

ENCLOSURE NO. II. TO THE PRECEDING
MEMORIAL.

Copy of a Letter from ALEXANDER HARE, to his Excellency the Baron VANDER CAPELLAN, dated Batavia, 4th September, 1819; with Postscript dated Cape of Good Hope, August, 1820.

TO HIS EXCELLENCY

THE BARON VANDER CAPELLAN,

*Secretary of State, and Governor-General of
Netherlands India, &c. &c. &c.*

SIR,

I HAVE felt myself compelled by the numerous injuries which I have sustained, to take the first step in my power towards obtaining that redress, for which honour and duty, equally determine me to struggle; and I therefore, herewith, present your Excellency, with my Protest against those acts of your Excellency's Government, by which I have so severely and unjustly suffered.

In forwarding to your Excellency this necessary record of my grievances, I conceive it proper to state some facts explanatory of my late situation, as an inhabitant of Java; and which, from the extraordinary treatment I have experienced from your Excellency's Government, I conjecture to have been subject to very erroneous constructions.

After my former repeated solicitations to be informed of the influencing motives for such personal oppression, have been uniformly treated with apparently contemptuous silence, I shall not presume again here to ask explanation; but, I now request, that your Excellency will be pleased to make the Ministers in Europe of his Majesty the King of the Netherlands, to whom I intend to apply for redress, fully acquainted with all which may be requisite, for forming a decided judgment on the propriety towards me of your Excellency's conduct.

I am so poignantly conscious of having sustained extreme and unmerited ill-usage, and so convinced of the enlightened equity of his Netherlands Majesty's Government; including even the general actuating principles of your Excellency's Administration, that I cannot but conjecture much of the injustice to which I have been subjected,

may have been attributable to erroneous representations, conveyed to your Excellency by Communicants, totally inadequate to afford any correct information, and maliciously indulging, in the propensity to promote the jealousy, with which it would appear I have been contemplated. But the injuries I have suffered are not the less aggravating and important, whatever be the nature of their origin; and your Excellency cannot, I think, condemn me for protesting against them, in the unqualified language of grievance and truth.

When the British Java Commissioners in September, 1816, previous to my return from Borneo to Batavia, had already proceeded to certain steps respecting the Settlement of Banjarmasin, materially injurious to my interests, there, I obtained, with permission of my Government, an interview with your Excellency and Mr. Elout, explaining the nature of my Landed Property, and submitting it for what your Excellencies might deem, on after consideration, a fair equivalent, to the occupation of the Netherlands Government; it being then understood that your Excellencies were intending to form a new establishment at Banjarmasin.

This overture I made at a period when that territory might, I was convinced, have been occupied, under very advantageous circumstances, by arranging with the British Authorities for the retention of the transported population; and was essentially valuable to any Power intending to form a beneficial and satisfactory establishment at Banjarmasin, for the same reasons which had originally recommended it to occupation.

Your Excellencies received my communication, which you were pleased to term reasonable, in a manner the most satisfactory, and which assured me, that my interests in the place alluded to, would receive the most liberal consideration;—that if his Netherlands Majesty's Government should incline to occupy, it would of course make an equitable equivalent; and if not, that I might depend upon my interests being uninjured.

The Netherlands Commission did not however arrive at Banjarmasin, till the Colony at Moluko was completely embarked; and from that event I became a claimant on my own Government, for the injurious consequences of measures which I had early endeavoured to prevent.

The possession thus evacuated, could no longer be considered as essentially important to his Netherlands Majesty's Government; and whatever value it might still possess, I had done my duty in explaining its relative situation; and it became both disagreeable and incompatible with my claims on the British Government, that I should again intrude the revival of such proposals, on your Excellencies' attention.

My Agents, however, on the spot having been apprised of the tender made to your Excellencies, and having been at the same time empowered by me to arrange with the Netherlands Commissioner, according as he might be instructed by your Excellencies, did, in the absence of any specific proposal on his part, actually offer to give over the lands and property on a mere conditional receipt; establishing it as a transaction for future final arrangement between your Excellency and myself. I conceive your Excellency must acknowledge, that Agents, under such circumstances, could not have been more unreserved. But the Netherlands Commissioner, thinking perhaps, with disingenuous policy, that the place thus left evacuated by the British Government, would fall at his unconditional option, by my being obliged likewise entirely to abandon, treated it as not to be considered worth an equivalent. and declined either

occupation or amicable protection. Fortunately, therefore, such conduct turned my Agents with indignation from prosecuting any farther negotiations for cession or protection; and the British Authorities having assisted with the ordnance and arms, which were necessary for the appearances or defence at the ship-building establishment, against the neighbouring savages, they determined to remain in inoffensive independence, trusting to the peaceful character of the connected inhabitants.

So far was I from disposition improperly inimical to a Government at amity with my own, that copious papers are still in my possession, originally written and communicated to Mr. Commissioner Boeckholtz, conveying such information on the character and local politics of the Settlement to which he was appointed, as I sincerely knew would be most essential to a successful and safe administration of its affairs.

When your Excellency had threatened to require the withdrawing of my establishment, and the overacting, less scrupulous conduct of subordinate Officers, presuming on the hostile disposition of your Excellency, made me distressingly apprehensive of ruinous loss, by the occurrence of some desperate catastrophe at the place. I supposed Sir Thomas Stamford Raffles qualified to become a medium of adjustment; and it was indispensably necessary for me, in that predicament, to seek adjustment only through the Authorities of my own Government.

I therefore called on the Lieutenant-Governor of Fort Marlborough, being the nearest Authority, publicly, as a British subject, to mediate with your Excellency regarding my property; or to transmit to the highest authority in England, the submission of my rights in those lands.

Although this only channel for immediate communication with your Excellency failed, my public letter to that Authority, on the occasion, is evidence of the fairness of my views; and that your Excellency's recourse to military seizure of an Englishman's property not within the limits of Netherlands Dominion, was a violation totally unjustifiable by any intentions attributable to me, or impropriety in my proceedings.

I am unaware of any reasons consistent with the liberal policy and cordial disposition which have apparently united the two nations, why a British subject might not occupy the possession, of which I have been deprived, in perfect inoffensiveness to the adjacent Netherlands Government; a Power always able easily to secure itself against obnoxious lawless proceedings,—supposing such a possibility,—either by direct measures, or the course which established rule prescribes, of reference to the British Legislative; to whom, and to whom only any British individual, wherever so situated, is always amenable; and if your Excellency's solicitude in times of such intimate national alliance, to avail of a moment afforded by inadvertency, to secure the exclusion of the British Government, by seizing every point where jealousy could apprehend its afterwards establishing, has stimulated the feelings which appeared to have operated, I have the conscious pride from unmerited ill usage, to hope, that as a subject who has not offended against either the laws of his country, or the laws of nations in general, such encroachments on my individual rights, will, on appeal, call forth the protective intercession of my Sovereign.

Whatever may have rendered me an object of suspicion to your Excellency, I can, in justice to myself, truly assert, that had I enjoyed in the Colony that friendly recognisance which as a British subject I expected. a sense of what was due to the

Government I wished to continue personally residing under, would have been an assurance from any conduct on my part which could have justly merited its unfavourable regards.

Some of my countrymen retired from the Island appear to have displayed prejudices, to which, perhaps, your Excellency has paid undeserved attention; but so different have been my sentiments, that whenever the transfer of the Colony had taken place, I saw no reason in my opinion, as to its possession, and the welfare or tranquillity of its population, to conceive cause of regret; and having chosen it for my place of sojournment, should have considered myself bound in honour to act differently from any such interference in concerns affecting the interests of the Netherlands Government, as your Excellency seems to have imagined.

Political situation was never a primary object of my desire, and although I held an appointment under the late Administration, from circumstances of local acquaintance and connection, and being allowed to combine with it other views, I have the happy independance to inform your Excellency, that I would not accept of any other which a British Colonial Government could place me in.

I came to this Island equally independant, and have to reflect, among the strange vicissitudes which have occurred, that the time has been, when it has fallen in my way in opposition to adverse interests, to serve those very Colonists, from among whom I am now selected by your Excellency as a singular instance of expulsion.

The British abandonment of Banjarmasin, as your Excellency probably may have heard, involved unexpectedly considerable losses, and the ruin of affairs, in which my private interests were, owing to the encouragement and assurances of Government, deeply engaged.

It had been conducted so hastily, that in the separation of persons and papers which took place, I being mostly all the time at Batavia, the British Commissioners found it necessary to defer the adjustment of some of my claims, allowing me time to have recourse to accounts then at a distance, and to settle with those who had been connected. They, therefore, on retiring from Batavia, furnished me with the letter to your Excellency, of which I have herewith the honour to enclose a copy,—the original now remaining in my possession, as never having been necessary to deliver, from not having had occasion for the recourse to your Excellency's assistance, which it was intended to procure.

The performance of this necessary duty required the enjoyment of freedom and ease in the Colony, and the retarding interruptions I have experienced to the completion of this important task, form the most vexatious consequence of the harassing oppression I have suffered under your Excellency's Government. I advert to it here as a part of my misfortunes, requiring details fully to appreciate, and as proving to your Excellency that I have had substantial reasons for remaining in the Colony. But time, which will probably more fully develop to your Excellency the extent of the evils I have suffered, will I am confident shew, that the conceptions which have induced such persecution, have, in every respect been most erroneous.

It has to my astonishment been mentioned, as transpiring through good authority, that your Excellency's proceedings have been influenced by replies obtained on some reference made by your Excellency regarding me to the Bengal Government. If whilst I have been subject to such distracting troubles and interruptions on Java, ad-

vantage has been taken which could dispose any public Officer to use inconsiderate expressions affecting me; I can only observe that it appears a most incredible deviation from the known habitual discretion of those who usually conduct public correspondence there; and I am certain, that when time shall admit it, that Government will undeceive your Excellency, no less with regard to myself, than its own sentiments on the conduct of a Foreign Authority which could pretend to pay such deference to its imagined disposition,—a species of complaint which a British Government would never reciprocate; and if any such document actually exist, there is no more valuable favour than the enjoyment of your Excellency's better regards could obtain for me, than to be furnished with a proof of it.

An Englishman must be low indeed, when a British Government will warrant the services of another Power to oppress him; or collude to deprive him of those rights to which in common with his fellow-subjects, he becomes entitled by the public treaties of his country.

It is publicly known that I have a considerable acknowledged amount to receive from that Government, and it has been the operation of your Excellency's proceedings by confining my personal care to other perplexing derangements, incident to the persecution I have endured, which has occasioned me to have funds of importance thus remaining unproductively locked up.

I submit to your Excellency's unparalleled order of expulsion without any feeling of resentment, although I confess a more annoying conclusion to a long course of injuries could not have been adopted. Expelled from the circle of connection, commercial speculation, and local attachments, in which I have moved for so many years of my life, your Excellency has compulsively produced my resolution to remove quite to another region. But while I condemn the unwise irritability which could induce so despotically a measure, I smile, rather than feel personal animosity, at foolish proceedings owing their origin to bad information and groundless jealousy; and I sincerely wish that your Excellency's Government may be attended with that prosperity which I have no doubt the patriotism of its intentions deserves; but I have sustained serious injuries, to which neither my fortune nor honour will admit of my being resigned until I have endeavoured to obtain redress.

I have the honour to be,

Most respectfully,

Your Excellency's most obedient humble servant,

A. HARE.

Batavia, September 4, 1819.

P.S. The preceding was prepared to have been sent to your Excellency at its date, but for the reason stated in the notarial attestation which I have had occasion now to attach to the Protest, its transmission was necessarily deferred, till I could do it from a British Settlement.

Cape of Good Hope, August, 1820.

ENCLOSURE NO. III. TO THE PRECEDING
MEMORIAL.

TO THE HONOURABLE

SIR T. STAMFORD RAFFLES,

Lieutenant-Governor, &c. &c. &c.

Fort Marlborough.

SIR,

As I have been credibly informed that certain representations were lately made by the Netherlands Government of Java, to his Excellency the Governor-General in Council of Bengal, regarding me, aspersing me as a person actively engaged in political Agency, and employed by you, in intrigues inimical to the interests of that Government; and as I have sustained such serious injuries from the spirit which has arisen from their mistaken jealousy, that I am driven to claim assistance from his Majesty's Ministers in England, to obtain redress for such violations of the convention of Peace, as have been committed towards me; I solicit that you will in justice condescend to furnish me with a declaration on your part, which may at once clear me from such a charge; in order that I may be enabled by the production of that document, to prevent injury from those prepossessions, by which I have to apprehend their Excellencies, the Netherlands Colonial Government, have already long been endeavouring to intercept my fair access to the Authorities to which they know I am about to appeal.

It is evident that by giving unreserved attention to false representations, founded on the groundless imagination of their own jealousy, they have been committing a series of persecuting acts towards me, for which only most obvious error can be assigned as the exciting cause; and I have suffered so severely, that being obliged to appeal, it is fortunate that I have this opportunity of obtaining such clear convincing evidence of the extremely wild suppositions on which they have ventured so far to commit the character of their Government.

It has been seen in their proceedings, that animosity was also excited by my remaining after the British Government retired, in possession of my estate on Borneo, of which they deprived me since by open unexplained violence.

You know from the circumstances by which I became possessed of that land, and the appeal I had occasion to make through you, for the protection of the British Government, that I retained that property with no views but those of private interest.

and, such as the Netherlands Government could have no right whatever, on any justifiable grounds to object to or question.

If you have any knowledge yourself of such charges having been made against me, I hope you will do me the justice to state them, that I may have the opportunity of defending myself.

I have the honour to be,

Sir,

Your most obedient servant,

ALEX. HARE.

Pacalongan, Dec. 31, 1819.

ANSWER.

TO ALEXANDER HARE, ESQ.

SIR,

I have to acknowledge the receipt of your letter, dated Pacalongan, 31st December last, delivered to me since your arrival at this Port.

2. I can have no hesitation in declaring that since my return to India, I have had no communication with you whatever, public or private, with the single exception of having received and transmitted to the Honourable Court of Directors your proffer of your Estate at Banjarnasin, to the Government of Great Britain, in the manner I had the honour to notify to his Excellency the Governor-General of the Netherlands Possessions in India, in a Letter which I addressed to that Authority on the 7th June, 1818.

3. If, therefore, my name has been used in the transactions alluded to, it has been without authority.

4. As I have reason to believe the Netherlands Government of Batavia have addressed the Governor-General in Council on the subject, and I have already had occasion to declare that my name has been used without authority, it will be satisfactory to me, if you will make an affidavit* to the fact as far as concerns me, previous to your departure.

I am, Sir,

Your most obedient servant,

T. S. RAFFLES.

Fort Marlboro', April 20, 1820.

* This affidavit was made by Mr. HARE, and forwarded to Sir Stamford Raffles for transmission to Bengal.

