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ANGLO-FRENCH RELATIONS WITH SIAM

1876 - 1904

Thesis for the Degree of Ph.D.

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by

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ABSTRACT

In my thesis an attempt is made to describe Anglo-French relations with Siam between 1876 and 1904. Chapter I traces and assesses the respective influences of various factors in the formation and conduct of Siamese foreign affairs. Then follows an account of Anglo-Siamese relations in the Malay Peninsula with special reference to the problem of the Perak-Raman boundary; the Secret Malay Convention of 1897 and negotiations concerning Kelantan and Trengganu. A detailed discussion of the various attempts to settle the claims of Siam and several Shan States to territory on both banks of the Salween forms Chapter III. The French claim to all the territory east of the Mekong and their action in driving the Siamese from that river's left bank are critically examined in Chapter IV.

In Chapter V the French blockade of Bangkok is described and especially the complications which arose between the English and French owing to the presence of British warhips in Siamese territorial waters; the chapter concludes with an account of the 1893 Franco-Siamese Treaty. The problems resulting from the Treaty, the 25 km. zone, the registration of French protégés in Siam and the difficulties concerning the territory of Luang Prabang on the right bank of the Mekong are discussed in the first part of the seventh chapter.

The second half of Chapter VII and Chapter VI are devoted to relevant Anglo-French relations and negotiations for the neutralisat of Siam and the unsuccessful attempt to constitute a buffer state between their respective possessions in Indo-China. The Mongsing affa and the final agreement between England and France in 1896 to guarante

the independence and integrity of the Menam Valley are discussed at length. The study is concluded with an account of the negotiations which preceded the Entente Cordiale of 1904 with special reference to the clauses relating to Siam.

A final special chapter is devoted to an attempt to trace the origin, development and final abandonment of the extraterritorial jurisdiction over special groups of foreigners in Siam, resulting in the emergence of this country as a completely independent sovereign state.

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INTRODUCTION

For the past century Siam has offered the unique example of a small Asian country maintaining her sovereign status while her neighbours have fallen under foreign rule. Her survival as an independent state is an example for her neighbours in South-Eastern Asia and a challenge to the historian. No student of History can afford to ignore the immense significance of the fundamental question of how Siam maintained her independence situated as she was between two rapidly expanding colonizing Powers such as France and Great Britain. I have attempted to answer this question with the help of the available original documents from the British Foreign Office papers.

No original research has yet been published to determine the position of Siam between the British and French possessions in the Indo-Chinese Peninsula. None of the standard works on British Foreign policy attached any importance or significance to the Siamese question. The biographies of Lord Salisbury and Lord Rosebery, who were the architects of British foreign policy between 1885 and 1902, do not contain any more than passing references to the Siamese question. Even in the Cambridge History of British Foreign Policy only three and a half pages are devoted to the question of Anglo-French relations over Siam.(1) No justification therefore is needed for undertaking

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(1) The Cambridge History of British Foreign Policy, edited by Sir A.W. Ward and G.P. Gooch, in three volumes. Vol. III, Book V, Chapter III. William H. Dawson, disputes with France concerning Siam, 1889-1904. pp.196-200.

research on the subject.

The geographical position of Siam resulted in her having a strategic importance of the first order from the point of view of the British and French empires in South-East Asia. On the north she adjoined the British Shan States and French Indo-China, on the east she was bounded along her whole extent by French Indo-China and on the west her frontier marched with Burma. On the south she faced Malaya and the Gulf of Siam, which opens into the China Sea. Being her immediate neighbours Britain and France were greatly interested in Siam. British interests in Siam were considerably greater than those of France, since the British Empire, in addition to the political influence which it wielded, was the most important of all participators in Siam's foreign trade. The influence of France on the other hand, was confined almost exclusively to the political sphere, her commercial interests being negligible. This difference in their interests influenced the respective policies of France and Britain in Siam.

Britain with the intention of developing her trade in Siam followed a policy of friendship. The British authorities were bent on maintaining the independence of Siam in order to secure the stability of the frontiers of their Indian Empire and especially to avoid having a coterminous frontier with French possessions in the Indo-Chinese Peninsula. This attitude was mostly influenced by the Government of India's unwillingness to undertake ander any circumstances any further commitments beyond the Mekong river. As a proof of the policy, it is revealing to find Great Britain ceding territory under her suzerainty to Siam in Keng Cheng, to China in Keng Hung and finally to France in Mongsing.

On the other hand France was bent on extending by any means her territory in that region and the French authorities never concealed their intention of annexing the whole of Siam. They believed that the best way to deal with Asian peoples was to use force. The French manner of bullying the Siamese caused the latter to look to England for protection against French aggression and this the French interpreted as evidence that the British were encouraging the Siamese to oppose their projects. The friendly relations between England and Siam had a peculiar effect on the French attitude towards Siam. The reliance placed by the King and the Foreign Minister of Siam on Great Britain made the French intensely jealous of British influence in Siam. The fact that Chulalongkorn's only European language was English had undoubtedly the effect of irritating the French authorities. For a long time they were in a pitiable position in Bangkok, completely out of everything, socially and politically. In spite of their position, they were, however, able to annex 100,000 sq. miles of Siamese territory during 1893 and 1904. But their ambition to annex the whole of Siam was shattered by the British Government who laboured to preserve Siam's integrity and finally in 1896 negotiated an agreement with France guaranteeing the independence and integrity of the Menam Valley. This declaration had the profound effect of saving Siam from falling a victim to French aggression.

The traditional policy of Great Britain's support of Siam was under critical examination in 1902. While discussing the question "how long will Siam last as an independent State ?" Mr. W.J. Archer, British Consul-General, in Bangkok wrote in a memorandum, "that the

extinction of Siam as an independent Power is merely a question of time is too obvious a truism to need amplification". He went on, "situated as Siam is - a weak, scarcely civilized state, hemmed in between two strong colonizing Powers - its fate is inevitable". According to his analysis "Siam must sooner or later succumb to a European Power".(1) In the face of such an opinion from a man on the spot it is all the more significant to find Siam maintaining her independence.

Virginia Thompson offers a very simple reason for Siam's survival. She says it "has been due less to the innately superior qualities of her people than to the strategy of her leaders, who have played off against each other two powerful and mutually jealous European rivals".(2) Similar opinion is expressed in the British Foreign Office publication Siam in which it is maintained that the Siamese authorities "showed much skill, in fact, in playing off those two great powers against one another".(3) This opinion seems to be generally held as an explanation for Siam's independent existence. After careful examination of all the relevant documents I am convinced that it is far from the truth: though the Siamese attempted to play England against France - never vice versa.

It is a well known fact that there was mutual rivalry and jealousy between France and England during the period of my study (1876-1904) wherever those two powers met. Siam was no exception to

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(1) F.O.69/231: Archer's Memo on political situation in Siam, September 29, 1902.
(2) Virginia Thompson, Thailand: The New Siam, Introduction.
(3) Foreign Office, Siam, Basic Handbook, p.59.

the rule. But the question is how far Siam exploited this mutual rivalry between England and France to maintain her independence. The available data on this question definitely proves that Siam depended on the British Government for advice and support from 1855 when Sir John Bowring, on behalf of the British Government, concluded a treaty of friendship and commerce with the Siamese. The Siamese preference for verything British was none the less real for the obvious reason that Great Britain had been not only the guide of Siam but also her friend and protector. This reliance was the back bone of Siamese foreign policy and it was shown in many ways. But since the policy of the Siamese was to maintain their independence and the integrity of their country, their partiality for the British did not prevent the Siamese Government from opposing the British Government on every possible occasion when they considered their interests were endangered. They resented every concession wrung from them.

Again, the maintenance of her independence was the reason which prompted Siam to make every effort to retain the goodwill of Powers with no real political interests in Siam, such as Germany, Russia and Japan. The Siamese authorities attempted to secure a joint guarantee of their territory by England and France; and failing this they preferred a single Power guarantee by England alone. I failed to find a single instance where the Siamese tried to play off France against Britain or approached France for a single Power guarantee by her of their Kingdom. The Foreign Office in London was mainly responsible for dissuading the British representatives from pursuing an active forward policy either in the Siamese Malay States or in Siam itself,

lest the French might use that as a pretext for demanding further concessions from the Siamese. It is clearly established that the Siamese tried to play Great Britain against France to preserve their independence but never France against Britain. Even so they were not successful in dragging Great Britain into active opposition to France as long as it did not suit the purpose of England.

Undoubtedly the geographical position of Siam as a natural buffer between the possessions of Great Britain and France in the Indo-Chinese Peninsula was a contributing factor in the preservation of her sovereignty. The dependence of Siam on foreign advisers in all departments of government helped her to a great extent in fulfilling her treaty obligations with foreign powers and running the government in an efficient way on modern methods. Siam was singularly fortunate in two of her kings, Maha Mongkut and Chulalongkorn who, soon after coming into contact with western ideas, adapted themselves to changing circumstances. In spite of their weaknesses they were enlightened Rulers having always the good of their country at heart. As for the Ministers, Prince Devawongse and Prince Damrong stand out above all others and Devawongse's diplomatic handling of very delicate situations in times of crisis saved the country the fate of her neighbours in South-East Asia.

While trying to answer the fundamental question of Siam's position between the British and French possessions in the Indo-Chinese Peninsula I have taken special care to deal in detail with Anglo-French relations over Siam. As there appear to be current some inaccurate ideas which needed contradiction about the French reaction to the

presence of British warships in Siamese waters during the 1893 French bloackade of Bangkok, I have tried with the help of original documents, to clarify the position. Various attempts to constitute a buffer state between the British and French possessions provide a clear insight into the complicated and subtle working of diplomatic machinery. The successes and failures of British and French representatives and governments over Siamese questions is a fascinating study. The Mongsing affair which has been sadly ignored by writers on the subject of Anglo-French relations, is given in detail. As no work has been done on Franco-Siamese relations, I have devoted much time to analysing and assessing those relations, especially the 1893 crisis and its aftermath. The material included in my thesis concerning various negotiations between England and France has been taken from the original documents and is perhaps the most important contribution made in my work to the subject of Anglo-French relations over Siam. The chapter on Extraterritorial jurisdiction is specially included to give a complete picture of the development of Siam from an Asiatic feudal country into a modern independent sovereign State. The evolution of the Siamese Ministry of Foreign Affairs forms a definite contribution to the study of the relations of Siam with various foreign Powers.

In dealing with different aspects of the problem, chronology is followed as far as possible. But in places where the subject is complicated by triangular negotiations between England, France and Siam, the subject is given preference over chronology for the sake of clarity, though chronological order is maintained in general.

CHAPTER I

RESPONSIBILITY FOR FOREIGN AFFAIRS IN SIAM

The principal people concerned with the formulation and conduct of foreign affairs in Siam were: the King, the Second King, the Ministers and the General Adviser. Each had a share in determining the foreign relations of Siam and here an attempt is made to trace and assess their respective influence.

From a constitutional point of view, Siam was an absolute monarchy. As the government was monarchical and despotic the term 'King' was really synonymous with "government and state". The King was the leader and protector of his people in war and their ruler in time of peace; he was the Lord of the Thai race,[1] supreme ruler, protector of the Buddhist faith and the chief judge in the Empire. The King was considered to be not only Lord of property but also of person. He demanded the most complete obedience of the entire people not only to every decree issued by him, but in theory to his lightest whim or caprice.

With the capture of Angkor Thom, the capital of Cambodia, in A.D. 1431 by the Siamese, many Khmer Brahmins and officials were transferred to Ayuthia the then capital of Siam and became instrumental in introducing many Khmer ideas of government, especially

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(1) The substitution of Thai (meaning free) for the original word Tai is modern.

the theory of Divine Kingship which produced a degree of absolutism in Siam even greater than that of the Khmer Kings of Cambodia. This Hindu concept of Divine Kingship did not run counter to the popular Budd hist belief of the Thais, that the King was a Boddisatva, a semi-divine incarnation of the Lord Buddha.

While absolute power in Siam was thus vested in the King, according to tradition the King was to be guided in the conduct of public affairs by his Pra Mahā Rāja guru - spiritual head, and his chief ministers.(1) Two Royal Councils aided the King in the business of state. The 'Luk Klun Sala' was a council of ministers dealing with the general administrative affairs, presided over by the King, and the 'Luk Khum Sala Hlvan' was a supreme court made up of Brahmin judicial advisers. A Princely Council was added in the late 18th century when the princes came to be the actual and not merely the nominal heads of the departments. The administrative and executive functions were mainly delegated to the various brothers and half-brothers of the King, who were individually responsible to the King alone for their actions and the state of their departments.

It was King Parama Trailokanatha (1448-1487) who made the first attempt at centralising the Siamese administration. According to the Law of Civil Hierarchy of A.D. 1454, which was the

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(1) Captain James Low, "On the Government of Siam" in Asiatic Researches, second part of the twentieth volume, 1839.

work of King Trailokanatha, the Princes were appointed to the titular headship of the departments (Kram) into which the work of the central administration was divided. But the duty of controlling actual work of the department was mainly in the hands of certain officials.(1) At the same time, the King brought about a separation between civil and military administration. For the civil administration five departmental heads were installed, namely (i) the Minister of the Interior with the rank of Prime Minister, (ii) Local Government, (iii) Finance, (iv) Agriculture and (v) the Minister of the Royal Household. For the military administration a separate Prime Minister, the Kalahom(2) was set up with several officials under him.(3) This organisation of the administration by King Trailokanatha was mainly responsible for the great metamorphosis of the feudal nobles into government officials in Siam. While this arrangement lasted the actual details of the administration were in the hands of the sovereign himself, the ministers being no more than his messengers and mouthpieces.

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(1) Within the Kram itself, the organisation usually centred around certain officials; the head, his deputy, the registrar and a large staff whose exact duties were indefinite. Some of the officers in the Foreign Affairs Department were, "Chau Phraya Phra Khlang" (Chief Minister for trade and foreign affairs), "Chau Phraya Kosa" (Deputy Foreign Minister), "Phraya Sriwipassa" and "Phraya Ratyai Kosa" were the officials next in rank and "Phra Jayadukka" was an officer under the Phrakhlang.

(2) Since 1851 the holder of the office of Kalahom has become the virtual Prime Minister but with the introduction of "Cabinet" in 1892 by King Chulalongkorn the office of Kalahom was abolished and the King himself acted as his Prime Minister.

(3) W.A.R. Wood: A History of Siam, p.84.

When Sir James Brooke visited Siam in 1850 with the intention of negotiating a treaty, Prince Mongkut (afterwards King Maha Mongkut) in his private capacity described the state of absolutism in Siam in these words: "Siam is now of most absolute monarchy in the world, in which monarchy one's opinion is no use; the others are equal of animals and vegetables in the Kingdom".(1) In his broken English Mongkut described the situation as "gloomy by smoke of the secret heat produced from shining and peculiar absolute sun, almost every individual of all noblemen and gentlemen are alarming of blazing from any consequence so that they are endeavouring to protect themselves where and there".(2)

In spite of King Maha Mongkut's(3) good intentions and attempts at reform not much was achieved till the time of his son, King Chulalongkorn, during the early years of whose reign it became evident that the needs of the country had completely outgrown the old system, so that in 1892 he took a great step towards reorganising the administrative system of Siam on modern lines. In this year a general combination and centralisation

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(1) F.O. 69/1: Brooke to Eddisbury, October 7, 1850. Enclosure 1. Mongkut to Hamilton Grey & Co.
(2) Ibid. Enclosure 2. Mongkut to James Hayes, September 26, 1850.
(3) As the King's personal name was considered too sacred for common use, it was usual in Siam to refer to the King by some term signifying "Majesty". King Chulalongkorn gave to the first three Kings of the Chakri dynasty the posthumous Buddhist names of Prah Budha Yot Fa, Loot Laa and Nang Klao by which they were known till the time of King Vajiravudh. King Chulalongkorn allowed the people to refer to himself and his predecessor by their personal names. Even though King Vajiravudh attempted a simplification by giving all the Kings of the Chakri dynasty the name of Rama the individual monarchs being distinguished as Rama I-VI, I propose to use the personal names of Mongkut and Chulalongkorn; but the Buddhist names of the first three Kings of the Chakri dynasty as this was the practice till the end of my period.

both of responsibility and control was effected by which ten chief departments of state (1) were created to take the place of the old civil and military divisions. A Cabinet was formed and the Ministers were nominated by the King and were removable at his pleasure. The Ministerswere of equal official rank and the King presided at their meetings, acting as his own Prime Minister and reserving the right of veto. Besides the Cabinet there was a Council (Ong Montri) somewhat similar to the British Privy Council, which comprised the most influential men in the country or such of them as enjoyed Royal favour. The Council whenever commanded, deliberated and advised the King on state affairs. A Legislative Council, composed of various princes and notables was created by a Royal Decree of 1895. Inspite of these reforms and the transformation of a feudal into a bureaucratic organisation the King's powers remained absolute in practice, with a number of officials in every department responsible to the Minister, who in turn had to submit everything to the Cabinet where the matters were discussed. Every Cabinet decision had to be approved by the King and so the King remained the most important factor in making state policy. But no student of Siamese history can ignore the greatest change that was brought about by these reforms. The absolute monarch was forced by circumstances, mainly through

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(1) Departments of Foreign Affairs, War, Interior, Finance, Royal Household, Justice, Public Works, Public Reconstruction, Agriculture and the Ministry of the Capital. (Graham, Siam, Vol. I, p.306).

contact with Western nations, to share his real power with some of his subjects. King Chulalongkorn saw some signs of revolt against his authority even in his own family.(1)

It is not altogether out of place here to take into account contemporary opinions of King Chulalongkorn and his administrative reforms. According to Sir T. Sanderson, permanent Under Secretary of State for Foreign Affairs "the Siamese government and administration is and has been a very bad one, corrupt, oppressive, inefficient". He maintained that the Siamese were seized with a reforming mania, made great professions of a desire for improvement and invited European assistance in introducing new institutions or western principles, but the result was an appearance of reform but no real change.(2) There was another side to the argument which was put forward by M. Rolin Jaequemyns, the General Adviser to the Siamese Government,in a letter to Mr. Verney, the English Secretary to the Siamese Legation in London, wherein he agreed that the Siamese State was far from being perfect, but to judge impartially its administration must not be compared with a well administered European state, but with things as they had been in Siam at the beginning of 1870. Rolin

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(1) As an inevitable result of European education and Western ideas the King's own sons showed the first signs of open revolt against his absolute authority. The refusal of the Crown Prince to marry, the marriage of his favourite son Chakrabongse to a Russian lady, the defiance of Prince Rabi - the most rebellious of all his sons - oever his affair with a leading lady of the theatre in Bangkok, were instances indicating that times were changing in Siam.

(2) F.O. 17/1223: Sanderson's note on Morant's letter, August 17, 1894.

