Siamese would observe a stipulation about the departure of British subjects in case of a rupture; 'there also exists the risk—which would be common to all oriental nations wholly unacquainted with the conventionalities of European international law—that a clause of this nature would be misconstrued, or at least regarded by the Siamese with suspicion as betokening a likelihood of quarrel', hardly compatible with the perpetual peace and friendship envisaged in Article 1 of the Bowring treaty.

Bowring, Parkes concluded, knew that 'many arrangements are still needed to give effective operation to the entirely new system contemplated by the present Treaty'. Hence the insertion in Article 9 of the provision that the Siamese authorities and the consul 'shall be enabled to introduce any further regulations which may be found necessary in order to give effect to the objects of this treaty'. The

way was thus open for the introduction of amendments in this way, as well as by further negotiations.

Parkes's comments were sent to the Queen's Advocate, who also discussed the treaty with him. The Queen's Advocate thought that an explicit definition was required of the Burney articles that were still operative. The language of the clauses on consular jurisdiction also needed to be more explicit. Parkes's explanation of the fifth article, however, seemed satisfactory, 'and no addition or alterations need be made therein'. As for the omissions, much depended on the retention or otherwise of the Burney articles, and on the views of 'persons acquainted with the ideas and habits, and the system of law and of local administration existing in Siam'. Parkes's reasons for omitting a provision over 'rupture' appeared adequate, however. The doubtful points might be settled by additional regulations under Article 9. It would be for Clarendon 'to consider whether, before the Ratifications are exchanged, some definite agreement or understanding should be come to by the Contracting parties as to the contents of such (future) Regulations upon the subject of Jurisdiction' and as to the Burney treaty. Clarendon again asked for Parkes's opinion.[18]

Parkes thought that 'any proposal to alter the text of the new Treaty would probably be met with strong objections on the part of the King and the Siamese Ministers'; but 'some or all of the extra conditions or explanations' might be secured in additional articles 'if it can be shown to them that these additions involve no revocation of the original provisions of the Treaty, but are in unison with its spirit and intent'. Precedents might be found in the supplement to the Burney treaty and in the treaty supplemental to the treaty of Nanking.[19] The Siamese could also be referred to Article 9 of the Bowring treaty, and to their own proposals for replacing political clauses in the Burney treaty as submitted to the Governor-General. Indeed, probably the best way of dealing with the Advocate's first objection was to annul the

Burney treaty, recovering from it such articles as still appeared useful. As for the second major objection, the want of distinctness in defining consular jurisdiction, it was at least as distinct as the provisions in the China treaties. In the Chinese case, furthermore, the definition was included in the supplementary trade regulations, 'and the Siamese Government being inclined to be guided by the precedents which these Treaties furnish, might see in this circumstance a sufficient reason for giving admission to an additional article or regulation in which the exclusive authority of the Consul could be more fully set forth'.

Thus the additional stipulations could cover: the entire abrogation of the Burney treaty and agreement, or of the agreement and the first ten articles, in the former case relations with the Malay states being covered by a new article; 'a clearer definition of the exclusive Jurisdiction of the Consul over British subjects in all matters civil and criminal, and the complete exemption of their persons, premises and property from Siamese process, or interference of any nature'; the right of freely disposing of all real estate acquired under Article 4; and the right of succession to property, including the recovery of debts due to the estate of a deceased person. Fifth, 'with the exception of the taxation leviable on lands, the amount of which should be defined', British subjects should be 'entirely freed from public burdens.... And saving the land tax aforesaid and the Import and Export Duties..., no Custom House or other Siamese officer to be allowed to demand the payment of fees or charges of any kind.' If the Burney treaty was cancelled, the provision over wreck might be transferred to new agreement. A provision that debtors should be liable to their respective national laws might be included when Article 6 of the Burney treaty was transferred: Siamese laws were said to be severe. Another article should provide for 'Protection in Cases of Piracy, and for the recovery of the persons and property of British subjects captured by pirates. Piracy is very prevalent in the Gulf

of Siam, and the Siamese Authorities would be glad to find the British Government disposed to co-operate with them for its suppression.'[20]

Clarendon was not prepared, even in order to secure the improvements in additional articles, 'to raise doubts, which would probably be the case, in the minds of the Siamese as to the good faith of H.M.'s Govt., nor indefinitely to postpone the ratification of the Treaty....' In any case, full powers would be required for signing additional articles, and these were held by Bowring. But when Parkes went to Bangkok with the British ratification, he might fully explain the Government's objects 'in proposing such additional stipulations and... point out that they involve no departure from the Treaty...; and ... if you find a disposition on the part of the Siamese to assent to such additional stipulations, Sir John Bowring might at some future time go to Siam to settle the matter....'[21] Parkes thought this course the one best calculated to give the Siamese confidence in British good faith 'and thereby dispose them to eventually agree to the additional provisions which Her Majesty's Advocate-General deems so desirable....' It was 'not unlikely that our interests in this respect may be in some measure promoted by the movements of the French and United States Governments, who alive to the great advantages of Sir John Bowring's Treaty, have already appointed their respective Commissioners to proceed to Siam to negotiate for similar privileges.'[22] At Singapore, where he heard of the moves of Montigny and Townsend Harris, Parkes expressed more doubt on this last point. The Siamese might wish to avoid any further innovation.[23]

At Singapore Parkes also received some additional instructions from Bowring in Hong Kong. These related to the matters that had been referred to the Governor-General. On two of these, he had been able to come to some decision. Few British Burmese subjects traded beyond the Bangkok river, and if this was meant by the 'Menam', no inconvenience

could be anticipated from an order restraining them from crossing it. The Kra boundary should be held to, but it could be defined. The third matter, involving the Siamese claims over the Malay states, had been referred to London. Bowring told Parkes he could discuss the first two.[24]

It had been arranged that Parkes should, *en route* to China, carry the ratification to Bangkok, together with the presents and the letter from Queen Victoria that King Mongkut had been so anxious to receive.[25] He was to take the January mail and pick up a steamer of the Royal Navy at Singapore. The February mail would have left only a small margin before the treaty came into effect—fixed by Article 12 for 6 April[26]—and Parkes thought that he or someone 'should be on the spot to see how the Siamese carry out the new arrangements ....'[27]

The voyage was marked by contretemps. The route was overland to Marseilles and thence to Alexandria. But the presents for the Kings of Siam, as well as the Parkes couple's baggage, were on a steamer from Southampton, which had not reached Alexandria by the time the Marseilles steamer arrived.[28] Next the journey was overland to take another steamer at Suez. Parkes decided not to risk the ratification for the sake of the presents, that is not to miss the Suez steamer by waiting for the one from Southampton. In the event the presents arrived in time and by 31 January all were abroad.[29] At Singapore a more serious mishap occurred. H.C. steamer *Auckland* was to convey Parkes up to Bangkok. A boat carrying the presents out to it sank. Most of the packages were recovered;[30] 'but with the exception of three only, the contents were completely saturated and spoiled....'[31] But there was some good news, definite intelligence of the end of the Crimean war.[32]

While he was in England, Parkes had learned of some changes in the political situation in Bangkok since the signature of the treaty. Late in May the Somdet Ong Yai had died, a senior member of the great noble family of which the

Kralahom was the most ambitious scion. The Kralahom, wrote Parkes,

> seeks for unbounded sway over the Senior King. To the execution of this design he has an opponent in the second king, who wishes to maintain the independence of his brother, but has a difficult part to perform in consequence of the Kralahom having worked with some success upon the jealous feelings of the first king, and caused him to become envious both of the ability of the second king, and the precautions he has taken to secure his own safety and position by organising an efficient military force.

The late Somdet did not concur, and so the Kralahom's high aims were held in check during his lifetime. His death, Parkes thought, put the First King in a more precarious position. The conflict was urged on by the personal enmity of Knox, the Second King's agent, and Joseph, an American in the Kralahom's service, principal interpreter in the Bowring negotiations.[33] Bowring had expressed a very high opinion of the Kralahom.[34] He had also suggested that Parkes's estimate of him did 'not quite agree with mine....'—perhaps, indeed, the Kralahom aimed at the throne.[35] Parkes and Bowring were thus agreed as to the Kralahom's ambition. Possibly they differed as to the advisability of his complete success.[36] The situation in Bangkok had changed since 1855. So perhaps had the way the British negotiator looked at it.[37]

On 12 March the *Auckland* arrived off the bar with Parkes, his wife, and the salty remnant of the presents.[38] But it was the arrival of the Queen's letters to the two kings that caused most excitement, according to Parkes, 'and lengthy deliberations were directly commenced as to the mode of delivering these letters'. The pleased Mongkut wrote to Parkes, in reply to a letter of announcement sent in the hope of 'opening a direct communication with the Palace, which I was able to maintain during the whole period of my stay, and although private in its nature, it proved of great advantage to me'. Parkes considered that the entry of the *Auckland* into the river was necessary to ensure the delivery of the

letters 'in a becoming and suitable manner, and to give me the support of her presence in my transactions with the Siamese Government'. Thus he asked for aid in lightening the steamer so as to assist her across the bar at the next high tide, and requested permission meanwhile to go to Bangkok. The 'conservative party', opposed to delivering the letters 'in any other than the derogatory mode prescribed by the old régime', was opposed to this course. Five days elapsed before the King's yacht arrived to take Parkes to Bangkok and it was then intimated that he was to take the ratification and letters with him. But he did not take them, and simply looked on the state boats 'as a personal compliment'.

Parkes believed he had to contend not only with a rift between Mongkut and the Kralahom, but also with conservative influences, which made arrangements supplementary to the treaty more necessary. At the time of Bowring's visit, he recapitulated, the two Somdets represented the conservative party; the Kralahom and the Phraklang, though sons of the Somdet Ong Yai, were 'favourable to innovation, while the Prince Krom Hluang, a half brother of the first King, occupied, in opinion, a middle position between both these parties, but submitted in a considerable measure to the influence of the Kralahom....' The Ong Yai had died, but the power and influence of the Ong Noi appeared to have increased.

As for the estrangement of the King and the Kralahom, Parkes reported some of the latter's 'occasional remarks'.

> He had resigned, he informed me, the lead he had taken and maintained in the negotiation of the Treaty, and which had contributed so greatly to its success, for the reason that his counsel was no longer sought or listened to by the King, whilst those who advocated a less friendly course, were received at Court with marked favour. None of the measures necessary to give effect to the Treaty had yet been taken, he said, by the Government, and strong language and action would be needed on my part to secure the faithful performance of the new engagements....

The King had seen the Japanese convention[39] and blamed the Kralahom—so he said —for

> the disparity... between the wide concessions of Siam and the restrictions maintained by Japan. He was also, added the Kralahom, dissatisfied with British policy in Cochin China, the Government of which country had made the Treaty the subject of a taunt towards that of Siam, and independent of these exterior questions, His Majesty, whose expenditure, particularly on the female inmates of his palace, was daily becoming more profuse, was not favourably inclined towards any measure calculated to interfere, though only for a time, with the State income....

Parkes wondered if the Kralahom's feelings had not been 'awakened by some check given by other acts of the King to his ambition or desire for power'. He saw reason in all this for measures to ensure the effective execution of the treaty, but not for coercion.

A further result of the Kralahom's attitude was that the Prince Krom Hluang 'leant more than before to the opinions or wishes of the Somdet Ong Noi, whilst the Phraklang, as greatly the junior both of the Prince and the Somdet in years and station, could seldom be induced to pronounce an independent opinion of his own, if it involved any opposition to those of his superiors'. It was with these parties, with the Yomarat, or Minister of Justice, that Parkes had to negotiate. Constantly they referred even trivial matters to the First King (the Second took no part).

> This being the case the Commissioners constantly replied to my protest against difficulties and delays, whenever these arose, by attributing them entirely to the first King, and disclaiming for themselves any responsibility; but the personal kindness with which the first King always honored me, the access to his person which he frequently allowed me both by letter and by private audience, contrary in some instances to the wishes of his Ministers and the favourable attention which he often gave to the questions I submitted to him, all induced me to receive these statements of

the Commissioners with some reserve, and to dispose me, in the end, to place more confidence in His Majesty than in them.

In other words the conservatives fought some sort of a delaying action; but Mongkut disproved the accusation of the Kralahom. Parkes had, no doubt, been inclined all along to work through the First King. The Kralahom thus had made a mistake, it seems, in trying to involve Mongkut with Parkes, and in abandoning his initiative in order to do so.