**ENCLOSURE NO. IV. TO THE PRECEDING
MEMORIAL.**

TO J. C. LUSHINGTON, ESQ.

Secretary, &c. &c. &c.

SIR,

HAVING reason to apprehend that the Dutch Government of Java have forwarded accusations and complaints to Bengal against me, I have to request that you will be pleased to express to his Excellency, the Governor-General in Council, my respectful request to be furnished with the particulars of such accusations or complaints, in order that I may have an opportunity of defending myself against any unmerited attack.—My Agents in Calcutta are Messrs. Fergusson, and Co.

I have the honour to be,

Sir,

Your most obedient servant,

A. HARE.

Lombok, March 10, 1820.

ENCLOSURE NO. V. TO THE PRECEDING MEMORIAL



DECLARATION OF T. O. TRAVERS, ESQ.

I, THOMAS OTHO TRAVERS, having been Officiating as Second Assistant at Fort Marlbro', and knowing that an allegation was made to the Supreme Government at Fort William, by the Governor-General of Netherlands India, his Excellency the Baron Vander Capellan, of Sir T. Stamford Raffles having entertained correspondence and connection with Mr. Alexander Hare, whilst residing on Java, in the years 1818 and 1819, and represented as a person engaged in machinations inimical to the Batavian Government; and having myself in the year 1818 been the bearer of the only communication which I know to have taken place between Sir Stamford Raffles and the said Mr. Hare, I being also in the fullest confidential knowledge of circumstances reasons and causes not necessary here to explain, am perfectly competent from these circumstances, and my situation attached to Sir Stamford Raffles, and in his confidence during the whole time, as also in possession of Mr. Hare's concurring sentiments on the discontinued intercourse in question, to Certify as may be required, if necessary, to the entire falsity of the accusation, and want of all grounds in respect to both parties. To conjecture an origin for which, nothing can be imagined, but a credulity to indulge suspicions which has allowed itself to imbibe surmises and suppositions as information.

THOS. OTHO TRAVERS, CAPT. B. N. I.

Cape Town, February 15, 1820.

CORRESPONDENCE CONNECTED WITH THE PRECEDING
MEMORIAL.

NO. I.

TO J. LUSHINGTON, ESQ.

Secretary to the Treasury, &c. &c. &c.

SIR,

I have herewith the honour to transmit to you, for submission to the Right Honourable the Lords of his Majesty's Treasury, the Memorial and accompanying Documents, of my Brother, Mr. ALEXANDER HARE, lately an Inhabitant of the Dutch Colony of Java, and now at the Cape of Good Hope.

It being extremely inconvenient for him to proceed to Europe to lay his complaints before the British Government, I have returned from India fully empowered to represent him in this Appeal; and having been personally cognizant of nearly all the transactions stated in his Memorial, and in possession of voluminous confirmatory evidence, I solicit that any communication on the subject of the Memorial, may be made to me, when I shall be prepared to furnish all the elucidation their Lordships' may consider requisite.

I have the honour to be,

Sir,

Your most obedient humble servant,

JOHN HARE.

Bedford-square, June, 1821.

NO. II.

ANSWER.

SIR,

I am desired to inform you by the Right Honourable the Lords of his Majesty's Treasury, that the Memorial which you presented on the part of Mr. Alexander Hare, has been referred to the Office of Lord Viscount Castlereagh, his Majesty's Principal Secretary of State for Foreign Affairs,

I am, Sir,

Your most obedient humble servant,

(Signed)

J. LUSHINGTON.

Treasury, Whitehall, July 20, 1821.

NO. III.

JOSEPH PLANTA, ESQ.

Secretary, &c. &c. His Majesty's Office for Foreign Affairs.

SIR,

I am informed by Mr. Lushington, that a Memorial which I had the honour to transmit on the 10th of last June, to the Lords of his Majesty's Treasury, on the part of my Brother Mr. Alexander Hare, late of the Island of Java, has been referred to his Lordship the Marquis of Londonderry, his Majesty's Minister for Foreign Affairs, and as I have yet had no communication in consequence, which from the Memorial requiring corroborative evidence, I might have expected, I should esteem it a favour if you would inform me whether the Memorial has been submitted for his Lordship's consideration, and whether he has taken any steps regarding it.

I have the honour to be,

Sir,

Your obedient humble servant,

JOHN HARE

Bedford-square, August 18, 1821.

NO. IV.

ANSWER.

Foreign Office, Downing-street, August 21, 1821.

Mr. Planta's compliments to Mr. Hare, and in reply to his letter of 18th August, has to inform him that a Copy of his Memorial has been transmitted to Lord Viscount Clancarty, his Majesty's Ambassador in Holland, and that a Note has been addressed to the Ministers of his Majesty the King of the Netherlands on the subject.

NO. V

J. HAMILTON, ESQ.

Secretary, &c. &c. Foreign Office.

SIR,

A considerable time having now elapsed, since I was informed that the British Ambassador at the Court of his Majesty the King of the Netherlands, had made a communication to that Court on the Memorial which I transmitted to the Right Honourable the Lords of his Majesty's Treasury, on the part of my Brother, Mr. Alexander Hare, I think it probable that some reply may have been made on the subject. As I naturally feel much interested in knowing the progress of the correspondence as far as I can be so indulged, conceiving that the evidence in my possession of the facts stated in the Memorial, must be essential to its obtaining that attention which it merits, I am again induced to solicit the communication of any intelligence you may have since received on the subject.

I have the honour to be,

Sir,

Your most obedient humble servant,

JOHN HARE.

Bedford-square, Dec. 2, 1821.

NO. VI.

LORD CLANWILLIAM, &c. &c. &c.

Foreign Office.

MY LORD,

In the month of December last, I addressed a letter to Mr. Hamilton, late Secretary in his Majesty's Foreign Office, soliciting of him some information on the result of a communication made to the Netherlands Government by his Majesty's Ambassador, to the Court of his Majesty the King of the Netherlands, regarding a Memorial presented by me on the part of my Brother Mr. Alexander Hare, late of the Island of Java, to the Lords of his Majesty's Treasury, and which Memorial their Lordships had referred to the Secretary of State for Foreign Affairs.

Not having received any reply, I am apprehensive that in the hurry probably incidental to Mr. Hamilton's retiring from the office, the letter may have escaped his attention, and therefore I now take the liberty to inclose a Copy of it for your Lordship's perusal, and to beg such information as your Lordship's Official situation may enable you to communicate.

The grievances which form the subject of the Memorial, are of a nature which I can assure your Lordship, have been too severely felt not to occasion anxiety that the appeal may meet with the due consideration of Government, and if I am incorrect in addressing your Lordship as the medium of Official information, I hope it will be excused, and attributed to such anxiety.

I have the honour to be,

My Lord,

Your most obedient humble servant,

(Signed)

JOHN HARE.

Bedford-square, March 4, 1822.

NO. VII.

ANSWER.

Mr. Planta presents his compliments to Mr. John Hare, and in reply to his note of the 4th instant, addressed to the Earl of Clanwilliam, begs leave to acquaint him that no farther information has been received at this Office upon the subject of his Brother's case, since the month of August last, when it appears from a dispatch received from Lord Clancarty, his Majesty's Ambassador at the Hague, that his Lordship had presented a Note upon the subject to the Netherlands Government.

Foreign Office, March 12, 1822.

NO. VIII.

Original Note from Lord F. CONYNGHAM, Foreign Office, Nov. 25, 1823.

Lord Francis Conyngham presents his compliments to Mr. Hare, and is directed by Mr. Secretary Canning, to beg that he will call at the Office, in order that he may communicate to him a Dispatch from Lord Clancarty upon the subject of his Memorial.

Foreign Office, November 25, 1823.

NO. IX.

Notes from the Official Dispatch of M. de NAGEL to Lord CLANCARTY, his MAJESTY'S Ambassador in Holland—made on perusal of the Originals by Permission of Mr. Secretary CANNING, at the Foreign Office, Downing-street,

The letter is dated "*Bruxelles, Jan. 22, 1823,*" addressed to Lord Clancarty. The date of Lord Clancarty's last Note to M. de Nagel noticed in the Dispatch of the latter, is the 14th Nov. 1822. The date of the first Note he had apparently written on the subject, was the 27th August, 1821.

M. de Nagel's letter begins by stating, that there are "*trois griefs principaux développés dans le mémoire du Sieur Hare.*"—"Son premier grief est d'avoir été dépossédé par le Gouvernement du Pays Bas à Java, sans aucune indemnité, de certaines terres qu'il avoit reçues de Sultan de Banjarmasin, dans l'Isle de Bornéo."

2de. "*La Saisie et sequestration des Navires paisiblement employés au Commerce.*"

3me. L' injonction qui lui a été signifié de quitter l'Isle de Java, avant l'expiration de six années contre le traité de Paix."

In reply to the first grievance above mentioned, the Dutch Government maintained, at considerable length, that it had the right in themselves, as well as by authority of the Sultan, to drive Mr. Hare from the place.—"L'ex-Resident étoit en possession de quelques terres qu'il prétendit lui avoir été donner par le Sultan de Banjarmasin."

The letter then states,—"*Ce ne'est pas le Gouvernement du Pays Bas, qui a la première troublé Sieur Hare, dans la paisible possession de ses prétendues propriétés.*"

The letter then asserts the falsehood that "*Sieur Hare étant simple particulier et sans aucune caractere publique oseroit le permettre l'arboris un Pavillion Etranger, sur une possession définitivement abandonné.*"—"Acte assurément illicite et dont celui qui s'en rend coupable peut à juste titre être poursuivi du chef du Légitime Majesté."—"Le Sieur Hare doit donc estimé heureux que par regard pour les relations d'amitié qui unissoient les deux Royaumes ou l'ait traité avec autant d'indulgence."

In regard to the second head of Grievances, the seizures and interruption of com-

mercial shipping, the letter merely asserts in vindication the falsehood that "Ces Navires manquent des Papiers de bord requis, et le Sieur Hare refuse de soumettre aux reglemens."

The vindication of the third Grievance, that of expulsion from Java contrary to the Treaty of Peace, consists entirely of general and false accusations of Mr. Hare, having developed towards the Government of the Netherlands,—"*des demonstrations presque hostiles et un mépris injurieux.*"

The Despatch then concludes with the following remarkable paragraphs :

"Enfin, on croit devoir faire connoître une tentative du Lieut.-Gouverneur Raffles, pour soutenir à Mr. Hare.—Elle donnera occasion de montrer quelle opinion le Gouvernement supérieur des Indes, Britannique avoit de le dernier."

"Le Lieut.-Gouverneur Raffles vouloit faire croire dans le tems aux Commissaires Generaux des Pays Bas, que le Sieur Hare avoit intention de faire homage de ses Terres à son Altesse, &c. Prince Regent d'Angleterre."

"Son bout n'étant pas difficile à deviner, mais il en l'atteignait point, et les Commissaires Generaux ne se relachent pas sur une mesure nécessaire selonc eux, au maintien de la Souveraineté du Gouvernement des Pays Bays, non moins qu' à celui de bon ordre et de la tranquillité du Sultan."

"Et parmi les nombreuses plaintes qu'ils auroient portées au Gouvernement Suprême Britannique dans le Bengal, contre la conduite du Sieur Raffles, ils articulent celle qu'il avoit tenu dans l'affaire de Sieur Hare."

Voici à sujet le repouse du Gouverneur-Général—extraite d'une de ses dépêches en date du 7 Nov. 1818.

"*Your Excellencies do not require to be informed of the sentiments entertained by us of the conduct of Mr. Hare, and the proceedings connected with the establishment by him at Banjarmasin, and you will not suppose that we can have any desire to screen a person whom we regard as a delinquent.*"

The above notes having been taken hastily in pencil at the Foreign Office, can only convey an imperfect idea of a despatch of several sheets.

D.

Copy of a Letter from Mr. JOHN HARE, to the Right Hon. GEORGE CANNING,
his Majesty's Principal Secretary of State for Foreign Affairs,

Dated 19th January, 1824; with a Copy of an additional short Letter of same
date, which accompanied the same.

TO THE

RIGHT HONOURABLE GEORGE CANNING,

His Majesty's Principal Secretary of State for Foreign Affairs.

SIR,

THE despatch from his Excellency the Minister of his Majesty the King of the Netherlands, on the Memorial of my Brother Mr. ALEXANDER HARE, which, with your permission, I had very lately the honour of perusing, is of such vital importance to the character and interest of my Brother, that I feel it my duty to lose no time in conveying to you on his part, the declaration that it will be in his power, most satisfactorily to refute all the allegations contained in that letter, as far as they impugn his conduct while an inhabitant of the Islands of Java and Borneo.

I am the more particularly anxious that you should be in possession of this declaration at the present moment, as it is publicly understood that M. Falck has arrived on an Embassy from his Majesty the King of the Netherlands, finally to arrange all matters in question, between Great Britain and Holland, as regards their Indian possessions.

I am well aware, that the declarations of an unknown individual, will have but little weight when placed in competition with the declarations already before you, of the accredited authorities of a Government in relations of amity with his Majesty,—but I hope it will not be deemed an instance of unreasonable presumption, to claim for my Brother, as a British subject, who has complained of having received grievous injuries, the opportunity of submitting to impartial investigation that evidence, which he has to produce in support of his complaints, and in vindication of his character.

When he thought proper to make an appeal for redress to the protective Authority of his Majesty's Government, he knew that the party, of whose conduct he complained, possessed the almost overpowering influence of high official rank; and he likewise foresaw, judging from what he had experienced, that he had not to expect from them a candid admission of their oppressive acts, but precisely what they have advanced,

and, as is not unusual under conscious culpability, a denial of those acts, accompanied by an attempt at recrimination. He had experienced the most unjustifiable persecution from the Public Colonial Functionaries of a Foreign State, stimulated principally he had reason to suspect by unfounded political jealousies, originating in his casual connection with a respectable public British Authority. Emboldened therefore, by the conviction, that in proving his individual injuries, he was proving a case which was not entirely unconnected with the public interests,—he ventured to make an appeal which he hoped would not fail to obtain due consideration.

In this hope he has not been disappointed, and for him I have to express his thanks to you, Sir, for the share of your attention which he has received.

My Brother, however, has to regret, that it was not deemed expedient for the satisfaction of his Majesty's Government, to allow him in the first instance, to submit for investigation, the proofs which I, on his part offered to adduce in support of his appeal; but he has too much confidence in the justice of his Majesty's Government to apprehend, as he has not been afforded the opportunity to establish the veracity of his statements, that it will merely on account of his comparative obscurity, receive as conclusive evidence, the equally unsupported *ex parte* statements of his antagonists, and thus render his appeal for protection, the cause of still more severe injury.