Jaequemyns felt that the moral and material improvement in Siam was very remarkable, much more than in Turkey or in Spain or in Greece during the same period.(1) He was very hopeful about Siam. Midway between these two views we can take the observations of the British Envoy Extraordinary and Minister Plenipotentiary to the Siamese Court, Reginald Tower. According to him "the King is really an enlightened monarch and as far as his information goes, wishes to do the right thing...the stumbling block is that he is an Autocrat without any knowledge how to govern". Mr. Tower observed that almost every department was in the hands of one of his brothers or sons, the chief advisers being Europeans; and as long as things went well, no reports reached His Majesty and he was called upon to decide matters when difficulties became acute. He felt that until some regular system was introduced for the sovereign to be kept au courant with the general administration of his country little genuine improvement could be foreseen.(2)

In studying the extent to which the factors other than the King's wishes influenced Siamese policy the Second King comes next in importance to the King. Uncertainty concerning the real significance of this office had been created by confused information. Both Siamese and Europeans regarded the office of Wangna and Maha Uparāja (heir apparent) as one and the same. But the Wangna was

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(1) F.O. 17/1219: Verney to Rosebery, January 24, 1894. Enclosure: Rolin Jaequemyns to Verney, December 11, 1893.
(2) F.O. 69/227: Tower to Bertie (Private), February 21, 1902.

originally considered by the Siamese to have been the general in command of the vanguard.[1] It was the appointment to the highest Kram rank of the Maha Uparāja,[2] that the office of Wangna became in appearance so closely allied to the kingship. The Kram rank of Wangna was created by King Parama Trailokanatha with 100,000 Sakdina grade[3] (40,000 acres of land) ten times as much as the highest official. He was entitled to an umbrella of five tiers, a palace, a court and an army of his own, and almost unlimited access to the treasury.[4] The prince appointed to the office of Wangna was usually the eldest son of the Chief Queen, for it was he who would be heir apparent. Only in exceptional circumstances, as where the King's sons were minors, was a brother of the King appointed to the office.

After the King the Second King was the most powerful man in the country. He became the King's counsellor in all important matters of state. In 1485 King Trailokanatha's son Prince Jetta was appointed as Maha Uparāja. This is the first specific mention of that office in Siamese history. There was only one instance in Siamese history during the Ayuthia[5] period where the Second King was treated as King. Prince Naresvara on

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(1) Quaritch Wales, H.G.: Ancient Siamese Government and Administration, p.31.

(2) & (3) See Quaritch Wales' book on Ancient Siamese Government and Administration. For information on ancient Siamese Royal Councils and the different grades of officials and Princes with their numerous ranks with special reference to 'Sakdina' grades I refer to Quaritch Wales to avoid repetition.

(4) Quaritch Wales, Siamese State Ceremonies, p.52.

(5) Sukhodaya Period: A.D.1238 to A.D.1350
Ayuthia Period: A.D.1350 to A.D.1767
Bangkok Period: A.D.1768 to the end of our period.

becoming the King appointed his brother Prince Ekadasaratha to be Maha Uparāja. King Naresvara desired him to be considered as joint King, rather than as Crown Prince and to possess the same rank and authority as himself.(1) But till the time of Maha Mongkut there is little detailed information regarding the part played by the Second King in state affairs. King Mongkut as a special mark of respect and affection for his brother Prince Itsarate Rangsan allowed some special rites such as the ceremonial bath and state progress which wereusually only performed for the King to take place for his brother, on his assumption of the office of the Second King. During King Mongkut's reign it was usual to consult the Second King on all important affairs of state. The Second King signed the document giving full powers to the commissioners who negotiated the Treaty with Sir John Bowring in 1855, and Sir John was told by Mongkut that before the final approval of its conditions he must confer with his Royal brother.(2) The First and Second Kings signed treaties jointly and the Second King enjoyed the privilege of giving audience to the foreign representatives. Foreign sovereigns addressed official letters to both the Kings. Even though Prince Itsarate was recognised on all sides as a fine character he abstained from exercising any influence over state affairs. After some years of service with the King at Bangkok, as a consequence of a quarrel with him Prince Itsarate went to

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(1) H.A.R. Wood, op.cit., p.139.
(2) Sir John Bowring: The Kingdom and People of Siam. Vol. II, personal journal.

live at Chiengmai, the northern capital of Siam, dying there in 1865. When Chulalongkorn became King, Prince George Washington, son of Prince Itsarate was made Second King but he died on August 28, 1885, after an uneventful life as far as state affairs were concerned, because of differences with the King. Soon after the death of Prince George the office of Second King was finally abolished by a Royal Decree.(1)

The question of succession to the throne of Siam was always doubtful. In theory it was regulated by the Palatine Law of A.D.1458 which stipulated that the eldest son of the Chief Queen is to be the heir. But the Siamese kings frequently attempted to ensure the passing of the succession to a favourite son what ever his birth; or when the King's sons were minors it was necessary to nominate a brother as heir. Inspite of the succession being laid down by law, the question had for centuries been a matter of much ambiguity and was a perennial source of danger to the peace of the country as a result of struggles between powerful factions behind candidates for the throne. According to Kaemfer, a 17th century writer, under the ancient laws of Siam the crown went to the dead King's brother.(2) During the Bangkok period for the first two reigns the Second King, who was designed to succeed to the throne, died before the reigning monarch. For reasons unascertainable in both cases no one was appointed to the vacant place. Therefore,

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(1) F.O. 69/100: Satow to F.O., September 2, 1885.
(2) E. Kaemfer; The History of Japan, Vol. I, p.36.

on the demise of the first three Kings,[1] there being no regular successor available, the right to appoint to the vacancy was exercised by the Royal Council.[2] Even though the theory regarding the selection by Royal Council was put into practice very fairly and quietly, the succession was largely influenced by the power and authority commanded at that time by any individual prince. When King Let La died without naming any son as his successor, his eldest son by a minor wife, Pra Nang Klao, with the support of a small but powerful party was proclaimed King without opposition. Thereby Prince Mongkut, who was the rightful heir to the throne, being the eldest son by a Royal mother, was deprived of his chance for the timebeing. At the time of his death King Nang Klao expressed a wish that his eldest son should succeed him. But there was strong opposition to the King's wish from a powerful party which desired to see Prince Mongkut ascend the throne. On March 15, 1851 the Chief Princes and nobles met to discuss the question of the succession and Prince Chao Katai (Chao Pya Praklang), one of the most powerful men in the country, stated frankly his preference for Mongkut. On April 3, 1851 when the King died, a meeting was held to appoint a successor to the throne. Prince Chao Katai and Chao Pya Sisipat, Praklang's brother, announced at once their determination to make Mongkut King and his brother

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(1) The third King Nang Klao did not appoint a Second King when the previous holder of the office had died.

(2) F.O. 69/40: Knox to F.O. August 21, 1866.
The theory as regards the choice of the Royal Council was that they had to pick out the two most promising members of the Royal family whether uncles, brothers or sons of the late two Kings and place them on the vacant thrones.

Second King. Moreover they said, if there was any dissent by other prominent officers of the state they would execute their purpose by force. As they held complete control of the army and navy, opposition collapsed.(1)

King Maha Mongkut, learning about the usual system of succession to the throne in Europe, tried to persuade foreigners that the same rule applied to Siam also; but when speaking to his own officers he had no hesitation in stating that his successor should be chosen as he had been himself. However, he secretly wished his favourite son Chao Fa Chulalongkorn to succeed(2) him, but he could not make his wish known to the public as the election of a successor by the Royal Council had become a custom. He wanted to gain support for the claims of his favourite son from Monsieur Aubaret, the French Consul in Bangkok. M. Aubaret, who had quarrelled in 1864 with two or three of the Siamese Ministers, including the Prime Minister, with the intention of regaining his lost prestige with the Siamese, took up the question of succession to the throne. In July 1866, on his return from Paris, M. Aubaret brought a letter purporting to be from the Emperor of France to the King of Siam. Amongst other matters that letter spoke of the Chao Fa as the King's successor and hoped

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(1) Malcolm Smith: A Physician at the Court of Siam, p.28.
(2) Strictly speaking he was not a Chao Fa as his grandmother was of very low origin and his maternal grandfather was merely a Prince and not a reigning sovereign.

he would be brought up with friendly feelings towards the French nation. Considerable excitement was caused among the Royal Council when they came to know the contents of the letter. The Prime Minister complained to Mr. Knox, the British Consul in Bangkok, of the interference of the sovereign of another nation in such a matter and requested him to protest against M. Aubaret's conduct, though without any result.(1) When his intentions became known to his Council, King Maha Mongkut stopped corresponding secretly with M. Aubaret and concentrated on providing the best possible English education and training for Chulalongkorn.(2) On the day of his death on October 1, 1868 Mongkut begged his Ministers to see that his son Chulalongkorn was elected to succeed him and to permit no other successor.(3) That same night a meeting of the Ministers was held, and without opposition, almost without discussion, Prince Chulalongkorn was elected and proclaimed King of Siam. Prince Fai Na (George Washington), son of the late Second King,was made Second King. Chulalongkorn was the first minor ever elected to fill the throne of Siam. He was only fifteen when he came to the throne. During the Regency period Chulalongkorn gained a good deal of experience in administration. He visited Singapore and Java in 1871 and travelled to India on December 16, 1871 to

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(1) F.O. 69/40: Knox to F.O., August 21, 1866.
(2) A.H. Leonowens was the English Governess who taught English to Chulalongkorn. She wrote from firsthand knowledge two books on the life in the Palace and at the Court of Siam.
(3) Malcolm Smith: op.cit. p.50.

see and know at firsthand the methods of Lord Mayo's (1) administration.
He was the first King of Siam to travel abroad. This experience made him realise the importance of centralisation and unification of administration. The advantages of having regular orderly succession to the throne made him uneasy from the very beginning about the institution of Second King. When he felt sure of his position and the loyalty of his Ministers, he thought of abolishing this office.

In the meanwhile an incident took place which resulted in the disagreement between the First and Second Kings breaking out into open hostility. On the night of December 27, 1874 a fire broke out in the First King's Palace and custom demanded that the Second King should go to extinguish it. However, on account of ill-health, he failed to do this, so the First King made preparations for the seizure of the Second King's Palace. On January 2, 1875 the Second King went to the British Consulate and asked for protection. Mr. Newman, the British acting Consul-General promised it and along with the French Consul Mr. Garnier and other Consuls met the First King but failed to bring about a settlement. On February 18 Sir Andrew Clarke, the Governor of Singapore, arrived at Bangkok and through his good offices the misunderstanding between the First and Second Kings was amicably settled. Sir

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(1) Governor-General and Viceroy of India, who was assassinated while King Chulalongkorn was on his tour in India as his guest.

Andrew prepared a draft agreement which was finally agreed to by all the parties and was signed on February 25, 1875. By it the Second King's position was restored to its old status.(1) Even after the dispute was settled, King Chulalongkorn was very annoyed with his brother because of the implications involved in a Royal personage taking refuge under a foreign flag. The Siamese Consul in London, Mr. D.K. Mason was specially instructed to convince the British Foreign Secretary that the Second King had no right of succession to the throne.(2) But the information that the British Government had no intention of interfering in the internal politics of Siam seems to have dissuaded the King from any further intrigue.

On August 28, 1885 at 11 p.m. the Second King died and King Chulalongkorn took this opportunity to abolish this office by a decree. In 1887 the King resuscitated a very ancient law which provided for the appointment of an heir-apparent or Crown Prince to the throne by each sovereign during his reign, thereby fixing the regular succession.(3) Accordingly he appointed Prince Vajirunhit, the eldest son of Queen Sawong, as the Crown Prince. But when the Crown Prince died in 1895 Prince Mahidol, his brother under this law should have succeeded to the title. Instead it

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(1) F.O. 69/62: Newman to F.O., January 5, 1875.
(2) F.O. 69/61: F.O. to Newman, January 16, 1875.
(3) Graham: op.cit., Vol. I, p.230.

was Queen Saowapa's eldest son, Prince Vajiravudh, who was studying in England at that time, who was chosen. He returned to Siam in 1902. During the absence of the Crown Prince in England there were doubts in the mind of Mr. Archer, the British Representative at Bangkok, as to the possible groupings among the Princes as far as the succession to the throne was concerned. He was informed by M. Rolin Jaequemyns in 1901 that "in the course of time two parties will be formed in the Palace and those favourable to England will muster round the Crown Prince and those who have more faith in an alliance or amicable understanding with France and Russia will look to Prince Chakrabong, who is studying in Russia".(1) Prince Damrong, Minister of Interior and the most powerful man in Siam, seemed to make himself the champion of the Russian cause and Prince Devawongse, the Foreign Minister was consistently friendly to the British. But no open conflict occurred and these suspicions reamined only conjectures of politicians. Undoubtedly the vigilance of foreign Powers regarding the question of succession to the Siamese throne was to a great extent responsible to the maintenance of peace among different groups.

Only during the first half of King Mongkut's reign did the Second King really exercise influence and contribute his share to the formulation of policies in Siam. But during King Chulalongkorn's

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(1) F.O.69/215: Archer to Lansdowne, April 8, 1901.

reign because of constant misunderstanding between the First and Second Kings the Second King had practically no influence; and after his death, the Crown Prince, as a minor and absent studying in England, could not take any hand in the State affairs. In the circumstances the King had to depend mostly on his Ministers, especially the Prime Minister, the Foreign Minister and the European General Adviser, for advice and guidance in conducting his relations with foreign countries.

As we have already observed, King Parama Trailokanatha in his attempt to centralise the Siamese administration created different departments (Krams). One of them was Prah Klang with the title of Prahya Kosadhipati etc.(1) The Minister was originally in charge of the Treasury and administered the revenue and expenditure of all departments, judging cases arising therefrom in his own Court.(2) When, however, the King began to trade with China the duties of this official assumed ever larger proportions; and the holder was brought into contact with the Chinese and Europeans trading to Ayutia. Subsequently, from the reign of King Dran Dharma (1601-1627) the Prah Klang became also Minister of Commerce and Foreign Affairs. His duties included reception of foreign missions, arranging their audience with the King, and organising the import and export trade of the country. The King happened to be the chief trader in all the most valuable products of the country

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(1) Quaritch Wales: Ancient Siamese Government and Administration, p.89.

(2) Captain James Low: "On the Government of Siam", Asiatic Researches, second part of the XXth volume, 1839. In the law digest termed Kot Phra-aya Kaam, Phraya Phraklang was rated as tenth in the list of grandees who are stated to be directly or indirectly connected with the administration of justice in Siam.

as well as exercising a monopoly over much of what was imported by strangers.[1] As all foreigners appeared to the Siamese to be connected with trade the Praklang was given entire responsibility to deal with them. That was how he became so well-known to Europeans. His court dealt with cases in which foreigners were implicated[2] and amongst his officers were those who inspected foreign ships and acted as interpreters. During the Ayutia period the burden of administration throughout the southern provinces was placed on the shoulders of Praklang. This added responsibility completely overwhelmed the Praklang and necessitated the abandonment of the work of the Treasury, which was divided among other departments. In the reign of King Yot Fa, the southern provinces were again placed under the control of the Kalahom and the Praklang functioned as Minister of Foreign Affairs.

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(1) Crawfurd Papers, p.155.

(2) Most of the foreigners from distant countries lived in Bangkok, and according to La Loubere, each nationality had its own quarters in the suburbs, each chosing its Chief from among its own people. He was responsible to a Siamese official whom the King nominated to look after the affairs of those people. However, matters of little importance had to be taken to the Minister of Foreign Affairs. But though Siamese officials were appointed to look after the foreigners and they were tried in special courts by Siamese judges, yet the foreign communities lived according to their own customs and with perfect freedom. As the Western nations entered into treaty relations with Siam their nations were placed under the jurisdiction of the Consul of the respective countries.

The Portuguese in 1511 were the first western nation to have communications with Siam, but later Dutch, French, Spanish, English and American Missions visited Siam to establish commercial, political and religious contacts. Many interesting narratives of various Missions were written and we come across frequent references to the Praklang in such expression as "Barcalon (Prime Minister)" in French narratives;(1) and "Senor Barcalan (Minister of the Kingdom of Siam)" in a Spanish account.(2) It was observed as a rule that whenever a ship conveying a foreign embassy arrived, the first audience was with the Praklang. It was at these audiences that the ceremonial to be observed at the Royal Audience was decided upon and several visits to the Praklang were often necessary before agreement could be reached.

Siamese history, especially in the Bangkok period, abounds with illustrations of the degree of influence exercised by the Foreign Minister over state affairs. It is not surprising to find that the Chakri dynasty to which Kings Mongkut and Chulalongkorn belonged was founded by Chao Phya Phra Khlang to King Narayu (1656-1682).(3) As we have already observed, it was the then Praklang and his brother who were responsible for

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(1) Narrative of M. le Chevalier de Chaumont who visited the Siamese Court as special envoy from King Louis XIV on September 24, 1685.
(2) Account of the Embassy of the King of Spain to Siam. From Sir John Bowring's The Kingdom and the People of Siam, II, p.81.
(3) King Mongkut's account of his own dynasty, from Sir John Bowring, op.cit. I, 64.

Mongkut's accession to the throne. As a reward for this loyalty Mongkut immediately on his accession raised Prince Chao Katai and Chao Pya Sisipat to the rank of Ong Yai and Ong Nai respectively.(1) Prince Chao Katai's eldest son Chao Pya Sri Suriawongse was made the Kalahom with the highest rank and subsequently when King Maha Mongkut died he was appointed Regent during the minority of King Chulalongkorn. Chao Pya Pibakrongse, younger son of Prince Chao Katai was given the position of Minister of Foreign Affairs. Thus we can see the importance of Ong Yai and Ong Nai during the reign of Mongkut. For all treaty negotiations with foreign Powers these two, along with the Kalahom and Praklang - sons of Ong Yai, with a brother of the King, Prince Krom Hluang Wongse were appointed as commissioners.

It was this family of the Kalahom which guided King Maha Mongkut in his foreign relations. Ong Yai and Ong Nai belonged to the old school of isolationism and hence they were extremely averse to the changes in foreign policy; but the Kalahom and Praklang were favourable to new ideas.(2) The partiality of the Kalahom to everything British was so notorious that the British Consul had to persuade him to refrain from being too demonstrative. During his office he was virtually the ruler of

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(1) ong - (person), applied to those of high rank. Ong Yai and Ong Nai, literally meaning Big one and Little one, were nicknames given to those next in rank after the First and Second Kings. King Mongkut used to represent them to foreigners as First and Second Regents.
(2) F.O.69/5: Parker to F.O. May 22, 1856.

Siam and "he really has the interests of his country more at heart than any of his compatriots".(1) To quote Sir John Bowring, "I deemed it a great privilege to have found such a Prime Minister at Bangkok, and I wish many a civilized nation were as well off for such public servants". Sri Suriawongse deserved all this praise because of his consistent endeavour to bring Siam into contact with the outside world and the results of that policy are so well known. Siam was in fact opened to the world at large and King Mongkut went a step further and appointed Sir John Bowring as Envoy Extraordinary and Minister Plenipotentiary at large to conclude treaties with foreign powers.

King Maha Mongkut opened Siam to foreign trade, but it was King Chulalongkorn who had to deal with many complicated political issues both with France and Great Britain. A new situation arose with the British annexation of Upper Burma in 1886; and the French penetration into the Indo-Chinese Peninsula brought her to the eastern borders of Siam. The presence of a powerful western nation on each side of his country made it essential for the King of Siam not to ignore expert advice on international relations. At the request of the King of Siam the British Government recommended M. Rolin Jaequemyns, a Belgian statesman, of international repute both as an authority on

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(1) F.O.69/46: Knox to F.O. December 11, 1856.

