TREATIES
AND
ENGAGEMENTS
AFFECTING THE
MALAY STATES AND BORNEO.

EDITED BY
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PART I.

THE NETHERLANDS.

TREATY OF HOLLAND, 1824.


In the Name of the Most Holy and Undivided Trinity.

His Majesty The King of the United Kingdom of Great Britian and Ireland, and His Majesty The King of the Netherlands, desiring to place upon a footing, mutually beneficial, Their respective Possessions and the Commerce of Their Subjects in the East Indies, so that the welfare and prosperity of both nations may be promoted, in all time to come, without those differences and jealousies which have in former times interrupted the harmony which ought always to subsist between them; and being anxious that all occasions of mis-understanding between Their respective Agents may be, as much as possible, prevented; and in order to determine certain questions which have occurred in the execution of the Convention made at London on the 13th of August, 1814, in so far as it respects the Possessions of His Netherland Majesty in the East, have nominated Their Plenipotentiaries, that is to say:—

His Majesty The King of the United Kingdom of Great Britain and Ireland, The Right Honourable George Canning, a Member of His said Majesty's Most Honourable Privy Council, a Member of Parliament, and His said Majesty's Principal Secretary of State for Foreign Affairs;—and the Right Honourable Charles Watkin Williams Wynn, a Member of His said Majesty's Most Honourable Privy Council, a Member of Parliament, Lieutenant-Colonel Commandant of the Montgomeryshire Regiment of Yeomanry Cavalry, and President of His said Majesty's Board of Commissioners for the affairs of India:—

And His Majesty The King of the Netherlands, Baron Henry Fagel, Member of the Equestrian Corps of the Province of Holland, Counsellor of the State, Knight Grand Cross of
the Royal Order of the Belgic Lion, and of the Royal Guelphic Order, and Ambassador Extraordinary and Plenipotentiary of His said Majesty to His Majesty The King of Great Britain;—and Anton Reinhard Falck, Commander of the Royal Order of the Belgic Lion, and His said Majesty's Minister of the Department of Public Instruction, National Industry, and Colonies:—

Who, after having mutually communicated their Full Powers, found in good and due form, have agreed on the following Articles:—

ARTICLE I.

The high Contracting Parties engage to admit the Subjects of each other to trade with Their respective possessions in the Eastern Archipelago, and on the Continent of India, and in Ceylon, upon the footing of the most favoured Nation; Their respective Subjects conforming themselves to the local Regulations of each Settlement.

ARTICLE II.

The Subjects and Vessels of one Nation shall not pay, upon importation or exportation, at the Ports of the other in the Eastern Seas, any Duty at a rate beyond the double of that at which the Subjects and Vessels of the Nation to which the Port belongs are charged.

The Duties paid on exports or imports at a British Port on the Continent of India, or in Ceylon, on Dutch bottoms, shall be arranged so as, in no case, to be charged at more than double the amount of the Duties paid by British bottoms.

In regard to any article upon which no Duty is imposed, when imported or exported by the Subjects, or on the Vessels, of the Nation to which the Port belongs, the Duty charged upon the Subjects or Vessels of the other shall in no case, exceed six per cent.

ARTICLE III.

The High Contracting Parties engage, that no Treaty hereafter made by Either, with any Native Power in the Eastern Seas, shall contain any Article tending, either expressly, or by the imposition of unequal Duties, to exclude the Trade of the other Party from the Ports of such Native Power: and that if in any Treaty now existing on either Part any Article to that effect has been admitted, such Article shall be abrogated upon the conclusion of the present Treaty.

It is understood that, before the conclusion of the present Treaty, communication has been made by each of the Contracting Parties to the other, of all Treaties or Engagements subsisting between each of Them, respectively, and any Native Power in the Eastern Seas; and that the like communication shall be made of all such Treaties concluded by Them, respectively, hereafter.
ARTICLE IV.