In taking the important step of presuming to occupy the time of his Majesty's Government, by his individual grievances, my Brother could not but know, that should he be so fortunate as to obtain attention, all he should advance would be subjected to the most rigorous scrutiny; he could not but apprehend, that even the utmost impartiality which could be brought to the enquiry, would be inevitably blended from the causes just mentioned, with a certain degree of adverse prejudice; and he could not but feel that the respectability of his character would depend on the correctness of his representations. In boldly calling for enquiry, he could see no alternatives before him, but favourable attention or contempt. Fully, however, confiding in the justice of those to whom he had alone to look for aid, and fully supported by the opinion, not only of his Brother's and personal friends, but of all who incidentally had witnessed his injuries, he determined not to hesitate in making his grievances known. My Brother feels that the success of his Appeal rests entirely on its truth. The influence of truth, if not impeded by prejudice, is adequate to accomplish for him all he could desire; and in your impartiality he has perfect reliance, that truth will receive its proper influence.

I beg leave to state, that I carefully at the time of the transactions of which my Brother complains, collected attested documents and original correspondence in substantiation of his grievances, which I could not but contemplate making the subject of Appeal. This written evidence I am ready at a moment's notice to submit for perusal. I was myself a witness to every important transaction mentioned in my Brother's Memorial; and can adduce other personal testimony, should such species of evidence be preferred. In short I wish it to be understood, as I have indeed before expressed, that I conceive myself capable on my Brother's part to establish the veracity of all he has stated.

I am conscious, Sir, that to reply to all the recriminating matter which has been called forth by my Brother's Memorial, it would be almost indispensable to do little less, than to embody in this letter the whole mass of evidence to which I have alluded,

but were such an intrusion on your patience admissible, it would require more time than would be reconcilable with the anxiety I feel, to place before you as speedily as possible, the *renewed assertion* of my Brother's veracity; and I must therefore confine myself here merely, to a declaration of the manner in which I shall have it in my power to disprove the different points which have been stated. In doing this, I shall avail myself of the Analysis of my Brother's Memorial, contained ~~in the~~ dispatch which I am presuming to answer.

My Brother has complained that the Authorities of his Majesty the King of the Netherlands on Java, dispossessed him of certain Landed Property on the Island of Borneo, without affording him, or engaging to afford him, any equivalent or indemnification, to which they have replied:

1st. That he had only a pretended right to the Landed Property on Borneo; as his Highness the Sultan of Banjarmasin had declared to them, that Mr. HARR had only a Grant of the usufruct of those Lands, while retaining the Appointment of British Resident at Banjarmasin.

To determine the fallacy of this statement, I beg leave to tender for perusal, a Copy of the original Grant as signed and sealed before witnesses by the Sultan and his sons, and which was accepted by my Brother with the specific written sanction, likewise produceable, of the Government, under which he acted. I beg leave likewise to state, in explanation of this Grant, that previous to the capture of Java by the British, and when the Dutch Government under Marshal Daendels, by entirely relinquishing the Sovereignty of Banjarmasin, had exposed the Sultan to the combined attack of two powerful Piratical States, my Brother contributed most essentially by the loan of money and services of his trading ships, to preserve to him the Throne which he had inherited in regular succession, from a peculiarly ancient and well recorded Dynasty. It was in fact the gratitude which the Sultan expressed for these services, and the invitations and offers to accept a Landed remuneration, conveyed by the regular mission of his Minister the Haji Abdul Kasim to my Brother, then at Malacca, which communicated to Sir Stamford Raffles and Lord Minto, prior to the capture of Java, gave rise to the succeeding public connection with the Sultan of Banjarmasin, whose territories presented the only Ports in the Malay Seas, which were not liable to the pretension of Dutch Sovereignty.

These services, and my Brother subsequently being the instrument through which Banjarmasin was introduced to the participation in the probable advantages of British adoption, were always acknowledged by the Sultan, as personal obligations; and the Grant of Land therefore, was no unnatural or unreasonable mode of return; particularly when the investiture of capital on the soil coincided with the avowed views of the British Government, in advancing the place to permanent importance, and was equally conducive to the Sultan's truest interest.

The facts on which I have founded this explanatory statement are indisputable;—they are known to Sir Stamford Raffles,—they could be proved by the original correspondence of the Sultan, and if my testimony could add to their corroboration, I can positively declare having received the whole facts from the lips of the Sultan and his Minister:

Secondly,—My Brother is stated to have occasioned his ejection from the land

alluded to, by ~~was~~ incompatible with the interests of his Majesty the King of the Netherlands, and the tranquillity of the dominions of his Ally, the Sultan of Banjarmasin;—with having committed illicit acts of assumption of British National Sovereignty, especially in using the National Colours on his “habitation and ships,” and thus as having been guilty of a species of “*Lèse Majesté*.”

To disprove this, I have it in my power to tender the affidavits of my Brother's Agent, John Charles Ross, and of his assistant, Benjamin Reilly, the only two Europeans on the place, the former of whom, a most respectable individual, will probably himself in a few weeks be in London for interrogation if required. These affidavits are not of the present date, but written soon after the events they relate, and sworn to at Bencoolen before a British Magistrate. I have likewise to submit an attested Copy of my Brother's instructions to his Agent, by which it will be seen that such acts as are mentioned were specifically forbidden. My Brother had that knowledge of his Agent's discretion, that he could not believe it possible he would commit such an imprudent outrage of good sense as what is here alluded to. He perceived, however, an inclination in the Java Government to raise pretexts, and therefore wrote a specific letter on the subject. Mr. Ross's affidavit will shew that he had never done any act so egregiously foolish.

It is necessary to explain, that my Brother's establishment on Borneo, after the British Government withdrew, consisted merely of the ship carpenters engaged in completing a ship, now sailing with a British Registry called the *Borneo*; which was half completed under arrangements with the British Government, while the Settlement was a National Colony, and which could not be relinquished but with the loss of the money invested. The British Government when retiring, afforded my Brother every facility in its power to protect the place from barbarian attack, and to carry on the work to completion. In continuing to occupy the lands for that object, he acted under the perfect cognizance of the retiring Authorities. No National Flag was ever raised on the spot subsequent to their departure; but the ship previous to launching, had a British Colonial Registry from Bencoolen, and when launched, bore of course the British colours. I humbly hope I shall be excused for observing, that in the combining in this accusation of using the National Flag the words “Habitation and Ships,” there is an appearance of attempting to blend acts perfectly different in their nature; proper acts with those improper. That any National Flag was ever used on any “Habitation” belonging to my Brother, or any of his dependants, I can positively disprove, but that the ship *Borneo* when launched, and other vessels belonging to my Brother when at the place, were under British Colours with British Colonial Registers, cannot, and it is presumed need not, be denied. In fact, it was by scrupulously bearing these colours on the ship *Borneo*, and producing proof that she was launched in territory not Dutch, that after examination the Lords of his Majesty's Treasury allowed that ship a British built Registry. It is necessary, therefore, in examining this accusation, that the facts be accurately discriminated, and I certainly congratulate my Brother, that the only act approaching “*Lèse Majesté*” which has been adduced, the only act endangering the “tranquillity of the Sultan of Banjarmasin's dominions”—is one so indefinitely advanced, and so easily refuted.

My Brother has accused the Authorities of his Majesty the King of the Netherlands on Java, of unjustifiable sequestration and vexatious detentions of his trading

The reply to this head of charge, appears to acknowledge both the sequestration and detention, but vindicates them on the ground, that my Brother's ships sailed without the regular papers on board, and that when my Brother was remonstrated with, he replied in a tone of hostility and contempt.

I beg the opportunity of submitting in refutation of this accusation, all the original correspondence attested on oath, which took place on the occasions referred to.

I beg likewise to submit the original Papers or Port Certificates, borne by the Vessels in question, and affidavits by the Captains of those vessels as to their conduct.

By the correspondence it will be seen, how far the language of my Brother was improper, and by the Port Certificates and Captains affidavits, it will be seen that his vessels sailed with the only papers which the public Officers of the Colony required, and did not infringe in their voyages any known regulation.

The third head of complaint which my Brother has advanced in his Memorial, viz.—That he was expelled from Java and all the Dutch Colonies, contrary to the provisions of the Treaty of Peace,—appears to be likewise acknowledged by his Excellency, and only apologized for by the general aspersion, that my Brother was a turbulent and dangerous individual.

It is perhaps difficult to refute general aspersion by specific evidence; but, if the perusal of the documents which I beg to submit in refutation of the former accusations, be not considered satisfactorily to establish my Brother's quiet and peculiarly inoffensive conduct while residing on Java,—he can appeal to every respectable inhabitant who knew him while there, for the vindication of his general demeanour from such groundless accusations. I do not hesitate to declare, that no calumny could be more unfounded than that which would impeach his conduct on Java. It can be proved by most respectable testimony, that he scrupulously avoided, even in conversation, the taking any part in discussing the Policy of the Colony. He knew himself under surveillance, and if I were permitted, I could produce numerous letters written during the period of the most confidential nature to his Brother in London, shewing that he was in sentiment much inclined to respect the character, and general policy of the very Government who were oppressing him.

My Brother had reason to believe himself suspected of corresponding with Sir Stamford Raffles, and I presume he has to attribute the epithets "dangerous and turbulent," applied to his conduct, as having origin in this jealousy of an intimacy with that Gentleman. Some of the expressions indeed in this Despatch prove, what had before come to my Brother's knowledge, that a complaint had been made to the Supreme Government at Bengal, founded on this supposed private correspondence between him and Sir Stamford Raffles. I am far from acknowledging, that as an inhabitant of Java previous to the transfer of the Colony, and claiming the provision of the Treaty to remain, it was incumbent on my Brother to restrain himself from corresponding with a friend whom he esteemed;—but the fact incidentally was otherwise, and the affidavit of a highly honourable Officer, and the letter from Sir Stamford Raffles accompanying the Memorial, satisfactorily prove the fallacy of such suspicions, and that almost the only letter that passed between them, was of a public nature, having its origin, as will be hereafter explained, in the oppressive acts of the Java Government.

I have now, Sir, I believe, given a brief reference to the species of evidence with which I shall be able to support, if allowed the opportunity, my Brother's Memorial,

and to refute the statements which have been made to his prejudice, as far as those statements are assumed to be in reply to his Memorial. I hope it will be admitted that the evidence, if as I have described, will be adequate to produce conviction in any impartial mind. But there are certain allegations, in the despatch which I had the honour to peruse, not directly bearing on the conduct of my Brother towards the Dutch Government, and which are declaredly introduced, merely with a view of creating an unfavourable impression on my Brother's character. It would be futile for my Brother to complain of the unfairness or irrelevancy of these remarks, because I know having been made, their object has been attained. An unfavourable general prejudice must have been created, and it is left for my Brother to allow his character to sink under them, or take those means in his power to expose their falsity. I hope, therefore, I shall be allowed to offer such an explanation as can be introduced into a letter like the present. I am aware it will be merely a declaratory brief outline of transactions which would require much attention, and most detailed reference.

It is already, I may presume, known Sir to you, as mentioned in my Brother's Memorial, that he had been engaged under appointment and sanction of Sir Stamford Raffles and Lord Minto, in forming a National Establishment at Banjarmasin, on the coast of Borneo.

A Colony of Javanese, principally convicts, was placed there, and arrangements made in avowed contemplation of a permanent connection with that coast, which it was presumed would have proved highly advantageous to British Commerce. The policy of Sir Stamford Raffles appeared generally not to have been viewed very favourably by the Supreme Government; and at last it is well known, that Lieutenant-Governor Fendall was sent to supersede him. Had the superseding authorities been actuated merely with a wish to terminate in the most economical manner, such parts of the public engagements as were condemned, inclining to interpret liberally the intentions of their predecessors in office, it is probable much expense to Government, as well as injustice to my Brother might have been avoided; but I feel myself obliged to attribute to them a spirit of a very different nature,—having its origin in personal prejudices.

It must be well known to you, Sir, that in Bengal at that time existed, pretty generally among the Civil servants of the Honourable Company, a feeling by no means favourable to Sir Stamford Raffles; and the new Government at that time appointed for Java, certainly came to their duty more in the temper of victorious partisans, than cool arbitrators of a predecessor's policy. My Brother, not in the Honourable Company's Civil Service, not an aspirant for patronage, but a Merchant engaged from possessing most peculiar information and influence to accomplish a particular object, having been honoured with a considerable share of Sir Stamford Raffles's personal confidence and esteem, became a principal object of attack to all who were inimical to that Gentleman's Administration. The establishment at Banjarmasin and Colony, it may be presumed in obedience to instructions was hastily withdrawn, and extensive territorial possessions ceded by a Treaty to the British, exempt even from the pretension of Dutch Sovereignty, voluntarily thrown away, without affording apparently time for the Supreme Authority to negotiate for some equivalent cession. My Brother endeavoured by explanatory statements on the original views and real value of the settlement, as well as on the interests which consistently with, and in consequence

of these original views, had been invested in it,—to induce the Java Commissioners to delay, in some degree, their declared intention; but he was not in the least attended to, and all that had been done,—all that had been expended, was unhesitatingly swept away, without admitting even the time requisite, for bringing to a satisfactory close, the undertakings to which the former arrangements of Government had given rise.

It is mentioned in the Dispatch of his Excellency, the Minister of the King of the Netherlands, that an investigation was ordered by the Supreme Government into the formation of the Colony. It had been alleged, apparently in the absence of any other accusatory matter, that some of the Javanese had been conveyed to the neighbouring Island without the regular adjudication of a Court of Justice. The enquiry was one, which, although founded on misrepresentation, and conveyed to the humane ear of the Most Noble the Governor-General with the palpable aim of producing general prejudice against the then Government of Java,—was at the same time ordered, it is natural to conclude, on the purest principles, and could not have been properly objected to by my Brother, had it been conducted impartially, and not in some degree deputed to the management of the identical individuals who had been instrumental in propagating the rumours in which it originated;—men who were openly hostile to Sir Stamford Raffles, and who seemed to feel peculiar gratification in exercising the powers conferred on them, to scrutinize in the most personally obnoxious manner, the acts of one, whom they assumed to have been his friend, and who was not I hope unworthy of the credit. He had no reason to dread, and he had no right to complain of a most rigid performance of duty; but he had reason to complain that the investigation was unnecessarily made a source of injury which its result did not vindicate.

I must here, however, distinctly mention, that I should be very sorry to be supposed to include in this allusion, the Gentlemen who constituted the Commission, for evacuating the Settlement of Banjarmasin; and I must likewise add here, that my Brother never attributed any motives but those which might actuate the most honourable men, to Lieutenant-Governor Fendall and the British Java Commissioners. He, however, thought he had reason to regret, that they entertained most unkind prepossessions against him, and that they did not sufficiently suppress those prepossessions, but suffered them to induce to measures, the most inexpedient to insure dispassionate investigation.