The first few days after his arrival in Bangkok itself on the 17th Parkes used in endeavouring to arrange the delivery of the letters and exchange of ratifications and in introducing, as carefully as possible, the notion of a further definition of details. Nothing had been arranged when, on the 21st, Parkes rejoined the *Auckland* for the crossing of the bar. The Siamese authorities, he found, had not kept their promises over the lighters but, after he had hinted that a delay till the next tide would delay the Queen's letters also, a number of boats appeared, and the bar was crossed on the 24th, the last day it was practicable. So the letters and the *Auckland* went up to the capital. Having used them to get the steamer over the bar, Parkes sought now to use the letters again in improving his relations with the King, the line that his own predilections, as well as the Kralahom-Mongkut rift and the conservative influences, pointed out.

'What I now sought to obtain was an interview with the first King, at which I hoped to arrange, with greater facility than with the Ministers, the manner of delivering the Queen's letters, and to prevail on His Majesty to interest himself in the measures which appeared to me needful for the execution of the Treaty'. The Ministers had proposed that Parkes should surrender the letters for examination and 'translation', 'this being the course pursued with the missives received from the Sovereigns of Burma and Cochin China'. There was little fear that the Queen's letters would be altered, but Parkes objected to the ordinary mode of delivery as

'derogatory'. The mode of delivery, he declared, should be respectable 'not only in the eyes of the Siamese but in those of the sovereigns and people of European States'. He thus declined to surrender the letters before the public audience and claimed the right to deliver them then. At an interview with the First King, Parkes gave him a copy of the Queen's letter,

> and had the pleasure of observing the genuine satisfaction that its contents afforded him at a moment when in the absence of his Ministers and courtiers he had less occasion for dissembling his real feelings. To be as he believed the first sovereign in Asia to receive a letter from Her Britannic Majesty, to be styled by Her not only 'an affectionate friend' but 'sister' also, and thus to be admitted unreservedly into the brotherhood of European royalty, and have his position as a King thus clearly recognised by the Sovereign—as it may probably appear to him—of the most powerful European State, was indeed an honor and a satisfaction which at once touched his heart and flattered his ambition.

At the same interview, Parkes explained the accident of the presents, and obtained Mongkut's 'assent to the publication of the Treaty by Royal Proclamation, and to the examination of those points on which explanations appeared desirable....' At the subsequent public audience, Parkes put the letter in Mongkut's hands, and on 2 April there was a similar audience with the Second King.

On 5 April the ratifications were exchanged, a delay having allowed the King to cast a special seal in imitation of the Great Seal attached to the Queen's ratification. Mongkut's ratification was characteristic. It included a promise to try to enforce the treaty

> according to our power and ability to govern the people of this half civilized and half barbarous nation herein being of various several races languages religion etc. for which nations we are still afraid that any one individual or party among such the nation being very ignorant and unfrequent of civilized and enlightened custom usage, etc., may misunderstand of any thing and things

contained or expressed in the Treaty and do according to his or their knowledge which may be contradictory to some clauses of any article of Treaty, yet we will observe accurately and command our officers of State to correct the wrong as soon as possible when the British Consul might complain to our officers of State directly with whom our officer will be joined in justice....

The ratification also expressed a wish for direct communication with the British Government rather than via a colony or marine power.[40] This was indeed the point Mongkut kept steadily in view: he was concerned to secure the recognition of Siam as an independent state as far as possible on a parity with European states. This was his 'ambition'.

It is not clear from his narrative at what point Parkes introduced the discussion—which he had seen as a means of introducing in turn the supplementary negotiations—of the points referred to India in 1855, and referred back to Bowring. On one of them at least Parkes could be fairly accommodating. The Siamese Commissioners indicated 'more clearly than they had done before on a Map which they supplied to me the course of the River beyond which they desire the travels of Burmese and British subjects shall not extend. This River wends away so much to the Eastward that no injury can in my opinion result to our interests from a compliance with the proposition of the Siamese....' On the frontier question, he had to urge the maintenance of the existing line, and found the Siamese indisposed in consequence to pursue the matter further. The Siamese apparently did not urge the third point referred to India in 1855, which related to the position of the northern Malay states,[41] while Parkes had nothing to propose.

Anxious to introduce the supplementary negotiations courteously, Parkes thought it well to begin with the definition of the articles of the Burney treaty still in force. As neither party, it is clear, had anything to urge, this made a smooth beginning. The Siamese, he reported in his narrative, were opposed to its total abrogation, 'partly because they are

satisfied with certain of its provisions, and partly because they have not yet been distinctly assured that the Imperial Government is able to release them from the engagements they have concluded with that of the Honourable East India Company'; and Parkes sought simply for an enumeration of the articles not abrogated. These were reckoned to be Articles 1, 2, 3, 8, 11, 12, 13 and 14, with the clause in Article 6 dealing with the recovery of debts, and that in Article 8 covering assistance in cases of wreck. The latter covered two of the other points Parkes had to urge, and he determined not to seek a distinct stipulation over protection in cases of piracy.[42] This left five points to gain.

On consular jurisdiction Parkes found the Commissioners' ideas

> neither clear nor satisfactory. Their own Courts are very rudely organised, and their mode of procedure, according to their own admission, is most partial and irregular. Some indefinite ideas as to their Authorities having concurrent Jurisdiction with the Consul appeared to be floating in their minds, but they had determined on nothing in reference to the practice or the officers who were to constitute the Court, the unsuitableness of which could not fail to be felt in a country where the Consul would find his colleagues so venal, capricious, and ill-informed as the Siamese, and himself always in a minority.

Parkes was glad to secure an article admitting an exclusive consular jurisdiction, civil and criminal, over British subjects, as defined by the Queen's Advocate. He also secured a satisfactory agreement over the free disposal of real property and the right of succession or administration to real and personal property.

Another point, 'the exemption of British subjects from public burdens or taxes other than those contemplated in the Treaty', needed 'time and labour' to settle. According to Article 4 of the Bowring treaty, lands purchased by British subjects were liable to the taxation levied on Siamese subjects. 'The amount of this taxation had therefore to be ascer-

tained, and here I found that in matters of finance the Siamese evinced the same utter want of certainty and method, combined with much more complication of detail than that I had already noticed in reference to their Jurisprudence....' Only the Somdet seemed to know about the subject, but even he

> spoke on it with reluctance as if he feared that the interest he has in the Revenues might thereby be in some manner prejudiced. The labour involved in the arrangement of this and all other questions relating to Taxes or Revenues, which are so directly affected by the Treaty, amounted in fact to a recodification of their Financial System with which I had to make myself familiar. A schedule of the Land Taxes was at length finished, and an Agreement concluded that these Taxes and the Import and Export Duties of the Tariff are the only charges that British subjects in Siam can be called upon to pay to the Government.

The Parkes negotiation was significant in giving practical effect to some of the revolutionary implications of the Bowring treaty. In the course of it, the legal and taxation systems of Siam actually assumed much of the shape they retained till the turn of the century. The system of consular jurisdiction, more especially its application to Asian protégés of the European powers,[43] becamea spur to the Europeanization of the judicial administration and to codification.[44] The negotiations and agreements of 1855–6 set the taxation system in a mould that was difficult to break, till the Siamese began to acquire tariff autonomy as a means to finance the future modernization of the state.[45]

Yet a further point was the establishment of a customs-house. This Parkes urged and the Somdet opposed. 'He, as the firm supporter of all exclusive privileges, wished to Farm the Duties on the Foreign Trade, a measure which must have proved as injurious to the King's Revenue as to the Foreign Commerce—to the former by the smallness of the sum which would be realized by the Treasury, and to the latter by the virtual monopoly of the Export Trade, which it would confer upon the former.' More despatch was required in the

issuing of passes and port clearances, delayed by indolent Siamese officers. Parkes also sought a promise of prior notification of the prohibition on rice exports. With the advantage of direct communication with Mongkut, he secured the establishment of a customs-house, but the Somdet secured the superintendence of it. Parkes secured a limit of twenty-four hours on the delay in issuing passes and port clearances, and the notice of a month for the prohibition of rice exports. All this took time: so did the preparation of the written understanding on the various points, and of proclamations making the people aware that they could dispose of land and houses to British subjects. This process was 'not expedited by the King putting the printers into irons to mark his dissatisfaction at the imperfect manner in which they executed their work'.

On 18 April, Parkes was told at the King's command that it would be impossible to issue the proclamation on the sale of land until the boundaries permitted were defined. According to Article 4 of the Bowring treaty, British subjects could buy or rent houses or land within twenty-four hours' journey of Bangkok by Siamese boat; except that they could not purchase land 'within a circuit of 200 *sen* (not more than four English miles) from the city walls' until they had resided in Siam for ten years or obtained special authority. Parkes had hoped he would soon be able to get away, but felt there were good reasons for defining these limits. The task might have been left to the new consul, but it was not clear when he would arrive. On the other hand, H.M.S. *Saracen* was surveying the Gulf, and some professional assistance might be secured in measuring the circuit from the city walls. The Commissioners 'agreed to be content with the measurement of four lines, each of four miles in length, drawn due North, South, East and West, from the city, provided that the points where the circle cuts the river were also correctly ascertained —this latter consideration having a most important bearing on the settlement of all water frontage lots'. With Siamese

working parties and officers from the *Saracen* and *Auckland*, the 'survey' was completed by 30 April. 'Several rainy days added to the difficulty of the work which had to be carried over ground thickly intersected with canal or ditches, and covered in many parts with dense jungle or rank vegetation, penetrable only by means of the track which had to be cut for the occasion.' Parkes had also to insist on four miles as the limit: that amounted in fact to no more than 159 *sen*. As for the twenty-four-hour journey, he found his geographical knowledge useful. In the Commissioners' opinion 'nothing less than actual travel, with all its contingent accidents and uncertainty, was to be adopted as the means of taking the length of the journey; and it was not until I successfully argued the point with the King, that I persuaded them to accept five miles as a fair average rate of one hour's travel by boat, and to agree to the mutiplication of this rate by twenty-four to obtain the total length of the twenty-four hours' journey'. Then, guided by this calculation, the negotiators chose various well-known localities to define the limits. The area measured comprised 'a very large portion of the fertile delta formed by the four rivers which flow into the head of the Gulf'.[46]

Meanwhile the written arrangements on the other points had been drawn up in Siamese and English and sent to the King for approval on 25 April. He retained them for a week. 'During this time I heard through the Prince Krom Hluang that His Majesty desired the addition of various articles relative to the regulation of the Trade that might spring up at the Siamese outports, the shipment of produce that might be grown by English settlers outside the Port of Bangkok, and the mode in which English ships, and men-of-war in particular, should obtain supplies when navigating or cruizing in the Siamese Gulf.' Parkes managed to persuade King and Prince that any arrangement required on these points could be made later by the consul. Then Mongkut returned the

agreements, but stated that he wanted a new Siamese version made out. And this would take time.

Already the *Auckland* had been running short of provisions, and in the resulting difficulty perhaps lay the source of one of the King's rejected articles.

> The obstacles in the way of obtaining supplies of fresh provisions rested chiefly on religious grounds, the Siamese viewing the slaughter of animals as an offence against both their laws and religion, and individuals not of the national faith hesitated to purchase for us bullocks and other stock, until I had obtained from the Phraklang an assurance that they would incur no punishment nor other inconvenience by doing so. It is creditable to the Siamese Government, as instancing their liberality in matters of religious opinion, for me to add that live supplies were eventually furnished us in ample quantity and at very reasonable rates.

Parkes had hoped to leave at least on the 7th or 8th, and catch the homeward mail passing through Singapore on the 17th. He now asked Mongkut to agree to the execution of the agreement in English alone.

Two days later, on the evening of the 4th, came a message of assent, but requiring also a new stipulation over rice exportations, 'which he wished made conditional on a special permission to be obtained in each instance by the shipper from the King'. Parkes could not agree to a stipulation which would 'convert the trade in this staple into a Royal monopoly', and he told the Commissioners it would be a departure from the treaty. These remarks he made (he thought) in a friendly way, but could not say 'whether they were referred to the King in the same spirit'. Next morning the King again demanded the re-translation of the agreement. But the following day Mongkut sent to say that this demand had been made without his authority and again assented to the execution of the English version. Parkes 'felt greatly obliged to His Majesty for this mark of his confidence, which had not however met with the approval of the Commissioners, if I may judge from a slight coolness on the part of the

Prince, and the absence of the Phraklang, who reported himself ill, from all proceedings for a week afterwards'.[47]

On the 6th Parkes sent the Prince a fresh copy of the agreement for the King's approval, including the two articles over the four-mile circuit and the twenty-four-hour journey. The agreement was finally concluded on the 13th. The Siamese bound themselves to give the agreement the same force as the treaty whenever Bowring called upon them to do so. On the 15th, after a royal audience of leave, Parkes was able to leave for Singapore, just before the *Auckland's* provisions ran out.