International Law and on questions of administration, to be the general adviser to the King. His advice was taken on all matters of importance and he became the link between the Siamese Government and the representatives of the treaty Powers.(1) His suspicions of French designs in Siam made him a champion of British interests. The wisdom of his advice to the Siamese to resist French aggression in 1893 was questionable; the French became so antagonistic towards him that M. Myre de Villers, the French Plenipotentiary refused to discuss business in his presence, while negotiating the treaty of 1893 between France and Siam. He was accused in France of being a mere instrument of England. In Paris anti-Siamese and anti-Rolin feeling ran so high that direct postal communications with Bangkok could not be trusted and communications were carried through an English friend of Rolin Jaequemyns.(2) While in the Siamese service he wholeheartedly cooperated with Prince Devawongse and suggested many reforms to the King. The appointment of an European Financial Adviser to the Siamese Government was his achievement.(3) His favourite scheme to save Siam from the aggression of France was to persuade Britain and Germany together to guarantee the independence of Siam. But the British Foreign Office doubted the wisdom of encouraging Germany

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(1) F.O.69/215: Archer to F.O. April 8, 1901.
(2) Sir Thomas Barclay, Thirty Years: Anglo-French Reminiscences 1876-1906, p.110.
(3) F.O.69/169: Chulalongkorn to Rolin Jaequemyns, February 16, 1896.

to interfere in Siamese affairs.[1] Both Lord Lansdowne, the British Foreign Secretary and Mr. (afterwards Sir) Maurice de Bunsen, the British Chargé d'Affaires at Bangkok, thought that M. Rolin Jaequemyns meant well and worked hard but the latter wrote: "he is rather too much of a lawyer to fill his place to the best advantage".[2] Whether practicable or not, he always believed in the principle of arbitration to settle all disputes.[3]

During most of the period we are studying it was Prince Devawongse Varaprakar who was in charge of the Ministry of Foreign Affairs.[4] Because of his position as a full brother to both first and second queens of Chulalongkorn, of his own brains, and the King's confidence in him, for many years he possessed unrivalled influence and power in conducting the foreign affairs of Siam. In the opinion of Sir Henry Norman, who was a severe critic of the Siamese Government, "Prince Devawongse was without doubt the cleverest and most farsighted man in Siam."[5] From Sir Henry we can catch a glimpse of Prince Devawongse's personality: "Prince Devawongse is a short man with a bright round face, of scrupulously polite manners, who conceals a mass of information and a very sharp mind under an exterior of simple

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(1) F.O. France. General 9. Lansdowne to Monson, October 13, 1901.
(2) E.T.S. Dugdale, Maurice de Bunsen: Diplomat and Friend, p.121.
(3) F.O.69/169: Grenville to F.O. March 14, 1899.
(4) Pibakrongse (1851), Sri Suriwongse (1857), Bhanuwongse (1880), Bhaskarawongse (1891) and Devawongse held the office of Foreign Minister since 1891 to 1904 in Siam.
(5) Sir Henry Norman, The People and Politics of the Far East, pp.444-445.

good-humour and apparent frankness. He could speak and write English with ease. He was never troubled with more faith than other diplomatists in people's motives and ab hoste doceri was his motto in treating with the representatives of Europe." Sir Henry Norman further wrote "in his office he sits surrounded with a rampart of books on international law and modern diplomatic history, and the grafting of European punctilio and traditional precision upon Oriental flair and patience, makes a combination difficult to beat". But the opinion of the British Foreign Office, who had to deal with the Prince in all matters, was not so liberal. Sir T. Sanderson in a note on Mr. Morant's[1] letter to the Foreign Office remarked that Prince Devawongse was hard-working but it was probable that he had lost heart and influence. Sanderson maintained "he has never been straightforward with us and I suppose with anybody else".[2] In the opinion of a statesman diplomat like Mr. (afterwards Sir) George Scott, who was in Bangkok as Chargé d'Affaires during the crucial period of Siam's relations with France, Prince Devawongse after over a dozen years of experience as a Foreign Minister "still remains not much more than a boy. He is too much under the influence of his feelings for the moment, he has not acquired any noticeable strength of character or decision, and above all he has not mastered the art

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(1) English tutor to the Crown Prince Vajirunhit of Siam. After the death of the Crown Prince his services were dispensed with and on his return to London he submitted a memorandum concerning affairs in Siam.

(2) F.O.17/1223: Sanderson's note, August 17, 1894.

of saying No, the exhortation of the elementary moralist. He agrees to everything in course of conversation and afterwards writes letters which are equivocal and inconsequent to the point of exasperation".(1) Inspite of his deficiencies according to the British and French standards of diplomacy, he scrupulously followed the interests of his country even at the risk of losing Royal favour. He was the first Foreign Minister of Siam to sign a treaty independently in his own right as Foreign Minister. The old practice of appointing commissioners to negotiate a treaty by the King was given up and the Minister of Foreign Affairs was given complete freedom to negotiate treaties subject to final approval by the King. It was in his time that the Siamese Foreign Office became the official channel for all communications with foreigners.(2) Prince Devawongse, inspite of Prince Svasti's virulent anti-French sentiments and Rolin Jaequemyns' advice and the mutual jealousies in the Cabinet itself, took the decision to yield and accept the French ultimatum of 1893 on his own responsibility and thus incurred the displeasure of the King. His pro-British attitude was not greatly appreciated even by the British Foreign Office because of suspicions that the Siamese were playing off one foreign power against another to their advantage. Prince Devawongse must be given due credit for the

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(1) F.O.17/1224: Scott to Kimberley, August 27, 1894.
(2) Devawongse's brother, was educated at Oxford and was trained for the law. In 1892 he was appointed as Minister of Justice. His anti-French arguments in the Cabinet created much embarrassment to the other members, especially Devawongse during 1893 crisis and secured him a passport to the continent on special diplomatic mission.

fact that Siam managed to retain her independence in spite of conflict with France and some loss of territory. On the personal side his love for flowers and chess were proverbial and it was generally four or five in the morning before he left the Palace to go home. His office at the Ministry was open all night and he had a special staff for night work. Whether judged a success or failure in the modern sense, Prince Devawongse served his master and country loyally. Next to King Chulalongkorn, Prince Devawongse was the most important person who influenced Siamese relations with Foreign Powers.

Thus we see that the King, the Prime Minister, the Foreign Minister and the General Adviser all had a share in conducting foreign affairs, though the degree of influence exercised by each varied. The Siamese were all "so jolly green" in European affairs.(1) They never really appreciated or understood the methods of European diplomacy. Most probably this was at the root of all the mistakes and miscalculations in Siam's relations with the western powers which were to a great extent responsible for the grave national disasters of our period. Even though many European countries established consulates at Bangkok during the reign of Maha Mongkut, the Siamese Government for financial reasons never contemplated the possibility of

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(1) F.O.69/73: Palgrave to Harvey (Private), April 24, 1880.

reciprocal arrangements. King Mongkut succeeded in sending an Embassy to London[1] in 1857 with Sri Suriawong as the Chief Ambassador who was very well received by Queen Victoria.[2] As we have already seen, Sir John Bowring was appointed "to act for and in the place and stead of the Siamese authorities as our Siamese Envoy Plenipotentiary Extraordinary or Chargé d'Affaires on behalf of Siam in all European countries in treaty relations with Siam".[3] The Siamese Government after realising the advantage of having their own Consuls to look after their interests appointed Mr. Fowle, an English gentleman at Rangoon, Mr. Tan Kimching at Singapore and Mr. D.K. Mason, another Englishman at London as Siamese Consuls. The fact that the Siamese Government selected non-Siamese, especially Englishmen, to represent them, was noteworthy.

It was in the time of King Chulalongkorn that another Siamese Embassy was dispatched to London with Chao Phya Bhanuwongse, the then Foreign Minister, as ambassador to present the Royal Order of the Grand Cross of the White Elephant to the Queen of England; to ask for a revision of the existing treaty and to request that a diplomatic representative of the King of Siam might be permitted to reside in London.[4] The British Foreign

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(1) F.O.69/22: Phra Khlang to Lord Russell, April 20, 1860.
(2) F.O.69/40: F.O. to Gingell, November 25, 1857.
(3) F.O.69/40: Maha Mongkut's letter - credentials of Sir John Bowring, June 13, 1867.
(4) F.O.69/73: Phra Khlang to Palgrave, May 1, 1880.

Office was very doubtful about the advantages of establishing a permanent Siamese Mission in England.[1] But a Siamese Legation was finally established on July 24, 1882 in London with Prince Prisdong as Minister.[2] Gradually Siamese representation in foreign countries increased. Subsequently to the tour of Chulalongkorn in Europe in 1897 diplomatic relations with the outside world were considerably extended. A Siamese Legation was established at St. Petersburg (Petrograd) in addition to those at London, Paris, Berlin and Washington. Over and above the permanent representatives, the Siamese Government occasssionally sent some special envoys to foreign countries when need arose to deal with special questions. In 1893 Prince Svasti was entrusted with an informal Mission to Europe to endeavour to arrange an agreement between England and France by which the autonomy of Siam would be maintained. King Chulalongkorn himself visited practically every crowned head in Europe, including Russia and Great Britain and established valuable contacts. He also sent on March 13, 1899, a friendly Mission with Phya Sri Sahadeb as ambassador to H.E. M. Doumer, Governor-General of French Indo-China, to establish friendly relations with the French.[3] In the next month M. Doumer returned the visit and stayed in Bangkok from April 16 to 21, 1899, captivating the hearts of the Siamese

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(1) F.O.69/73: F.O. to Palgrave, May 18, 1880.
(2) F.O.69/85: Newman to F.O., August 8, 1883.
(3) The Siamese Free Press, March 21, 1899.

from King down to the man in the street, with his gentlemanly charm. M. Rolin Jaequemyns even after leaving Siamese service was helping them in consultations with Foreign Powers. Phya Sri Sahadeb visited England and France as a special envoy and concluded the agreement regarding the appointment of British Residents in the Malay States of Kelantan and Trengganu on October 6, 1902, and helped in concluding the Franco-Siamese Treaty of 1902. Thus, at the end of our period we find the Siamese, which started from a scratch in the conduct of international affairs in 1851, after getting into trouble with certain foreign powers especially France, finally emerging out of its difficulties and producing an efficient set of diplomats to help the country in its relations with Foreign Powers.

It was King Maha Mongkut who started diplomatic relations with western nations, but by the end of 1902 Siam had entered into treaty relations with practically all the civilized nations of the world and foreign representation at Bangkok was complete with the exception of China.(1) It was a Portuguese envoy, Carlos Manuel Silveira, who after concluding a commercial agreement with Siam in 1818 became the first resident consul in Siam in 1820.(2) With the conclusion of the treaty of 1855 between England and Siam regular consular representation started and by the end of 1860 there were as many as

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(1) See Appendix I. List of Treaties between Siam and Foreign Powers.
(2) W.A.R. Wood: op.cit., p.276.

eight foreign consulates[1] in Bangkok. But from the very beginning King Mongkut was not very happy about the foreign representation mainly for reasons of prestige. Mr. Hillier, the first British Consul to be appointed to Bangkok sensed this difficulty and suggested to the British Foreign Office the appointment of a political agent of a higher rank and greater attainments with whom the King could talk freely without disparagement to his dignity.[2] When Sir Robert Schomburgk was appointed as Consul, he reported to London that the First King was obstinate, vain and pompous and was greatly displeased that Her Majesty the Queen should be only represented by a Consul at Bangkok, while the Pasha of Egypt, the Bey of Tunis and other sovereigns, whom he considered his inferiors in station and power, had persons of a higher rank than a mere Consul sent to them.[3] Sir R. Schomburgk's argument that his functions were much higher than those of a Consul had no effect on the King who, however, consoled himself with the idea that he had a knight sent to him as English Consul.[4] In 1865 Mr. Knox reported to the British Foreign Office that the Siamese Government was trying to lower the position of

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(1) Portuguese Consulate established in 1820; Consulate of the U.S. of America, May 29, 1856; British Consulate, June 11, 1856; French Consulate, July 1856; Danish Consulate, 1858; Hanseatic Republic Consulate, October 1858; Netherlands Consulate, December 1860, and Swedish and Norwegian Consulate.

(2) F.O.69/4: Hillier to F.O. September 12, 1856.

(3) F.O.69/11: Schomburgk to F.O., April 19, 1858.

(4) Knox who was originally in the service of the Second King of Siam, was appointed British Consul on November 30, 1864; in August 1868 he was made Consul-General and on February 10, 1875 he was appointed Agent and Consul-General; he resigned his post on December 2, 1879 because of differences with the Siamese Government. He was subsequently knighted.

Consuls in Bangkok and that in matters or ceremony they were treated with anything but respect.(1) Mr. Palgrave who took over from Knox as Agent on March 23, 1880 summed up the situation in his own characteristic way thus: "this is hard work...This ought to be a Ministry. It's a real King here, a very real Court, a real Siamese Ministry and the Siamese know it too".(2) He further intensified his argument for raising the British Agency to Ministry level by saying that should "an English Minister be sent to reside at their (Siamese) capital, Siam is henceforth ours".(3) But all his arguments failed to achieve the desired effect and instead he received a snub from the Foreign Office wherein they made it clear that "there is no intention on the part of Her Majesty's Government to raise H.M. Agency at Bangkok to the rank of a Legation".(4) After receiving this reply Palgrave did not wish to stay in Bangkok, which according to him was "physically a swamp, mentally a slough, morally a sink". But in 1882, when he was given full power to conduct negotiations and to sign a treaty, he was satisfied to some extent.

King Chulalongkorn felt that in order to counter-balance French forward policy in Siam, the presence of a British

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(1) F.O.69/37: Knox to F.O., February 28, 1865.
(2) F.O.69/73: Palgrave to Harvey (Private), April 9, 1880.
(3) F.O.69/73: Palgrave to Tenterdon (Private), May 2, 1880.
(4) F.O.69/73: F.O. to Palgrave, May 18, 1880.

Minister was very desirable and so he made representations in London for the appointment of a person of diplomatic standing with the rank of Minister in Bangkok. Action on these lines was taken by the British Government; when on February 28, 1885 the British Agency and Consulate-General was raised to the status of a Legation. However, the first Minister was not Mr. Palgrave who had so strongly advocated the change, but Mr. (later Sir) E. Satow who had succeeded him just previously on January 19, 1884.(1) By that time a Vice-Consul had been appointed at Chiengmai, the northern capital of Siam, under the provisions of a treaty signed at Bangkok on September 3, 1883.(2) When the British Government raised the status of its representative at Bangkok, the French Government, as a consequence of a request from the Siamese Government for a French Minister, raised M. de Kergardec, the French Consul et Commisaire, to the rank of Chargé d'Affaires in June 1885.(3) Captain Jones, who took over from Satow as British Minister at Bangkok, was replaced by George Scott as Chargé d'Affaires in September 1893. Captain Jones had been bitterly attacked by some British merchants in a statement sent to the British Foreign Office. They said the Siamese called him a "kon bow" (an idiot or a fool) but they added, he "serves their (Siamese) purposes exceedingly well". Scott was replaced.

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(1) F.O.69/98: F.O. to Satow, February 28, 1885.
(2) F.O.69/91: Satow to F.O., May 7, 1884.
(3) F.O.69/100: Satow to F.O., June 25, 1885.

by Maurice de Bunsen as Chargé d'Affaires and he in his turn was succeeded in 1901 by Mr. Reginald Tower, who was sent to Bangkok as Envoy Extraordinary and Minister Plenitotentiary. Thus it took nearly half a century for the British Government to appoint a diplomatist at Bangkok and when they finally did so "for political reasons" everybody was happy. During the public audience of Mr. Tower with Chulalongkorn on December 30, 1901 the King in his speech expressed his particular gratification at the act of His Majesty King Edward VII in raising the rank of his diplomatic agent at Bangkok. The King siad, "I consider this kind act of His Majesty as a compliment as well as the evidence and testimony of the most friendly and kindly disposition which H.M. has shown and extended to me and my country."(1) During the second half of the 19th century there was a succession of British and French representatives at Bangkok, some of whom were too friendly to the Siamese and others too popular with their own governments. Some proved incompetent to safeguard the interests of their respective countries and others pressed the Siamese Government too hard. But all of them however misguided their actions, sought to give primary place to the interests of the country they represented as far as possible.

When we come to the fundamental question of British and French intentions in their dealings with Siam we shall see that Britain was mainly interested in her trade and in order to

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(1) F.O.69/219: Tower to F.O., December 30, 1901.

safeguard her commercial interests she was prepared to go far to safeguard the independence of Siam. The British Government did not ever want Siam to become a protectorate of France and their interest to maintain Siam as a buffer between Burma and French Indo-China prompted them to play for time as far as their territorial interests in the Malay Provinces were concerned. On the other side France, with few commercial interests in Siam, seemed to concentrate her policy on extending her territory at the cost of Siam. France considered the presence of Britain with all her friendship and goodwill in Siam as a stumblingblock to her ambitious intentions. At the instance of the French Colonial Party in France, the French representatives followed a very ardent forward policy in Siam. They knew what they wanted and they played their part accordingly. But the position of the British representatives was very difficult because they had on one side to deal with France to safeguard their commercial interests in Siam and preserve her as a buffer state and, on the other side, to keep a cautious watch on the King of Siam to prevent him from being too influenced by the French thus harming British interests. Siamese statesmanship was also confronted with a most difficult task in preserving the integrity and independence of the country in the face of these two western powers which were endeavouring to exert pressure in different directions on the Government. To them the French position was as clear as daylight, but the British position and policies remained obscure throughout our period. The period

between 1876-1904 was so critical in the history of Siamese relations with Great Britain and France that it taxed the best brains of all three nations to reach a final settlement. After considering the special problems that arose between the Powers, an attempt will be made to indicate how these policies were worked out and, as far as the available data permits, how a final agreement was reached. If this attempt meets with any success one of the main objects of this study will have been achieved.

CHAPTER II

ANGLO-SIAMESE RELATIONS: MALAY STATES

The Malay Peninsula can be considered as the key to Anglo-Siamese relations during our period. For a proper understanding of those relations it is essential to trace the growth of Siamese influence in Malay States. Soon after the foundation of Ayuthia in 1350, we find Siam laying serious claim to dominion over the whole of the Malay Peninsula, even though she only exercised authority over portions of the area.(1) During the earlier period the Siamese Kings whenever free from their constant wars with Burma, frequently invaded the Malay States with the intention of extending their empire and of securing slaves and supplies for their wars with Burma.

If we are to believe Siamese traditions they first conquered Ligor in the year A.D.1008.(2) It rebelled several times, the last occasion being in 1772 when Phya Tak, a King of Siam, made an expedition into the Malay Peninsula and after a few encounters with the Raja of Ligor took possession of the State. In 1776 the Raja was allowed to return and was restored to his former office. After that Ligor was entirely subject to Siam, and differed but little from the provinces of Siam proper

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(1) In 1511 Albuquerque, after conquering Malacca had dispatched an envoy to the Siamese Court presumably with the intention of avoiding any trouble with the Power which claimed suzerainty over the whole of the Malay Peninsula.

(2) F.O.69/32: Knox to F.O. Memorandum by Knox on the state of affairs in the Malay Peninsula.

with the exception that its government was hereditary. King Maha Mongkut in his note on the history of Siam maintains that through the power of Ligor fifteen or sixteen townships of the Malay country had been made subject to the Siamese King, among which were Kedah, Patani, Kelantan and Trengganu.(1) The State of Singgora was in the same position as that of Ligor; the rulers of both being Chao Phayas exercising authority over the Malay dependencies of Siam.(2) Patani which had been subject to Ayuthia for centuries was taken possession of by the Siamese in July 1786 and was divided into seven small states, Patani, Sai, Ligeh, Jalor, Jering, Nongchik and Raman, each with a separate chief. Added to the above important Siamese Malay States, north of Kedah there were several small coast states of which Rendong was probably the most important and under Siamese control.

Kedah because of its geographical position as partly coterminous with Siam and not far distant from Burma, had a chequered history. At various times and in different degrees it was a tributary of Burma and Siam, usually of Siam

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(1) Sir John Bowring, The Kingdom and People of Siam, Volume 2, Appendix A.