It now remains for me to mention, what was the result of this scrutiny; but I am aware that all I can say on this point cannot, and indeed perhaps should not, have any influence in producing conviction on your mind. I therefore beg to declare, that nothing would afford me greater satisfaction, than having the opportunity to lay before you, Sir, the whole papers connected with the enquiry into my Brother's public conduct. I have in my possession for the optional perusal of whoever will afford the requisite attention, a narrative of my Brother's public transactions, from the first formation of the establishment at Banjarmasin, till the period of his departure from Java, accompanied by every public letter, or other document, connected with, or requisite to illustrate and substantiate the facts recited.

As I thus unreservedly invite to the perusal of the whole evidence, for and against, I hope I shall be considered warranted; under the apprehension that the requisite

attention may not be bestowed, to satisfy my sense of duty by adding my own testimony in his vindication.

I have already declared my competence to form a correct opinion, as far as knowledge of facts can render a person competent. I was at Banjarmasin in charge of the Settlement, my Brother having been called to Batavia, at the time that the Commission arrived for its evacuation. I lived on terms of constant intercourse with the Commissioners, and attended most anxiously to every step of their enquiry. Unfortunately at that time from not having been long there previous, I was too much of an enquirer myself to be able to afford them that elucidation on the various branches of policy under their review, which would have been desirable for my Brother's interest; misconception as to the object of some of his arrangements, and difference of opinion as to their expediency naturally occurred. The objectionable points contained in the report of this Commission, were communicated to my Brother on his return, in the form of queries which required explanation, and the fullest and most satisfactory explanations were afforded. As the queries in this letter comprised all that was ever communicated to my Brother, as matter of charge against him, he has a right to have it considered as all that was alleged as ground of censure.

The main enquiry into the irregular transportation of the Javanese, will be perceived by any persons who peruse the papers, not to have deserved the attention which it had, by the grossest misrepresentations, unfortunately obtained. Any impropriety in the transportation of individuals from Java, could only, it might be supposed, have implicated the principal Authorities of Java, by whom they were sent, not my Brother who had received them on Borneo; but it would be doing the utmost injustice to the Gentleman who acted in judicial Authority under the Government of Sir Stamford Raffles, not to declare, that the rumours which had been so anxiously circulated by the enemies of Sir Stamford Raffles's Government, to attract the attention of the Supreme Government were unsubstantiated, and appeared only to have been the vexatious inventions and exaggerations of party malice. Indeed the Commissioners, I am confident, returned with the most complete conviction that my Brother's humanity and attention to the happiness of the Colonists, exceeded what was consistent with economy, for so they frequently observed to me; and the fact that above 2,000 persons mostly relieved from prisons and chain labour, should after five years be returned to their own native Ports,—as numerous, in better health, better clothed, and in every respect better than they went away, proves beyond a doubt that their situation had been during their absence sufficiently favourable. Their banishment, which as a punishment was only analagous at the worst to the banishment of an Englishman from one of the British Isles to another, was, I hesitate not to say, a most humane and enlightened policy, that preserved the lives of many unfortunate human creatures, and that much indisputable misery was occasioned by their return, and the circumstances which attended it.

With the propriety of my Brother's conduct towards the Sultan and native Government of Banjarmasin, the Commissioners were so satisfied, that they offered me from a sense of justice, the pleasure of hearing them declare in the presence of the Sultan's Minister, that any objection that had been asserted against his conduct as regarded the Sultan, was entirely unfounded and I presume they must have expressed as much to the Java Commission.

However reluctant I am, Sir, to lengthen this letter, I feel it incumbent upon me, in consequence of the severe, and I hope I can prove, inapplicable term which has it appears been applied to my Brother by the Bengal Government, and the use which has been made of its repetition by the Government of Holland, to make you acquainted with some circumstances in which he conceives himself to have been most harshly treated by the same Government, that has condescended covertly to traduce him.

My Brother, it must be understood, was not merely a Public Officer receiving a salary, and to be settled with by paying the salary up to the day of dismissal. His accounts necessarily included the whole expenditure of the establishment; and from the time he entered on his public engagements he had been always in advance to Government. He rendered his accounts at this juncture, precisely in the same manner as on former occasions; and along with the accounts submitted for the favourable consideration of the Commission, certain statements of positive losses from the withdrawing of the establishment, which he had warned them from the first, would necessarily result from their hasty proceedings. The instructions of the Governor-General for withdrawing the establishment, had desired them to enquire into "the extent to which the private fortunes of individuals, particularly Mr. HARE, had been with the permission, or the encouragement of the Java Government embarked in the Settlement," thereby virtually acknowledging the validity of any claims which could be established on that principle. My Brother, perhaps, had the misfortune from close personal intercourse with one Authority, to have been in some degree involuntarily betrayed on public grounds, into the investiture of funds in an undertaking condemned by a succeeding Authority. Instead of confidence and respect, which, until investigation, might have been no unreasonable favour, he was at once treated as a suspected peculator or jobber, and during all the clamours of party scandal which raged at the time, to the most unpleasant extent, his accounts were rendered and audited, not as the accounts of an honourable man, above the meanness of fabricating false items, but as the accounts of a known peculator, every item of which was to be suspected. All the intercourse that took place in the attempted settlement, only displayed offensive suspicions on the one side, and offended feeling on the other. At last, however, a settlement of the accounts and compromise of the claims, was accomplished by the Commissioners, and agreed to by my Brother, with the express understanding of immediate liquidation; but some discussions on the inquiry before mentioned regarding the Colony, in which my Brother considered himself aggrieved, and against which he felt himself compelled to remonstrate—Intervening, at this juncture, the irritation of the moment apparently was suffered to govern the decision of Lieutenant-Governor Fendall—no liquidation took place, and the accounts and vouchers were all carried away to Calcutta.

My Brother remained on Java after their departure, to terminate as advantageously as possible, numerous out-standing concerns to a large amount, in which he had been principally involved, through the nature of his public undertaking; and to collect by desire of the retiring Government, proofs in support of the claims which he had preferred for adjustment, with which, when obtained, he intended to have followed them to Calcutta. But these views were entirely frustrated by the proceedings of the Netherlands Java Government of which he has complained. Little imagining that those proceedings could have been in any way countenanced by his own Government, he previously to his leaving Java, under the compulsory order of the Java Govern-

ment, addressed to the Most Noble the Marquis of Hastings, the Governor-General in Council, a letter stating in the most respectful terms, the injuries he had sustained from the Netherlands Authorities, and soliciting that he would condescend to appoint some impartial commission to take his whole case into consideration, peruse the evidence he had to adduce in support of his claims, liquidate his regular Accounts, and finally, if they deemed proper, relieve him from the indefinite unfounded slanders to which his character had been subjected, by a public investigation, the final result of which was publicly never known. Not being able to go himself at that time, and feeling his personal appearance not necessary, he sent an Agent to Calcutta with all the requisite evidence and information, to conduct on his part that fair and impartial investigation of his whole case, which he conceived himself entitled to—but which he could not conceive he had before obtained.

I shall take the liberty to transmit herewith, a Copy of this Letter to the Marquis of Hastings, (See No. I.) and earnestly solicit your perusal of it, as it will at least, Sir, prove to you, that I have asserted nothing on my Brother's relations with the British Government of India, that has not been openly maintained to that Government by himself. It will shew that he solicited a distinct declaration of the objections to his conduct, if any were still entertained, and that he was willing and ready to meet impartial investigation. This application to the Governor-General in Council, was not honoured with any notice, and it is now only in 1824, that I learn from my Brother's Correspondent in Calcutta, that the Supreme Council since the departure of the Marquis of Hastings, has been induced to turn its attention to the Settlement which my Brother solicited. My information at present is very imperfect as to what has taken place. I am informed, however, that a Commission of impartial examination has been peremptorily refused,—that the Supreme Council has taken the case entirely under its own consideration, and rejected all evidence in support of my Brother's claims. As that Council is now constituted, of Mr. Fendall and some of the Gentlemen to whose hasty mistaken views, my Brother fears he has to attribute the severe treatment he has experienced, he has still to fear that judging in some degree on their own proceedings, and with the usual reluctance to admit conviction of their own errors, little is likely to be affected on my Brother's behalf, except receiving four or five thousand pounds, the amount of one account, which at any time could have been enforced by law. It is but justice to Mr. Fendall, however, to mention, that he had explicitly declared to my Brother's Agent, that Government had nothing to say against Mr. HARE, and that he was mistaken in supposing so. It is to be hoped that he will see the justice of interesting himself to obtain for my Brother at least an impartial settlement of his accounts, and a fair consideration of his claims. But if prejudices shall still be allowed to prevent an equitable adjustment, my Brother must appeal to those, who may form a more dispassionate opinion on his case. Great indeed must have been his misdeeds, if it be to justify the combination of two powerful Governments, to wreck their vengeance on one obscure individual.

I think it particularly necessary to solicit your attention, Sir, to the fact, that a considerable balance of account has been always acknowledged as due my Brother. From his first appointment until the evacuation of the Settlement, its peculiar situation and other causes, compelled him to be under advances from his private funds, and had not such advances been in his power, some disaster disgraceful to himself and

Government, must have been the result. It is evident, therefore, that the word "delinquent" could have no fair allusion to his pecuniary concerns with Government. It might, perhaps, be supposed, that the term was used as synonymous to the term defaulter, but even his greatest enemies would admit, that circumstances rendered him, to whom Government had avowed itself indebted, entirely exempt from the suspicion of being one indebted to Government, or a defaulter in his payments.

I have, now Sir, endeavoured to explain all the transactions which occurred between my Brother and the last British Authorities on Java; and secondarily with the Supreme Government of Bengal. I cannot deny that I am interested—most earnestly interested, in vindicating the character of an affectionate Brother; but I do not hesitate to assure you in the most solemn manner, that I have been candid. Were I not bold enough in his cause to be candid, I trust I should have prudence enough to be silent; for the favour I could gain by misrepresentations, would, I know, only be transitory, and destructive both to myself and him.

Is there Sir, any part of the conduct I have related, and which I beg to repeat I can substantiate by documentary evidence, such as to justify the application of the term *delinquent* to a British subject, as a warrant to encourage the persecution of a Foreign Government? I beg to ask on my Brother's part, whether general aspersion of this kind, is to be considered not only as a justifiable warrant for the oppression of a British subject by a Foreign Government, to deprive him of the protective Authority of National Treaties and National Influence,—but whether it is to be considered a valid apology for such oppression, and as decisive evidence to deprive him likewise, of all redress? He complains of the wounds he has received from strangers, and because he is mortified by the unnatural discovery, that the wounds were inflicted by the secret connivance of his own countrymen, is it to be considered proof so strong, as to preclude the necessity of examination, that the wounds were justly inflicted?

Is it to be considered impossible, that no other principle than justice, could associate such hostility against him?

A mature, and impartial examination of my Brother's case, would, I conceive prove it possible, that other circumstances might combine the unfavourable feeling, against him, under which he has suffered; and would shew what I have already stated, that prejudice against him was palpably anterior to all real knowledge of his conduct, and has uniformly obstructed all fair investigation into its merits. He had the misfortune very early of participating in the effects of that unfavourable spirit which prevailed in certain influential circles in India, against a Gentleman of whose friendship he had every reason to be proud. He was little known; his character and views were mistaken; with a competent fortune, and the most respectable commercial connection, he was not particularly emulous of public employment, and was tempted to deviate into that path of life, which he has had serious reason to regret, from possessing exclusively certain facilities for the accomplishment of what appeared to himself, and those under whom he acted, a desirable national object.

That undertaking very soon shared with its projector, the discountenancing prejudice to which I have alluded; it was condemned it is to be feared unconsidered; its conductor unfeelingly traduced, and to this day has never had its importance understood; it is now only remembered, by the heavy items in the Honourable Company's Books for its removal. What was the fate of Banjarmasin, might be the fate of

Singapore, with not more imprudence,—were unscrutinized prejudice suffered to govern the public policy.

The intention of Sir Stamford Raffles had, it is to be apprehended, very early succeeded in producing the prejudice even at home, that the Banjarmaasin establishment was “a job.” In Bengal where the prejudice was generated, it was nurtured by certain individuals, until at the period of the supercession of Sir Stamford Raffles, it ~~appeared~~ ^{was} far to have influenced the Most Noble the Governor-General, as to induce him to order the enquiry which I have already mentioned. The new Java Authorities, full of the prejudice that it was “a job” they had to develope, for so it was said to be designated in the highest Government circles, betrayed the prejudice in the very conduct of the enquiry. They must have discovered the fallacy of their prejudices; for that must have been a peculiar species of “job,” which sacrificed, to their own conviction, materially the private fortune of the supposed jobber; but my Brother remonstrated against some of their acts, with a spirit which irritated them because of its justice. They, therefore, wreaked their revenge, by leaving him without the payment of pecuniary claims they had themselves admitted. They returned, and it is to be supposed not to diminish the prejudices, to the existence of which they had owed their employment.

It was certainly a singular and unfortunate coincidence, that at the same moment my Brother had to trace, to the honourable patronage of the retiring Lieutenant-Governor of Java, not only the prejudiced feelings of his own countrymen, but the active animosity of the Dutch. They had been informed, that my Brother's local knowledge and influence had been of use previous to the capture of Java, and their jealousy of Sir Stamford Raffles, made them colaterally jealous of my Brother. This is the real source of my Brother's persecution by the Baron Vander Capellan; no doubt combined with jealousy of the Bornean estate, ultimately attracting the attention of the British Government.

Both Governments were erroneous in their suspicions of my Brother; he might possibly have been designated with some degree of truth, by his family, in regard to his engagements with his own Government—an imprudent enthusiast in the undertaking in which he had been tempted to embark; but I challenge examination to fix upon any part of his public conduct, the charge of sordid deception, or improper regard to his own emolument.

The Dutch were equally erroneous in their impressions; for he had been at that moment so completely sickened by public employment, his mind so entirely mortified at his own imprudence, which had led him unnecessarily into a field of contention and envy, where nothing seemed to be the result, but unjust aspersion and pecuniary loss, that he had resolved to direct his attention entirely to commercial objects. I could give such irresistible proof of this state of mind, and perfect exclusion at this juncture, of political views, that I feel confident that the Baron Vander Capellan and M. Elout are men individually of too high sentiment, would they examine, not to regret the steps taken, and voluntary retrace them.