The instructions to Parkes do not seem to have envisaged an actual agreement such as he secured. But he had suggested it, and on his arrival he had been confirmed in his view that it was desirable. Verbally it seems that he was authorized to secure an agreement if he could. Thus, at the conclusion of the negotiations, he wrote to Hammond:

> My patience was a good deal tried at Siam, and I assure you no little amount of labour was needed on my part to get what I did out of the Siamese. I trust you will approve of my having waited so long, as I think you will see that I have succeeded in settling all questionable points, as well as others that I did not think would have fallen to me. I bore in mind, throughout, what you told me on my departure that it would be better for me to stay in Siam and *settle* matters there than return in haste to Canton, where my absence for a short time would not be missed. You will perhaps be surprised, looking to the short time in which the Treaty was negotiated—that I could not secure on this occasion equal despatch, but it often takes a much longer time to settle details than to determine a principle, and the very fact of their having been so hurried in the first instance by Sir John Bowring has made the Siamese determine that they will never expose themselves to the same inconvenience again.

The details

required almost endless discussion—the great difficulty being to get the Siamese Ministers—who appear altogether irresponsible

—to agree to anything—they will talk over a matter from day to day—but when you want to effect any positive arrangement they shift the responsibility from one to another and declare they can settle nothing—that the king must do everything, whilst His Majesty on the contrary refers you to his Ministers. They have a great deal to learn in the way of business, and they require a firm but patient and considerate instructor to overrule their pride ignorance and indolence. The 1st. King is undoubtedly far in advance of all his Ministers, but he is also very capricious and sometimes puerile, and is often checked by his Court in his good endeavours—He is certainly the best friend we have in the country, and I have no doubt that while he continues so, everything will go on well,—a few years will suffice for the new system to take a deep enough root for it to stand thenceforward by its own strength.

Parkes was glad the question of consular jurisdiction was settled. Judging from his instructions to the new consul, Bowring appeared after all 'to have had in view a kind of mixed Court'. But this most probably would not have worked.[48] Bowring in fact approved the agreement and had it published in the *Hong Kong Gazette*.[49]

The US Plenipotentiary had been in Bangkok a month, Parkes noted, 'and had got on slower than I did'. He aimed at securing some additional advantages: 'they will cost him time to obtain if indeed he do succeed. They are such as settling at a greater distance in the country, opening mines, etc....' Time was indeed consumed, and patience, too, for towards the end of May Townsend Harris was writing: 'The proper way to negotiate with the Siamese is to send two or three men-of-war of not more than sixteen feet draft of water. Let them arrive in October and at once proceed up to Bangkok and fire their salutes. In such a case the Treaty would not require more days than I have consumed weeks ....'[50] But no extra privileges were secured either by Harris or by his French successor Montigny.[51] The Siamese had

made their bargain with the strongest power in Asia: as Prince Krom Hluang had put it in 1855, 'they trusted... that should cause for disagreement at any time occur, the British Government... would treat their Government with indulgent consideration, and would also extend to them the protection of England in the event of the American, French, or other foreign nation making additional or unreasonable demands with which they would be unable to comply....'[52] Similar treaties with other Western powers would, on the other hand, give the Thais a wider access to the outside world and might thus restrain the predominant power. This was no doubt the significance of the suggestions allegedly made to Harris that the Americans should act as mediators in any dispute between Siam and another nation.[53]

The Singapore merchant, W.H. Read, told Montigny before he went to Bangkok how discontented the King was with the English. Parkes had treated the ministers '*de haut en bas*', and Mongkut disliked him even more than on the 1855 visit.[54] Parkes's impatience does indeed come through his official report. He was at pains to emphasize in it that Mongkut had wished to confer nobility on him and appoint him agent at Canton, which showed 'that I remained until the last on friendly terms with His Majesty....' Indeed, somewhat predisposed against the ambitious Kralahom,[55] and finding that in any case he did not apparently wish to assume a leading role, Parkes had concentrated on the First King. His impatience came rather from having to deal officially with ministers who were no longer guided by the Kralahom, who had to defer to the King, and who were influenced by the Somdet's conservatism. Mongkut, whom Harris saw as 'pedantic beyond belief, and that too on a very small capital of knowledge',[56] Parkes saw as 'really an enlightened man. His knowledge of English is not profound, but he makes an excellent use of what he has acquired.... It is scarcely a

matter of surprise that he should be capricious and at times not easily guided; but he entered into the Treaty well aware of its force and meaning, and is determined, I believe, as far as in him lies, to execute faithfully all his engagements, which are certainly of the most liberal nature'.[57]

[1] Bowring to Edgar Bowring, 13 April 1855. English MSS. 1228/125, John Rylands Library, Manchester.
[2] Bowring to Clarendon, 25 April 1855, no. 140. FO 17/229.
[3] S. Lane-Poole, *The Life of Sir Harry Parkes*, London and New York, 1894, vol. I, p. 195.
[4] Parkes to Hammond, 6 July, 22 December 1855. FO 17/236.
[5] 'Geographical Notes on Siam', *Journal of the Royal Geographical Society*, vol. XVI, 1856, pp. 71 ff.
[6] Lane-Poole, op. cit., vol. I, p. 196.
[7] ibid., pp. 197–8.
[8] ibid., p. 195.
[9] Parkes to Hammond, 3 August 1855, and enclosures. FO 17/236.
[10] Memo., enclosed in Parkes to Hammond, 9 August 1855. FO 17/236.
[11] G.F. Bartle, 'Sir John Bowring and the Chinese and Siamese Commercial Treaties', *Bulletin of the John Rylands Library*, vol. XLII, March 1962, p. 306. Mr Bartle notes that opium was a delicate question with Sir John, not only because of his principles, but because of his personal obligations to the great firm of Jardine Matheson, of which the younger John was a partner. Bowring wrote to the Foreign Office: 'If it be the opinion of any one that the severest regulations will prevent a supply of opium from some source or other, where there is an active demand for the drug, I can only say that such an opinion is not warranted by my observation and experience. I avoided however discussions on the subject in Siam.' Bowring to Clarendon, 27 September 1855, no. 311. FO 17/233. See also Bowring to Fredk. Bowring, 4 October 1855. English MSS. 1229/205.
[12] Note by Clarendon, 9 August 1855. FO 17/236. The clause had been suggested by the Siamese Commissioners. See, under the date 12 April, the journal of the mission, Enclosure no. 15 in Bowring to Clarendon, 28 April 1855, no. 144. FO 17/229.
[13] Harding to Clarendon, 12 September 1855. FO 83/2249.
[14] Parkes to Hammond, 8 October 1855. FO 17/236.
[15] The presence of the *Rattler* at Bangkok was important to the negotiations, Bowring realized. Delay beyond a fortnight would mean, however, delay of a month: a tide was needed to take the steam sloop over the bar. Cf. Bartle, p. 305.
[16] The *Rattler* crossed the bar on 2 April. The Plenipotentiary first met the Siamese Commissioners on 9 April. But a number of points had been discussed in the interim.

[17] This was on the evening of the 11th.

[18] Harding to Clarendon, 12 November 1855, and note thereon. FO 83/2249. Wodehouse to Parkes, 14 November 1855. FO 17/236.

[19] See W.C. Costin, *Great Britain and China 1833–1860*, Oxford, 1937, pp. 105 ff.

[20] Parkes to Wodehouse, 20 November 1855. FO 17/236.

[21] Foreign Office to Parkes, 23 November 1855. FO 17/236.

[22] Parkes to Wodehouse, 7 December 1855. FO 17/236. Hence the instructions to Parkes, 2 January 1856. FO 17/254.

[23] Parkes to Clarendon, 1 March 1856. FO 69/5.

[24] Bowring to Parkes, 10 January 1856. BC 190807, p. 4. Bogle to Beadon, 18 August 1855; Dalrymple to Bowring, 28 November 1855. BC 171870, pp. 33, 49.

[25] Neither Brooke nor Bowring had carried royal letters to the Siamese kings, though they had full powers.

[26] Bowring had originally proposed that the new tariff should date from the signature of the treaty, 'but as those important provisions relative to the abolishment of the Firms, Monopolies, etc., could not come into operation before the expiration of the year for which the licences had been renewed only a few days previous to the Plenipotentiary's arrival', it was deferred for that year. See, under the date 13 April, Enclosure no. 15 in Bowring to Clarendon, 28 April 1855, no. 144. FO 17/229.

[27] Parkes to Hammond, 27 October 1855; Hammond to Wodehouse, 31 October 1855. FO 17/236.

[28] Parkes to Hammond, 22 January 1856. FO 69/5.

[29] Parkes to Hammond, 31 January 1856. FO 69/5.

[30] Later there was some question of the remuneration of those who tried to recover them. The amount paid was $500, 'and when it is seen that this sum includes fifty-one dollars for the hire of boats and forty-nine dollars paid to the English Engineers leaving therefore only four hundred dollars to be divided among 109 natives at an average of fifteen shillings per head, this does not appear an exorbitant rate of remuneration for a night's exposure to a storm, and three days' subsequent labour....' Parkes to Bowring, 5 July 1856. FO 17/248.

[31] Lane-Poole, op. cit., vol. I, p. 199. Some of the damaged articles, according to Mongkut, included 'Digby Wyatts industrial Arts two volumes highly illuminated', 'a collection of coloured diagrams illustrative of Physiology, machinery, Natural History, etc.', 'a complete set of charts of the Indian and China Seas', some 'philosophical apparatus', a polar clock and an arithmometer. A model steamer, a model locomotive, an air pump, a 'solar gun', were all safely received, as also, apparently, an inkstand, two globes, some coloured engravings of Victoria's coronation, a revolver, an eye-glass, and a camera. Mongkut did not blame Parkes: 'such the unforeseen accident is in difficulty of human power to promptly prevent....' Mongkut's receipt, 7 May 1856. FO 69/5.

[32] Parkes to Hammond, 5 March 1856. FO 69/5.

[33] Memorandum on Siamese politics, 10 September 1855. FO 17/236. Parkes thought Joseph was 'a native of Calcutta though he calls himself a Dutch subject'. Elsewhere he is described as Portuguese. R. Adey Moore, 'An Early British Merchant in Bangkok', *JSS*, vol. XI, part 2, 1914–15, p. 37.

[34] See, e.g. J. Bowring, *The Kingdom and People of Siam: with a Narrative of the Mission to that Country in 1855*, London, 1857, vol. II, p. 304.

[35] Bowring to Fredk. Bowring, 2 September 1855. English MSS. 1229/204.

[36] As for relations between the First and Second Kings, a recent Thai writer has suggested that they were not as strained as has sometimes been made out, though there were resentments. On his death-bed Isaret told Mongkut that his army was maintained for protection against the Kralahom. Neon Snidvongs, 'The development of Siamese relations with Britain and France in the Reign of Maha Mongkut, 1851–1868', unpublished Ph.D. thesis, University of London, 1961, pp. 247–8.

[37] It has to be remembered, however, that Parkes played a considerable part in the negotiations of 1855.

[38] Parkes's account of his mission, drawn on below, is in his despatch to Clarendon of 22 May 1856. FO 69/5.

[39] Presumably Stirling's convention of 14 October 1854, reprinted in W.G. Beasley, *Great Britain and the Opening of Japan 1834–1858*, London, 1951, Appendix A. This followed the treaty made by the American Commodore Perry, opening Shimoda and Hakodate as ports of refuge for American ships, providing for the protection of American subjects and the appointment of a consul, but doing 'practically nothing to facilitate trade'. ibid., p. 111. Townsend Harris, after concluding his treaty in Bangkok, wrote to Perry: 'Your expedition to Japan was one of the great causes that led to the English and American Treaties with Siam'. Mario E. Cosenza, ed., *The Complete Journal of Townsend Harris*, Rutland and Tokyo, 1959, p. 164 n. But this seems a doubtful statement.

[40] Ratification, 5 April 1856. FO 69/5.