(2) There was some confusion about the Malay States under the authority of Ligor and Singgora. According to Mr. Knox (Memo. F.O.69/32) Kelantan and Kedah were under Singgora, whilst Trengganu and Patani were subject to Ligor. Sir Frank Swettenham says (British Malaya, p.313) that the seven divisions of Patani were under the authority of the Chukun of Singgora. On the other hand acting Governor of Straits Settlements, S.F. Dickson, mentions (F.O.69/139, October 28, 1890) that Kelantan was under Ligor.

when that power was strong enough to coerce it.[1] The Sultan of Kedah ceded the island of Penang in 1786 to the East India Company with the hope of securing military assistance. But the Directors of the Company, prefering not to become involved in the quarrels of the Malay rulers, decided in January 1778 not to make a defensive alliance with the Sultan. According to its declared policy the Company refused to assist the Sultan when the Siamese attacked Kedah and conquered it in 1821 deposing its Sultan. Consequently a bitter controversy arose in the Straits Settlements.[2] The attitude of the British authorities in not accepting the 'moral' responsibility to assist the Sultan was to a great extent influenced by the fear of inducing Burma and Siam, hitherto always in a state of feud, to combine against the East India Company.[3] They justified their policy on the basis of the dual claim that they had entered into no agreement to defend Kedah and that it was and had been a dependency of Siam.

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(1) Rupert Emerson: Malaysia [A study in direct and indirect rule], p.72.

(2) The Sultan of Kedah contended that the Company had broken its word, and in this he was supported by John Anderson, Governor Fullerton and Sir Stamford Raffles. On the other hand, the consensus of official opinion in the Straits was that no promise of assistance had been given or implied. John Crawfurd, Colonel Burney and Major Low supported this view.

(3) John Anderson, "Considerations on the Siamese conquest of Kedah and Perak", in a paper entitled Political and Commercial considerations relative to the Malayan Peninsula and British Settlement in the Straits of Malacca. This paper was written by Anderson, Secretary to the Government of Penang, at the request of Governor Fullerton in 1824. A copy can be found in the Public Record Office. F.O.69/82 enclosure in Colonial Office despatch, May 11, 1882.

The Siamese policy of extending their influence throughout the whole of the Malay Peninsula hastened the despatch of an Indian Government Mission to Bangkok.[1] Dr. John Crawfurd was selected as the envoy and he was instructed by both the Indian Government and the Penang Council to concentrate on commercial objectives. The Sultan of Kedah's restoration was considered as a minor matter. Crawfurd started with the greatest hope of gaining advantages both of a commercial and political nature "which never can be expected from that of the Malays". He thought that a political connection with Siam might balance the power of the Burmese.[2] Crawfurd failed in his mission, except in establishing a virtual acknowledgement of British right of sovereignty in Penang.

Robert Fullerton who came to Penang in August 1824 as governor, was strongly convinced that it was, "indispensable to the future peace and tranquillity of the Malay Peninsula that Siam should renounce all claims to sovereignty over every Malay state south of Patani and Kedah". He thought that a Siamese conquest in that region would entirely destroy the British trade with the Peninsula. But the Indian Government felt in a different way for political considerations. In 1826 Captain

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(1) John Crawfurd: A member of the Bengal Medical Service; had spent three years at Penang as a surgeon and had then been one of Raffles' assistants in Java. He succeeded Raffles as Resident of Singapore in 1823. He was one of the most famous Malayan scholars of his day.
(2) Crawfurd Papers, p.155, April 3, 1823.

Burney[1] was entrusted by the Indian Government with a mission to Bangkok to promote friendly relations with Siam. After protracted bargaining Burney concluded a treaty with the Government of Siam. This treaty formed the basis for the future relations of Britain and Siam both in political and commercial matters. The result of this treaty was a draw between the British and Siamese authorities. The success of establishing the independence of Perak[2] was counterbalanced by recognising Siamese supremacy over Kedah, and by leaving the clause on Kelantan and Trengganu as vague as possible the door was left open for further intervention by both parties. The result was not very much to the taste of Governor Fullerton. He regretted that the mission to Bangkok had "ever been entrusted to a man so unfitted for the charge".[3] Even though Burney was bitterly attacked by many in Penang the Government of India ratified his treaty with Siam.

From the time of the Burney treaty the relations between Britain and Siam were on the whole friendly and peaceful.

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(1) Henry Burney: Born at Calcutta on February 27, 1792. He joined the East India Company's service as Cadet. He was one of the two Penang officials who spoke Siamese. Between 1823 and 1825 he was deputed on missions at different times to Kedah and Prince of Wales Island. His mission to Siam earned for him very high praise from the Indian Government.

(2) By Article XIV of the Burney treaty, Siam waived the greater part of its pretensions with regard to Perak, although a provision was inserted that while the Raja should govern his country according to his own will, he could send the Bunga Mas (tribute of gold and silver flowers) to Bangkok if he so desired. Perak was further protected by the agreement of both the Siamese and the British not to attack or disturb her.

(3) A challenge to a duel from an official at Penang is preserved among the Burney manuscripts.

Sir John Bowring's treaty of 1855 and supplementary Agreement of 1856 between England and Siam helped to maintain friendly relations between the two countries. The growth and development of British influence in the Malay Peninsula is out of our study except where it is concerned with Anglo-Siamese relations. The Indian Government wedded to the principle of non-intervention in the Malay Peninsula, kept aloof from active interference inspite of the repeated attempts of the Straits Settlements authorities to break that principle. The British Foreign Office gave definite instructions to its representative in Bengkok to maintain friendly relations with the Government of Siam. In the instructions that were given to Sir R. Schomburgk on August 31, 1857 the Foreign Office made it clear that all appearance of dictation should be avoided and advice, representation or remonstrance should be conveyed in courteous language and in a friendly spirit. The British Government wished that the Siamese should be made to realise that the British had no desire to interfere with their internal government and had no thought of territorial acquisition at the expense of the Siamese.(1) The same policy of non-interference was followed even more rigorously from 1867 to 1873 during the term of the first Colonial Office Governor, Sir Harry Ord.(2)

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(1) F.O.69/6: F.O. to Sir R. Schomburgk, August 31, 1857.
(2) Rupert Emerson, op.cit., p.114.
Straits Settlements Government was transferred from India Office to Colonial Office on April 1, 1867.

As far as the Siamese Malay States were concerned Sir Harry, unlike his predecessors, considered States such as Kelantan and Trengganu definitely tributary to Siam. The proper occasion to express his opinion on the matter came when in 1869 the Sultan of Trengganu dispatched an envoy Tunku Mohamed Ariffin with a letter to Queen Victoria. As Tunku Mohamed was not provided with credentials either from the Governor of the Straits Settlements or from the British Consul at Bangkok, the Secretary of State for the Colonies, Lord Grenville, enquired about the status of the envoy.(1) In his reply Governor Ord defined the position of the Sultan of Trengganu thus: "With regard to the position of the Sultan of Trengganu I have never heard it questioned but that he was, like the Raja of Kedah and the other rulers of Provinces on the Malayan Peninsula, a tributary of the King of Siam, and that as such it was not competent for him to enter into any direct negotiation with a foreign government."(2)

The precise relationship of Siam and its Malay tributaries remained uncertain till the close of the century. It appears to have been the policy of the Siamese to interfere as little as possible with their tributary Malay States. The

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(1) F.O.69/82: Colonial Office to Foreign Office, May 11, 1882. Enclosure: Memo by Swettenham, February 20, 1882.

(2) On the question of the status of the Sultan of Trengganu, Governor Cavenagh wrote in a despatch to the Government of India on July 19, 1861 that Trengganu acknowledged to a certain extent as tributary to Siam. But he changed his opinion so completely that in 1862 he asserted that the Sultan of Trengganu was at all times recognised as an independent chief.

only material advantage which they desired from them was the tribute and Bunga Mas.[1] Different Governors of the Straits interpreted the status of the Siamese Malay States in different ways. But in principle the British were committed to non-intervention in the affairs of these States, over which undefined Siamese claims had presumably been recognised.

During the latter half of the 19th century the relations between Great Britain and Siam in the Malay Peninsula were to a great degree influenced by the growth and development of British protected Malay States and the serious French threat to the integrity and independence of Siam.[2] Undoubtedly these considerations distracted British attention from the Siamese Malay States from time to time. But the problem of the Perak-Raman boundary; the conclusion of a secret Malay convention between Britain and Siam; and negotiations for the appointment of British nationals as Siamese advisers in Kelantan and Trengganu contributed to a great extent to the formulation of British policy towards Siam in general and Siamese Malay states in particular. In determining Anglo-Siamese relations during our period, consideration of the above problems as far as available data allows will be a definite contribution to the subject under discussion. While

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(1) F.O.69/32: Knox to F.O.
(2) Sir R. Schomburgk in a despatch dated September 26, 1861 to the Foreign Office mentioned "France strives to extend her power in the Gulf of Siam, and aims perhaps even to the possession of that tongue of land, the Malay Peninsula".

considering British policy in the Siamese Malay States one should bear in mind the different agencies at work - the British Foreign Office and its representative in Bangkok on one side, and the Colonial Office and its representatives in the Straits Settlements on the other - occasionally pulling in different directions as far as the question of maintaining Siamese influence in the Malay Peninsula was concerned.

Sir Frederick Weld, Governor of the Straits Settlements (1880-1887) advocated a British advance in the Siamese Malay States, primarily because of the danger of Siam falling into the hands of some other power.(1) An opportunity came to him to deal with the question of Siamese influence in the Malay States when Perak claimed the restitution of some of its territory alleged to have been encroached upon by Raman State, a tributary to Siam. In June 1882 Sir F. Weld informed the Colonial Office that it had from time to time come under his notice that the Government of Siam had, through its subordinates in the Malay Peninsula, encroached on the north-east boundary of Perak. He asked for a settlement of boundaries in Siam in this region.(2) Enclosed in Weld's letter was a complaint from the Raja of Perak, who appealed for British assistance. The Raja based his request on the treaty

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(1) Rupert Emerson, op.cit., p.222.
(2) F.O.69/92: Foreign Office memo on Perak and Siam, July 19, 1884.

of 1826[1] and alluded to the encroachment in question as an infringement of that treaty. Contrary to the provisions of the said treaty Siamese officials were governing, and levying taxes in, part of the Perak territory against the will of the Raja. When this complaint was forwarded to the Siamese Government on October 20, 1882 through Mr. Palgrave, the British Agent, the Siamese Government sent orders to Raman to stop the levying of taxes in that region, pending the settlement of the dispute.[2] At the same time they asked for the precise limits of Perak's demands along with evidence to prove their case. Mr. Newman, acting British Agent in Bangkok, after communicating with Weld presented on June 13, 1883 the claim of Perak to the whole basin of the Perak river and its tributaries as the boundary on the north-east. As no evidence was produced to support the claim of Perak, the Siamese Government, while expressing their willingness to do justice in the matter, preferred to appoint a commission to examine the boundaries of the disputed area. Consequently a commission accompanied by Mr. McCarthy, an English surveyor, left Bangkok on June 9, 1883.[3] Meanwhile the King of Siam in a private

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(1) In September 1826 Governor Fullerton sent Captain Low to Perak. On October 18, 1826 he concluded a treaty with the Raja of Perak by which the Raja promised never to have any communication with Siam and in return Low promised the assistance of the British in expelling any Siamese or Malays who might enter Perak territory with political views. There is no indication that this treaty was ever ratified, but in part at least it was thereafter regarded as being in force and was used in 1874 to justify British intervention in Perak.

(2) F.O.69/92: Foreign Office memo on Perak and Siam, July 19, 1884.

(3) F.O.69/92: Ibid.

conversation with Mr. Newman reiterated his willingness to comply with the wishes of the Straits Settlements Government and said that for safety against any French pretentions in their sphere, the formality of a commission was essential.(1)

After the return of the McCarthy commission to Bangkok, the Siamese Foreign Minister in his reply to the Perak demands maintained that Perak was claiming more than 2,300 sq. miles of territory and "any alteration of boundary since 1826 Treaty has been not in favour of but against the interests of Siam".(2) Owing to the objections of the Sultan of Raman the Siamese Government abandoned their idea of demarcating the boundaries.(3)

When Governor Weld was informed of the Siamese attitude he felt that the only alternative left to him was to place the whole case before the British Government in person. In his letter to Mr. Satow, which was intended to be forwarded to the Siamese Government, he mentioned that pending reference to London he had directed the territory in dispute not to be occupied by Perak unless action on the part of Siam should render such a step necessary. Satow abstained from communicating this portion of the letter to the Siamese as he did not consider himself justified in conveying what might have the appearance of a threat without instructions from the Foreign Secretary.(4)

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(1) F.O.69/92: Ibid.
(2) F.O.69/92: Praklang's letter to the British representative, January 23, 1884.
(3) F.O.69/204: F.O. to Greville, September 4, 1897.
(4) F.O.69/92: Foreign Office memo on Perak and Siam, July 19,1884.

Mr. Satow at length examined the claims of Perak in a despatch to the Foreign Office, presumably in answer to arguments given in a memorandum by Sir Hugh Low, British Resident in Perak. Satow felt that as the Raja of Perak had been deprived of the territory in question before the date of the treaty with Siam, the Raja could hardly be entitled, either under the Burney treaty or under the Low treaty of 1826 to the assistance of the British Government. The advisability of taking responsibility in claiming for Perak the restitution of territory that had slipped from its hold by going further back than the year 1874 when the Protectorate of Great Britain over Perak was first effectively established, was questionable. In his opinion it would be regrettable if Siam's confidence in the British Government should be disturbed by supporting the claim of the Raja of Perak "which at best is but of a shadowy nature and of antiquated origin". The resuscitation of claims that had so long remained dormant might furnish encouragement to the advocates of the retrocession of the provinces of Battambang and Siem-reap to Cambodia. The Siamese felt that such a claim for alienation of their territory would be the first step in a policy destined to bring about the partition of their kingdom and its vassal states between the two great Powers that hemmed it in on either side.(1)

As a result of Satow's persuasive arguments the Colonial Office in a mild tone informed the Foreign Office that

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(1) F.O.69/89: Satow to F.O., May 28, 1884.

Lord Derby had never advocated any extreme pressure being put upon Siam in regard to this matter.(1)

In the meantime the Kalahom of Siam complained to the British authorities that a party of Perak Malays had attempted to work some tin mines in the territory of the Sultan of Raman without permission.(2) But this charge was not believed by Weld who stated that no such occurrence had come to his knowledge when he visited Perak. A voluminous correspondence took place on the subject between the governments of Siam and the Straits Settlements but with no practical result.

In 1885 Governor Weld, accompanied by Raja Idris, Chief Justice of Perak, and Sir Hugh Low, reached London to represent to the Colonial and Foreign Offices Perak's case for a rectification of its boundary. When he was confronted with the argument of a possible French threat to Siam he replied: "it appears to be feared that if we do our duty to our friends and fulfil our obligations to our Protected state of Perak, we may lose or fail to regain influence at the Court of Siam and throw the Siamese into the hands of the French". He cautioned that the British Government should not repeat the error they committed in the case of the Sultan of Kedah, with consequences still more unfortunate. The argument that it would be safer to inspire

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(1) F.O.69/92: Colonial Office to Foreign Office, July 25, 1884.
(2) Siamese Malay Provinces were under the jurisdiction of the Kalahom's department.

confidence in Siam was countered by him by the assertion that Siam contained in itself "all the elements of dissolution and would crumble at the touch of a strong hand, unless supported and taken under the active protection of a strong Power". "At all risks be just, at all risks be firm" was the motto suggested by him.(1) Sir F. Weld, while in London tried his best to win his point with the British Government. He went so far as to recommend compensation to the Siamese Government for the territory under dispute. Mr. Meade of the Colonial Office, communicating the suggestion of compensation to the Foreign Office remarked that, "Perak can pay a handsome sum to grease the Siamese wheels in yielding their claims" and that would probably be found the best solution.(2)

Lord Salisbury, the Secretary of State for Foreign Affairs, in a letter to the Siamese Minister in London on August 22, 1885 stated that in the opinion of Her Majesty's Government the claims advanced by the Perak Government had been substantiated and should be admitted. But the Siamese Government were not in a mood to cede the territory without considerable pressure. In the opinion of the British Foreign Office "the Siamese have got bumptious of late and Mr. Verney their English Secretary, who is a silly mischievous fellow, encourages them".(3)

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(1) F.O.69/103: Weld to the Earl of Derby, March 12, 1885.
(2) F.O.69/92: Meade to Poncefote (Private) July 5, 1884.
(3) F.O.69/104: Foreign Office note by Poncefote, August 27, 1885.

Sir F. Weld and Sir Hugh Low argued that if Perak failed to obtain the cession British policy in the Malay States would suffer seriously. The Colonial and India Offices attached much importance to prestige. But the Foreign Office had to consider whether British interest in the rectification of the boundary was sufficiently strong to make it worthwhile to apply the necessary pressure, in view of the risk of disturbing their relations with Siam and enabling France to justify her high handed proceedings by quoting the British example. When Sir Julian Poncefote, Permanent Under-Secretary of State for Foreign Affairs, suggested "a little bullying" of the Siamese, Lord Salisbury recommended patience as there were "some awkward negotiations concerning with France about French concessions in Burmah".(1) As a result of this caution the British Foreign Office became so conciliatory by July 1886 that the Foreign Secretary confidentially informed the British Representative at Bangkok (Mr. Gould) that the British Government had no intention of urging the cession of the disputed territory to Perak, but he would see with pleasure the conclusion of a friendly arrangement under which the district might be administered by the Perak authorities.(2) The Foreign

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(1) F.O.69/104: Lord Salisbury's comment on F.O. note, August 27, 1885.

(2) F.O.69/108: F.O. to Gould, July 10, 1886. F.O. to Satow, September 30, 1886. In the despatch to Satow the Foreign Office suggested as agreed by the Straits Government for the administration of the disputed district by Perak or for its purchase. If the negotiations for a friendly arrangement failed the British Government reserved the right of action in respect of Perak's claim to the disputed district.

Office was anxious for a speedy settlement of this question in London itself for furthering the continuance of good relations between England and Siam. But Lord Salisbury was not in a mood to act in this matter till he was sure of the line the new French Government would take about the Malay Peninsula. On April 30, 1886 Lord Rosebery who succeeded Lord Salisbury at the Foreign Office enquired in a note "why are we determined to do nothing to rectify the frontier of Perak if Salisbury decided in favour of Perak ?". The official records do not help us with any answer to this question. But we can safely assume that the troubles with Burma during that period and suspicions regarding French aims in that region influenced the British policy of postponing the matter of the Perak boundary. The Siamese Foreign Minister turned down the idea of monetary compensation and even though Mr. Satow informed the British Government of certain proposals for agreement regarding the leasing of disputed territory to Perak[1] the matter was allowed to rest for nearly ten years before it was taken up again.

During the interval the problem of the policy to be followed in the case of the Siamese Malay States created perpetual controversy between the Straits authorities and the British Representatives in Bangkok. The Straits Government resisted Siamese claims in the Malay Peninsula and consistently urged if

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(1) F.O.69/110: Satow to F.O., November 14, 1886.

not annexation at least the establishment of a protectorate over Siamese Malay States. No opportunity was missed to protest against the Siamese attempts to increase their authority in the Peninsula. The controversy during our period resulted in very bitter criticism of the Straits authorities by British Ministers at Bangkok. Hints of scandals were even found in their private correspondence.(1)

Inspite of the efforts of individuals the overwhelming Imperial interests always prevailed. The Foreign Office made it clear that Siam was not exclusively an Indian concern. Because of the Imperial interests involved Siamese matters were dealt with by the Foreign Office. No doubt the Foreign Office considered the people on the spot as bad judges on questions concerning Imperial interests. As far as the Siamese Malay States were concerned the Foreign Office relied more on its own judgment than on the men on the spot. But undoubtedly the 1909 treaty between England and Siam by which Siam ceded Kedah, Perlis, Kelantan and Trengganu to Great Britain represents the culmination of a policy pursued for many years by a number of British officials, and the detailed story of their efforts will be told during the course of this chapter.