To you, Sir, it is well-known, that the highly-respectable public character that I have taken the liberty so often to mention in this letter, under whose Government my Brother had the honour to act, was himself not exempt from having his conduct misrepresented; and it was entirely to the impartial investigation of the authorities in

Europe, that he succeeded in re-establishing his just claim to the approbation of his Government. That Gentleman, it is presumed, must have been most injured by my Brother, if my Brother be "a delinquent" to Government; for it was under his auspices he acted, and it must have been his confidence, if any, that he betrayed. But, fortunately for my Brother, to that Gentleman I can fearlessly appeal for an opinion on the integrity of his intentions; for he is yet unaware that he has forfeited any portion of the personal friendship with which he had reason to believe he was formerly honoured. He likewise, I think, would receive from that Gentleman, if referred to, a more favourable report of the ability of his public services, than has been admitted by his uninformed censurers. He would, I have little doubt, give him the credit of some ability for public business, and some disinterestedness in the performance of its duties. He would not fail to mention, what was well-known to all Java, that through his influence and discretion, he accomplished by negotiation alone, the relinquishment of piracy in all the much dreaded Ports in the vicinity of Banjarmasin, and that he had by judicious and enlightened arrangements, prepared the way for the amelioration and civilization of the barbarians of that coast.

It was repeated on Java, that the Baron Vander Capellan had mentioned that the British Government in Bengal, had applied the word "delinquent" to my Brother; and my Brother alluded to this report in his letter to the Marquis of Hastings. I have since heard that the same expression had been quoted in the higher political circles of Holland, as a vindication of its Java Government in my Brother's case; but the despatch, of which you have favoured me with the perusal, has at last fully confirmed the fact, and, I trust, the explanation which it has called upon me to make, will not be deemed impertinent.

Before I conclude on this subject, I think it proper to state, that however much I feel mortified at the Supreme Government of Bengal, for having made use of an expression in a public despatch, so injurious to my Brother's character, and however much I conceive them justly censurable for so doing, I still attribute it to the existence of harshly formed prejudices, which public business, perhaps, has not afforded time to dissipate by due examination.

I shall now return to the more direct purpose of my present letter—to support the prayer of my Brother's Memorial. In addition to what I have already said in explanation of my Brother's other claims, I feel it incumbent upon me to afford some farther elucidation regarding the lands on Borneo, and property upon it, of which my Brother has been unjustly deprived by the Netherlands Government.

I have already stated, that a reference to documents will prove beyond a doubt, that my Brother's title to that property is as legitimate and as honourable in its origin as his Majesty the King of the Netherlands' title can be to the Sovereignty of any of his possessions in that part of the world. I have likewise offered to produce evidence in complete exculpation of my Brother, from having forfeited his claim on his own Government, for the protection of his rights, by any improper acts of himself or Agents, during the short period of its occupation. It may perhaps, however, still be desirable to state here, a little more distinctly than has hitherto been done, which I am enabled to do from my personal knowledge, the circumstances which attended and preceded the seizure of it by the Netherlands Authorities.

The British Commissioners for the evacuation of Banjarmasin, remained on my

Brother's land, which is perfectly distinct from the usual seat of European Authority, for some time, concluding their arrangements for departure, after the Dutch had assumed Authority under a new Treaty with the Sultan, at the principal Port and Fortress in his dominions.

As they foresaw the necessity of my Brother's Agent remaining in that exposed situation, at least till the completion of the ship before mentioned, and knew that my Brother's title to the Lands was indisputable, they for his security induced the Sultan to issue proclamations ordering his subjects not to trespass hostilely on the lands, or otherwise molest the Agents and dependants of my Brother, who might remain there. They likewise sold to me, as my Brother's Agent, such guns, ammunition, and military stores, as were requisite for protection against attack, from the Piratical Barbarians frequenting those seas.

On their departure from this spot, which they had thus done their utmost to protect, my Brother's Agent, Mr. John Charles Ross, with only one or two European Assistants, and a native population of ship carpenters, who had been engaged in building the ship before mentioned, remained for its completion. Mr. Ross's discretion preserved the utmost amity with the Native Government, and friendly personal intercourse with the neighbouring Dutch Resident. He was, however, kept in a state of the most embarrassing apprehension, by the apparently invidious policy pursued against him by the Dutch Government on Java. In an almost insulated spot, with a population requiring to be supplied with food by purchase, he was at first evidently subjected to a systematic attempt to produce desertion, if nothing worse, among the native establishment, and abandonment of the place.

For this purpose, at the moment that the Dutch Resident prevented the Banjarese from conveying rice to him from the interior,—the Java Authorities acting no doubt in an intended concert, interrupted my Brother's trading vessels. But fortunately the disaster which, to their disgrace they had meditated, was prevented by the judicious conduct of Mr. Ross, and other circumstances which their vigilance had failed to prevent. The barbarian Dyaks, whom it had been a favourite object of my Brother's Administration on Borneo, to conciliate and civilize, supplied in part that food, which the Dutch policy had endeavoured to cut off; and as the seizure of one vessel had induced to dispatch a substitute, some of the supplies incidentally eluded the stratagem and arrived safe; but I positively assert, as already stated, that all sailed with regular Port papers, for any other conduct would have been unnecessary and highly injudicious. The assertion of my Brother's vessels sailing without the regular papers, must appear on the slightest attention, to be merely a pretext to conceal the real cause of animosity; for if the faults were only an irregularity in papers, most certainly the punishment was inordinately severe.

The patience of the Java Government appears at last to have wearied of this species of molestation, and the arrival of Sir Stamford Raffles at Bencoolen, gave alarm to their suspicions. Finally, therefore, in July, 1818, a regular expedition, in a few gun boats with troops on board, proceeded to take possession of the place, and all the property in it,—in the name of his Majesty the King of Netherlands. Fortunately, and it is conjectured on good grounds, to the disappointment of the Government, Mr. Ross alarmed at such hostile proceedings, launched the ship *Borneo* in an incomplete state two or three days before; or its seizure would have added to my Brother's com-

plaints. That this was the intention cannot be doubted, as the expedition left Batavia in the May preceding, and contrary winds alone had delayed its arrival. Mr. Ross vacated the place, but very properly not without executing a Protest, which was delivered and received by the Dutch Commandant.—It is to be observed, however, that the Dutch Authorities were not without perceiving the importance of the place, and the probability of its being nationally recognized, for they were not satisfied with its mere vacation by my Brother,—they took political possession of it in the name of his Majesty the King of the Netherlands,—not as they would endeavour to have inferred, for the Sultan of Banjarmasin.

The ungenerous policy of the Netherlands Java Government, was evinced during the period of the above related events, in innumerable instances of the most petty and personally vindictive measures, against my own and my Brother's personal comfort on Java, which gave rise to the only communication which my Brother had with Sir Stamford Raffles. He had always, as already mentioned, conceived the lands to which he retained the title, and on which he had expended so much of his private fortune, if well understood, would be considered of national value; he therefore, acting under this conviction, and stimulated by ill usage, thought proper on the arrival of Sir Stamford Raffles at Bencoolen, to address to him an official letter requesting him to tender the lands in question to his Sovereign. It would appear, that Sir Stamford Raffles who was well acquainted with the commercial importance of Banjarmasin, had thought the proposal worthy of notice, and he communicated the fact it would appear by the Despatch of his Excellency the Netherlands Minister, to his Excellency the Governor General of Java. He likewise transmitted my Brother's letter to the Honourable Court of Directors, and it may be presumed, therefore, that it has already come under the notice of his Majesty's Government. As it however, explains my Brother's views on the value of his lands on Borneo, I beg to submit a copy of it by the present letter. (See Inclosure, No. 2).—I must claim some indulgence for it as a hasty composition, and written under the embarrassment of the moment; but it expresses; what I hope will be thought to the writer's credit, the reluctance he felt to relinquish, to a Foreign Power, a possession which he sincerely thought might be valuable to his own country; and it certainly is deserving of notice, that no sooner did Sir Stamford Raffles communicate the possibility of the territory being adopted, or protected by his Britannic Majesty, than the expedition was fitted out expressly to seize it for his Majesty the King of the Netherlands; that final act seems therefore, not to have been stimulated entirely by hostility against my Brother, but rather an act of National hostility, inasmuch as in contravention of what a British Functionary had declared to be probably a British object.

I have now placed before you, I believe, every important fact connected with the Lands on the Coast of Borneo, of which my Brother conceives himself the legitimate Proprietor, and of which he has been dispossessed by the Authorities of his Majesty the King of the Netherlands, and I have only farther to intreat the intercession of his Majesty's Government, to obtain an equivalent for them from the Netherlands Government. So far he solicits the protection of his individual interests; and for the reasonable nature of his demand, my Brother can appeal to his Excellency M. Elout, who expressed to him in Batavia, that in case circumstances should induce the Dutch

Government to occupy his lands, they would undoubtedly not do it without affording a satisfactory equivalent.

But should the aspersions which have been artfully, and I must assert unjustly, thrown upon my Brother's character, render his Majesty's Ministers (regardless of his Individual claims and complaints, I cannot but still anxiously hope, that they will pause before they finally renounce all intentions of supporting the Individual claims of a subject of his Majesty, to property which circumstances may render valuable as a National Possession. I cannot doubt previously to affording their sanction by tacit assent, to the forcible deprivation of the title, vested in a British subject to a territory of such interest, that it will be maturely considered whether the territory so alienated, might not be advantageously adoptable as a public acquisition; whether territory situated in the most populous and most civilized part of the coast of an island of such magnitude; of a fertile soil, where pepper, coffee, and other valuable articles of Commerce have been always in cultivation, with two navigable rivers, thirty miles up the mouth of one of which, a ship of 600 tons has been built, chiefly of timber cut down on the spot from which it was launched; with mines, both of diamonds and gold, on the working of which, British Ingenuity and capital might be so advantageously employed; so adjacent to Java, that it would, it is presumed, be found an available post in time of war, and in time of peace share with that Island much of what forms its value—the supply of the neighbouring Malay populations; so well calculated to be a *dépot* for British manufactures—now more than ever a desideratum, since the present Java regulations exclude all but direct cargoes—and which, in combination with the Settlement of Singapore, would put it in the power of the British to command the supply of the population of Celebes, and the other important Islands in those Seas;—whether a Territory situated with these, and other Commercial and Political eligibilities, which it is impossible to enumerate even briefly here, might not be availed of, as a British Settlement, or whether, should that not be desirable, it might not be valuable as an equivalent in negotiation, are questions which the wisdom of his Majesty's Government will no doubt be the most competent to decide.

I much fear that I am rendering this Address so long, that its very length will frustrate the object of obtaining for it the desired attention; but I have found it impossible to afford what could be considered a satisfactory exposition of my Brother's case, in a smaller compass. The truth of his story has been so obscured by misrepresentations, indefinite surmises, and mistaken prejudices, arising from the casually combined hostility of powerful Authorities, that he cannot expect a correct verdict, unless he be favoured with a patient and impartial hearing. I have undertaken the task in his absence and without his knowledge, of claiming it for him, as a sacred duty which I have with considerable anxiety endeavoured to discharge; but I know myself too ignorant of what is the usual stile of official correspondence, not to apprehend that I may injure the cause I have been anxious to serve; and my chief confidence I feel is, that I have related the undistorted truth.

I can hardly be so sanguine as to expect that you, Sir, engaged as you must be with the most important National concerns, can dedicate any portion of your time to the examination on which the success of my Brother's appeal must depend; but I

cannot help indulging a hope, that what I have said may induce you to depute to some competent Gentlemen in your confidence, the task of perusing the evidence to which I have alluded in the course of this letter; and, that until such an examination shall have taken place, you will so far suspend your judgment, as to use your influence to prevent any final settlement with the Netherlands Government which might exclude the redress, which it is the prayer of my Brother's Memorial to obtain.

I repeat it again, that I have such perfect confidence in the cause I plead, that I feel persuaded even that the prejudices of his Excellency the Minister of his Majesty the King of the Netherlands would be dispelled by fair investigation. I can hardly suppose that he intentionally advocates injustice, and I know that the very improbability of such a supposition, must strengthen existing prejudices in others; but if unjust acts have been committed even from erroneous prejudices in a distant Colony, and have been explained to him by the statements only of the individuals who committed those acts, it is incumbent on the Authorities at home to be open to the explanations of the complaining party; and if they reject that impartiality, they become co-operators in the injustice.

It is said in the Despatch to which I now reply, that his Excellency the Baron Vander Capellan had either not received the Protest, a Copy of which is attached to my Brother's Memorial, or considered it too insignificant to notice.

I have positive information that he received it; whether he considered it unworthy of attention, can only be determined by those who know how far he appreciates the preservation of his public character.

I regret that I had not the advantage of perusing the Despatch, which occasions the present letter, earlier, as it would have enabled me to have had communication with my Brother previously to attempting its refutation. I can only hope he will not suffer by my unaided exertions in his cause. I participated with him in almost all the grievances of which he complains. He might perhaps bring more experience and information to the task,—but he could not bring more ardour in the pursuit of redress. We have both suffered severely; the injuries have been unjustly inflicted, and we still suffer from the consequences. We are both in that situation as to circumstances, as not to urge claims merely for the sake of pecuniary recovery; nor are we inclined to neglect what is justly our due; but small indeed does pecuniary objects stimulate us in the struggle, in comparison to the satisfaction of establishing the truth of our case; and if prejudice shall deny us the fair opportunity of establishing it, we shall at least have the satisfaction of asserting its veracity.

I have the honour to be,

Sir,

Your obedient humble servant,

JOHN HARE.

THE FOLLOWING LETTER ACCOMPANIED THE ABOVE.

SIR,

The great length to which I have been compelled to extend the accompanying letter in support of the Memorial of my Brother, Mr. Alexander Hare,—I much fear may occasion its not being honoured with an early perusal ; but, as it is generally understood that an Envoy from his Majesty the King of the Netherlands, is at present here, on a special mission finally to settle the various questions in discussion, between Great Britain and Holland, regarding the Colonies of the two Powers in the Indian Seas, I am extremely apprehensive, that if the consideration of the appeal I have now made on behalf of my Brother be deferred, he may be excluded, perhaps for ever, from receiving the redress which he solicits. I therefore most respectfully and earnestly intreat that you will be pleased to devote some share of your attention to the contents of the address which I have now taken the liberty to transmit, while the arrangements above alluded to, are pending. I hope the negotiations to which I here venture to refer, may be considered as an apology for presuming to trouble you with this additional letter, and that my allusion to them may not be deemed improper.

I have the honour to be,

Sir,

Your most obedient humble servant,

JOHN HARE.

48, Bedford-square, Jan. 19, 1824.

ENCLOSURE NO. I. TO THE PRECEDING LETTER.

For this Document see Appendix B. Page 32.

ENCLOSURE NO. II. TO THE PRECEDING LETTER.

Letter from Mr. ALEXANDER HARE, to the Honourable Sir STAMFORD RAFFLES,
dated Batavia, May 20, 1818.

TO THE HONOURABLE

SIR STAMFORD RAFFLES,

Lieut.-Governor of Bancoolen, &c. &c. &c.