[41] Parkes to Bowring, 7 July 1856. FO 17/248. The boundary was finally settled in the 1860s. Snidvongs, op. cit., pp. 363–4.

[42] Parkes does not explain why. Perhaps he was aware of the legal difficulties the British might face in trying to carry out such an undertaking, for instance in Singapore, or on the high seas. See N. Tarling, *Piracy and Politics in the Malay World*, Melbourne, 1963, pp. 216–9, 223–5.

[43] One of the articles proposed by the Siamese Commissioners in 1855, but not accepted, had related to 'the protection to be given to Chinese and others claiming the privileges of British subjects'. See, under the date 11 April, Enclosure no. 15 in Bowring to Clarendon, 28 April 1855, no. 144. FO 17/229.

[44] See Detchard Vongkomolshet, 'The Administrative, Judicial and Financial Reforms of King Chulalongkorn 1868–1910', unpublished M.A. thesis, Cornell University, 1958, pp. 159 ff.

[45] See J.C. Ingram, *Economic Change in Thailand since 1850*, Stanford, 1955, pp. 177–8.

[46] Parkes apparently did rather better here than Bowring had envisaged. Cf. *supra*, p. 187.

[47] According to Townsend Harris, the American envoy, who had arrived in Bangkok some three weeks previously, 'a grand row' had taken place on the 5th 'about the business of Mr. Parkes who had so wearied the King by his letters, etc., that he got enraged, blew up all his court and ended by closing the palace gates against all the world....' Cosenza, op. cit., p. 139. It seems possible that the King was rather enraged with his court for so confusing (and thus expanding) the business of Mr. Parkes.

[48] Parkes to Hammond, 10 June 1856. FO 69/5. Bowring to Hillier, 5 May 1856. FO 17/247.

[49] Bowring to Clarendon, 10 June 1856, no. 189. FO 17/247. Same, 18 June 1856, no. 192. FO 17/248. The agreement is printed in Bowring, op. cit., vol. II, pp. 230–47.

[50] Cosenza, op. cit., p. 153.

[51] It has been mistakenly suggested that Montigny originated a clause prescribing a warning of the prohibition of rice exportation. Charles Meyniard, *Le Second Empire en Indo-Chine (Siam-Cambodge-Annam: L'Ouverture de Siam au commerce et la convention du Cambodge)*, Paris, 1891, p. 264.

[52] *Vide supra*, pp. 194–5.

[53] Cosenza, op. cit., pp. 111, 114, 121. See also W.M. Wood, *Fankwei: or, the San Jacinto in the Seas of India, China and Japan*, New York, 1859, p. 176.

[54] H. Cordier, 'La Politique coloniale de la France au début du second empire (Indo-Chine, 1852–1858)', *T'oung Pao*, series 2, vol. X, 1909, pp. 188–9.

[55] The Kralahom, it may be noted, allegedly gave vent, when asked by the Americans about 'changes in the dynasty', to 'the real republican sentiment that Kings who claim their title by right of birth, often forget they originated from the people... and don't lend an ear to the sufferings of their subjects,—so there was often a change at the fourth generation of princes of the same dynasty....' Cosenza, op. cit., p. 115.

[56] ibid., p. 145.

[57] Lane-Poole, op. cit., vol. I, p. 215.

6 Lord Canning

X

Pirates and Convicts: British Interest in the Andaman and Nicobar Islands in the Mid-nineteenth Century

THE establishment of territorial dominion in India and the development of the Company's trade to China gave the Andaman and Nicobar Islands their importance in British policy in the later eighteenth century. After the experiences of the war of American Independence, stations were sought on the east side of the Bay of Bengal partly in order to protect the China trade, but particularly to ensure naval control of the Bay during the northerly monsoon. These motives lay behind the foundation of the settlement at Penang and the attempts to secure Trincomali from the Dutch; they also led to Lt. Blair's forming, in 1789, a settlement on the south-east coast of the Great Andaman 'at first called Port Cornwallis', removed in 1793 to the north-east harbour, 'afterwards called Port Cornwallis'. This was finally abandoned in 1796 as unhealthy,[1] and by then, in any case, Trincomali was in British hands. The importance of some such station in the Bay had been emphasized by the

wartime exploits of the French Admiral, Suffren, for he had made use of Achehnese ports and also of Nancowry in the Nicobars, and in the Revolutionary wars enemy privateers followed his example.[2] The Nicobars, however, had been annexed by Denmark in 1756, and this minor power maintained a frail colony on the fringe of greater empires, supporting it by subventions from home and by the missionary endeavour of the Moravians.[3] It was only in 1809, shortly after they had occupied the Danish possessions on the Continent of India as a means of excluding foreign interference, that the British authorities removed the Danish guards from Nancowry harbour.[4] No British settlement was formed on the island and, upon the conclusion of the general European peace, when the Danes were, under the treaty of Kiel, restored to Tranquebar and Serampore, they were informed that they might renew their settlement on the Nicobars or not as they thought proper.[5] It was clear that from this time at least neither of the island-groups possessed their earlier strategic significance, though the development of British interests in Arakan and Tenasserim from the 1820s gave the Andamans some new importance: Sir Archibald Campbell indeed assembled his forces at Port Cornwallis at the beginning of the first Burma war.[6]

In any case there were considerations other than strategic. Both groups of islands had some commercial value. The islands provided water and refreshment for passing ships and for the sperm whalers in the surrounding seas. The coconuts and areca nuts of the Nicobars, which had attracted the Danes, had also attracted the Malays, who appear to some extent to have settled and mixed with the natives. As the century proceeded, the islands were increasingly visited by local inhabitants and by European country traders from the British provinces in Burma and from Rangoon: and by 1848, it could be asserted that 'near one hundred British vessels load at the above islands annually for Tenasserim or Arakan'.[7] The Andamans were of less commercial value

because coconuts were scarcer but, though there was therefore less Malayanization of the population, it was reported about this time that 'during the north-east monsoon the people of the Malay Coast of Sumatra visit the Andamans in prahus, for the purpose of collecting the edible nests, and fishing for the sea slugs, called "trepang", or bêche-de-mer, which is also a Chinese dainty'.[8]

The commercial prospects did not at once revive the interest of the Indian Government in the island-groups: but the misfortunes which traders suffered there finally compelled it to give them some attention. The savagery of the Andaman natives had more scope than the nature of their trade suggests: not only did ships crossing the Bay call for water and refreshment, others from Burma touched at the islands en route for the Nicobars. The natives' hostility to strangers—noted by Sir Archibald Campbell and confirmed, for instance, by the experiences of the shipwrecked soldiers on board the *Runnymede* and the *Briton* in November 1844[9] —was probably stimulated by the slave-trade in which the Malays apparently engaged: even in the 1840s it was understood that Andaman islanders were frequently taken off to the Siamese-Malay ports to the northward of Penang.[10] In 1856 the British Commissioner in Arakan thought that much of the natives' hostility could be blamed on the Burmese, 'as I have heard that they used to capture them to carry into slavery'.[11]

The jealousy that Malay visitors felt for commercial rivals no doubt prompted some of the outrages or 'piracies' committed upon country boats touching at the Nicobars, but the plundering of vessels watering at the islands was also an attractive proposition and probably some Burmese as well as Malays were prepared to trade in stolen goods.[12] For a time, however, piracy at the Nicobars appears to have been restrained by the Danes, who in 1831 established a new settlement, called Frederickshoj, on Kamorta.[13] Admiral Owen, then Commander-in-Chief on the East Indies station, sus-

pected that the colony was designed to facilitate a trade in munitions with the neighbouring mainland states,[14] but it was, as H.M.S. *Magicienne* found in 1833, attempting rather to develop a monopoly trade in betelnuts and edible nests.[15]

In these circumstances there was at this time little inclination on the part of the British to interfere in the Nicobars; nor were they interested in the Andamans, although these might be deemed to have been still in their possession. Nevertheless Captain Crisp, a country trader from Moulmein, brought before the Madras Government in 1836 schemes to cover both groups of islands. He had, he declared, made frequent voyages to Car Nicobar, and

established feelings of good fellowship with the influential men or Patriarch[s] on that island.

On my last visit thither in February last, I ascertained they had killed three men and one woman of their own class or tribe, two, a man and woman, for eating children, one man, an Elder, for securing and holding communication with some outlaws in the wood, one man for attempting to spear another.

On my remonstrating with them for killing their fellows, they justified themselves on the plea of the smallness of the island and their known inability to transport them elsewhere.

Having often considered Interview Island on the west side of the Great Andaman as an eligible place whereby the Andamans might be made the great jail of India by simply removing the jail establishment at Amherst thither..., the same train of thoughts occurred to me in reflecting on what the Patriarch[s] of the Nicobars had said in justification of themselves, and while I was yet revolving the whole in all its bearings in my mind an American whaler which had been there two years previous came in for supplies.

I submit with due deference to the judgement of Government that to facilitate the increase of American Whalers by allowing them to get a footing and a place for themselves and their missionaries would be to increase their seamen and their naval strength, to avoid which I submit, it would be advisable to induce the Danish Government to abandon the Harbour of Nancowry in

our favour and good Policy supported by Humanity [should induce us] to make a settlement at Interview Island whither the malefactors from the Island of Car Nicobar might be removed, who again might be made the means of civilising the inhabitants in the Andamans.[16]

A few weeks later Crisp produced further reasons for intervention. Two French missionaries, Chabord and Plaissant, settled in Car Nicobar,[17] and the Captain reported the fact to the Government.

Presuming the right now exercised by the Danish Government over the island and harbour of Nancowry to have emanated from their missionaries having settled thither, it is to be apprehended that this may be the intention of the French Government with the view to transport their convicts thither from Pondicherry.

In my opinion the time has arrived when our Government should openly indicate their intention to exercise a paramount influence over these islands to prevent other Powers from obtaining either influence or footing.[18]

There had been convicts at Blair's settlement, but the notion that criminals from Burma, or even from Car Nicobar, might be the instrument of civilization in the Andamans was a new one. It was important for the future, but as yet the Indian Government was not interested, and did not 'consider that it would be politic to take any steps for establishing more intimate relations than now exist with the native chiefs and population' of the Nicobar Islands.[19] Later Crisp heard that one of the missionaries had decided to settle on Teressa, and this strengthened his 'suspicion that the French Government intend making a settlement on one or more of the Nicobar Islands'. The British could support their interests by 'affording to the influential men (say three) at each village the means of securing any of their criminals preparatory to their removal from the Island at the same time to promise to reward these three men's fidelity by an annual gift of

stout silver wire....'[20] The Government, however, was clearly not attracted by these apparently cheap and easy methods of civilizing the islands: it had 'no apprehension of the designs of other European nations and no desire to establish relations ... with the chiefs and tribes of the Nicobar Islands'.[21]

In 1838, the Danes, as a result of a royal decree, withdrew from the Nicobars, though maintaining their sovereignty.[22] In the succeeding years there was an increase of piracy that prompted the Indian Government at last to consider action. It was still not prepared to adopt Crisp's suggestions for bringing the islands under control, but wished to confine itself to naval patrols and expeditions. This cheap and easy method of civilizing the islanders was, however, to be subjected to criticism, for the isolated visits of men-of-war were insufficient to create lasting fear among them, while the occasional destruction of their villages, apart from its doubtful moral justification, incited them to look to irregular modes of making a living.

In December 1840, H.M.S. *Cruizer* picked up a boat belonging to the whaler *Pilot* of London about two hundred miles west of the Nicobar islands. The ship had put in at Ho-ho on Kamorta for water and refreshments—not at Nancowry, as an earlier report stated—and the natives had taken possession of it, apparently murdering the captain and most of the crew. Commander Giffard of the *Cruizer* burned the village, about seventy huts, and destroyed its canoes. He reported that other ships had undoubtedly suffered a similar fate, and other islanders, such as those of Teressa and Bompoka, were certainly concerned in these practices.[23] Accounts of this transaction appeared in the Calcutta papers in February, and the Bengal Chamber of Commerce, recognizing that the Andaman and Nicobar islands lay 'directly in the track of vessels bound to the Straits', urged measures for 'providing to commerce in that quarter a security for the future against atrocity and plunder'. The Governor-General asked Captain Halstead of H.M.S. *Childers* to visit the Nico-

bars, together with the steamer *Ganges*, to investigate 'the present feelings and habits of the people ... towards the vessels that may visit their Islands', and to 'rescue any mariners detained by them in captivity'.[24]

These instructions were issued despite a communication from the Governor of Serampore pointing out that, though the settlement on Kamorta had been abandoned, the Danish Government had 'not given up their claims to the sovereignty of the islands which had been acknowledged by the Natives at several periods....' Hanson remarked that the natives were

> generally inoffensive and have frequently had it in their power to do away with the few Danish settlers and take possession of their stores and property, but they have treated them with uniform kindness and acknowledged their superiority. I therefore suspect that some offence has been given by the British Sailors, and as the Natives are exceedingly jealous of their women occasion of offence can easily have been given.[25]

The weakness of the Danish position was obvious to the Serampore Governor, and it was perhaps an added reason for supporting this explanation of the origins of piracy. The British authorities came later to share in part his attitude on that subject, but it did not really provide a satisfactory argument for governmental inactivity, for failure to exercise any control over natives or sailors.