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(1) F.O.69/196: Tower to Gosselin (Private), March 2, 1899. The letter runs thus: "Prince Devawongse told me a curious thing about this boundary (Perak-Raman) question. In 1884 or about that time he received a letter from Morant (former tutor of the late Crown Prince) asking for large concessions (in fact the greater part of this disputed territory) for Sir Hugh Low ! and Sir C.C. Smith. Unfortunately he cannot lay his hand on the letter and he also said that he had received a letter on the subject from Sir C. Smith, curious but instructive, if true !"

In 1882, when Siam was attempting to interfere in Trengganu, the Straits Government protested to the British representative at Bangkok. Mr. Palgrave in his answer maintained that by refusing to admit the Siamese claims the Straits Government would have to take upon itself the suzerainty of Trengganu and Kelantan. According to Palgrave these small Malay States were neither capable nor desirous of absolute independence and could only renounce Siamese suzerainty for another more powerful one. He envisaged that such a line of conduct once entered on "could only terminate in actual annexation along an indefinite frontier". He argued that it was important not to destroy Siam's confidence in the power they looked to for support against France.(1)

Palgrave's arguments had no effect on the Straits authorities. They in turn refused to allow permits for the export of gunpowder to Trengganu to be counter signed by the Siamese Consul at Singapore as was done in the case of powder and arms exported to Siam proper. While recommending this line of action Administrator Sir C.C. Smith argued that the question of counter signature on permits by the Siamese Consul was a small matter, but it was the first attempt on the part of Siam to interfere in the trade between the Straits Settlements and any of the Malay States on the east coast. He felt that such interference must be resisted and as far as Siamese influence was concerned "in the

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(1) F.O.69/81: Palgrave to F.O., April 26, 1882.

cause of humanity and good order in the Peninsula it would be prudent to weaken and not strengthen that influence, which works nothing but harm wherever it is felt". He expected that the time would come when the Rajas and people of those Siamese Malay States would seek British aid to throw off all connection with Siam and hence he advised the British Government that nothing should be done to recognise the claims of the Siamese to interfere with the trade and administration of Trengganu or any other State similarly situated.(1)

Mr. Satow in his reply went a step further and felt that Smith's contention involved British policy in Siam, a matter in which the Straits Government and the British Agency at Bangkok should act in harmony and use identical language. He thought that if it were desirable in the cause of humanity that British rule should prevail in the Malay Peninsula it might with equal justice be considered advantageous to extend British authority over the whole of Siam for the same reason. Satow was convinced that the British Government desired rather to see Siam strong, united and independent. In his opinion an internally powerful State leaning on Great Britain was to be preferred to a weak and distrustful Government . Assuming that this was to be the basis of British action, Satow felt convinced that it would be an unquestionable principle that existing Siamese rights should be respected. He wrote

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(1) F.O.69/103: C.C. Smith to Colonial Office, January 5, 1885.

"it should be our aim to inspire the King with confidence in our disinterestedness."[1] But the Foreign Office was inclined to agree with Sir F. Weld and Sir C. Smith rather than with Mr. Satow on the point of Siamese influence in Malay States.[2] At the same time they considered it unadvisable to take any active step which would disturb the status quo and offend the susceptibilities of the Siamese Government.

Mr. Satow during a visit to Singapore in January 1885 begged the Secretary of the Straits Government to give way on the point of accepting Siamese rights over Trengganu. From his experience of the Singapore authorities he came to the conclusion that Sir F. Weld expected the ultimate absorption of Siam by France and consequently wanted to forestall the French in any possible designs on the Malay States of Siam by securing the reversion of that part of the inheritance. In former years Lord Kimberley, Secretary of State for Colonies, had written very strongly[3] to Singapore disapproving of attempts at further extension. But Satow felt that the colonial people all over the world "seem to be bitten with the mania of annexing at the expense of the British taxpayer". In fact the Secretary of the King of Siam remarked to Satow that Mr. Smith and some of the members of the Council wanted to turn Siamese out of the Malay Peninsula.[4] Satow

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(1) F.O.69/99: Satow to F.O., January 23, 1885.
(2) F.O.69/98: F.O. to Satow, Mary 25, 1885.
(3) Lord Kimberley subsequently changed his policy. While commenting on Satow's despatch on March 25, 1885 he wrote "when I wrote against further annexations the French did not threaten Siam". He was disposed to agree with Weld and observed that he had no faith in Siam being kept long out of French hands.
(4) F.O.69/99: Satow to Currie (Private) January 22, 1885.

felt that it would be suicidal to nibble at her territory or weaken her prestige with her tributaries. In a private letter to Sir P. Currie, Under Secretary of State for Foreign Affairs, he mentioned that Sir Cecil C. Smith, Acting Governor of the Straits Settlements, seemed to consider it quite a matter of course that everyone should look upon the expulsion of Siam from Malaya as a desirable and even necessary thing in the interests of good administration, in fact as part of the 'civilizing mission' of England. Criticising the shortsighted policy of the Straits Government he remarked that "the separation in 1867 from India may have been good for the colony but bad for the empire. Singapore thinks only of its own hand".(1)

Satow prepared yet another memorandum on the policy to be followed in Siam regarding its tributary States in the Malay Peninsula. While agreeing that the King should learn that 'every herring must hang by its own head', he advocated a third possible policy which was intermediate between that of Sir F. Weld and that of the 'backers of Siam'. He said "we should carefully avoid any step that might lead the King to suspect that we desire to deprive him of territory". He further suggested that while seeking to disarm his suspicions, the British Government should also act as his friend in any question that might arise between him and foreign powers as to the interpretation of treaty provisions and particularly matters of

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(1) F.O.69/105: Satow to Currie (Private) September 13, 1885.

jurisdiction about which Eastern Governments were always very sensitive. Satow was convinced that was the only way to secure the confidence of the King and to learn of any French intrigue to absorb Siam into the French Colonial system before it became too late.(1) This suggestion received warm support from the Secretary of State for India, Lord Randolph Churchill.(2) The fact that Churchill supported Satow did more to influence the Foreign Office to support his policy than did his arguments; and the results of the acceptance of Satow's suggestions soon became apparent.

Lord Knutsford, the Secretary of State for Colonies, suggested,in a letter dated March 7, 1889, to the Foreign Office that with a view to placing Trengganu under British protection Sir C. Smith should be directed to conclude an agreement with the Sultan of that State, and the Straits Government should be authorised to take an opportunity of ascertaining the true position of affairs in Kelantan.(3) He further suggested that a warning should be addressed to the Siamese Government that the British Government could not recognise their right to interfere in any way with Kelantan and Trengganu and that they should be informed that Trengganu had been placed under British protection. On this point the Foreign Office thought that the conclusion of a

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(1) F.O.69/105: Satow to F.O., June 20, 1885.
(2) F.O.69/104: India Office to Foreign Office, September 17,1885.
(3) F.O.69/136: Colonial Office to Foreign Office, March 7, 1889.

protectorate agreement with Trengganu would be a violation of the Article XII of the 1826 Burney Treaty. Apart from this consideration Lord Salisbury came to the conclusion that it would be a very unwise for Britain to assume a protectorate either over Kelantan or Trengganu, for fear of precipitating an embarrassing agreement between Siam and France. So the Colonial Office suggestions were not entertained.(1) When the Foreign Secretary came to learn of a visit of Governor of Straits Settlements to Trengganu and Kelantan in 1893 he was greatly annoyed. While declaring British policy regarding these two States as unaltered he considered the Governor's visit as "unauthorised, unexplained and ill-advised".(2) The Foreign Office received yet another memorandum from Sir Hugh Low wherein he stated that it would be advantageous that the States of the Malay Peninsula should be administered by England. Sir P. Currie thought that it would be useless to ask the Siamese Government to give up any of the States it claimed in the Malay Peninsula so that they could be administered by Great Britain. Lord Salisbury characterised the memo as a "truly typical piece of British vagueness" and said it need not be answered.(3)

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(1) F.O.69/136: F.O. to Colonial Office, March 29, 1889.
(2) F.O.17/1180: F.O. to Jones, July 22, 1893.
(3) F.O.69/137: F.O. note on the Memo of Sir Hugh Low, July 18, 1889.

In the meanwhile the question of the Pahang rebels[1] who had taken refuge in Trengganu and Kelantan created endless difficulties to the Straits Government. Mr. (later Sir) Hugh Clifford, who was entrusted with the work of arresting the rebels, was at first unable to do so. Sir Charles Mitchell, the Governor of the Straits Settlements became angry and blamed Siam for the failure of Mr. Clifford. Commenting on Sir Charles' attitude Mr. (later Sir) Maurice de Bunsen, the British Chargé d'Affaires at Bangkok, wrote in a private letter to Sir Frank Bertie, Under Secretary of State for Foreign Affairs, "I don't see how he makes it out, having formally refused their (Siam's) last offer, made about a month ago, to send a force". He was convinced that Siam had no interest in protecting the rebels, though doubtless the Sultan of Trengganu had. The Straits and Bangkok papers considered it all as a first step to British annexation, and the French Press was delighted. Mr. de Bunsen wrote, "I may tell you privately that Charles (Sir C. Mitchell) in his letters to me scarcely disguises his desire to annex".[2] According to de Bunsen nothing would be more impolitic than annexing Trengganu which would provide France with an excellent excuse for annexing

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(1) Some of the important Chiefs of Pahang State took up arms against the new regime under the British Resident, who was appointed in October 1888 at the request of the Ruler. The consequence was a long, harassing and expensive operation by British authorities against them. Mr. Hugh Clifford, who had already spent some years in Pahang as Governor's agent, and was then working as the assistant to the Resident , was entrusted with the work of arresting the rebel Chiefs.

(2) F.O.17/1268: de Bunsen to Bertie, June 20, 1895.

Battambang. The Straits authorities were convinced that to improve the condition of affairs in Pahang and compel the Sultans of Kelantan and Trengganu to act in fairness to their neighbours overlordship of these two States was essential. Failing the British assumption of such compelling power, Sir Charles Mitchell advocated recognition of Siamese suzerainty over Kelantan and Trengganu. At the same time he maintained that so to recognise Siamese suzerainty would be a fresh departure in the British policy hitherto pursued in regard to the Eastern States of the Malay Peninsula.(1)

In 1896 a very important agreement was concluded between Great Britain and France by which the independence and integrity of the Menam Valley of Siam was guaranteed by the two European Powers. The British Government tried to persuade the French Government to include the whole of Siam in the agreement but finally agreed to the guarantee of Menam Valley only because of the unwillingness of the French to commit themselves beyond this area.(2) The immediate reaction in Siam to this arrangement was one of suspicion. The Siamese authorities felt that the agreement was nothing short of an Anglo-French partition treaty and the districts not included in the arrangement would at once be annexed by England and France. The French press and politicians

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(1) F.O.69/172: Mitchell to Colonial Office, November 5, 1895.
(2) For detailed discussion on the Anglo-French Agreement of 1896 see Chapter VI.

openly declared that this agreement involved the recognition of the claims of France in the Valley of the Mekong and of Great Britain in the Malay Peninsula. At the time of the conclusion of the Agreement Lord Salisbury has expressly guarded himself against this interpretation. In a communication to the Marquis of Dufferin and Ava, British Ambassador in Paris, Lord Salisbury explained, "we fully recognise the rights of Siam to the full and undisturbed enjoyment, in accordance with long usage, or with existing Treaties, of the entire territory comprised within her (Siam's) dominions; and nothing in our present action would detract in any degree from the validity of the rights of the King of Siam to those portions of his territory which are not affected by this treaty. We have selected a particular area for the application of the stipulations of this treaty not because of the title of the King of Siam to other portions of his dominions is less valid, but because it is the area which affects our interests as a commercial nation.(1)

Subsequently because of predominent British interests in the Malay Peninsula the Foreign Office sounded its representative in Bangkok secretly as to whether the Siamese Government would be inclined to enter into an engagement not to alienate the Western portion of her kingdom to anybody. Such an engagement Mr. T. Sanderson, Under Secretary of State for Foreign Affairs, argued would provide Siam with almost equivalent security for

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(1) F.O.69/174: Salisbury to Dufferin, January 15, 1896.

the western portion of her territory which was outside the Anglo-French Agreement. It would follow as a result that Siam could plead her engagement to England on whom the responsibility would fall if any Power pressed her to alienate any part of this region.(1)

It was not very difficult to persuade the Siamese to agree to such an arrangement, because they were sufficiently scared by the reports published in the Singapore press of the speeches of Sir C. Smith, ex-governor of the Straits Settlements, which were full of hints of British annexation of the Siamese Malay States. Governor Mitchell was also very anxious to settle the question of Siam's exclusive rights in Trengganu and Kelantan because he felt, "that these most astute Asiatics are taking advantage of us, and the matter ought to be definitely settled, inspite of our newly formed servile attitude to French susceptibilities".(2)

The matter was finally settled, but not to the liking of the Colonial authorities. A secret Malay Convention was concluded between England and Siam and was signed on April 6, 1897.(3) By this Convention the King of Siam engaged not to cede or alienate to any other Power his rights over any portion of the territories or islands lying to the south of Muang Bang Tapan. On their part the British Government agreed to support the King of Siam in

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(1) F.O.17/1293: Sanderson to de Bunsen, January 24, 1896.
(2) F.O.69/176: Mitchell to de Bunsen, (Private), November 26, 1896.
(3) For the text of the Secret Malay Convention see Appendix X.

resisting any attempt by a third Power to acquire dominion or to establish its influence or Protectorate in the territories or islands above mentioned. The King of Siam agreed not to grant, cede or let any special privilege whether of land or trade, either to the Government or to the subjects of a third Power without the written consent of the British Government and in return the British Government engaged to support the King of Siam in the execution of his responsibilities. The Siamese were very happy with the arrangement because for the first time they felt reassured regarding British policy in the Malay Peninsula. Much uncertainty was removed by Britain accepting Siamese suzerainty over her Malay dependencies.

Soon after the conclusion of the secret Malay Convention in 1897, Lord Salisbury thought it an appropriate moment to revive the question of the Perak-Raman boundary. As Siam had gained important advantages by the secret Convention, by which the British Government had waived their objections regarding Siamese rights over Kelantan and Trengganu, the Foreign Minister expected that the Siamese Government would put requisite pressure on the Sultan of Raman to induce him to give way on the point of his frontier with Perak so that an "end may be put to all frontier disputes in that region."(1) The Colonial Office thought it better to send Sir Charles Mitchell with the Resident General

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(1) F.O.69/204: F.O. to Greville, September 4, 1887.

of the Federated Malay States, Sir Frank Swettenham, to Bangkok to negotiate a final settlement of the matter "upon whatever basis may appear most practicable". Both the parties were in a mood to discuss the entire matter with a view to a reasonable compromise.(1)

At the suggestion of the Foreign Office Mr. Greville, the British Minister at Bangkok, after communicating with Mitchell and Swettenham, negotiated an agreement with the Siamese Government. But during his negotiations complications arose because the Straits authorities were unwilling to have the whole frontier settled and to accept the extradition of criminals between Raman and the Federated Malay States. This unwillingness made Mr. Greville feel that Mitchell and Swettenham were annoyed at being prevented from going to Bangkok to negotiate the agreement, and that Mitchell especially would try his best to upset the proposed agreement. To avoid any such eventuality Greville suggested that the Governor should be informed of the text of the Secret Convention of 1897. In a private letter Greville wrote, "if he (Mitchell) gets his piece of territory full of gold and tin mines, to which his right is more than doubtful, surely there can be no objection to having the whole boundary defined at the same time".(2)

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(1) F.O.69/204: Colonial Office to F.O., November 23, 1898.
Greville to F.O., March 15, 1899.

(2) F.O.69/204: Greville to F.O., September 1, 1899.

Swettenham refused the idea of dealing with Siam on the question of extradition as with civilised Powers, and came to the conclusion that the British Government should hesitate to hand over any one to the judicial farce which takes the place of justice in Raman.(1) But Greville still argued with the hope of bringing round the Foreign Office to his view. In his answer to the Colonial point of view Greville maintained that it would be impossible to tell the King so, and it would certainly arouse His Majesty's suspicions as to the honesty of British intentions, especially after he had agreed to a compromise and had acted upon its assurance by accepting at once the boundary suggested by Sir F. Swettenham. With regard to the extension of the provisions of the Burma-Siam Extradition Treaty to the Malay Peninsula, Sir C. Mitchell and Sir F. Swettenham were of the opinion that it would be better not to introduce Siam's half civilized methods into the Malay Peninsula. But Greville questioned their wisdom in recommending British Government to refuse to Siam in the Malay Peninsula what they had already accorded to her on her western frontier. In conclusion he tried even a moral argument in support of his contention and stated, "if the King is prepared to abandon 1000 square miles of what he considered to be part of his dominions I do not consider that he is asking much in exchange."(2)

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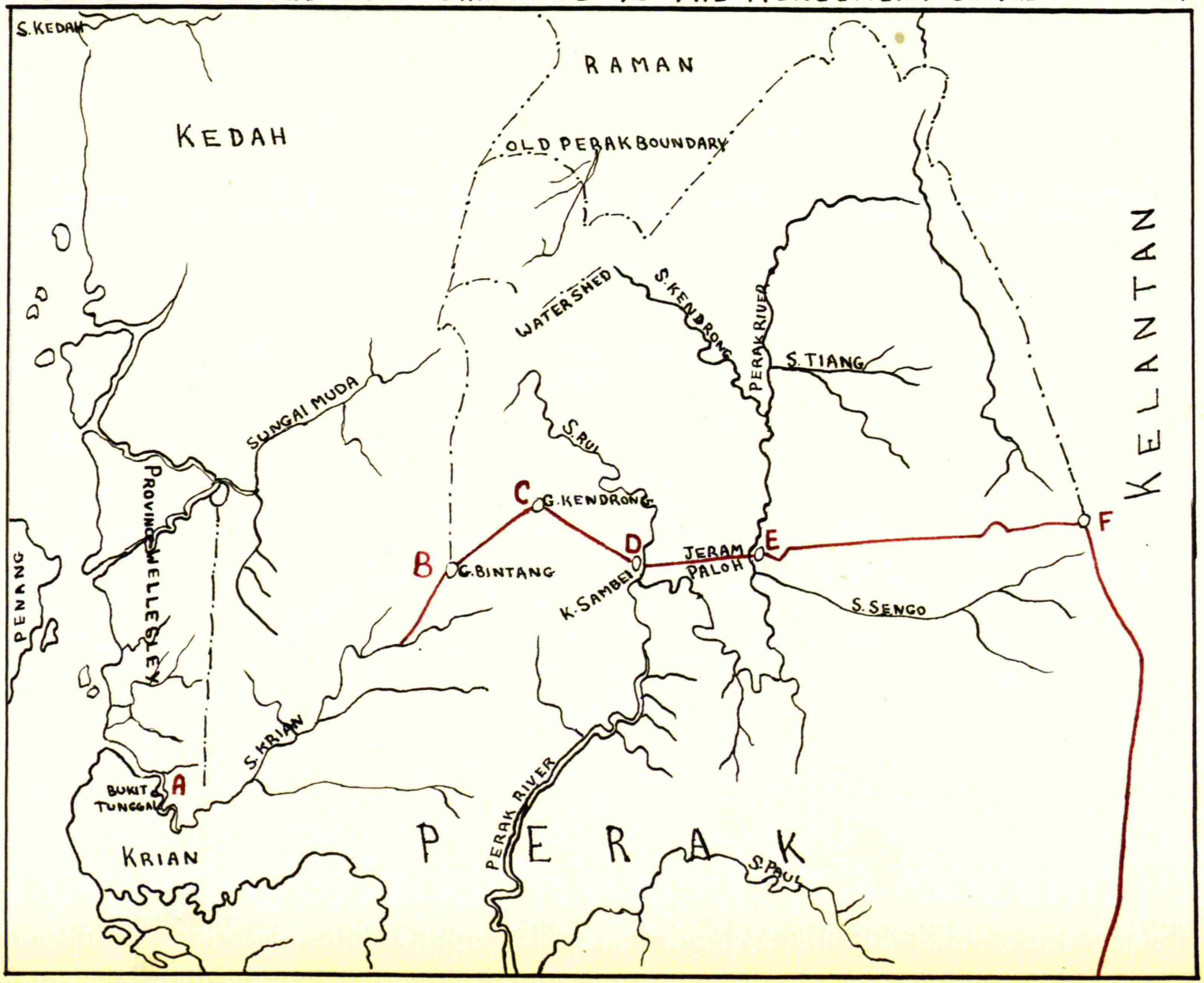
(1) F.O.69/204: Greville to F.O., September 1, 1899.
(2) F.O.69/199: Greville to F.O., August 16, 1899.