SIR,

Unacquainted with the nature and extent of the Authorities with which you may be vested, I presume the circumstances which I am stimulated to represent, will be allowed as an excuse for my intruding them on your attention, even if my supposition that they may fall properly under your cognizance be erroneous.

Since the British Government withdrew from Banjarmasin, I have retained undisputed, my detached territorial possession there; but the ruined situation of affairs in which the conduct of the British Commissioners left me, has limited my utmost exertions to the supporting an Agent and small population, engaged principally in completing a vessel, whilst time might I hoped have re-opened to my option more eligible prospects for persevering in the occupation of my Landed Property.

Since about eight months ago, it has been evident that some ideas arising from my possessing it, have subjected me to a pursuance of measures on the part of the Netherlands Government, which have occasioned to me serious grievances; dissipating all hopes of being enabled with encouragement to return, and attempt the maintaining possession with any adequate degree of success.

In this predicament I hear it rumoured that this Government contemplate the adjusting with the British Government some line of demarcation with regard to National possessions in these parts;—their Policy being, I am aware, to include within the limits of the Netherlands Authority, all that coast of Borneo; and I know it has been expected that the discussion of arrangements of this nature would fall within the province of your confidential Powers. I therefore beg to attract your attention and consideration to the following remarks:

1st. It has been from circumstances in the British Government retiring and abandoning the Settlement, that the property alluded to, has to me lost its value.

2. But the Netherlands Government contemplating the eligibilities of this possession of a British subject as capable of interesting the British Government to assume, or protect its independence, it thereby recovers an important value in its apprehensive estimation.

3. It is indebted to the British Government for the importance which arises from this political jealousy; but it is to the British Government also, that I have to attribute the annihilation of a much greater value invested in its improvement.

4. If this jealousy be dispelled by unnecessary assurances of renunciation, or by denying me British protection, its political value thus recovered is again destroyed.

5. As a British subject, possessed of territory on the island of Borneo, by rights prior to, and independent of any foreign dominion, I consider myself entitled to the protection of his Britannic Majesty, so far as the Netherlands laws, and those usages which regulate the relations between nations, admit.

6. If, therefore, any arrangement liable to affect any interests so situated, were to become the subject of negotiation, I should hope to obtain for them due consideration.

7. If it be advisable that I relinquish the land to the Dutch, I solicit mediation, that power by recourse to oppression, may not wrest from me my rights without making adequate compensation. I also solicit mediation to obtain for me a compensation for the injuries I have suffered.

8. But impressed as I am with the knowledge of the intrinsic value of this landed property—convinced of its political capabilities for becoming a British national possession; and as I likewise am unaware of any political reason to render it not acceptable, I beg leave in the first instance humbly to request your interposition to tender it to his Majesty, without any proposal for my own advantage or remuneration, unless what liberality may suggest on the future development of those eligibilities which embolden me to consider it worthy of acceptance.

9. Its situation is 1500 miles eastward of any other British Settlement; at a corner of Borneo, most central and inviting for an entrepot of trade with Java, and the whole Archipelago.—It possesses on its Western Coast situations so favourable to trade, that a Settlement so situated would naturally attach to it the small insulated populations on the Eastern Coast, and occasion the desertion of Tatas—the Dutch Settlement.

10. The country is mostly at present waste, but extensively open and cultivable; possessing the best diamond and gold mining grounds on that side of Borneo.—The cultivation of the soil is now again reduced to very little beyond what is called forth by the wants of a native population; but it is upon authentic record, that this very land formerly produced annually 30,000 Pekuls of the finest pepper, diminishing in amount by degrees till very lately. The diminution of this commercial produce has arisen entirely from political changes. The spot must command to any European Power that possesses it with such views, the resources and dominion of the whole kingdom of Banjarmasin, with all the dependent part of Borneo; as the mere freedom of import there, which I, in right possess, would destroy at once the possible basis of any other establishment.

11. The Dutch have placed themselves in the ancient Fort and Residency of Tatas, only by imposing force against the wish of the Native Prince; whose policy it may be presumed would at the present moment favour a British Settlement on this terri-

tory ; and as the British Government on withdrawing, refused to give place to the Dutch Authorities on any pretensions of previous claim, expressly reserving the option of resuming, they have no right whatever which could ever as a matter of delicacy restrain the British from the national occupancy of the territory, if otherwise considered expedient.

12. The Dutch have been seen since the British Government restored Java and dependencies, to assume the Lampong country on Sumatra ; and they will maintain a claim to the ancient Empire of Sucadana on Borneo, in virtue of obsolete titular pretensions of Princes of Bantam, long extinct, who in times, almost beyond tradition, placed their usurping standard on those distant desert shores ; and when this must be admitted, are the more legitimate rights of a British subject to be rejected and doomed to compulsory abandonment ? Are they to fall a prize to the unjust and disavowed but irresistible operation of power, actuated by an insidious and grasping policy ?

13. At the present moment I have a well regulated thriving little Settlement of more than five hundred people there, unconnected with the natives of the country ; but their labours having been applied principally to another object than agriculture, they still require some support.

14. While my superintending Agent remains there, I can continue to maintain this dependency, if encouraged by any adequate motive ; and my Agent's assurances of the fertile sources of independence which cultivation promises to afford, renders it to me, a subject of distressing contemplation, that I feel the necessity for discontinuing even the little expence, productive as it is of such collateral annoyances as I have experienced and must continue to expect.

15. I have no alternatives but the leaving the people, the majority of whom were transported from Java for offences, to be immediately removed to the Dutch Settlement, and placed as the Resident's interest may suggest ; probably as a sort of bondsmen, detained there for life,—or bringing them away ; in the adoption of which last expedient, I am aware that from the misunderstanding which took place between the two Governments, by the British Commissioners bringing over the offenders with attempt to discharge them on Java, these people, whether they ever were of that class or not, will not be suffered to land in freedom ; because it is in fact, the interest of the Resident of Banjarasin to retain them if possible.

16. Among them are perhaps some who were banished for offences, but whose terms of sentence are expired ; and whether banished for a limited time or not, all even of deserving conduct were emancipated from penal restraint by authority of Government ; the animosity, however, which took place on the part of the Dutch Government on that occasion, produced most strict orders to all the Residents on Java, which it is perceptible are yet most scrupulously attended to ; and no doubt recent circumstances with regard to myself will direct at this watched juncture, a more keen outlook than ever.

17. There are of course now no records of criminal sentences under the British Administration of Justice on Java ; nor would they receive much attention. The few workmen and labourers who have been collected by hire, would all be landed into prisons indiscriminately, and if the banished people could be distinguished they would only be subjected to a new banishment for life, probably to some convict station where freedom is not known.

18. As, therefore, I conceive that the British Authorities would not approve of such persons being committed to a second sentence, nor a British subject being constrained by a Foreign Power to abandon a valuable property, merely from its remoteness to any National Establishment or protecting influence, I presume to solicit that their Excellencies the Netherlands Commissioners may be given to understand that the territorial rights of a British subject have a claim to National Protection; and that the submission of those rights to his Majesty, if you approve, be transmitted to his Majesty's Ministers. If this proposal shall not meet with your approbation, I must then solicit that their Excellencies, the Netherlands Commissioners, may be made acquainted with my having addressed you, requesting that the relinquishment of my rights to the Lands in question, maybe tendered to them for adequate compensation in money or landed equivalent on Java, or in any other situation falling more within the vicinity of British dominion.

19. I made a tender of the property for an equivalent to their Excellencies, the Netherlands Commissioners, when the British had determined on withdrawing, with the sanction of the British Commissioners. Unfortunately events took place which injured its importance, and prevented my hopes of successful application to any Government but that which had inflicted the injury.

20. I now, therefore, considering you both as acting on the part of his Majesty and the Honourable East India Company, request that the proposal I have here made be recommended to attention, or that an arrangement, such as I have ventured to explain, be negotiated in my favour.

21. My Agent requires to leave the place, as his interests are engaged in the ship now nearly completed; but such are his feelings with regard to this little Colony, which he has contributed his exertions, and undergone so many hardships to preserve, that I think I could induce him to remain a little time longer, foregoing even to order the vessel away for employment, which from the long time it has been building, he comes now an urgent object for consideration, if I could calculate on getting any arrangement accomplished to form a sufficient motive for such conduct.

22. Would the British Government incline to occupy, I might even arrange to get my Agent to continue longer; or, with Government Authority, another might soon be enabled to take his place; no force being necessary till Government might perhaps send an Officer and small guard for his personal protection, which is quite sufficient, provided nothing farther is undertaken or intended, than merely holding the possession till adjustments may take place between the Governments.

I request that the considerations here submitted, involving circumstances to me so distressing, may obtain your immediate attention, and that I may be favoured with a reply, on which I must now unavoidably act without farther reference.

I have the honour to be,

Sir,

Your most obedient humble servant,

ALEX. HARE.

Batavia, May 20, 1818.

Note.—The above letter, originating in the annoying proceedings of the Java Government, was transmitted home by Sir T. S. Raffles, to the Secret Committee of the Honourable Company, with an explanation of the grant of Land to Mr. Hare, from the Sultan of Baniarmasin, and that its acceptance received the approval of the British

CORRESPONDENCE CONNECTED WITH THE PRECEDING
LETTER.

NO. I.

Letter from Lord FRANCIS CONYNNGHAM, dated Foreign Office, March 6, 1824.

Foreign Office, May 6, 1824.

SIR,

Your Letter of the 19th of January has been referred to his Majesty's Legal Advisers for their consideration and opinion.

With reference to the general complaints of prejudice and injustice with which you conceive your claims have been treated in different quarters,—I am directed by Mr. Secretary Canning to acquaint you, that it is quite impossible for his Majesty's Government to enter into the examination of such complaints.

With respect to your claim to compensation for expences, stated to have been incurred in the Settlement of Banjafmasin, I am to acquaint you, that the evacuation of that Settlement was made in virtue of the Treaty of Peace, under the Superintendence of the Government of India, who held possession of Java and its dependencies from the time of its capture. There seems, therefore, no grounds on which compensation for expences, said to be incurred by you in forming that Settlement, can be claimed from the Dutch Government. No special provision to that effect having been inserted in the Treaty.

With regard, however, to your farther claim for the value of certain ship or ships, or property in them, I am directed by Mr. Canning to acquaint you, that upon this point his Majesty's Government do not consider the answer of the Dutch Government to Lord Clancarty's Representation in your behalf, as satisfactory; as there is no assertion of any legal forfeiture having been incurred, under proceedings that might be justified by the laws of the country.

His Majesty's Ambassador in Holland, will therefore be instructed to press upon the Dutch Government the justice of your claim in this particular; and you shall be informed of the result of his Excellency's representations in your favour.

I am, Sir,

Your most obedient servant,

FRANCIS CONYNNGHAM.

NO. II.

Letter from Mr. JOHN HARE to Lord FRANCIS CONYNHAM, dated
March 16, 1824.

TO LORD F. CONYNHAM,

MY LORD,

I have had the honour to receive your Lordship's letter of the 6th instant, and as it appears by it, that I have unfortunately failed in making myself clearly understood, in the letter which I took the liberty to address to Mr. Secretary Canning, on the 19th January, I hope I shall be excused for troubling your Lordship with some observations in explanation of its contents.

If your Lordship will do me the favour to refer to that part of my letter in which I have briefly stated my Brother's transactions when acting under the Bengal Government, and the injustice with which, I conceive, he has been treated by that Government, your Lordship will, I think, see that such statements were entirely introduced collaterally; and that their introduction became absolutely indispensable to remove those unfavourable prejudices which the Minister of Holland, by certain passages in his Despatch, had studiously attempted to implant, and which I had every reason to fear might, if uncontradicted, materially injure him in the opinion of his Majesty's Government.

The Minister of Holland had quoted a paragraph from a Despatch of the Supreme Government in Bengal, to the Governor-General of Netherlands India, highly injurious to my Brother's character; and I merely confined my remarks on that paragraph to what, I trust, it will be allowed, a regard for my Brother imperatively demanded—a short explanation of the facts—a decided denial of the assertion, and a fearless expression of willingness to have the whole of my Brother's public conduct minutely investigated, if it should so please his Majesty's Government.

I beg leave to assure your Lordship, that I never presumed that I had any claim expect that his Majesty's Secretary of State for Foreign Affairs would admit to consideration any *ex-parte* evidence, which I could offer in my Brother's defence; or that he would, at my instance, enter into any investigation of my Brother's conduct; but I confided in his justice, that until such investigation should take place, the *ex-parte* assertions of others, to my Brother's discredit, should not be suffered to interrupt the success of his appeals to obtain, through the medium of his Majesty's Government, redress for the injuries he had suffered from a Foreign State.

I am not, therefore, surprised that your Lordship's letter should express, on the part of his Majesty's Government, a disinclination, "to enter into the examination" of my Brother's complaints against the Bengal Government; and fully confiding in its impartial justice, I feel myself in consequence entirely relieved from any apprehen-

sion, that the aspersions contained in the Despatch of the Minister of Holland regarding my Brother's concerns with the Bengal Government, which investigation alone could refute, will be suffered to impede the exertions of his Majesty's Government to obtain redress for the grievances to which he has been subjected, by the Authorities of his Majesty the King of the Netherlands.

In the third paragraph of your Lordship's letter, I have likewise to lament a very material misunderstanding of my Brother's claims on the Dutch Government. A reference to the Memorial which I had the honour to present to his Majesty's Government on the part of my Brother, and to my letter to Mr. Secretary Canning, of the 19th January, will, I flatter myself shew, however I have to fear it may be imperfectly expressed, that no claim is made on the Dutch Government to any "compensation for expenses incurred in the Settlement of Banjarmasin," nor was it ever supposed by me that my Brother had any "grounds on which compensation for expenses incurred in forming that Settlement can be claimed from the Dutch Government." On the contrary, it never could have been doubted, that on the British Indian Government *alone*, by whom he was employed, could he bring any claims for payment of expenses incurred by him in forming the British Establishment at Banjarmasin. That Government of course never denied such liability; and any balance of account of public claims, which yet remains unpaid to my Brother by that Government, was only alluded to in my letter to Mr. Secretary Canning incidentally, as one of the causes of discussion between my Brother and that Government,—not as having the slightest reference to his claims on the Dutch.

It affords me much pleasure to observe, by the fourth paragraph of your Lordship's letter, that his Majesty's Government do not consider the explanation of the Minister of Holland to Lord Clancarty, on my Brother's claim for redress, on account of loss by the interruptions of his ships, as satisfactory; and that his Majesty's Ambassador in Holland will be instructed to press on the Dutch Government, the justice of my Brother's claim on this head.

The expressions in your Lordship's letter, "the value of certain ship or ships or property in them," is, I humbly submit, not a sufficiently definite denomination of this branch of my Brother's claims. It is more correctly a remuneration for certain losses by the detention of his several ships and cargoes, and their deterioration in value, in consequence of detention and seizure, without regular legal adjudication, which he claims. I take the liberty of making the remark with reference to the instructions which your Lordship informs me will be forwarded to his Majesty's Minister in Holland.