Their Britannick and Netherland Majesties engage to give strict Orders, as well as to Their Civil and Military Authorities, as to Their Ships of War, to respect the freedom of Trade, established by Articles I, II, and III; and, in no case, to impede a free communication of the Natives in the Eastern Archipelago with the Ports of the Two Governments, respectively, or of the Subjects of the Two Governments with the Ports belonging to Native Powers.

ARTICLE V.

Their Britannick and Netherland Majesties, in like manner, engage to concur effectually in repressing Piracy in those Seas; They will not grant either asylum or protection to Vessels engaged in Piracy, and They will, in no case, permit the Ships or merchandise captured by such Vessels, to be introduced, deposited, or sold, in any of Their Possessions.

ARTICLE VI.

It is agreed that Orders shall be given by the Two Governments to Their Officers and Agents in the East, not to form any new Settlement on any of the Islands in the Eastern Seas, without previous Authority from their respective Governments in Europe.

ARTICLE VII.

The Molucca Islands, and especially Amboyna, Banda, Ternate, and their immediate Dependencies, are excepted from the operation of the I, II, III, and IV Articles, until the Netherland Government shall think fit to abandon the monopoly of Spices; but if the said Government shall, at any time previous to such abandonment of the monopoly, allow the Subjects of any Power, other than a Native Asiatic Power, to carry on any Commercial Intercourse with the said Islands, the Subjects of His Britannick Majesty shall be admitted to such Intercourse, upon a footing precisely similar.

ARTICLE VIII.

His Netherland Majesty cedes to His Britannick Majesty all his establishments on the Continent of India; and renounces all privileges and exemptions enjoyed or claimed in virtue of those Establishments.

ARTICLE IX.

The Factory of Fort Marlborough and all the English Possessions on the Island of Sumatra, are hereby ceded to His Netherland Majesty: and His Britannick Majesty further engages that no British Settlement shall be formed on that Island, nor any Treaty concluded by British Authority, with any Native Prince, Chief, or State therein.
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MALAY STATES AND BORNEO.

ARTICLE X.

The Town and Fort of Malacca, and its Dependencies, are hereby ceded to His Britannick Majesty; and His Netherland Majesty engages, for Himself and his Subjects, never to form any Establishment on any part of the Peninsula of Malacca, or to conclude any Treaty with any Native Prince, Chief, or State therein.

ARTICLE XI.

His Britannick Majesty withdraws the objections which have been made to the occupation of the Island of Billiton and its Dependencies, by the Agents of the Netherland Government.

ARTICLE XII.

His Netherland Majesty withdraws the objections which have been made to the occupation of the Island of Singapore, by the Subjects of His Britannick Majesty. His Britannick Majesty, however, engages, that no British Establishment shall be made on the Carimon Isles, or on the Islands of Battam, Bintang, Lingin, or on any of the other Islands South of the Straits of Singapore, nor any Treaty concluded by British Authority with the Chiefs of those Islands.

ARTICLE XIII.

All the Colonies, Possessions and Establishments which are ceded by the preceding Articles shall be delivered up to the Officers of the respective Sovereigns on the 1st of March, 1825. The Fortifications shall remain in the state in which they shall be at the period of the notification of this Treaty in India; but no claim shall be made, on either side, for ordnance, or stores of any description, either left or removed by the ceding power, nor for any arrears of revenue, or any charge of administration whatever.

ARTICLE XIV.

All the Inhabitants of the Territories hereby ceded, shall enjoy, for a period of six years from the date of the Ratification of the present Treaty, the liberty of disposing, as they please, of their property, and of transporting themselves, without let or hindrance, to any country to which they may wish to remove.

ARTICLE XV.

The High Contracting Parties agree that none of the Territories or Establishments mentioned in Articles VIII, IX, X, XI, and XII shall be, at any time, transferred to any other Power. In case of any of the said Possessions being abandoned by one of the present Contracting Parties, the right of occupation thereof shall immediately pass to the other.