Anglo-Siamese Boundary

Taken From The Map Annexed To The Agreement Of The 29th. Nov. 1899.



Lord Salisbury explained that his Government wished that there should not be any reference to the question as to the boundary of Province Wellesley, while the boundaries between Perak and Pahang on the one hand and Kelantan and Trengganu on the other should not be geographically defined but might be referred to as to be delimited hereafter by a joint commission. The Colonial Office insisted on a provision for the proper treatment of criminals extradited to any of the Siamese Malay States.(1) An agreement was finally signed in Bangkok on November 29, 1899 by which all frontier disputes in the Malay Peninsula were settled. The boundaries between the states of Perak and Pahang on the one side and the Siamese province of Raman and dependencies of Kedah, Kelantan and Trengganu on the other were defined. The credit for such an agreement goes to Mr. Greville. The later part of the negotiations were particularly marked with the utmost cordiality and a friendly spirit of give and take between the Siamese and the British representatives.

In 1902 Sir F. Swettenham enquired of the home Government whether he should seek to persuade the Siamese Government to cede to Great Britain all the islands in the Malay Peninsula. At that time England was bound to Siam by the Secret Convention of 1897 and any modification could only be obtained by friendly arrangement. Sir F. Bertie while discussing the possibilities noted, "if we do not propose to go beyond our present guarantee

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(1) F.O.69/204: F.O. to Greville, October 27, 1899.

or protection arrangements I do not think that we shall get much out of the King, for he is between the Devil and the deep sea". He questioned the advisability of considerably extending British liabilities.(1) In his reply to the Colonial Office Lord Lansdowne, Secretary of State for Foreign Affairs, made it clear that the Government desired that the King of Siam should regard Great Britain as his protector and that the Foreign Office had induced him to meet Sir F. Swettenham to discuss measures for safeguarding his interests in the Malay States. He felt that the moment was not well chosen for an attempt to obtain from the King the cession of the whole of these islands.(2)

But within a few days of the suggestion, the Foreign Office received news from Bangkok that the King was greatly perturbed by pressure put upon him by Governor Swettenham to cede Kelantan and Trengganu to Great Britain.(3) The Foreign Secretary felt that Swettenham was being too impatient. Swettenham justified his action by saying that he only suggested that the King should not make any further efforts to establish his authority in Kelantan and Trengganu.(4)

Lord Lansdowne on his part suggested to the Siamese Minister in London the appointment of British officers as

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(1) F.O.69/236: Foreign Office note on Colonial Office dispatch, February 7, 1902.
(2) F.O.69/236: F.O. to Colonial Office, February 25, 1902.
(3) F.O.69/236: Tower to F.O., March 7, 1902.
(4) Telegram from Swettenham dated March 10, 1902.

advisers to the Rajas of the Siamese Malay States. This ideawas favourably received by the Siamese Government and their Minister in London was authorised to intimate to the British Government that they were prepared to accept the suggestion. They asked for a provision that the officers appointed should act under Prince Damrong, the Minister of Interior and should be entirely under the control of the Siamese Government. By this time Lord Lansdowne was in receipt of a telegram from Mr. Reginald Tower, the British Envoy in Bangkok, according to which the Siamese Government had prepared a draft agreement for submission to the rulers of Kelantan and Trengganu; it contained an article under which the King of Siam undertook to nominate officers as Residents in the Malay States to act as advisers to the rulers. But nothing was said in the telegram to the effect that these officers were to be British. When this fact was mentioned to the Siamese Minister by Lord Lansdowne the Minister remarked that there could be no doubt as to the intention of the Siamese Government upon this point.(1)

Accordingly Mr. Tower was instructed to negotiate with the Siamese Government. During these negotiations a misunderstanding arose as to the nationality of the officers to be appointed. On April 9, 1902 the Siamese Minister during his talk with Lord Lansdowne made it clear that there could be no doubt as to the intentions of his Government on this point. But the Siamese Foreign

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(1) F.O.69/226: Lansdowne to Tower, April 9, 1902.

Minister told Tower that his Government never intended to appoint Residents of British nationality. As Mr. Tower felt that it was contrary to the spirit of the negotiations, he asked for an audience of the King.(1) This news created an extremely bad impression on Lord Lansdowne and in his despatch to Tower he wrote, "it is useless for you to waste your time in interviews with the Minister for Foreign Affairs, or for me to waste mine in interviews with the Siamese Minister, if so little dependence is to be placed on their statements". He felt that if the Siamese treated other Governments in the same manner it was "not surprising that their relations with those Governments should be unsatisfactory".(2)

At a time when the British Government was considering the possibility of dealing with Kelantan and Trengganu independently of Siam, the Foreign Office received a telegram from Mr. Tower intimating that the French Minister at Bangkok had sent a note to the Siamese Government demanding that foreign rival capital should be debarred from the Mekong Valley.(3) Frank Bertie in a note on Tower's telegram commented that it was understandable that the Siamese should continue to resist the British, for they were being pressed on the East by the French and on the West by the English and they felt that any concessions made to the English would have to be compensated for to the French. He envisaged a danger of Siam appealing to Russia and Germany as the only means of escape

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(1) F.O.69/232: Tower to F.O., May 17, 1902.
(2) F.O.69/232:Lansdowne to Tower, May 19, 1902.
(3) F.O.69/232: Tower to F.O., May 25, 1902.

from the ultimate division of their country between France and England. He gave a warning that any move on the part of Britain in the Malay States might place Siam in a position as regards Anglo-French relations from which it would be difficult to extricate itself with credit.(1) The new complication in the situation had changed Lord Lansdowne's attitude and in his telegram to Mr. Tower, he suggested: "You should be careful in speaking to the King to avoid giving the Siamese Government an excuse for throwing themselves into the arms of the French and accepting the above proposals".(2)

While the Foreign Office was in this dilemma, Sir Frank Swettenham recommended British protection over Kelantan which according to his telegram(3) "declares its independence and asks for British protection and Resident". The change of policy on the part of Foreign Office was visible in Lord Lansdowne's comment on Swettenham's telegram: "I am not surprised that he should have scared the Siamese. He apparently suggests that we should break our treaty engagements with Siam, take the Malay States under our protection, and allow the French a free hand in the Valley of the Mekong". Inspite of the definite disapproval of the Foreign Office, Swettenham visited Kelantan and Trengganu to make

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(1) F.O.69/237: Foreign Office note, May 26, 1902.
(2) F.O.69/232: Lansdowne to Tower, May 26, 1902.
(3) Swettenham to Colonial Office, June 4, 1902.
Foreign Office comment, "a foolish telegram. It seems quite impossible to get Sir F. Swettenham to realise the position."

arrangements with the Rajas independently of the Siamese Government. His mission lasted only five days from 5-11 September, 1902, and resulted in failure.(1)

In the meantime the Siamese Government had sent a special envoy, Phya Sri Sahadeb, to negotiate with Lord Lansdowne and settle the matter which had already created some bad feeling between the two countries. During these negotiations in London the British Government claimed the right to formulate the terms of the agreement to be entered into between the Siamese Government and the Rajas of Kelantan and Trengganu. Lord Lansdowne, while claiming this right maintained, "but for British influence, the Malay States would not be likely to submit to any interference on the part of Siam".(2) This statement brought forth a spirited reply from the Siamese Chargé d'Affaires who maintained that no such right was ever before claimed by the British Government, a right the admission of which would appear to involve all the risks and complications inseparable from a dual control, besides special dangers to Siam, which were well known in England as well as in Siam. He reminded the Foreign Secretary of the fact that Siam had always welcomed suggestions from England as coming from a Power which had consistently showed its goodwill to Siam and had never sought to occupy any other position than that of a friendly adviser.(3) As a rejoinder to the Siamese note Lord Lansdowne expressed opinions

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(1) Private Papers of Lord Lansdowne and Sir T. Sanderson, 1898-1905, General 31: F.O. Memo by Bertie, September 11, 1902.
(2) F.O.69/234: Lansdowne to Luang Ratnayapati, August 13, 1902.
(3) F.O.69/234: Ratnayapati to Lansdowne, August 20, 1902.

which were consistently held by the Colonial authorities but never advocated by the Secretary of State for Foreign Affairs. In his considered opinion "Siam does not, at this moment, and never has, exercised practical control over Kelantan and Trengganu; the relations of those States with the British Colony of the Straits Settlements are close and intimate and their present trade is mainly with Singapore, while their boundaries are coterminous with those of the protected Malay States. Her Majesty's Government have good reason to know that these Mahammaden States would not tolerate any interference with their present position". He concluded his note by saying that the British Government could not regard as a matter of no concern to them the relations of the Malay States with the Government of Siam. He further refused to admit that the authority exercised by Siam over its Malay dependencies was uniform.(1)

But when once the Siamese representatives gave way on the point of British right to formulate the terms of the agreement, Lord Lansdowne showed extreme consideration to Siamese views though, according to Sanderson, "it is more than the Siamese Government deserve".(2) While asking Sir T. Sanderson to take over the Siamese negotiations from Bertie, Lord Lansdowne made his policy clear thus: "I should be disposed to compromise upon the minor points if we can get our way as to the advisers". He wanted that

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(1) F.O.69/234: Lansdowne to Ratnayapati, August 23, 1902.
(2) Private Papers of Lord Lansdowne, and Sir T. Sanderson, Sanderson to Lansdowne, September 25, 1902.

the British Government must be effectively consulted both as to the selection and the removal of these officers. He went so far as to say that by all means such consultations should be given the shape least distasteful to the Siamese. He also maintained that the British Government could not ignore the fact that Siam had already installed some post and telegraph facilities in their Malay States.(1)

With the help of these clear and definite instructions Sir T. Sanderson successfully concluded the negotiations and a declaration was signed by Lord Lansdowne and Phya Sri Sahadeb on October 6, 1902, agreeing to the terms of the draft Agreement to be concluded between His Siamese Majesty and the Rajas of Kelantan and Trengganu.(2) According to the draft Agreement the British Government recognised the States of Kelantan and Trengganu as dependencies of Siam. The Rajas were prohibited from having any political relations with any foreign Power or chief except through the Government of Siam. The King of Siam had the right to nominate officers to be Adviser and Assistant Adviser in the States to act as his Representatives,(3) but the Raja was to pay their salaries. Whenever the gross revenue of the State exceeded 100,000 dollars, one-tenth of the gross revenue should be annually paid to the King

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(1) Private Papers of Lord Lansdowne and Si T. Sanderson, Lansdowne to Sanderson, September 12, 1902.
(2) For the text of the Anglo-Siamese declaration see Appendix II.
(3) It was agreed in the notes exchanged on October 6, 1902 between Lord Lansdowne and Phya Sri Sahadeb that the adviser and assistant adviser should be of the British nationality and that the concurrence of the British Government should be confidentially obtained for their selection, removal and the renewal of their appointments.

of Siam, and if the gross income fell below 100,000 dollars, the usual Bunga Mas should continue to be sent. The Siamese Government was forbidden to interfere with the internal administration of these States otherwise than as provided in the Agreement.

When once the declaration was signed the Siamese authorities in Bangkok tried to conclude the Agreements with the Rajas without the help of the British representatives. But finally through the good offices of the British representatives the Rajas of Kelantan and Trengganu were persuaded to sign the Agreement. There remained the question of the selection of personnel for the appointments as Adviser and Assistant Adviser in these States. The colonial authorities were inclined to refuse all the British officers suggested by the Siamese Government for the posts. Bertie thought that if the Colonial Office view was adopted that would mean the administration of the Siamese Malay dependencies under the supervision of Sir Frank Swettenham. Lord Lansdowne was more forthright in his remarks. He wrote that the Colonial Office was pushing their demands too far. "I cannot admit", observed Lansdowne, "that no one is to be accepted unless he is a nominee of Sir F. Swettenham".(1) Finally the question of appointments also was settled to the satisfaction of all parties concerned.

Throughout these years of British forward policy in the Malay Peninsula, the relations between the Siamese and the

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(1) F.O. 69/239: Lansdowne's comment on a Foreign Office note by Bertie, December 10, 1902.

British Governments remained friendly, inspite of little pin pricks and irritations on both sides. The credit for maintaining such happy friendly relations between Siam and Great Britain should go to the British representatives at Bangkok. Special mention must be made of Sir E. Satow whose sympathy, understanding of and foresight in the circumstances of Siam saved so much misunderstanding and animosity between the two countries. Finally it was Satow's policy which succeeded and paved the way for continued good relations and the friendly settlement of all problems between England and Siam. The patience and caution followed by the British Foreign Office gained the desired ends without offending Siamese susceptibilities. It is difficult to estimate the probable results of the extreme policy advocated by the Colonial authorities towards the Siamese Malay States. But from the results achived by the steady and cautious Foreign Office policy it can be said that Great Britain simultaneously won both the confidence of friendly Siam, and her own predominence in the Malay Peninsula.

CHAPTER III

ANGLO-SIAMESE RELATIONS (contd.)

During the period of our study Anglo-Siamese relations across Burma were almost entirely connected with the problem of the Salween. The frontier settlements between Siamese and British territory along the Salween river and the maintenance of peace along the border were the main concern of the two Governments. The various attempts to settle all territorial claims by Siam on the one hand and different Shan States situated on both sides of the Salween on the other constitutes to a great extent the problem of Salween.

Although Tenasserim had been ceded to Britain by the Treaty of Yandabo (February 24, 1826) it was nearly forty years before any real steps were taken to settle the frontier line between Siamese and British territory. The matter of the settlement of this frontier was frequently referred to in the correspondence between the Chief Commissioner of Burma and the Indian Government. At last in 1864 Lt. General Fytche, the then Commissioner of Tenasserim[1] was appointed to negotiate the boundary question with the Siamese Commissioners appointed for the purpose by the King of Siam.

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(1) Lt.-General Albert Fytche succeeded Major General Sir Arthur Phayre as Chief Commissioner of British Burma on March 11, 1867.

Fytche accordingly proceeded to the Pakchan river, where he had his first meeting with the Siamese Commissioners on May 19, 1864. The negotiations were often enlivened by sharp disputes and brisk discussions between the British and Siamese representatives. The King and the Prime Minister of Siam addressed a number of semi-official letters to the British Commissioner concerning the negotiations.(1) After a lengthy discussion it was agreed that the Pakchan and Thaungyin rivers should be accepted as the boundaries on the south and north respectively. To the east it was decided the boundary should be the watershed of the central mountain ranges known as the Kon-den. Afterwards this line was surveyed and demarcated by Captain A.H. Bagge of the Royal Engineers and duly ratified by a Convention between the Government of India and the King of Siam, signed at Bangkok on February 8, 1868.(2)

In our study of the problem of the Salween the Siamese feudatory province of Chiengmai plays a prominent part. Chiengmai is situated on the northern boundary of Siam, bordering on the Salween river and separated by that river from Burma. It was founded in the 11th century A.D. as a capital of a small Lao State, which subsequently acquired sway over the other principalities of the neighbourhood and became the centre of a somewhat

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(1) Fytche, Burma Past and Present, with personal reminiscences of the country, Vol. I, p.171.

(2) C.U. Aitchison, A Collection of Treaties, Engagements and Sanads relating to India and neighbouring countries, Vol. 2, Part VII.

loosely constituted kingdom. All through the middle ages and down to the beginning of the nineteenth century Chiengmai, as the first city of this kingdom, was exposed to endless vicissitudes; its rulers being consistently claimed by both Burma and Siam as their vassals, and frequently compelled by force of arms to transfer their allegiance from one to the other of these great rivals.(1) Finally it became a feudatory province of Siam and was the headquarters of the Viceroy of the North and also of a division of the Siamese army. In 1872 the Prince of Chiengmai, who had established quasi independence, died and his successor received his investiture from Bangkok.

The British interest in Chiengmai was connected with the agitation for a trade route to be opened to western China. Dr. Richardson from Burma visited Chiengmai in 1834-5 and began to arouse interest in it. Captain (afterwards Major General) McLeod started from Moulmein on December 13, 1836 in the company of Dr. Richardson, who had already thrice visited Chiengmai. His object in going there was to make the place his base for a journey to Yunnan, through the eastern Shan States tributary to Burma. In 1860 the Manchester Chamber of Commerce petitioned the British Government to develop the Moulmein to Yunnan trade route.(2)

Sir R. Schomburgk, British Consul at Bangkok, visited Chiengmai on February 11, 1860 and from there he made his way to

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(1) Graham, W.A., Siam, Vol. 1, p.26.
(2) Hall, D.G.E.: Burma, p.119.

Moulmein by the trade route, thus becoming the earliest European to reach the Bay of Bengal from the Gulf of Siam via Chiengmai. It was in Chiengmai that Schomburgk met a caravan of traders from Yunnan, the south-western-most province of China, and he was consequently convinced that, trade having been once opened with Yunnan, it would, with time, extend to provinces in the very heart of China.(1) He felt that Chiengmai being a central point of intercourse between the Tenasserim provinces, Burma and Pegu on the one part, and the south-western China States on the other, should certainly receive greater attention. The value of teak timber brought to Moulmein from the Lao provinces was estimated at £400,000 per annum without considering the value of imported British manufactures such as piece goods and hardware which were present in abundance in the bazaars of Chiengmai. After his return from Chiengmai Schomburgk tried to convince the Home authorities of the advantages of appointing a consular officer to reside there for the protection of British trade in that region.