The Court of Directors of the Company remarked that it was for Her Majesty's Government 'either to acknowledge or dispute the alleged sovereignty of the Danish Crown over these Islands, one of the consequences of which if admitted would be that reparation for any injury done by the Nicobar islanders to British subjects might be demanded from the Danish Authorities'.[26] The future of the Danish settlements in India was in fact under discussion at this point: early in 1841 there had been indications that, consequent upon reform and retrenchment under their new King, Christian

VIII, the Danes were proposing to dispose of their costly possessions in the East.[27] With reference to Serampore and Tranquebar, the Governor-General in Council commented that it was 'advisable to purchase such detached portions of foreign territory as those in question, where it can be done at a reasonable price. ... upon many points of fiscal or other administration, the intervention of such patches of independent jurisdiction must obviously be productive of serious inconvenience'.[28] By March 1845, a treaty was concluded that was subsequently ratified, under which Serampore, Tranquebar, 'and a piece of ground formerly a factory at Balasore', were ceded to the British Government 'for a pecuniary consideration'.[29] Hanson's draft of this treaty of September 1844 had included a clause declaring that 'the Nicobar Islands ... not being included in the present transfer, His Majesty's rights, claims and supremacy to and over the said islands are not in any way affected by the present treaty'. Later events suggest that it was as a result of British unwillingness to recognize these rights that in the later draft, which subsequently became the definitive treaty, Hanson omitted this reference to them, and that he determined to seek a final decision from his Government about them.[30]

There was thus no immediate decision over the future of the Nicobars, but there had been meanwhile new reports of piracy there. The *Moulmein Chronicle* published a letter declaring that a vessel had been taken at Nancowry in January 1844. The Commissioner in the Tenasserim Provinces, G. Broadfoot, did not attach much credence to the report, which emanated from a country trader, Booth of the *Patriot*, but he thought an investigation desirable.

> I would have requested Captain Smith of H.M.S. *Siren* to go down at once, but the instructions to Captain Halstead are not preserved, and as there are some old claims of the Danish Government to these Islands, I shall cause further enquiry to be made, and if there be no reason for haste shall solicit further instructions before acting.[31]

Subsequently, another country trader, Moniot, commander of the brig *Sophia*, repeated the report that a vessel had been destroyed and its crew murdered earlier in the year, apparently, according to Chabord, then at Teressa, again in Ho-ho Bay. This was still vague information, Broadfoot commented, and in the coming season few vessels could visit the Nicobars; but in the next monsoon it would be desirable to commence periodical visits by men-of-war and steamers from Penang and Moulmein, 'with definite authority to act in certain cases'. Mere descents from a man-of-war had been proved insufficient, he added, and 'it is for the Government to consider what stronger measures should be taken. The Islands are worthless and unhealthy, but they will if unpunished become very prejudicial to our trade....'[32]

At Penang a notice appeared in the newspapers about the loss of a vessel, presumably in the Nicobars, in January; and there had also been an attack on the cutter *Emelina* of Malacca, the captain of which had been murdered. Something, declared Broadfoot, must be done, and he believed it would be possible to render naval forces effective for suppressing piracy by using them to seize the ringleaders of the pirates. In an earlier period, he wrote, only the Great Nicobar people had been considered unfriendly; now only the people of Car Nicobar and Teressa could be considered friendly. The piracy in Kamorta and Nancowry probably originated with the attack on the *Pilot*, perhaps the result of a quarrel, and with the resulting punishment, which drove the natives to the Kamorta jungle and encouraged the adoption of piracy as a habit. Destruction of the coconuts on Kamorta and Nancowry would, the Commissioner concluded, merely induce further piracy: what was needed was some continued pressure that would force the people to come out of the jungle and give up the ringleaders; and these could be dealt with as the Governor-General saw fit. 'Both in punishing them and providing for the future', Broadfoot added, 'it would not be forgotten that our traders often defraud and oppress un-

protected savages and for all we know may have so caused in the first instance the atrocities Government is now obliged to put down.' This, however, was only a reason for more Government activity, and ships-of-war should visit the islands two or three times a year during the north-east monsoon.[33]

The Governor of the Straits Settlements was also following up the murder of the captain of the *Emelina*, apparently, he learned, off Nancowry, and proposed to use his steamers in the next monsoon 'to beat up the piratical hordes' in that area. Chabord, then visiting Penang, advised, like Broadfoot, against indiscriminate punishment, and thought that only the leading criminals should be punished. The only real remedy, he added, was the expansion of Christianity.[34]

The Indian Government referred the whole matter to Commodore H.D. Chads, then in command of the East Indies squadron, commenting that from available information it was impossible to tell whether or not the natives might have been provoked. Chads had had much experience of piracy in the Malay Archipelago, as a result of the special commission given him by Lord Auckland in 1836, and he drew upon this in recommending to the Governor-General that

> much may be done by forbearance and warning these inhabitants of the certainty of punishment to the extreme of our means, and in every manner, if they persevere in their lawless proceedings, and showing them that our attention is drawn towards them by the frequent and lengthened presence of a small steamer or the vessel of war stationed at Moulmein.[35]

Crisp meanwhile had his own plans for the Nicobars. Allegedly at the request of the natives, he removed the French missionaries from Car Nicobar and took them to join Chabord on Teressa. Upon the latter island, the Captain himself was planning to settle, in order to promote rice and betelnut cultivation and set an example to the piratically-

inclined in the neighbouring islands, and he thought the Government might find Nancowry valuable as a coal depôt for steamers going to Singapore and China. Meanwhile he realized that it was confining itself to naval operations, and advocated visiting 'the principal Pirates of Nancowry and Kamorta with retributive vengeance by the execution of one or more of them on the spot'. These could be captured by means of a decoy.[36]

Some unsatisfactory attempts at using decoys had been made in Malay waters. Chads did not now adopt such suggestions, but sent Commander Jervis of H.M.S. *Pilot* to the Nicobars with instructions that were simply a development of his remarks to the Governor-General. Lascars of Indian country vessels—and reference to them was more relevant than one to 'British sailors'—were unlikely to have been provocative, he observed, but it was advisable to give the natives the benefit of the doubt, and he recommended in the first instance 'conciliatory conduct ... endeavour to convince them, that we wish to be their friends, at the same time to give them solemn warning that any repetition of the activities they are now suspected of, will be punished with the utmost severity....' Warnings could be given through the French missionaries, who might join the occasional cruises round the islands. If piracy continued, but not otherwise, there must be executions of leading criminals, if apprehended, or, if necessary, destruction of huts and trees.[37] As Chads knew from his Malayan experience, it was certainly difficult to execute the plan of civilizing the islands through the instrument of naval operations: for instance, as H.M. Durand, now the Commissioner in the Tenasserim Provinces, observed, it was almost impossible to secure the criminals, yet quite undesirable to punish indiscriminately.[38] The best that could be done was to cruise and attempt to create a lasting impression by the threat of force. These views resulted in orders for an increase in naval strength in the area: H. M. steamer *Spiteful* was instructed to join the

expedition and the Straits Settlements was to send a steamer.[39]

The *Spiteful* had in the event to undertake other duties, and was not at the islands when early in 1845 the Straits steamer, H.C.S. *Phlegethon*, cruised there, wooded and watered at Nancowry, and called on the French on Teressa.[40] H.M. sloop *Wolverine* had, however, visited the Nicobars late in 1844. Chabord had pointed out the place of the Ho-ho Bay attack of January and, with this information corroborated by Nancowry natives, the acting-Commander, so far from fulfilling the Commodore's intentions, proceeded at once to destroy the villages and, for good measure, also a village at the northern end of Kamorta, which some Nancowry natives declared responsible for another outrage, apparently the murder of the captain of the *Emelina*.[41] In Mergui information was received about the cutting-off of the brig *Mary*, and it was thought the Nancowry people were themselves responsible. Durand determined in April 1845 to send the Moulmein steamer, *Ganges*, down to investigate.[42]

The Bengal Acting-Superintendent of Marine indeed thought that, as there was 'always one of H.M. Men-of-war stationed at Moulmein, ... she should occasionally cruize among those Islands instead of remaining for months at anchor off the Town of Moulmein'. The *Pilot*, which was shortly to replace the *Spiteful*, might also survey the Andamans, and 'report whether a suitable locality can be found for a settlement, as there can be no doubt as to the great advantage that would result to all vessels navigating the Straits from our having a settlement there, it would also tend more than anything else to put a stop to Piracy...'.[43] The Court was not prepared to go nearly so far, and in October advised that 'all commanders of trading vessels likely to touch at the Nicobar Islands should be recommended to employ a portion of their crew as an armed watch over the safety of the rest, whether on board or on shore'. This might avoid the need for measures of repression, though the Indian

Government might adopt them if it appeared 'practicable and advisable'.[44]

Meanwhile, the *Ganges* had investigated the fate of the *Mary*, which, it was learned from Chabord, had in fact been destroyed in the bay formed by the islands of Teressa and Bompoka, and it had visited Ho-ho Bay and Nancowry to look again into the murder of the captain of the *Emelina*. Captain J. Moore, the Assistant Commissioner at Mergui, who accompanied the expedition, was suspicious of a native called 'Captain Smith', and of a European, Goldsmith, left behind by a Chittagong ship in 1838 and resident in Nancowry. No vengeance was taken but his report revived the idea of punishing ringleaders, and Durand proposed that in the healthy season, in January, a party of the Local Corps should be sent to Teressa, with the 'naval forces of the Tenasserim Provinces', perhaps the steamer *Proserpine*, and one of H.M. cruisers, to induce the guiltless to yield up the guilty. A special commission could try these persons on the spot and if necessary execute them.[45] This latter recommendation, the Indian Government remarked, was impracticable: 'persons charged with offences of this nature should be apprehended and brought for trial to one of Her Majesty's Courts of Admiralty'.[46] The problem of administering summary justice in this way had been met in dealing with Malay piracy, and possibly this had contributed to preventing Chads's adoption of plans like Crisp's: it was difficult to punish even the ringleaders, even if they were taken.

Commodore Blackwood, however, took up the suggestion of a naval expedition to the Nicobars, to consist of his ship, the *Fox*, a large steamer, a sloop, and three of the Company's small steamers,[47] but the President in Council in Calcutta thought it better to postpone these measures, as also the execution of the Court's instructions of October. The Danish frigate *Galatea* had early in November arrived from Europe in connection with the transfer of the Danish settle-

ments. The President, T.H. Maddock, noted that the Commander, Captain Steen Bille, proposed to send

> a steamer under the Danish flag to the Nicobars with the object ... of making scientific enquiries as to the resources of the islands, for which purpose the Danish vessel and the exploring party which accompanies it will remain for some time on the islands[.] [Perhaps] it would be well for us to refer to the commander of this vessel for the redress of any injuries our subjects may have sustained from the inhabitants.
>
> To do this [however] would be to acknowledge indirectly the sovereignty claimed by [the King of] Denmark and to send ships without reference to his officer to enforce redress from the guilty inhabitants by our own means would lead to inconvenient discussions, whereas if we remain passive for the present the probability is that the Danish steamer will deter the islanders from any fresh aggressions for a time and that the sickness which their party is likely to encounter and the disappointment of their hopes of finding the islands adapted for a colonial settlement will lead to an early abandonment of their design, after which we shall feel ourselves at liberty to treat the people of the Nicobars as if no claims of superiority over them had ever been advanced by another European power.
>
> If the Danes on the contrary should feel disposed to form permanent settlements on these islands, and the British Government does not see fit to deny their pretensions, we must hold them responsible for the conduct of the islanders.