While I have to express on the part of my Brother, my thanks to his Majesty's Government for its intended support of my Brother's claims on the Dutch, on account of loss by his shipping just mentioned, I cannot but urge upon its consideration, that the claim it is inclined to support, constitutes almost the least important of those he has solicited its aid to enforce; and under an apprehension occasioned by the perusal of your Lordship's letter, that the other claims which he has stated may not have been properly understood; I beg leave briefly to recapitulate what are the three classes of grievances of which he complains against the Dutch Government.

First,—He claims remuneration from the Dutch Government for certain lands on the Coast of Borneo seized from him by force, the right to which is vested in him and

his heirs for ever, by a voluntary grant of the Sultan of Banjarmasin, with the written sanction of the British Government, under which he held his appointment.

I hope it will not escape the notice of his Majesty's Government, that the territorial possessions lately held by his Majesty at Banjarmasin, or the lands constituting the grant to my Brother, were not returned to the Dutch as a dependency of Java, by virtue of the Treaty of Peace. Banjarmasin had been finally released from Dutch Sovereignty previously to the capture of Java by the British; and, in consequence of this peculiarity in its political situation, the British Commissioners merely evacuated the Settlement, refusing to give it over to the Dutch, as included in the British conquests. To this principle the British were committed by the terms of their Treaty with the Sultan of Banjarmasin—that Treaty declaring Banjarmasin to be entirely independant of Dutch Sovereignty.—He likewise claims the value of certain property on those lands.

Secondly,—He claims from the Dutch Government remuneration for the losses occasioned by the detention and seizure, without legal causes, either ascertained or assigned, of his trading vessels and cargoes on the Coast of Java; and the deterioration in their value by such detention and seizure.

Thirdly,—He claims from the Dutch Government remuneration for his losses in consequence of being suddenly compelled to leave Java and all the Dutch Settlements before the period provided in the Treaty of Peace, for the removal of British Inhabitants.

These are the claims for losses which my Brother has solicited his Majesty's Government to support; and I cannot but hope that Mr. Secretary Canning, and his Majesty's legal advisers will, on reference to the documents now before them, perceive that the despatch from the Minister of Holland to Lord Clancarty, while it corroborates the facts in my Brother's memorial, is equally unsatisfactory in the attempted justification of them all; and that his Majesty's present Ambassador in Holland will be instructed to press them all equally on the Dutch Government for redress.

I beg, through your Lordship, to communicate to his Majesty's Government, that I shall, on my Brother's part, if such an arrangement were deemed consistent with national policy, most willingly submit for decision both the justice of the claims and their amount, to any two respectable individuals jointly nominated even in Holland; and as it is evident, from the complicated nature of the above claims, even if the Dutch Government were disposed to admit their justice, and willing to satisfy them, that some difficulty would arise in ascertaining the amount of remuneration, which could only be accomplished by a minute examination of accounts and documents, it is probable that a reference to impartial individuals, disposed to take the trouble, would be the best means of accomplishing a correct adjustment.

May I likewise hope that the instructions to his Majesty's Ambassador on the subject, will be accompanied by copies of my Brother's Memorial, my letter to Mr. Secretary Canning, of 19th January, and this letter to your Lordship.

I have the honour to be, &c. &c.

JOHN HARE.

E.

~~SECRET~~

Letter from Mr. JOHN HARE to the Right Hon. CHARLES W. W. WYNNÉ,
President of the Board of Controul for the Affairs of India, dated April 19, 1824.

TO THE RIGHT HONOURABLE

CHARLES WATKINS WILLIAMS WYNN,

*President of the Right Hon. the Board of Commissioners
for the Affairs of India.*

SIR,

I beg leave respectfully to represent to you, that on the 1st June, 1821, having then recently returned from India, I presented on the part of my Brother, Mr. Alexander Hare, formerly the Honourable East India Company's Resident at Banjarmasin, on Borneo, then, and still absent from Europe, a Memorial to the Right Honourable the Lords of his Majesty's Treasury; soliciting the interference of his Majesty's Government to obtain redress for certain pecuniary losses and other injuries, unjustly occasioned to him, while resident on the Island of Java, by his Excellency the Baron Vander Capellan, and the other Authorities of his Majesty the King of the Netherlands; and I was soon after informed that the said Memorial was transmitted to his Majesty's Secretary of State for Foreign Affairs, and by that Minister to his Majesty's Ambassador at the Hague for investigation.

I was not able to obtain any information at the Secretary of State's Office regarding the said Memorial, farther than that it had been the subject of an application from Lord Clancarty to the Netherlands Government, until the termination of last year, when in consequence of the arrival of M. Falck, as an Envoy from the Netherlands Government, to arrange finally with his Majesty's Government, all matters regarding the respective possessions of the two nations in India, I was induced again to call the attention of his Majesty's Government to my Brother's case, lest political arrangements might exclude him from the redress which he solicited.

I was in consequence informed by desire of Mr. Secretary Canning, that if I would call at his Majesty's Foreign Office, I would obtain the required information regarding the Memorial; and upon going there accordingly, I was favoured with the perusal of a Despatch from Lord Clancarty, inclosing a note from the Baron Nagel, the Secretary of State for Foreign Affairs of his Majesty the King of the Netherlands.

On perusal of this Despatch, I was gratified to observe, that the main facts of the Memorial were not even attempted to be contradicted by the Netherlands Government,

but that the Baron Nagel only endeavoured to justify the oppressive measures of the Java Authorities, by various aspersions calculated to involve my Brother's general character in suspicion and obliquity.

Among other recriminatory matter contained in the Baron Nagel's Despatch, I beg leave to call your attention, Sir, to the following passage, said to be an extract from an Official Letter of the British Indian Government, to the Government of Netherlands India :—

“ Your Excellencies do not require to be informed of the sentiments entertained by us of the conduct of Mr. Hare, and the proceedings connected with the establishment by him at Banjarmasin, and you will not suppose that we can have any desire to screen a person whom we regard as a delinquent.”

The avowed object of inserting the above quotation, so derogatory to my Brother's character in the Baron Nagel's Despatch, was to prejudice my Brother in the eyes of his Majesty's Government; and it was evidently produced as the justifying warrant or authority, which had emboldened the Baron Vander Capellan in his oppressive acts towards my Brother, and to venture on the direct infringement of the Treaty of Peace, by ejecting him from the restored Netherlands Colonies, previous to the time stipulated for the removal of British inhabitants and property.

As soon therefore, as possible after its perusal, I felt it my duty to address a letter to Mr. Secretary Canning, containing a denial of the injurious aspersions, and such an explanatory vindication of my Brother's public conduct, as I could convey in an Official Letter, at the same time offering to submit documentary proof, and proof on oath, to the substantiation of his injuries and exculpation of his character.

I have since been informed by Mr. Secretary Canning, through a letter from Lord F. Conyngham, that it is not possible for his Majesty's Government to enter into any investigation of my Brother's conduct,—to which decision I can only submit, and confide in the equity of his Majesty's Ministers, who, in refusing the investigation, will, I hope, naturally perceive it incumbent upon them not to allow unsupported assertions, however high the quarter from which they emanate, to exclude a British subject from the protection of his Government, and thereby to suffer his just rights to be outraged with impunity.

If, Sir, I might trespass so far on your valuable time, I should anxiously solicit the favour of you to obtain the perusal of the papers and letter to which I have above alluded, as they would in some degree explain the unfortunate accumulation of uninvestigated aspersion, which has been thrown in the way to obstruct my efforts to obtain redress for my Brother's injuries. You would not only perceive, by those documents, the causes which occasioned my Brother to suffer from Dutch hostility, but would likewise perceive, what I sincerely believe to be the only cause which had produced the unfavourable expressions of opinion from the Bengali Government, so insidiously introduced into the Baron Nagel's Dispatch.

In hopes that you will devote sufficient time to understand the outline of my Brother's case, I shall annex hereto a list of the papers and letters which it is desirable you should peruse.

I cannot suppose that my unaided contradiction, will effect much towards the ex-
trication of my Brother's character from the prejudices which have, in a manner pecu-
liarly unfortunate, been incidentally combined against it. But as I enjoyed myself

the most intimate personal knowledge of his public transactions, and was a participator in almost all the injuries of which he complains, I have too complete a conviction of the purity of his honour, and likewise too firm a conviction that the power of truth generally proves ultimately successful, to be either timid in his defence, or deficient in the perseverance requisite for its accomplishment. I therefore feel it my duty, most respectfully to repeat these assertions as to the integrity of his public conduct, which I have already made to Mr. Secretary Caning, and which I am most positive that investigation will fully confirm.

My Brother, from accidentally possessing particular knowledge and influence, was engaged to accomplish a National Settlement on the coast of Borneo; which was considered by the Public Authorities under whom he acted as an object promising to be productive of important national advantages. That duty he performed, I will say and can prove, with unusual zeal, and with integrity the most pure. Succeeding superior Authorities, moved perhaps by existing prejudices, and by the misrepresentations of enemies, were induced to condemn what had been accomplished; and without probably sufficient investigation, all was suddenly ordered to be abandoned to the entire sacrifice of the public capital expended, and of the individual interests which the original plan of the undertaking had encouraged to be invested.

It is not incumbent on me in maintaining the integrity of my Brother's public conduct, to defend the policy of the Settlement which he was engaged to establish; as that duty if called for, could be performed much more ably and more appropriately by those from whom he received his instructions and appointment. It may certainly be presumed, that there was political expediency for the abandonment evident to his Majesty's Government, which could not come within the range of individual knowledge. At the same time it is perhaps to be feared, that as local information regarding countries little visited, is seldom attainable, prejudice might be easily contracted, and that the value of the Settlement alluded to, might not be correctly appreciated by those who decided on its fate. As access to large population of consumption and production, is almost the only principle by which European nations can estimate the value of Settlements in those distant seas,—it certainly did appear a subject of regret to those who had a minute knowledge of the large populations, and countries offering the most valuable returns, included within the proposed influence of that Settlement, to see opportunities for trade so advantageous, entirely relinquished to a rival.

By a particular statement of the registered population in Banjarmasin, obtained by myself from the best sources of information, there are 412,697 souls, almost all in the best state of Malay civilization, in a comparatively small district, and this surrounded by countless populations, in a more barbarous, but by no means unproductive or uncommercial state.

The Dutch had relinquished for ever all claims to the Sovereignty of Banjarmasin, as documents, authenticated copies of which are in my possession, fully establish. Pontiana, well known while an independent Port to the British trader in those seas, for its very considerable annual demand of opium and cotton goods, appeared likewise, from its population and productions, of the first importance to retain under British controul; and it accordingly, with various other *then* Free Ports, dependances of Banjarmasin, were included in the proposed range of British Commercial influence on the Coast of Borneo. The numerous enterprising inhabitants of the Island of Celebes,

who appear to be now left to seek their supplies and sell their produce disadvantageously through Dutch middlemen, would have found under the proposed plan at Banjarmasin, and the valuable small Island of Pulo-Laut a market for their produce, and a *dépot* of British manufactures, for which it may not be now their interest to seek by a protracted voyage to Singapore, or at Batavia, subjected to Dutch imposts. All who are acquainted intimately with the state of the populations eastward of Banjarmasin, and in the strait of Macassar to which I allude, know that the sale of one article, British Cottons, has not geographically extended to half the distance in those seas, where it meets with a native rival manufacture actively supported, that it might, and would under favourable circumstances; but which, it is to be feared, under the restraints of a compulsory passage through Dutch middlemen, it never will obtain. It is to be fervently hoped by every British trader engaged in the Commerce of those seas, that his Majesty's Government has not deemed it unworthy of its attention to secure some of the objects which, I hesitate not to say, would have been obtained by the much libelled and little understood Settlement on the Coast of Borneo.

On the determination of his Majesty's Government, it is certainly not my province to remark, and it is perhaps necessary to apologize for what has already escaped from my pen. But, Sir, it is one of the objects of the present letter, to solicit your attention to a fact in which I am much interested, and which originated in the public measures alluded to. During the time of the British connection with Banjarmasin, my Brother obtained a free grant for ever, of territory from the Sultan of that country, under sanction of the British Government, which of itself, from situation and extent, appears not unworthy of national occupation. It is the angular projection of the Bornean Coast, perceptible on any map, as the Point Salatan, or Southern Point of the Island, with navigable rivers entering into the spacious Bay of Banjarmasin. In extent it is 60 or 70 miles in one direction, and irregularly varying from 20 to 50 miles in another. When the British Commissioners removed the National Flag, and vacated the territories ceded by the Sultan of Banjarmasin, to the Honourable Company, they withdrew to this spot, where at the time, I resided, with a small population of dependants, and where a ship of 500 tons burthen since launched, called the *Borneo*, was then on the stocks, not half finished. Nearly two years after, while my Brother's Agent was employed in completing the said ship, the Dutch, by a regular expedition sent on purpose, took forcible possession of this land and much actual property upon it; part of which had been purchased of the Honourable East India Company, in the name of his Majesty the King of the Netherlands. My Brother before this event, had tendered to his Majesty the proprietorial rights of the territory vested in him, which step it may be supposed had caused the sudden seizure of it by the Dutch. He has every reason, however, now to apprehend, that the territory has not been deemed eligible for national adoption;—but he hopes as the property of a British subject, and of evident importance to the Dutch, it may obtain the protection of his Majesty's Government. At a period, when it is probable equivalents for transferred territory of smaller intrinsic value are subjects of negotiation, I hope the claims of my Brother for some equivalent on account of this territory and property on it, will not be entirely overlooked.

My Brother had been induced, under the cognizance of the British Local Government, which had avowedly contemplated a permanent connection with Banjarmasin, to invest on these lands a large amount of his private fortune; which certainly con-

stituted a vested interest, destroyed along with the change in public policy; and forms a fair claim for indemnification. I conceive, therefore, I am not biased by an interested personality, when I express my full conviction that my Brother has a strong claim on the equity of his Majesty's Government to interfere in obtaining a remuneration for his property,—adventured in the public service, and taken from him without right or plausible pretext.

If even his Majesty's Government continue to consider *this, the only spot along the whole Southern Coast of Borneo, not in some degree now subject de jure to Netherland Sovereignty*, to have no value to the British nation as a post of occupation, still it may be presumed, it will be seen, that the legitimate right to it has a value to the Netherlands Government, and as such, is worthy of an equivalent to the nation;—or, if declining all national ownership, worthy of engaging national influence to procure a remuneration for, as being the property of an injured subject of his Majesty,—it never having been relinquished by that individual, or included in any treaty of transfer, but forcibly taken possession of under protest.