In September 1862 Colonel Phayre, Chief Commissioner of Burma, persuaded the Indian Government to depute a British officer to Chiengmai and Yaboing to investigate trade possibilities. Moved by the consideration of various British interests in the region the Governor General of India asked the British representative at Bangkok to ascertain what authority the King of Siam exercised

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(1) F.O.69/21: Sir R. Schomburgk to F.O., June 18, 1860.

over these States and how far he would be willing to cooperate with the British Government in putting trade on a better footing. Sir R. Schomburgk in reply made it clear that the King had very considerable authority over the States of Chiengmai and Yaboing. He ennumerated some of the questions to be settled with the Chiefs of Chiengmai and Yaboing and suggested an early opening of negotiations on these points: (i) the attacks on persons and property within British territory by Shan subjects coming across the Thaungyin river; (ii) the question of friendly tribes being molested while passing through Shan territory; (iii) the rectification of the laxity which prevailed in giving a title to timber in the Chiengmai territory; and (iv) redress for numerous British subjects detained in prisons within the Shan States.(1)

To the north-east of lower Burma lies Karenni, the country of the Red Karens. This mountainous tract is situated on both banks of the Salween and is bounded on the east by Siamese territory, on the north by the Shan States, on the south by the Salween district of Burma and on the west by a hill tract which separates it from Burma proper. It is divided into Eastern and Western Karenni, the former consisting of one State, that of Gantarawadi, the latter of the four small states of Kyebogyi, Bawlake, Nammekon, and Naungpale. The British Government came into contact with the people of Karenni in 1836 when the Commissioner of Tenasserim

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(1) F.O.69/30: Schomburgk to Government of India, May 7, 1863.

deputed Mr. Richardson to proceed to Karenni to open up trade. The Western Karenni chiefs showed from the earliest days an anxious desire for British protection. Even though no protection was given them the British Government guaranteed the independence of Western Karenni by an agreement executed on June 21, 1875 between British and Burmese representatives. But Eastern Karenni remained a trouble spot for the British for a long time.

During the time when the British authorities were contemplating to put things in order on Chiengmai borders, the situation along the Salween was complicated by continued hostilities between the Chiefs of Chiengmai and Eastern Karenni over certain valuable forest tracts situated on the eastern bank of the Salween, each chief claiming the tract for himself sold the rights to extract timber to different foresters.(1) In 1864 disturbances recommenced and numerous bands of dacoits traversed the country, committing outrages on British traders and their property. The frequent warlike acts which occurred in connection with this dispute brought the timber trade almost to a standstill. Even though the forest tracts under dispute were beyond the British boundary, the British Government was interested in the settlement of the matter because the area was frequented by timber traders from Moulmein who purchased teak for export to British territory. In addition to this, the British authorities could not ignore the anarchy existing

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(1) Sir George Scott, British Burma Gazatteer, Vol. 1, p.492.

immediately beyond their frontier which led to marauding parties entering British territory.

In view of the hardships experienced by British subjects, the Government of India in 1871 deputed Captain Lowndes on a mission to Chiengmai to settle the difficulties.(1) But he failed to get any better protection for British foresters. The Chief of Chiengmai was most apathetic and could not be moved to redress the grievances alleged against him except under compulsion from the Court of Siam. Pending negotiations with the Siamese Government, the Indian Government placed a special officer with a strong police force in charge of the Salween tracts to protect British interests.

When King Chulalongkorn visited Calcutta in 1872 the British authorities in India, taking advantage of his presence, discussed the various measures necessary for the encouragement of trade and the repression of dacoity on the Salween frontier. They persuaded the King to take action for the speedy settlement of the claims of British subjects against the Chiengmai authorities. Soon after, Phya Cha Sen Bodi, a Siamese judge, was appointed to settle these claims. But very soon the complainants were asked to proceed to Bangkok to meet Chao Uparat, the Second Chief, who was journeying thither to receive his investiture as Chief of Chiengmai.(2) Mr.

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(1) Fytche, op.cit. Vol.2. Appendix G. p.319.
(2) F.O.69/60: Bhanuwongse to the Chief Commissioner of Burma, May 22, 1873.

George Thomas Knox, the British Consul General at Bangkok took the opportunity to press the British claims and the Siamese Government offered to abide by his decision and promised that any award should be at once paid. Knox, however, declined to undertake the office of judge himself and a mixed commission was appointed consisting of Phya Cho Sen Bodi and Phya Rat Wara Nookoon, the Siamese judges, Mr. Newman, interpreter at the British Consulate, and a Mr. Reed, a local merchant.(1) The trial commenced on January 18, 1873. There were 43 cases brought by Burmese and Taungthus against persons in authority in Chiengmai. The judges examined the witnesses and awarded damages in fifteen cases and dismissed the rest. On January 30, 1873 they unanimously agreed to award 489,617 rupees in damages against the Chief and persons in authority in Chiengmai. The Siamese Government, on behalf of the Chief of Chiengmai, immediately offered half the amount down and the rest in six months. Mr. Knox, who had, or believed he had, proof that the full sum was in the hands of the Regent, pressed for immediate payment in full and informed the Siamese Foreign Minister that he should hold the Government liable for interest and compensation for undue delay. He refused to take the half offered, unless the Siamese Government acknowledged their liability for interest on the remainder. This liability was not admitted but the Siamese offered to pay the balance if not forwarded by the Chief in six months.

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(1) F.O.69/60: Foreign Office Memo (Tenterdon), October 21, 1873.

Mr. Knox in urging the claim for interest said that if it was refused he would not henceforth believe the promises of the Siamese Government. The Regent took advantage of this expression to retort that under those circumstances he saw no use in, and could not with dignity agree to, continuing to discuss the matter with Knox. The Siamese Government offered to send an envoy to India to settle matters directly. The Indian Government agreed to the Siamese request but the Foreign Office was very touchy about maintaining its right to negotiate direct with Siam. The Foreign Office felt that independent negotiations by the Indian Government could only lead to the Siamese playing off the Viceroy against the Consul-General and vice-versa and must destroy the influence of the latter. In a note dated October 26, 1873 the Foreign Office maintained that it was for the Foreign Office and not for the India Office to superintend the Consulate General in Siam. The note further says "our real interests in Siam are Imperial not Indian and arise from its situation on the Gulf of Cambodia, its vicinity to Saigon, trade with the Straits Settlements and the position of Bangkok as a port of call on the way to China and Japan".(1)

This attitude resulted in the Indian Government giving up the idea of negotiating the settlement of the Chiengmai claims directly with Siam.(2) But as a Siamese Embassy was already on its

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(1) F.O.69/60: Foreign Office Note, October 26, 1873.
(2) On October 17, 1873 the sum then due by the Chief of Chiengmai was paid over to Knox.

way to Calcutta the Indian Government took that opportunity to conclude a treaty on the 14th January 1874 for the promotion of commercial intercourse between British Burma and the adjoining territories of Chiengmai, Lakon and Lampoonchi, and the repression of heinous crimes on the Salween river border. Phya Charon Raja Maitri, Chief Judge of the Foreign Court of Siam, signed the treaty as the leader of the Siamese Embassy along with Charles Aitchison the representative of the Viceroy of India.

By this treaty the Siamese Government agreed to post guards along the eastern bank of the Salween and to maintain a sufficient police force for the repression and punishment of robbers and marauders. Provision was made for the establishment in Chiengmai of a Siamese Civil Court and for the deputation of a British officer to be present in that Court to sit as a joint judge;(1) and it was arranged that measures should be introduced to regulate the action of the proprietors of teak forests in granting permits to felling and dragging timber. The treaty came into force on January 1, 1875.

The British Foreign Office on its part had been for some time past considering the question of appointing an officer of Her Majesty's Consulate General at Bangkok to reside at Chiengmai under the direction of the Consul General at Bangkok,

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(1) By precedent the post of a British judge was reserved for an official from Burma.

in communication with British Burma, in order to protect the interests of British subjects trading in the vicinity and to exercise some control over their proceedings. Before asking for the consent of the Siamese Government to the appointment, the Foreign Office felt it desirable to obtain clear information as to the relations of Siam with Chiengmai and the neighbouring provinces and generally as to the state of affairs there. With this in view the Foreign Office instructed Mr. Newman on October 12, 1874 to send Mr. Edwards, assistant in the Bangkok Consulate General into the Chiengmai district to make the necessary enquiries.(1)

According to Mr. Edward's findings during his visit to Chiengmai in the summer of 1875, the treaty of 1874 between the Indian and Siamese Governments concerning Chiengmai did not work satisfactorily. In the absence of any English officer, British subjects at times suffered unfriendly treatment at the hands of the local authorities.(2) Under these circumstances, in 1879 the Government of India deputed Major C.W. Street, Secretary to the Chief Commissioner of Burma, on a mission to Chiengmai for the purpose of enquiring into certain specific cases in which British subjects were concerned and into the general question of establishing a British agency at Chiengmai.

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(1) F.O.69/58: F.O. to Newman, October 12, 1874.
(2) F.O.69/61: Edward's memo on his tour of Chiengmai, June 17, 1875.

Major Street first visited Bangkok and the Siamese Government gave him a letter of introduction to the Chiefs of Chiengmai, Lakon and Lampoonchi.(1) He informed the Siamese Foreign Minister that the Indian Government wished an enquiry to be made into the dacoity of Mong Bike, a British subject in Mailongee in the district of Mong Suam. It desired that all the outstanding cases in the Chiengmai Court should be heard and arrangements made for the establishment of a Court for the hearing of suits on the Salween bank. The Government of India offered to lend a British police officer to organise the frontier police force properly, and they asked for the lease of the Makira forest in Chiengmai territory. With reference to the above subjects the Government of India requested that a Siamese Commissioner with full powers should be sent up to assist Major Street in arranging matters. The Siamese Government accordingly appointed Phya Chamrun as Chief Royal Commissioner and the Chiefs were advised to arrange matters in consultation with him.(2)

While negotiations were in progress between Major Street and the Chief of Chiengmai, a very interesting incident took place in Bangkok. Mr. George Thomas Knox, the British Consul-General had a daughter, Fanny, by a Siamese mistress. After being educated in England she returned to Bangkok in 1875. She was an attractive girl and had a large following of both

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(1) F.O.69/70: Siamese Government to the Chiefs of Chiengmai etc., February 11, 1879.
(2) Ibid.

English and Siamese suitors. Phra Pri Cha Kolakan, a Siamese nobleman and the Governor of the province of Pa Chim, fell violently in love with Fanny. In February 1879 he asked for her hand in marriage but Mr. Knox refused as he wanted her to marry an Englishman. However, without Knox's knowledge they had continued to correspond. When her father came to know of it he agreed that she and Phra Pri Cha should meet at Bang Pa In, a royal country seat when His Majesty the First King was there dedicating a new monastry, Newet Tham Prawat. It was arranged that Fanny should go with the ex-Regent's family on February 28, 1879. But Phra Pri Cha arrived at Bangkok from Pa Chim on the 27th and contrary to the arrangement she travelled in his steamer to Bang Pa In. After reaching there she slept in Phra Pri Cha's steamer for that night because the house intended for her was not fully furnished.

Knox visited Bang Pa In on March 3 and heard this story from the ex-Regent and returned to Bangkok without seeing his daughter and ordered her to come back with Gould, the British Vice-Consul. But Fanny returned to Bangkok next day in Phra Pri Cha's steamer. On their return to Bangkok, Knox having been fully acquainted with what took place at Bang Pa In thought the best thing he could do was to give his consent to the marraige. The marriage took place on March 11 in Phra Pri Cha's house in Bangkok. Knox did not attend; but sent Gould to act as witness. They left on the next day for Pa Chim. Phra Pri Cha

who returned to Bangkok on March 27 was arrested the same day on charges of contemptuous, presumptuous and offensive behaviour.

The Siamese Government referred the charges to the Council of State and Privy Council for their opinion. Their contention was that Phra Pri Cha had behaved contemptuously towards Mr. Knox, a dignified high ranking person, who was "deeply shamed and grieved" on hearing the behaviour of Phra Pri Cha at Bang Pa In and on his return "was constrained to yield his daughter". Secondly Phra Pri Cha had offended the State by taking as his chief wife the daughter of a foreign official without first submitting the matter to the King or informing the great nobility and asking their consent. Phra Pri Cha had committed a grave mistake in leaving Bang Pa In in the middle of the dedication ceremonies and without asking the King's permission. Thirdly he was charged with improper accounting of funds drawn from the treasury as the manager of the Kabin gold mines. On March 28, 1879 the Council found him guilty on all counts and sentenced him to thirty lashes with the rattan. He was then kept under arrest in the Palace.(1)

Knox felt that Phra Pri Cha was arrested and humiliated by the Siamese because he had married his daughter. He was convinced that a gross insult was intended on him by all those proceedings against Phra Pri Cha. On April 1 he wrote

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(1) F.O.69/72: Bhanuwongse to Mason, May 14, 1879.

to the Siamese Foreign Minister complaining that his daughter was assumed and publicly declared to be guilty of the greatest impropriety without any inquiry as to the truth or otherwise of the allegation. He thought that she had been indiscreet but had been guilty of no great impropriety. He took objection for Phra Pri Cha being tried and punished for an offence alleged to have been committed against him, without even consulting him in the matter. He refused to submit to such proceedings and called on His Majesty the King and the Royal Council for a written apology for what had been done and demanded the release of the prisoner. The Siamese Government expressed its regret for using Knox's name in the trial without his consent but at the same time refused to comply with his demand for Phra Pri Cha's release. Knox then went so far as to ask for a gunboat to be sent from Singapore to support his demands. But his application was not even answered. Knox in his despatch to the Foreign Office on April 22 pleaded that it was the first application of the sort he had ever made.(1)

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(1) F.O.69/70: Knox to Salisbury, April 6, 1879.
There was only one other incident during the earlier period of Anglo-Siamese relations when the British representative at Bangkok asked for a gunboat to support his demands. This happened in September 1868 when Mr. Alabaster was in charge of the Consulate-General at Bangkok. Some British Indian subjects lost some property because of a fight between some Siamese opium traders and appealed for redress to Mr. Alabaster. He took up the case warmly and insisted upon being present at the proceedings, even though the dispute was between Siamese. Eventually a mixed commission of British and Siamese sat on the case, a sum was agreed upon as compensation and paid. On account of the first delay in arranging this affair he sent to Admiral Keppel requesting him to send a

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ship for the purpose of supporting him in his demands. On September 12 the British flag was hauled down for four days and that act caused the greatest excitement. The Foreign Office came to the conclusion that Alabaster's conduct had been hasty, injudicious and open to grave suspicion. He was recalled from Bangkok and resigned his post. The similarity of the fate of Alabaster and Knox is interesting.
(F.O.69/60: Foreign Office Memo, July 8, 1873).

While Phra Pri Cha was in custody several charges of murder of the most barbarous nature were brought against him. On May 3, Mr. D.K. Mason, Siamese Consul-General in London informed the Foreign Office that Knox was making warlike preparations against Siam. Lord Salisbury was not convinced by the explanation given by Knox for his official interference on behalf of Phra Pri Cha and forbade him to use or threaten force. On the other hand, Sir Julian Poncefote, Assistant Under Secretary of State for Foreign Affairs felt that the Foreign Office should support Knox in this conflict. He argued that as an insult was intended by the Siamese, the British Government might be justified in demanding the release of Phra Pri Cha in atonement. On June 12 the Foreign Office suggested to Mr. Mason that it would be satisfied if the Siamese were to release Phra Pri Cha in order to prove that it had no intention of affronting the British Consul. In the meanwhile the Siamese Government had sent a special envoy to London to explain the whole case to Lord Salisbury and request the recall of Knox. He arrived in London on June 16, 1879. Sir Julian, however, was not convinced; he thought that the British Government would be justified in supporting Knox so far as to insist on a fair and open trial at which Gould should attend. But Lord Salisbury could not see any propriety in demanding the quashing of the judgment of a properly constituted Siamese Court and the prisoner retried in the presence of the British Vice-Consul. He said

that he had never heard of a precedent for such a contention.[1] He felt that Knox must be recalled as soon as that matter was settled. In a note dated June 6, 1879 he wrote, "it is quite inadmissible that the power and credit of the Queen should be used in order to save from the action of the regular authorities, a native Siamese, who is not the Queen's subject, nor in British employment, simply because he has married the Consul's illegitimate daughter". Soon after the return of the Siamese special envoy to Bangkok from London on November 14, 1879 the matter of Phra Pri Cha was again considered and on November 23 night sentence of death was passed against him. He was sent to Pa Chim and there beheaded.[2] Mr. Knox was given leave of absence from Bangkok and on December 2 he resigned his post. Because of the timely intervention of the British Foreign Office this episode had no effect on Anglo-Siamese relations. But this incident is too good to be omitted from our study. It serves as an example of the nature of problems that could come up to complicate Anglo-Siamese relations.

Now we return to Major Street's prolonged negotiations. As a result of his negotiations a treaty between the British and the Siamese Governments was concluded on September 3, 1883 at Bangkok and ratifications were exchanged on May 7, 1884.[3]

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(1) F.O.69/72: Salisbury's note to Poncefote, July 7, 1879.
(2) F.O.69/70: Newman to F.O., December 5, 1879.
(3) The British Foreign Office referring to 1874 treaty insisted that the Indian Government had no power to enter into a separate treaty with Siam, and so the new treaty was signed by the representative of the British Government.

This treaty abrogated the treaty of 1874 and provided for the appointment of a British Vice-Consul at Chiengmai. The Vice-Consul was to have civil and criminal jurisdiction in respect of cases in which British subjects were defendants. When such cases were tried by local judges appeal might be made to Bangkok. It also provided for the establishment of guard stations under proper officers on the Siamese bank of the Salween river; the issue of passports to British and Siamese subjects travelling in Siamese or British territory respectively; the extradition of criminals and the working of forests in the territory of Chiengmai.(1) The British Foreign Office selected Mr. E.B. Gould of the British Consulate General at Bangkok to be the first Vice-Consul at Chiengmai. He took his charge of office in April 1884.(2)

The British annexation of Upper Burma on January 1, 1886 started new boundary problems between the British and the Siamese Governments. The Burmese Government had exercised sovereignty over a large number of Shan States, east of the Irrawaddy and up to and beyond the Mekong river. The Burmese Shan States were declared to be a part of British India by notification in 1886. Approximately these were 53 States

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(1) Aitchison, op.cit.

(2) In 1885 the Siamese Government agreed to the States of Nan and Phre being included in the meaning of the words "Chiengmai, Lakon and Lampoonchi" in the treaty of 1884. Similarly in 1896 the Siamese Government extended the 1884 treaty to the provinces of Thon, Raheng, Sawankaloke, Sukotai, Utaradit and Pichai.

occupying 59,915 sq. miles in area, including five Karenni States with a separate area of a little more than 3000 sq. miles. The Chiefs of the Shan States are of three classes - Sawbwas, Myozas and Ngwekunhmus. There were fifteen Sawbwas, thirteen Myozas and fourteen Ngwekunhmus in the Shan States proper. In Karenni there were one Sawbwa and four Myozas. There were five States, all Sawbwaships under the control of the Superintendent, Northern States and the Superintendent, Southern Shan States, supervised forty-three, of which eleven were Sawbwaships. The headquarters of the Northern Shan States were at Lashio, of the Southern Shan States at Taung-gyi.(1) Before the British annexation, the Sawbwas of some of these Shan States, from time to time, as opportunity occurred, had endeavoured to throw off the Burmese yoke. Added to the desire to be independent of Burmese overlordship the mutual rivalries and jealousies among the various Shan Princes created choatic conditions just at the time when Burma came under British rule.

Siam's policy of expansion in the north from time to time created still further complications with regard to the Shan States tributary to Burma. In 1886 there was much confusion about the suzerainty over five small Shan States namely Mong Ton, Mong Hang, Mong Kyawat, Mong Hta and Mong Hsat. In October 1886 representatives from these five

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(1) Sir George Scott, Burma: A Handbook of Practical Information, p.152. For detailed statistics of Shan States see Scott's Burma Appendix II, pp.470-485.