This statement did not reach the Governor-General, and Maddock's plan of 'lying low' was therefore adopted by accident rather than by design.[48]

Earlier in the year the Danish Consul-General in Calcutta had organized the expedition of the schooner *L'Espiegle* to the Nicobars to investigate alleged coal-fields and experiment with cotton growing. The coal was found to be of little value,[49] but more information was apparently sought. Steen Bille declared that it depended upon 'the result of our different surveys if the Danish settlements will be renewed or not on this old possession of the Danish Crown, but until the

question can be settled a Danish Force will be left on the station amongst the islands to maintain security against piracy'.[50] The visit of the *Galatea* and the presence of the *Ganges*, which had been purchased and placed under the Danish commander Aschlund, seem to have had the effect Maddock anticipated, and no complaints were received of Nicobar piracies for the next two years. In June 1847, however, the President minuted that the Danish expedition had apparently left the islands, and he proposed an enquiry into the security or otherwise of the Andamans and Nicobars. Decisions about the future must involve the Danish claim to the latter, and Maddock now openly doubted if the Indian Government 'could be justified in acknowledging the Right of Denmark to dominion in any Islands in the Bay of Bengal, surrounded as that bay is by the continental possessions of Great Britain under the Government of the East India Company, and to which the claim of Denmark rests on very slight grounds'.[51]

The Tenasserim Commissioner confirmed that his force having been attacked by a 'violent jungle fever', Captain Aschlund had withdrawn from the Nicobar islands, recommending their abandonment to the Copenhagen Government. No cases of piracy, however, had as yet been reported.[52] Aschlund told the Resident-Councillor at Penang that he thought vessels would be safe

> while attention is paid to those prudent precautions which are universally necessary when dealing with an uncivilised people. Prudence would dictate the preventing of numerous bodies of the natives coming on board at the same time, abstaining from intoxicating the Natives with ardent spirits, keeping a good look-out, and preserving good discipline on board, and discouraging and if possible preventing the crews when on shore from meddling with the women of the place.[53]

In the following year, however, the Tenasserim Commissioner reported a dispute between the crew of a Moulmein

vessel and the inhabitants of Nancowry which, he suggested, showed that visits by men-of-war were desirable 'for the purpose alike of controlling, and of giving due security to our Traders'; but H.M.S. *Acorn* had left the Tenasserim station, and there was no vessel available to patrol the Nicobars.[54] Crisp suggested occasional visits during the period November—April,[55] and the pressure on the Government to act was increased by the announcement from the commander of His Danish Majesty's sloop *Valkyrien* that he was instructed finally to remove the Nicobar settlement; 'and considering that acts of Piracy might be committed by the inhabitants of those Islands, when left without a military force, I feel it my duty to report my intended proceedings, in order that His Lordship [the Governor-General] may take such steps that he may consider necessary in consequence'.[56] This announcement supplemented a despatch from Copenhagen.[57] No major decisions were, however, taken about the Nicobars.

In 1849 the Tenasserim Commissioner sent the *Proserpine* to the Andamans to search for the missing crew of the barque *Emily* wrecked on Interview Island. The wreck was found, plundered, but no survivors could be discovered.[58] The inaccuracy of the charts of the area was again illustrated and, as T.E. Rogers, the Bengal Superintendent of Marine, observed, other considerations might render a survey desirable. The *Proserpine* had met distrust and hostility among the natives, and

> the institution of a survey of the coast of the Islands might be made the means of familiarising the inhabitants with strangers, and drawing them within the pale of civilisation....
>
> The importance of conciliating the people of the Andamans and rendering them less hostile to shipwrecked Mariners, or others who may land or be thrown on these islands, situated as it were in the centre of what may be considered the peculiar sea of the Indian Empire, I have no doubt Your Honour [the Deputy-Governor of Bengal] will at once recognise....

If nothing were done, 'it may hereafter be made matter of reproach to the enlightened Government of British India that it has so long left these people within three or four days sail of this great commercial Port [Calcutta] in a state of barbarism and misery'.[59] The Deputy-Governor felt that a survey could not effect these aims, while there were areas more in need of a survey, such as the Pedir coast of Sumatra or the Nicobars. It was finally decided that the work of the Danes in 1845 covered the Nicobars, and so the surveying vessel, the *Krishna*, was sent to Sumatra.[60]

Rogers next called attention to the 'horrid crimes' committed in the Nicobars. The Company's steamer *Tenasserim* had visited the islands to investigate reports of vessels cut off there, and the commander had come to the conclusion that 'two or more' vessels had been cut off by Kamorta or Nancowry natives within the space of a few months.[61] Even this apparently did not stir the Calcutta Government, for no action resulted, and the Court itself asked its intentions.[62]

Later the Directors commented rather sharply on a new outrage in the Andamans, the attack upon the shipwrecked crew of the *Fyze-Buksh* of Moulmein: 'we cannot doubt that the subject has received the consideration its importance deserves'.[63] This prompted the Indian Government, if not to act, at least to consider action. The President in Council decided that the occupation of the islands, 'the only effectual remedy', was impracticable, but a convict settlement might be made on the south-west part of the southern island which was 'reported to be healthy'.[64] Captain Henry Hopkinson, the Commissioner in Arakan, was asked to comment, and he considered that if 'the only effectual remedy' was the occupation of the islands, the next best thing was 'the establishment of a British Settlement on one of the Islands which might extend itself hereafter as circumstances allowed'. The climate and natural features were not unlike those of Arakan thirty years before and could thus be improved; the valuable harbours might be better in the hands of the British than of

others; and they had a duty to protect seafarers, especially in view of their claims over the islands. The cheapest way to begin a colony would be by a penal settlement for Burmese criminals, which could be sited at 'old' Port Cornwallis, or on the western side of the archipelago, at Port Andaman or Interview Island. 'Any project for the reoccupation of the Andamans should also comprehend arrangements for exercising from them a surveillance over the neighbouring group of the Nicobars. Those islands have acquired a horrid notoriety of late years for the murderous piracies committed by the inhabitants', the latest report upon which was from the commander of the *Tenasserim*. 'It would be well if these Islands could be reduced to an authority, and if the establishment of a penal settlement were the only consideration, they would probably answer as well for that purpose as the Andamans.' The Lieutenant-Governor of Bengal supported Hopkinson's views.[65]

The Governor-General, Lord Canning, was, however, opposed to a settlement in the Andamans. There was no need for a new penal settlement, the establishment of which would involve 'a sure expenditure of life and money'. Nor would a convict settlement at one point render the whole group of islands safe for traders or the shipwrecked. It was indeed true that 'property has its duties as well as its Rights', but

> we must consider our means and the further and more weighty liabilities which we may bring upon ourselves before we undertake even a duty. The possession of an island, unless it be so situated and armed as to be a bulwark or an advanced guard, becomes in war a positive weakness....
>
> Surely it would not be wise to encumber ourselves with new outlying points of defence which must either be made, at considerable expense, strong enough to protect themselves, or, upon the approach of danger, be guarded by a force which will have more than enough to do elsewhere or be abandoned with discredit....

It might indeed be argued that the British claim over the Andaman Islands was weak: 'however, as we shall probably assert it against any intruding Power, it would not be honest to argue as though it did not exist'.[66]

J.P. Grant, a member of the Council, disagreed with Canning. Certainly security for traders and the shipwrecked could be provided only by the complete occupation of the Andamans and Nicobars, which was impracticable, but some move towards this might be politic. A harbour of refuge would help them, and a position could be selected that was also 'a convenient port of call for refreshment, and perhaps for coaling'. In time of war it might be taken, but it could not be retained by an enemy unless Britain lost command of the sea 'in which case India itself would be untenable'. Such a colony would also be a convenient convict station receiving the criminals in particular of Burma and the Straits.

> And at none of our existing convict settlements is there jail accommodation for any large increase in the number of convicts; yet that there will be a very large increase in that number by reason of our late immense accessions of territory, seems certain. It may be presumed that Jails, convict lines, or other places of confinement for convicts can be nowhere less costly than at a place where the convicts know that if they run away they will be eaten up.
>
> It appears to me also that on diplomatic considerations some visible sign of actual dominion in that quarter would have its uses. I take it for granted that no foreign power could be allowed to establish herself in the Andamans or Nicobars. Whatever was the case before, the conquest of Pegu [in the second Burma war] has made the Bay of Bengal a British Sea,

and the difficulty that Britain would face if any such attempt were made could be avoided by anticipating it.[67]

The Court of Directors, in a despatch of October 1856, thought there was something in Grant's arguments, especially, it would seem, the latter one. It might sometime be necessary to reassert British rights to the Andamans: 'it would

have been highly inconvenient and objectionable, at any time, that a group of islands, so situated, should be occupied by strangers, but the importance of the consideration has been much increased since we have become masters of Pegu'. A harbour of refuge would certainly add to the security of traffic, and there was also the question of a penal settlement. In any case more data were required before any resolution was made, and since, as Grant said, the object 'would be very imperfectly attained without the occupation of the Nicobar Islands', which had been abandoned by the Danes, information about their reported insalubrity would likewise be welcome, so that the Court might 'form an opinion respecting the expediency or inexpediency of taking formal possession of the islands'.[68]

The Indian Council as a whole was still not enthusiastic, and acquainted the Court that 'the proper time at which to begin exploration' of the Andamans was 'at the cessation of the south-west monsoon, when the dangerous part of the coast is accessible, and when there is least risk to health'. In any case it had no steamers available, so the expedition would be deferred till 'autumn'.[69] In November, indeed, it appointed a committee to examine the islands, composed of Dr. F.J. Mouat, the Inspector of Jails in the Lower Provinces, Assistant Surgeon G.R. Playfair, and Lieutenant J.A. Heathcote of the Indian Navy. The aim of this committee was, however, not simply to acquire information, but to select

> a site for the establishment of a Penal settlement for the reception in the first instance of Mutineers, Deserters and Rebels, sentenced to imprisonment or banishment, and eventually for the reception of all convicts under sentence of transportation whom for any reason it may not be thought expedient to send to the Straits Settlements or to the Tenasserim Provinces.[70]

It was thus the outbreak of the Mutiny that had prompted the Indian Government to this decisive act. As Grant had remarked, existing convict settlements could not cope with a

heavy increase in numbers, and there had been strong objections to sending desperate characters, for instance, to the Straits. Mouat had therefore suggested removing 'turbulent, refractory individuals' to the Andamans.[71]

His committee reached Moulmein on H.C. steam frigate *Semiramis* on 1 December, and the expedition, now aboard H.C. steamer *Pluto*, reached Port Cornwallis on 11 December. The causes of its unhealthiness became clear: it was largely fringed with mangrove and 'the prevailing winds during the greater part of the year, at its most unhealthy season', blew 'over the swamp surrounding the island'. Sound Island and the North Andaman formed a bay, but this also appeared unhealthy, as well as deficient in water, and the lack of a passage between the North and Great Andaman apparently ruled out Interview Island. The bay between Great Andaman and Long Island was unsuitable for a settlement because of mangrove and lack of water. On the west coast, Port Campbell, and a harbour south-west of 'Old Harbour', later called Port Mouat, were examined and rejected, and Landfall Island and the Cocos to the north were, it was decided, 'too directly in the track of commerce' and were deficient in harbours. The recommended spot was 'Old Harbour', the site of Blair's first and healthier settlement. The committee mentioned in its report that it had attempted to open an amicable intercourse with the natives, but 'from first to last they rejected every attempt at conciliation, and either avoided or forcibly opposed all attempts to hold communion with them'. At one point there was an outright clash, three natives were shot, and one was captured and taken to Calcutta. It was hoped that he could subsequently be used to communicate with his fellows on the islands; some means of so doing was essential if they were not to be gradually destroyed, and if shipwrecked persons were not still to suffer.[72]

The committee's recommendation of 'Port Blair', as it was now to be called, was accepted, and Captain H. Man, the

Executive Engineer and Superintendent of Convicts at Moulmein, was instructed to prepare the site for the convicts, the first group of whom would be 218 mutineers from the Punjab.[73] Man was also instructed to take formal possession of the island-group in order to avoid any doubt arising from the long neglect of the earlier claim.[74] The Superintendent subsequently appointed, Walker, reported in June that he had received 773 convicts: 65 had died in hospital, 140 had escaped without being recaptured, one had committed suicide, and 87 had been executed. There had been trouble with the natives as the Court had feared,[75] and Walker apparently tried to bully them into submission. After some clashes had occurred, the Secretary of State for India visited the public functionaries with his 'serious displeasure'.[76] The Mouat Committee's captured islander sickened and could not be used as a means of communication, and Walker's successor, J.C. Haughton, anxious to conciliate the natives, searched in vain for one who might act as an interpreter.[77] It was in this unfortunate way that the process of bringing civilization to the Andamans began.