I humbly and earnestly intreat, on the part of my Brother, that you, Sir, will condescend to bestow a portion of your time, before it be too late, in concerting with his Majesty's Secretary of State for Foreign Affairs, to whom I have before appealed, some mode of obtaining justice for my Brother's numerous injuries.

Perhaps from ignorance of the public duties of the different departments of his Majesty's Government, I may be incorrect in troubling you with much that I have ventured to express in this letter, particularly as I have so lately appealed to his Majesty's Secretary of State for Foreign Affairs;—anxiety, however, prompts me at the present crisis to make every exertion in my power, to press the consideration of my Brother's case on all the departments of his Majesty's Government, which may be engaged in the negotiations with the Government of Holland now pending,—an occasion which appears so peculiarly favourable for the settlement of his claims. I feel it necessary likewise on my Brother's part, to make another request. I was informed, soon after sending in my Memorial to his Majesty's Government, that through the Right Honourable Board at which you preside, it had been transmitted to the Honourable Court of Directors of the East India Company, requiring information as to the facts which I had stated, and particularly regarding my Brother's public transactions. The Court of Directors not being able of themselves to afford the requisite information, transmitted it with the desired enquiry to the Supreme Government in India, and I have lately been informed that a reply has been received by the Honourable Board at which you preside, in which my Brother has been unfavourably mentioned. I solicit that I may be furnished with a copy of any communication, which may have a tendency to throw discredit on his character,—that I may take the earliest possible opportunity to disprove the statement therein contained.

When it is now evident from the Despatch of the Baron Nagel, that to the unfavourable opinion expressed of my Brother's public conduct by the Government of Bengal, he has mainly to attribute the injuries and losses he has sustained from the Dutch Government, I hope, Sir, you will perceive it would be an extremely hard fortune, if the same Government should, by a repetition of similar unsupported aspersions, intercept his humble endeavours to obtain that justice which he only presumes to urge through soliciting an impartial investigation of his case; and I likewise hope

that you will not deny, and the means of removing at a moment important to my Brother's interests, those prejudices which I have now reason to fear exist against him, probably leading to the indefinite postponement, if not to the entire ~~neglect~~ of ultimate redress.

If, Sir, I should be favoured with the information I request, I mean as early as I can consistently with obtaining the necessary documents from India, to prepare such a body of incontrovertible evidence, as I doubt not will prove to the conviction of the Honourable Court of Directors of the East India Company, the Right Honourable Board at which you preside, and even the Honourable Company's Government in Bengal, if impartially inclined, that my Brother has been most unjustly sacrificed in his fortune, character, and peace of mind to hastily formed and mistaken prejudices.

I have the honour to be,

Sir,

Your most obedient humble servant,

JOHN HARE.

Bedford-square, April 19, 1824.

List of Papers at the Office of his Majesty's Secretary of State for Foreign Affairs, which are referred to in the above letter :—

1. Memorial of Mr. Alexander Hare—presented 1st June, 1824.
2. Dispatch from Lord Clancarty, enclosing a Note from Baron Nagel.
3. Letter from J. Hare, to the Right Hon. G. Canning, of the 19th Jan. 1824.
4. Letter from Lord F. Conyngham, to J. Hare, of 6th March, 1824.
5. Reply of J. Hare to Lord F. Conyngham, of March, 1824.

CORRESPONDENCE CONNECTED WITH, AND SUBSEQUENT TO
"THE PRECEDING LETTER."

NO. 1.

Letter from T. P. COURTENAY, Esq. Secretary to the Board of Control.

to JOHN HARE, Esq. dated July 13, 1824.

India Board, July 13, 1824.

SIR,

I am directed by the Commissioners for the Affairs of India, to acknowledge the receipt of your letter of 19th April, addressed to Mr. Williams Wynn.

With respect to any grievances which your Brother may conceive himself to have suffered at the hands of the Dutch Authorities at Batavia, I am directed to acquaint you, that the Board have not the power of interference, all communications with the Netherlands Government being conducted by his Majesty's Secretary of State for Foreign Affairs.

In reference to your wish to be furnished with copies of any communications which may have passed respecting your Brother, between the Bengal Government and the Court of Directors, I am to inform you, that the Commissioners for the Affairs of India cannot, consistently with usage or official convenience, comply with your request.

I am, Sir,

Your obedient and humble servant,

T. P. COURTENAY

NO. II.

Letter from Mr. JOHN HARE to Lord FRANCIS CONYNGHAM, dated
December 6, 1824.

TO LORD F. CONYNGHAM,

Esq. &c. &c.

MY LORD,

In the Letter which your Lordship did me the honour to address to me of the 6th March last, relative to the Memorial of my Brother, Mr. Alexander Hare I was informed that his Majesty's Ambassadors in Holland would be instructed to press upon the Dutch Government the justice of my Brother's claim, and that I should be made acquainted with the result of his Excellency's representation in his favour.

Anxious as I have been on a subject which so nearly interests me, I have, from reluctance to become troublesome, and a dependance on the above assurance, resisted the temptation which I have naturally felt, during the interval, to enquire of your Lordship whether any communication had come to hand regarding it.

Although the time that has elapsed might, I conceive, apologize for my addressing you, I now feel it incumbent upon me, from another cause, to call, through your Lordship, the attention of his Majesty's Secretary of State for Foreign Affairs, again to my Brother's appeal for his intercession.

Two Gentlemen who possess personal knowledge of almost every transaction referred to in my Brother's Memorial, who are capable to confirm the veracity of all the statements made therein, and whose character for integrity will bear the most severe scrutiny, are now in England, but are within three or four weeks of leaving it, to return to India. Mr. Ross, one of these Gentlemen, has been mentioned in my letter to Mr. Canning, and likewise most particularly referred to in my Brother's Memorial. He resided at Banjarmasin during the whole time of the British establishment there, and remained subsequently in charge of my Brother's property, until the Dutch Government took forcible possession of it. He is, therefore, almost the only person in existence to authenticate, by oral testimony, the exact history of the transactions which have, by prejudices and misrepresentations, been made the sources of so much injury to my Brother; and he is the only person to disprove the assertions which have been advanced by the Dutch authorities, as feeble apologies for acts they must know well to have had their origin in very different causes.

As your Lordship mentions that his Majesty's Law Officers have been consulted on the merits of my brother's Memorial, I may perhaps hope that his Majesty's Government might incline to investigate its veracity; for however confidently I rely on the information you have kindly communicated to me, that his Majesty's Ambassador in Holland will be instructed to press my Brother's claims, as set forth in his Memorial, on the Dutch Government, I cannot but fear that the exertions of the Nobleman who fills

that important situation will not be of that decided and effectual nature which could alone be induced, by a full conviction having been conveyed to his own mind, by the instructions of his Government, that the Memorial contained nothing but the truth. That document now could receive the most complete substantiation, to the satisfaction of his Majesty's Government, both by oral and documentary evidence; and it is important to my Brother's interests to bear in mind that the former it will not be long possible to produce.

I conceive, therefore, that it is my duty, both to my Brother and his Majesty's Government to state, that the Gentlemen above alluded to, are now willing to submit themselves to any examination which may be thought desirable.

I have the honour to be,

My Lord,

Your Lordship's most obedient humble servant,

JOHN HARE.

48, Bedford-square, Dec. 6, 1824.

NO. III.

Letter from Lord HOWARD DE WALDEN, to Mr. JOHN HARE, with two Inclosures, viz. :—

1. Extract of a Dispatch from Viscount GRANVILLE to Mr. CANNING,—Hague, March 23, 1824.
2. Extract of an Official Note from J. G. REINHOLD to Lord Viscount GRANVILLE, his Majesty's Ambassador at the Hague.

Foreign Office, Dec. 14, 1824.

SIR,

I am directed by Mr. Secretary Canning, to acknowledge the receipt of your letter of the 6th instant, and to acquaint you, that no final answer has as yet been received from the Netherlands Government on the subject of your Brother's claims.

Mr. Canning desires me to avail myself of this opportunity to inclose to you, for your information, an Extract of a Dispatch, which was received in March from Viscount Granville, together with a Copy of its Inclosure, which it may be satisfactory to you to possess, as they indicate the reasons which have caused such delay on the part of the Government of the Netherlands, in coming to a decision on that part of your Brother's claims, which his Excellency has been instructed again to press upon their consideration.

I am also to add, on the present occasion, that Mr. Canning sees no necessity whatever for your taking the trouble of producing any verbal testimony in support of the truth of the facts alleged in your former communications with this Office.

I am, Sir,

Your most obedient humble servant,

HOWARD DE WALDEN.

INCLOSURES OF THE ABOVE LETTER.

COPIE.

LE SOUSSIGNÉ, &c.

A transmis au Département des Colonies la note que Son Excellence le Vicomte Granville, &c. lui a fait l'honneur de lui adresser le 19 de ce Mois, et qui se rapporte à la réponse que M. le Baron de Nagel a remise à son Excellence, le Comte de Clancarty, le 22 Janvier 1823, au sujet de certaines plaintes du Sieur A. Hare.

Le seul article des griefs du Sieur A. Hare, sur lequel le Gouvernement de sa Majesté Britannique croit devoir insister de nouveau en faveur du réclamant, est le sequestre de ses navires et des propriétés qui s'y trouvaient, par les Autorités des Pays Bas aux Indes Orientales.

Le Soussigné espère que les informations que le Département des Colonies pourrait avoir reçues depuis la réponse précitée, permettront de s'occuper d'abord de l'objet de la note S. Exc. sans qu'on soit obligé d'en referer encore au Gouverneur Général à Batavia.

En tout cas il se plaît à donner à M. l'Ambassadeur Extraordinaire et Plenipotentiaire de S. M. Britannique, l'assurance qu'il s'empressera de lui faire connaître le résultat du nouvel examen, aussitôt qu'il en aura été instruit lui même, et en attendant il prie S. Exc. d'agréer l'assurance, &c.

(Signé)

J. G. REINHOLD.

à la Haye ce 20 Mars, 1824.

Extract from a Despatch from his Excellency Viscount GRANVILLE, to Mr. Secretary CANNING, dated the Hague, March 23, 1824.

"I inclose a Note from M. de Reinhold, acknowledging the receipt of that which I addressed to him respecting Mr. Hare.

If, in consequence of the explanatory statement of this Gentleman, the Government here should be disposed to take a more favourable view of his claim to indemnity for the sequestration of his ships, it is to be apprehended that reference will still be made to the Local Authorities of Java.

NO. IV

Letter from Mr. JOHN HARE, to the Right Honourable P. COURTENAY, Secretary to the Board of Controul for the Affairs of India.

TO THE

RIGHT HON. P. COURTENAY,

*Secretary to the Honourable the Commissioners
for the Affairs of India, &c. &c. &c.*

SIR,

I had the honour to receive your Letter of the 13th July, in reply to my Letter of the 18th April, addressed to the Right Honourable W. W. Wynne, in which I solicited, on the part of my Brother, Mr. Alexander Hare, copies of any communications respecting him which might have been made by the Honourable East India Company, to the Honourable the Commissioners for the Affairs of India.

The grievances of which my Brother has to complain, having suffered by the conduct of the Dutch Authorities at Batavia, were only alluded to, in my letter to Mr Wynne, collaterally, and not as expecting the direct interference of the Honourable Commissioners regarding them. I took the liberty, on the contrary, of mentioning in my letter, that I had appealed for redress on the part of my Brother, to his Majesty's Secretary of State for Foreign Affairs; and that I had reason to believe from the Correspondence which I had been allowed to peruse at the Foreign Office, that my attempts to influence his Majesty's Government to interfere on my Brother's behalf were probably frustrated by the conduct which had been displayed towards him by the Bengal Government; and the object of my addressing Mr. Wynne, was to obtain from the Honourable Board at which he Presides, a knowledge, of what had been written by the Bengal Government, which might be considered as injuriously reflecting on my Brother's character.

I was extremely mortified to find by your letter, that my request could not be complied with. It must be known to the Honourable Board, that the character of the individual for whom I am interested, is at present so much injured in the estimation of his Majesty's Government by representations which are, it should be considered, entirely *ex parte*, as most probably to obstruct any efficient exertions in his favour; and, therefore, I cannot but believe that it must occasion some regret to the Honourable Commissioners, not to have it in their power, consistently with usage and official convenience to put me into possession of the accusatory matter; thereby enabling me to produce that evidence which I have declared myself to possess, to its entire exculpation.

Difficult, however, as I may hitherto have found it to obtain for my Brother's grievances the desired attention of Government, and retarded as must be my exertions to defend him from accusations, which have never been to himself or friends distinctly divulged, my natural affection for him, and a personal knowledge of all his transactions for the period he had the misfortune to be in the service of the Honourable East India Company, will not admit me, consistently with common moral duty, to be disheartened into apathy in my exertions to defend him. I am, therefore, induced again to claim the consideration of the Honourable Board, and to request that you, Sir, would obtain for me, such an abstract from the Correspondence alluded to, regarding my Brother, as may at least convey the matter of complaint against him, that I may have it in my power to remove those impressions which there can be little doubt now exist to his prejudice.

I am rendered very anxious at the present moment to obtain the required information, as two individuals now in London, are able to attest the truth on oath of all the statements in my Brother's Memorial; and both are preparing in a few weeks to leave the country for India. One of these Gentlemen, Mr. Ross, has been mentioned in my letters to Mr. Wynne and Mr. Canning, as having been personally acquainted with all the public transactions at Banjarmasin, and perfectly capable of proving the integrity of my Brother's public conduct. Time has already diminished the originally small number of those who had personal opportunities to understand the misrepresented affairs of that Settlement, and delay in now taking the oral testimony to which I have alluded, may probably leave my Brother's conduct, while in the service of the Honourable Company, entirely without living witnesses. To expect, Sir, that you, the Honourable Board, or the Right Honourable Secretary of State for Foreign Affairs, will deem my Brother's case of sufficient interest, to induce the interrogation of the individuals alluded to, would perhaps be indulging a very improbable expectation; but on communicating to his Majesty's Government that such witnesses are now on the spot, ready and willing to submit themselves to any examination which may be thought necessary, I conceive myself performing no more than a duty which I should be morally culpable to neglect.

I have the honour to be,

Sir,

Your most obedient servant,

JOHN HARE.

Bedford-square, December 8, 1824.

NOTE.

The foregoing Letter was not favoured with a reply, and thus terminated all that is material of Mr. JOHN HARE's Correspondence with the different Departments of his Majesty's Government on behalf of his Brother. He never was yet able to obtain any returns from the Dutch Government, and its own Political vicissitudes with the rapidly succeeding changes of Administration in this Country, have rendered the successful pursuance of the object difficult, and almost hopeless.

November, 1831.

F

For the Letter to Mr. LUSHINGTON here referred to, see *NALLY*. of Inclosures to Appendix C.—Page 61.

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