The Nicobars were not involved in the scheme for a convict settlement that had finally induced the Calcutta Government to act, although they had been involved in Hopkinson's plans and in the suggestions of the Court of Directors. The latter had been concerned lest other powers should interfere in islands adjacent to British Burma. It became apparent, however, that the Danes, despite their withdrawal in 1848, maintained their claims over the Nicobars. In the 1860s there were complaints of piracy, and the Danes, busy in Slesvig-Holstein, failed to act. Ultimately they agreed to the British assumption of control in 1869, and in 1871 the transfer of some 200 convicted prisoners from Port Blair began the civilization of the Nicobars.[78]

[1] Grant to Marine Superintendent, 25 May 1850. BC 131280, p. 10.
[2] Chabord to Butterworth, 2 June 1844. BC 98711, p. 72.

[3] J.L. Christian, 'Denmark's Interest in Burma and the Nicobar Islands', *Journal of the Burma Research Society*, vol. XXIX, part 3, pp. 219-22.
[4] ibid., p. 224.
[5] Governor-General in Council to Court of Directors, Foreign, 7 December 1816, para. 22. BC 80477, p. 7.
[6] Memorandum on the Andaman, Coco and Nicobar Islands, n.d. BC 192739, p. 25 also in *Selections from the Records of the Government of India (Home Department), published by Authority, No. XXV: The Andaman Islands, with Notes on Barren Island*, Calcutta, 1859, p. 53.
[7] Crisp to Dalhousie, 19 May 1848. BC 118871, p. 57.
[8] As note 6.
[9] See Joseph Darvall, *The Wreck on the Andamans*, London, 1845.
[10] Lewis and Gottlieb to Garling, 20 September 1845. BC 113363, p. 10. Some were supposed to be slaves at the Siamese court in Bangkok as late as 1860. M.V. Portman, *A History of our Relations with the Andamanese*, Calcutta, 1899, vol. I, p. 12.
[11] Hopkinson to Bengal Secretary, 8 February 1856. BC 171873, p. 8, also *Selections*, p. 38.
[12] Cf. statement of Booth, 18 March 1844. BC 98711, p. 17.
[13] Christian, op. cit., p. 225.
[14] Owen to Metcalfe, 3 January 1832. Secret Letters Received from Bengal, Second Series, vol. 6, India Office Library.
[15] As note 6.
[16] Crisp to Madras Secretary, 8 April 1836. BC 72400, p. 3.
[17] Christian, op. cit., p. 226. Chabord's name is variously spelt in the documents, but in this paper Christian's version has been followed.
[18] Crisp to Madras Secretary, 11 June 1836. BC 72400, p. 5.
[19] Prinsep to Crisp, 13 July 1836. BC 72400, p. 8.
[20] Crisp to Prinsep, 6 December 1836. BC 72400, p. 9.
[21] Prinsep to Crisp, 7 December 1836. BC 72400, p. 11.
[22] Christian, op. cit., p. 225. Hanson to Maddock, 15 February 1841. BC 80477, p. 11.
[23] Giffard to Bonham, 25 January 1841. BC 84262, p. 10.
[24] Governor-General to Court, 3 March 1841. BC 80477, p. 1.
[25] Hanson to Maddock, 15 February 1841. BC 80477, p. 11.
[26] Court to Governor-General-in-Council, India Foreign, 28 July 1841, no. 1, draft 523, para. 4. Despatches to India and Bengal, vol. 28, pp. 317–18, India Office Library.
[27] Wynn to Palmerston, 31 January 1841, extract attached to Secret Committee to Governor-General in Council, 3 April 1841, no. 729. Board's Drafts of Secret Letters and Despatches to India, all Presidencies, First Series, vol. 14, India Office Library.
[28] Governor-General in Council to Secret Committee, 16 December 1841, no. 103. Secret Letters Received From Bengal, First Series, vol. 26, India Office Library.
[29] Court to Governor-General in Council, India Political, 2 July 1845, no.

24, draft 513. Despatches to India and Bengal, vol. 45, pp. 349–55.
[30] Draft enclosed in Hanson to Hardinge, 23 September 1844. BC 978022, p. 128; Hanson to Currie, 31 October 1844. ibid., p. 149.
[31] Broadfoot to Currie, 18 March 1844. BC 98711, p. 15.
[32] Broadfoot to Currie, 29 April 1844, 1 July 1844. BC 98711, pp. 27, 37.
[33] Broadfoot to Currie, 10 August 1844. BC 98711, p. 41.
[34] Butterworth to Turnbull, 1 July 1844; Chabord to Butterworth, 9 June 1844. BC 98711, pp. 62, 79.
[35] Chads to Governor-General, n.d. BC 98711, p. 91.
[36] Crisp to Tenasserim Commissioner, 12 October 1844. BC 98711, p. 93.
[37] Chads to Jervis, 12 November 1844. BC 98711, p. 104.
[38] Durand to Maddock, 12 February 1845. BC 98711, p. 122.
[39] Blackwood to Governor-General, 16 December 1844; Currie to Butterworth, 18 January 1845. BC 98711, p. 119.
[40] Butterworth to Currie, 27 March 1845. BC 98711, p. 161.
[41] Morris to Butterworth, 23 December 1844. BC 98711, p. 162. It is possible that Chads's orders had not been received.
[42] Moore to Durand, 25 March 1845; reply, 4 April 1845. BC 98711, pp. 149, 150.
[43] Acting-Superintendent to Governor of Bengal, 23 April 1845. BC 103303, p. 65.
[44] Court to Governor-General in Council, India Political, 1 October 1845, no. 34, draft 747. Despatches to India and Bengal, vol. 46, pp. 522–6.
[45] Durand to Currie, 15 May 1845, and enclosures. BC 105974, p. 3.
[46] Resolution in the Home Department, 5 July 1845. BC 105974, p. 38.
[47] Blackwood to Hardinge, 18 July 1845. BC 105974, p. 41.
[48] Maddock to Governor-General, 9 December 1845. BC 105974, p. 55. Note by Melvill, 10 June 1847. BC 118871, p. 3.
[49] Christian, op. cit., p. 227.
[50] Steen Bille to 'the Government of the East India Company', 21 December 1845. BC 101479, p. 51.
[51] Minute by Maddock, 11 June 1847. BC 118871, p. 6.
[52] Bingham to Colvin, 21 July 1847. BC 118871, p. 15.
[53] Garling to Butterworth, 17 September 1847. BC 118871, p. 25.
[54] Colvin to Elliot, 20 May 1848. BC 118871, p. 31.
[55] Crisp to Dalhousie, 19 May 1848. BC 118871, p. 57. In this letter Crisp also forwarded to the Government a declaration from the chiefs of Car Nicobar, offering to cede the island to the British in order to avoid coming under Danish control.
[56] Becher to Elliot, 2 June 1848. BC 118871, p. 55.
[57] Court to Governor-General in Council, India Political, 1 February 1848, no. 2, draft 35. Despatches to India and Bengal, vol. 56, pp. 539–40.
[58] Bogle to Grant, 22 October 1849; Brooking to Bogle, 29 October 1849. BC 128660, pp. 3, 6.
[59] Rogers to Littler, 9 April 1850. BC 131280, p. 3.
[60] Grant to Rogers, 25 May 1850; Rogers to Littler, 18 July 1850. BC

131280, pp. 10, 15.

[61] Rogers to Dalhousie, 13 March 1852; Dicey to Lambert, 11 March 1852. BC 142296, pp. 3, 5.

[62] Court to Governor-General in Council, Bengal Marine, 18 May 1853, no. 15, draft 358. Despatches to India and Bengal, vol. 81, pp. 229–30.

[63] Court to Governor-General in Council, India Marine, 29 August 1855, no. 47, draft 802. Despatches to India and Bengal, vol. 92, pp. 1204–5.

[64] Dalrymple to Grey, 28 November 1855. BC 171873, p. 5; *Selections*, p. 37.

[65] Hopkinson to Bengal Secretary, 8 February 1856; Grey to India Secretary, 29 February 1856. BC 171873, pp. 8, 7; *Selections*, p. 38.

[66] Minute by Canning, 15 March 1856. BC 171873, p. 21.

[67] Minute by Grant, 19 March 1856. BC 171873, p. 31.

[68] Court to Governor-General in Council, India Political, 1 October 1856, no. 37, draft 1011. Despatches to India and Bengal, vol. 100, pp. 345–60; *Selections*, pp. 49–51.

[69] Governor-General in Council to Court, Foreign, 8 April 1857, no. 24. BC 192739, p. 1; *Selections*, p. 51.

[70] Governor-General in Council to Court, Home Judicial, 19 January 1858, no. 3. BC 192739, p. 13; *Selections*, p. 1.

[71] Blundell to Beadon, 11 September 1857; Mouat to Buckland, 24 October 1857. BC 192739, pp. 69, 75.

[72] Andaman Committee to Beadon, 1 January 1858. BC 192739, p. 99; *Selections*, p. 4.

[73] Beadon to Man, 15 January 1858. BC 192739, p. 117b; *Selections*, p. 72.

[74] Beadon to Man, 15 January 1858. BC 192739, p. 123.

[75] Walker to Beadon, 16 June 1858. *Selections*, p. 85. Court to Governor-General in Council, India Political, 18 May 1858, no. 19, draft 563. Despatches to India and Bengal, vol. 112, pp. 1221–52. The copy of the latter in *Selections* does not include this reference.

[76] Stanley to Governor-General in Council, 30 November 1858, no. 13, Politcial. Despatches to India, vol. 1, India Office Library.

[77] Haughton to Grey, 6 October 1859. Collections to Political Despatches to India, vol. 13 (no. 21 of 1860), India Office Library.

[78] Christian, op. cit., p. 230.

XI

The Annexation of the Cocos-Keeling Islands

IN the present century the Cocos-Keeling atoll has proved an important link in Commonwealth communications, and the British transfer of this possession in 1955 emphasized its special significance for Australia. The original acquisition of the islands, just over a century before, also aroused interest there. The *Sydney Morning Herald*, for instance, speculated about the reasons for their annexation: they were to form a depôt for steamers on the Ceylon and Suez line, it confidently concluded, adding with journalistic condescension: 'their present annexation to the British Crown it may be as well to mention is in consequence of an attempt to claim them on the part of the Dutch....'[1] Documentary evidence, however, confirms suspicions, advanced for instance by the naturalist H.O. Forbes,[2] that these were not the profound motives that had influenced the British Government.

To the north of the Andaman islands in the Bay of Bengal lie two small islands, the Great and Little Cocos, which British and native traders from neighbouring Burma used to visit to collect coconuts. There had indeed been projects for the colonization of these fertile islets, but in 1841 the Bengal

Government had declined to assist some gentlemen from Calcutta in such a project, 'the Cocos not being a possession of the East India Company'.[3] A settlement was, however, made on the northern island in April 1849, by 'three Europeans, one East Indian, and eight Burmese from Moulmein'.[4] The Honorable Company's steamer *Proserpine* rescued the survivors the following October, its commander having 'found the then remaining settlers in great distress, one half their original number having fallen victims to fever, the remainder from the effects of that Malady and starvation, in so reduced a state as to be unable to leave their houses in quest of food'.[5] A few years later—perhaps as a result of Dalhousie's annexation of Pegu—the Company appears to have become more interested in the islands, and was prepared to assist in the commencement, and not just the withdrawal, of a settlement there. J.A. Burkinyoung, a solicitor in Calcutta, resolved to attempt to establish a colony, and the Indian Government, in a despatch to London of January 1856, recommended that the islands be accordingly made a British possession.[6]

Many hundreds of miles away to the south there was a moderately prosperous colony cultivating coconuts in the Cocos-Keeling islands. The proprietor of this lonely atoll, John George Clunies Ross, returning from a trip to Java in April 1857, found H.M.S. *Juno* at anchorage, and learned that Captain Fremantle had at the end of the previous month proclaimed the sovereignty of Her Majesty Queen Victoria. The Captain left early in May, having appointed Ross temporary superintendent.[7] Ross's father, a native of Shetland, the founder of the settlement, had on several occasions in previous decades vainly urged British annexation of the islands, at first in the hope of ensuring the exclusion of a rival occupant, Alexander Hare,[8] and later with the view of obtaining assistance in dealing with inhabitants of the atoll accused of serious crimes.[9] The developing trade in coconuts was largely with Netherlands India, however, and, for a

period during 1841, the Dutch flag was flown over the islands. Its use was disapproved by the Dutch Minister for the Colonies,[10] but Fremantle nevertheless reported that serious crimes were still 'dealt with by taking the culprits before a criminal Court at Batavia';[11] and, though the truth of this has been doubted,[12] it was certainly the case that the Netherlands Indies coasting trade was open to Cocos-Keeling ships, and the coconut trade thus freed from duties in the Netherlands India. The fact was that the founder claimed to be a burgher of the Dutch colony on the grounds of his residence there during the period of the British occupation, and he was therefore allowed an annual sailing letter; his son had resided six years in Java so that he also could claim the privileges of a citizen.[13]

There ceased to be, therefore, any reason for urging annexation upon the British Government, and George Clunies Ross was surprised at the *Juno's* proceedings. In fact, as on at least one other occasion in the same decade, someone had blundered. Before he left his station in Sydney, Fremantle had written to the Indian Government, enclosing his commission from the Admiralty, which had directed him to take possession of the Cocos islands in the Queen's name. The letter, the Governor-General-in-Council observed to the Court of Directors, had arrived in India too late to permit the requested co-operation; and there was 'another circumstance which would have interfered with the despatch of an expedition from India for the purpose of co-operating with Captain Fremantle', namely that he was clearly not planning to annex the Cocos islands whose annexation they had recommended in January 1856.[14]

The Admiralty had received its instructions from the Colonial Office early in October 1856: 'it is the wish of the Government of India', it was told, 'that measures be taken for formally declaring the derelict Cocos islands to belong to this country'.[15] It ordered one of its ships to take possession of 'the Cocos islands' and it sent the order to the Sydney

station.[16] There, of course, it was assumed that the Cocos-Keeling islands were intended though they were far from derelict, and the local paper found no difficulty in reading the minds of the officials in London.

If there had been some inexactitude at the Colonial Office, and some presumption at the Admiralty, there had perhaps been a little confusion of mind at the India Board. There the question was under consideration of occupying the Andamans as a whole, with the aim of protecting passing ships and adding to the security of the new conquests in Burma. In the Court's despatch of October 1856, the Indian Government was instructed to acquire more information about the islands through a commission of enquiry which should investigate the Nicobars at the same time. Just when this despatch was being prepared, Burkinyoung's proposal was also before the Board, and J.S. Mill, who had that year succeeded T.L. Peacock as Examiner of Correspondence, observed: 'there is nothing in this draft about the Cocos Islands'. 'They are far to the Southward', he was assured.[17]

The Indian Government was able to extricate itself from the difficulties the departments in London had created only with the assistance of the Indian Mutiny, which led late in 1857 to the despatch of a commission to select a site for a convict station in the Andamans. The Governor-General had observed that an expedition to the Andamans could proclaim British sovereignty over the nearby Cocos *en route* and thus at last meet Burkinyoung's wishes, for, as he slyly added, the Directors' approval of the Burkinyoung project could be inferred from recent correspondence.[18] At home the Colonial Office and the India Board decided that such a proclamation would be superfluous, for, by taking possession of the Andamans, *ipso facto* one took possession of the contiguous Cocos.[19] Though the Indian Government had deemed it desirable to reaffirm British claims over the Andamans, sovereignty had in fact been proclaimed as far back as the late eighteenth century, and the decision in London

meant therefore that the neighbouring Cocos islands had after all been a British possession all along. Burkinyoung, now in London, was informed, *via* Calcutta, that the way was clear for him.[20]

For the Foreign Office, an innocent party in these transactions, there was on the other hand hard going. On discovering his mistake, Fremantle had reported that Ross's atoll had a valuable trade with Java, and provided a good anchorage on a direct line between Point de Galle and Cape Leeuwin: perhaps possession should be retained, and it would only be necessary to confirm the proprietor in his public capacity.[21] The Foreign Office was first concerned that there might have been an infringement of the Anglo-Dutch treaty of 1824, under Article 6 of which the two parties agreed not to form settlements in the Eastern Seas without prior authority from the respective home governments.[22] Discussions between London and The Hague over the execution of this treaty had been going on for some years and the Foreign Office, which had been complaining of Dutch injustice, was anxious to avoid any proceeding of which the Dutch might justly complain. It did not appear that the Dutch actually claimed the islands: indeed, it had been reported that 'the Netherlands Authorities, in reply to an application made to them by some French subjects for a lease of the islands, declined to interfere with the proprietorship of the group'. But the trade of the atoll with Java, and the anchorage it afforded, might induce the Dutch to bring the question of the occupation into the discussions. If they should do so, the British envoy in The Hague, it was decided, should deny that the treaty of 1824 applied to islands so far from the Eastern Archipelago.[23] However, the envoy, Sir Ralph Abercromby, reported that in a debate in the States-General, van Hoevell, a leading member of the opposition, had raised the matter, 'adding some expressions of blame that the Netherlands Government should have permitted the occupation'; but that the Colonial Minister had denied that

the Dutch Crown exercised any right of possession over the islands, and nothing had been said on the subject officially.[24] It appeared from this that the Foreign Office would not after all be discomfited by Fremantle's proceedings.

The results of imperial expansion, however, were less fortunate for Mr. Ross than for Mr. Burkinyoung, and his surprise gave way to misgiving. His special position in the Netherlands Indian coasting trade was lost, the Dutch cancelling his 'rights of naturalisation as a subject of the Netherlands'.[25] The 'laird of Cocos', it became clear, was suffering as a result of Government error, and the Foreign Secretary, Clarendon, wished to attempt to relieve him of the 'inconvenience'. The Colonial Office, which was consulted, felt that there was no prospect that the islands would be 'wanted for any practical purposes.... The British right of possession can hardly be formally renounced, but the act of occupation was undoubtedly a pure mistake, and Mr. Labouchere apprehends that the best course now is to cancel it as nearly as can be done consistently with national dignity and interest....' Perhaps the situation could be explained to the Dutch in an endeavour to 'prevent the ruin of a remarkable and deserving individual through a mere mistake of orders on the part of a British officer which there is no intention at present to follow up by any further steps'.[26]

Abercromby was told to inform the Dutch that the British Government would exercise no authority on the Cocos-Keeling islands, 'if Captain Ross is permitted to resume his coasting trade with Java'.[27] The envoy was doubtful about the execution of the supplementary instructions which he received privately from Clarendon. 'In the first place, you would not object to my informing the Netherlands Government of Captain Fremantle's mistake, if I can make certain that it will not be published—I do not very well see how this can be done. Captain Ross has been publicly deprived of his facilities in trade, in consequence of his having become a British Lieutenant-Governor in an island annexed to the

British dominions: his trade can only be restored to him by an act of equal publicity, in consequence of his ceasing to be a British Functionary in a British possession—The cause of his being replaced in his original State can hardly therefore escape being made public.' Clarendon also thought that Ross should retain his title 'as a symbol of authority over his little country', but, as Abercromby commented, the Dutch would in that case doubt whether the British were really withdrawing from the islands. They might restore the coasting trade to Ross, but only if the Government announced that the annexation was an error and explicitly withdrew.[28] The shifting of the burden of error to Fremantle that had taken place in London correspondence no doubt made this a rather more realistic proposition, but the Foreign Office wished nevertheless to avoid 'the sort of public recantation which a regular retreat involves'. The Under-Secretary, Lord Shelburne, thought that there would be no difficulty 'as to giving up possession of the Cocos Islands, if we could only get quickly back to the Status quo', and thought 'the keeping up of any title as symbol of authority to which allusion has been made ... comparatively unimportant'.[29]

No withdrawal was effected, however, and in 1860 Ross was in London, asking for the confirmation of his position, 'although I am a pecuniary loser thereby'.[30] The coasting trade question was revived later in the same decade in the course of subsequent Anglo-Dutch negotiations over the East Indies. Herman Merivale of the Colonial Office suggested that the coasting trade in Netherlands India should be thrown open to British subjects, and he adduced the case of the Cocos-Keeling islands: 'some years back an unlucky adventurer who had occupied one of these islands and lived under the Dutch flag, was turned into an Englishman by a proceeding of the Admiralty. He came to us complaining....'[31] The islands in fact remained fairly prosperous until the cyclone of 1909 and the abduction of the schooner *Ayesha* by a landing-party from the German cruiser *Emden*

in 1914. In any case the atoll had by then begun to acquire a new and greater significance: in 1901 the Eastern Extension Telegraph Company established upon one of the islands a relay station for their cable across the Indian Ocean.[32]

[1] Extracts from the *Sydney Morning Herald*, quoted in the *Morning Chronicle*, 21, 22 September 1857.
[2] H.O. Forbes, *A Naturalist's Wanderings in the Eastern Archipelago*, London, 1885, p. 16.
[3] Bushby to Beauchamp, 23 June 1841. BC 86250, p. 6.
[4] Memorandum on the Andaman, Coco and Nicobar Islands, n.d. BC 192739, p. 25; also *Selections from the Records of the Government of India (Home Department), published by Authority, No. XXV: The Andaman Islands, with Notes on Barren Island*, Calcutta, 1859, pp. 53–71. See also M.V. Portman, *A Hisotry of our Relations with the Andamanese*, Calcutta, 1899, vol. I, pp. 158–83.
[5] Brooking to Bogle, 29 October 1849. BC 128660, p.6.
[6] Governor-General in Council to Court, Foreign, no. 34, 2 May 1857. BC 192739, p. 5.
[7] Fremantle to Offg. Secretary, 30 April 1857. BC 192739, p. 63. Fremantle to Admiralty, 2 May 1857. FO 37/362.
[8] C.A. Gibson-Hill, ed., 'Documents relating to John Clunies Ross, Alexander Hare, and the Establishment of the Colony on the Cocos-Keeling Islands', *JMBRAS*, vol. XXV, part 4, June 1953 for Dec. 1952, pp. 77–9.
[9] Gibson-Hill, op. cit., pp. 103–4, 194–232.
[10] Gibson-Hill, op. cit., p. 85, note 108.
[11] Fremantle's 'Account of the Origin and Progress of the Settlement on the Cocos Islands', 2 May 1857. FO 37/362.
[12] Gibson-Hill, op. cit., p. 287.
[13] Gibson-Hill, op. cit., p. 286, p. 84, note 107.
[14] As note 6.
[15] Labouchère to Admiralty, 4 October 1856. BC 192739, p. 20.
[16] Orders of 6 October 1856. BC 192739, p. 19.
[17] Court to Governor-General in Council, Political, no. 37, 1 October 1856, draft 1011, and notes thereon. Despatches to India and Bengal, vol. 100, p. 345, India Office Library. The despatch is printed in *Selections*, pp. 49–51, without the notes.
[18] As note 6.
[19] Clerk to Hammond, 26 September 1857. FO 37/362. Court to Governor-General-in-Council, Political, no. 19, 18 May 1858, draft 563. Despatches to India and Bengal, vol. 112, p. 1221.
[20] Beadon to Burkinyoung, 6 August 1858. Collections to Political Despatches to India, vol. 1 (Collection 2 to no. 13 of 1858), India Office Library.

[21] Fremantle to Admiralty, 12 June 1857. FO 37/362.
[22] Foreign Office to Admiralty, 21 September 1857. FO 37/362.
[23] Clarendon to Abercromby, 2 October 1857, no. 85. FO 37/353.
[24] Abercromby to Clarendon, 9 October 1857, no. 167. FO 37/356. The debate was also reported in the *SFP*, 26 November 1857.
[25] Fraser to Foreign Office, 5 September 1857, no. 18. FO 37/358.
[26] Merivale to Shelburne, 28 December 1857. FO 37/362.
[27] Clarendon to Abercromby, 30 December 1857, no. 112. FO 37/353.
[28] Abercromby to Clarendon, 9 January 1858, private. FO 37/364.
[29] Shelburne to Abercromby, 26 January 1858, private. FO 37/363.
[30] Ross to Colonial Secretary, 14 January 1860. FO 37/387.
[31] Merivale to Hammond, 10 November 1865. FO 37/450.
[32] C.A. Gibson-Hill, 'Notes on the Cocos-Keeling Islands', *JMBRAS*, vol. XX, part 2, December 1947, pp. 159–61.

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