States had visited the Siamese Commissioner of Chiengmai and had taken oath of allegiance to Siam. When Prince Devawongse, the Siamese Foreign Minister, informed Mr. Satow, the British representative at Bangkok on November 8, 1886 of this willing submission of the five Shan States, Satow reminded the Prince that Her Majesty's Government had succeeded to all the late King of Burma's rights of suzerainty over the Shan States and that it would not be wise for Siam to attempt to assert any rights which she might claim to possess in anticipation of the action of Great Britain. At the same time Mr. Satow made it clear that as the British Government had no other desire than to secure the internal tranquillity of the Shan States, the rights of Siam would be fully recognised in any settlement that might ultimately be made. But when, during the cold season of 1886-87 Mawkmai Sawbwa made a successful attack on Mong Pan, the Siamese Government in consequence of certain alleged dangers at Mong Ton sent some Siamese troops to that place with the intention of assisting the small Shan States which had just taken the oath of allegiance to the King of Siam.(1)

Of these five Shan States four, Mong Ton, Mong Hang, Mong Hta and Mong Kyawat were claimed by the British Government as part of the undoubtedly Burmese State of Mong Pan. The fifth State (Mong Hsat) was also claimed by them as a dependency

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(1) F.O.69/117: Gould to Bhaskarawongse, June 13, 1887.

of Kengtung State with which the Siamese could not pretend to have any connection. The material concerning the respective claims of Siam and the British over these States cause much uncertainty about their reality.

According to a note prepared by the Burmese Secretariat on January 30, 1889 there was evidence to show that about 1821 A.D. Bagyidaw, King of Burma, appointed one Kum Po to be Sawbwa of Mong Ton and Kum Po and his successors ruled till 1862 A.D. In the same year a Burmese Myoôk (township officer) was appointed to administer Mong Ton, but the authority he exercised was indefinite. For some few years neither Burmese nor Shan authority was exercised over these States. In 1868 the Burmese King made them over to Mong Pan and the Sawbwa sent settlers under his nephew Maung Nu to occupy them. This occupation continued till 1884 without any opposition on the part of Siam. According to the same source the Siamese case was that Mong Ton was incorporated into their kingdom in 1790 A.D. and Mong Hsat in 1802. The other three States had been also incorporated in the Siamese kingdom during the same period.(1) In 1838 a rebellion in these States was successfully put down by Siam. This was the sole ground on which the Siamese claimed sovereignty over these States.(2)

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(1) Dates of the incorporation of the other three States into the Siamese kingdom are not available.
(2) F.O.69/136: Burma Secretariat Note, January 30, 1889.

The Chief Commissioner of British Burma considered Mong Ton and Mong Hsat as undoubtedly British and accordingly he advised Mr. Archer the Vice-Consul at Chiengmai to give British passports to the inhabitants of these two States. As to the British claim over the other three States, the Chief Commissioner was not sure and advised Mr. Archer to suspend the issue of British passports to the inhabitants of these States pending the final settlement of the boundary. At the same time he made it clear that such suspension should not be taken to prejudice the right of the British Government to claim the sovereignty of these States in future.(1) In this connection we cannot ignore the testimonary of Lord Dufferin, Viceroy and Governor-General of India on the point at issue. In a despatch to Viscount Cross, the Secretary of State for India, Lord Dufferin stated that in the opinion of a Shan official of the late Government, who had much knowledge of the affairs of the Shan States, these three (Mong Hang, Mong Hta and Mong Kyawat) belonged to Siam.(2)

During all this uncertainty the British authorities of Burma argued in support of their case, that the Siamese had not exercised any control over these States until September 1886.(3) There was another consideration to justify their attitude;

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(1) F.O.69/117: Gould to F.O., August 8, 1887.
(2) F.O.17/1065: Dufferin to Cross, January 25, 1887.
(3) Sir Charles Crosthwaite, Pacification of Burma, p.216. According to the Ney Elias Commission report, the claim of Siam to these districts dates back to 1884, but the question was not taken up by the Government of India till 1887.

Siamese Commissioners at Mong Pan in the month of January 1888 and after some discussion he arranged a modus vivendi on the basis of maintaining the status quo, preserving peace and abstaining from working the forests in the States until the dispute over them was settled by the Governments of the two countries.(1) As a result of these negotiations on the spot the British members of the Conference reported that Siam had failed to bring forward any evidence to support her claim to the five States, and after their report had been considered both by the Government of India and that of Her Majesty, Lord Salisbury decided to take over the four Shan States as a portion of Mong Pan State. Accordingly, Mr. Scott went there and installed the Sawbwa of Mong Pan as ruler of those States, with effect from 15th November 1888. Scott accomplished his duty without much opposition.(2)

The Foreign Office justified the action of the Indian Government in the four Shan States on the ground that the French were pushing on towards them and were sure to take them if the British Government failed to act quickly. In a note to Lord Salisbury dated November 15, 1888 P.C. Currie, Assistant Under Secretary of State for Foreign Affairs admitted "we are dealing with the matter in rather a high handed way, but the Siamese do not deserve any special consideration from us..."(3)

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(1) Crosthwaite, op.cit., p.169.
(2) Mitton, G.E.: Scott of the Shan Hills, p.135.
(3) F.O.17/1095: Foreign Office note (Currie), November 15, 1888.

As a climax to the story, on February 5, 1889 Prince Devawongse informed Mr. Gould that the headmen of the four Shan States, the administration of which was lately formally placed by Scott in the hands of the Mong Pan Sawbwa, had all been to Chiengmai on January 29 and had again offered in a pressing manner their allegiance to Siam. The Prince assured Mr. Gould that the action of the headmen was entirely spontaneous and that the Siamese had done nothing to encourage the step which had caused them the most lively surprise and the reasons for which were unknown to them. At several interviews between Gould and Devawongse when the subject of the four Shan States was referred to, the Prince remarked that the Siamese Government cared very little about them and he gave the impression to Gould that they meant to abandon all claim to them. But Mr. Gould felt that the Prince was at the same time aware of, if he was not personally conducting, the intrigue which led to the appearance of the headmen in Chiengmai.(1) Sir Charles Crosthwaite, Chief Commissioner of Burma, held the view that the headmen of the four Shan States were again summoned by the Siamese to Chiengmai to drink the water of allegiance five weeks after Scott's visit. Three of them obeyed and the fourth, head of Mong Ton, sent a representative and wrote at the same time to the Mong Pan Sawbwa excusing his conduct on the ground of force majeure. In a private letter to Scott Sir Charles wrote "the stealthy aggression of the Siamese is due solely to the appearance of weakness and indecision

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(1) F.O.69/132: Gould to F.O. February 22, 1889.

caused by the dual government of the Home and India Foreign Offices."

With the intention of avoiding any further inconvenience to the Indian Government on account of the continued suspense in regard to the Siamese claims to the four Shan States, the Foreign Office expressed their willingness to take into consideration any evidence which the Siamese Government could produce in support of their claim.(1) Accordingly Mr. Gould took some steps to obtain from the Siamese Government an authoritative statement of the precise limits of the territory claimed by Siam towards the trans-Salween Shan States. Gould failed to get any evidence, documentary or otherwise from the Siamese. The Siamese Government declined to put in writing a definite statement of her boundary on the north, but the Foreign Minister verbally confined Siam's claims west of the Mekong beyond her present actual position to the four Shan States.(2) Prince Devawongse in a letter to Mr. Gould dated April 30, 1889 expressed the desire of the King of Siam that a commission should be appointed to settle once for all the territorial questions pending between their two countries.(3)

Before we consider the fate of the negotiations for the appointment of a boundary commission it is essential to probe into the territorial claims of Siam over Karenni territory

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(1) F.O.69/131: F.O. to Gould, March 20, 1889.
(2) F.O.69/131: Gould to F.O., April 9, 1889.
(3) F.O.69/131: Gould to F.O., May 4, 1889.

on the east bank of the Salween, and over two trans-Salween districts belonging to the Shan State of Mawkmai, a tributary to the British Government.

Sawlapaw, the Chief of Eastern Karenni had a long-standing feud with the Sawbwa of Mawkmai. The cause according to Sawlapaw was the seizure by the Sawbwa of Mawkmai during the years 1866-67, 1867-68 and 1870-71 of 184 elephants and 52,000 logs of timber from the forest of Eastern Karenni. He had tried to get redress from the Burmese kings twice but with no success. In 1888 he took the settlement of his dispute with Mawkmai into his own hands.(1) On March 2nd he attacked Mawkmai with a band of Red Karens and occupied the State. He proceeded to set up as Sawbwa Hkun Noi Kyu, the nephew of the defeated Sawbwa who was administering the trans-Salween districts of Mehsakun and Mong Mau, on the understanding that Mawkmai would be administered as a feudatory of Sawlapaw. But the victory of Sawlapaw was short-lived because Mr. Scott, the then Assistant Superintendent of the Shan States raced to Mawkmai where he reached on May 16, 1888, with a party under Colonel Sartorius of the Beluchi regiment and reinstated Hkun Hmon as Sawbwa.

After this setback to his plans, Sawlapaw in August 1888 wrote to the superintendent of the Shan States and also to the Commissioner of Tenasserim, asking whether the British

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(1) Sawlapaw declined to meet the superintendent of the Shan States, when invited to do so, during the latter's tour in the Shan States (1887-88).

Government would arbitrate in the dispute between him and the Sawbwa of Mawkmai, from whom he claimed 24,000,00 rupees as compensation.(1) But the British Government was in a different mood. Early in September 1888 the Superintendent of the Shan States was furnished with an ultimatum to be sent to Sawlapaw if he failed to tender his personal submission to the Superintendent. The ultimatum required him to come to Fort Stedman in person; to pay an indemnity of two lakhs for the damage done to Mawkmai and to cover the cost of the despatch of troops to the relief of that State; to surrender five hundred serviceable muskets and to pay annually Rs. 5000 as tribute. When the ultimatum was finally sent, the Chief of Eastern Karenni defied it.

During these negotiations to secure his submission the British Government was making preparations for an expedition against Sawlapaw. To meet any attempt on his part to escape eastward, a suggestion made by the British representative at Bangkok that the Siamese might be asked to cooperate, was accepted by the Indian Government in August 1888.(2) On November 10, 1888 Mr. Gould intimated to the Chief Commissioner of Burma that in return for their cooperation the Siamese would probably wish to establish their territorial rights over the Karenni possessions lying east of the Salween. Before this intimation reached him, the Chief Commissioner had despatched his ultimatum to Sawlapaw.

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(1) J.G. Scott & J.P. Hardiman, Gazetteer of Upper Burma and the Shan States, Part 1, Vol.1, p.303.
(2) Crosthwaite, op.cit., p.191.

Mr. Gould was informed that the ultimatum could not be altered to include the Siamese claims, but at the same time Mr. Hildebrand was instructed to reserve those claims in his settlement with Sawlapaw. The Chief Secretary to the Chief Commissioner of Burma in a despatch to Mr. Gould expressed that even if it were possible to include demands on account of Siam in the terms imposed on Sawlapaw, there were grave objections to bringing territory down to the banks of the Salween under the administration of Siam. He maintained that this result would be specially undesirable, "in view of the probable absorption of Siam at some future date by a European Power".(1)

On December 19, 1888 it was finally decided that the punitive expedition against Sawlapaw for which preparations had been made, should go forward. Two columns started, one with Brigadier-General H. Collett from Fort Stedman and the other from Lower Burma under Colonel J.S. Harvey. A Siamese force also advanced to the eastern bank of the Salween.(2) On January 7, 1889 the British force entered Sawlon, the capital of Eastern Karenni and occupied it. Sawlapaw had disappeared. On January 28 Sawlawi, Kya Maing (heir apparent) nephew of Sawlapaw was appointed as Chief of Eastern Karenni by Hildebrand.(3)

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(1) F.O.69/132: Thirkell White to Gould, December 7, 1888.
(2) Sir Charles Crosthwaite maintained that Siamese cooperation was purely nominal and valueless; too late to be of any use. He says that it was known from the Vice-Consul at Chiengmai that the Siamese had taken no action until the middle of January 1889.
(3) The fifth para. of the order of appointment given by Hildebrand to Sawlawi dated January 29, 1889 reads thus: "that in case of dispute with Siam about territory east of the Salween, you will refer the matter to the Superintendent of the Shan States for arbitration.

The first thought of Sawlawi was to rid his territory east of the Salween, of the Siamese troops occupying it. Mr. Hildebrand gave him letters to the Siamese commander announcing the fall of Sawlapaw and stating that the British force would withdraw on the 30th of January, so that Siamese cooperation was no longer needed. By that time the Siamese troops and local levies had occupied a considerable tract on the east of the Salween and remained there despite Hildebrand's request to withdraw. They maintained that the territory they were occupying was a part of Chiengmai territory lately encroached upon by the Red Karens and declined to leave unless their alleged territorial rights were recognised. The Siamese Government declared its readiness to leave the Karens in undisturbed possession of the forest workings, and only asked for recognition of its suzerainty.

A misunderstanding over this question arose between Prince Devawongse and Mr. Gould. Devawongse maintained that he had made a bargain with Gould to the effect that in return for its cooperation, Siam was to be allowed to have the whole of the territory occupied by the Red Karens east of the Salween. But Mr. Gould entirely denied the existence of any such bargain. However, in view of the tone of Mr. Gould's letters to the Government of India and the Chief Commissioner of Burma referred to above it seems likely that there was a verbal understanding though not a formal one between the two parties.

Mr. Gould endeavoured to induce the Siamese to withdraw from their advance posts in deference to the wishes of the Government of India and to leave the question of suzerainty to be settled by negotiation with the British Government. At the same time he wrote to the Foreign Office expressing his belief that the Siamese could prove their right to the ground they had occupied, and as they had already possessed a strip of the Salween bank immediately below the portion in question it did not appear to him that any important political results would ensue from the extension of their actual sovereignty for a short distance further up the river. He recommended to the Chief Commissioner of Burma that the Siamese nominal sovereignty should be recognised up to the valley of the Me Pai river.(1)

Meanwhile, Mr. Archer, Vice-Consul at Chiengmai informed Mr. Gould on March 6, 1889 that the Siamese Commissioner at Chiengmai had told him of the existence of a written agreement between Eastern Karenni and Siam dated 1882 by which Siamese territorial rights were recognised. According to the Siamese Commissioner the Agreement went to show that the Karens recognised Siamese territorial rights up to the Salween, at least in the district of Mong Cheh which the Siamese occupied.(2) But the document referred to by the Siamese Commissioner was more of the nature of an

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(1) F.O.69/131: Gould to F.O., March 27, 1889.
(2) F.O.69/132: Gould to F.O., March 17, 1889.

arrangement between the then Siamese Commissioner of police and Sawlapaw's messengers in order to facilitate the capture of highway robbers crossing the Salween and to organise a police patrol, than an Agreement between the two countries. Prince Devawongse agreed that the document said nothing about the question of territorial rights. Moreover, the Ney Elias Boundary Commission Report (1890) says that neither the Chief of Eastern Karenni nor any of his headmen had any knowledge of such a document.

The Government of India complained to the British Foreign Office about the reported misconduct of the Siamese in the territory in question and stated that the Siamese had extended their occupation beyond the settlements of the Eastern Karenni people into districts of Moné and Mawkmai also. The Siamese Foreign Minister denied all these charges.(1) But the fact remained that Siamese troops had occupied the trans-Salween tracts of Mehsakun and Mong Mau which were considered appanages of the State of Mawkmai. This situation was mainly due to the absence of clear-cut borders between Siam and Shan States during 1887-89.

Realising the uncertainties on the border districts and the cessation of the valuable timber trade from the Karenni forests, the Viceroy of India informed Mr. Gould in July 1889 that his Government would be willing for a commission to be appointed under certain conditions to settle all the questions pending between the

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(1) F.O.69/133: Gould to F.O., June 20, 1889.

Governments of India and Siam. The conditions were that the commission should consider questions concerning all the territories in dispute including those claimed by Eastern Karenni east of Salween; the adjudication of the claims of British subjects for injuries alleged to have been sustained at the hands of the Siamese in the Eastern Karenni districts and also the claims for compensation for losses caused by Siamese interference with the timber trade in the same region. The Viceroy added that unless these conditions were accepted by the Siamese, the Government of India would drop the negotiations and act independently.

On August 7, 1889, Prince Devawongse agreed to the Viceroy's proposal with a proviso that the commissioners should not have power to adjudicate, but should only inquire into and report on the claims.(1) The Viceroy accepted the Siamese proviso but expressed a wish that a separate member of the Joint Commission on each side should be selected to deal with the claims for compensation. He asked Mr. Gould to endeavour to arrange that the Siamese Commissioners should meet the British at Moné not later than November 1, 1889. Prince Devawongse proposed that the Commission should meet in Siamese territory at a place called Ta-ta-fang, on the east bank of the Salween. On reconsideration he withdrew his consent to the selection of separate members of the Commission for the consideration of the compensation claims. The Government of India insisted that the first meeting must be held in Burma and

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(1) F.O.69/133: Gould to F.O., August 10, 1889.

that no more procrastination could be permitted. On their part the Siamese Government also persisted and suggested the junction of the Thoungyin with the Salween for the first meeting.(1) The Government of India could accept only Rangoon or Shwegyin as the place of meeting. If Siam was not prepared to accept either of these two places, the Government of India proposed to deal with the boundary and other questions independently of Siam. Prince Devawongse declined to accept either place and instead suggested Chiengmai or Bangkok as the meeting place. The Viceroy refused to alter his decision and stated that the British Commissioners would meet in Rangoon about the 1st November and that if Siam did not promise to send representatives the Government of India would withdraw their proposal to re-examine the Siamese claims to the four Shan States. He further emphasised the fact that it was his final decision and the British representatives would go to the frontier and dispose of the claims.(2) The Siamese Foreign Minister, however, still insisted that the meeting place must be at Chiengmai or Bangkok.

The Government of India complained to the British Foreign Office about the delay of the Siamese Government in the matter of the proposed Joint Boundary Commission and expressed their suspicion that the Siamese intended to send a separate commission. On October 20, 1889 Lord Salisbury issued another warning to the

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(1) F.O.69/133: Gould to F.O., September 17, 1889.
(2) F.O.69/133: Gould to F.O., October 8, 1889.

Siamese that in the event of their raising further difficulties regarding the Joint Commission, the British Government would feel themselves compelled to refuse to reopen the inquiry into the sovereignty of the four Shan States and would be obliged to dispose accordingly to their own judgment, and independently of the Siamese Government, of all the questions outstanding between the two Governments.(1)

Before Lord Salisbury's threat reached Bangkok, the Siamese Commissioners accompanied by a hundred soldiers had left on the morning of October 21, 1889 on their independent mission. On 25th October Prince Devawongse in a note to Mr. Gould definitely informed him of the dispatch of the Independent Commission to Chiengmai and stated that the Siamese Commissioners were chiefly authorised to inspect all provinces of which ownership was claimed by Siam, to collect geographical information and historical facts and to survey the country generally.(2)

It was most unsatisfactory for both the countries to dispatch independent commissions to investigate matters concerning their mutual borders. The reasons for the failure of the attempts to settle all existing disputes with the help of a Joint Commission seem to be frivolous. It was regrettable to find both the parties

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(1) F.O.69/131: F.O. to Gould, October 20, 1889.
(Undoubtedly the refusal of the Siamese Government to participate in the Joint Boundary Commission had to a great extent influenced the attitude of Mr. Ney Elias in restoring the four Shan States to Mong Pan, even without the semblence of further investigation into the matter.
(2) F.O. 69/133: Gould to F.O., November 4, 1889.

so insistant on a meeting place of their choice. We can easily understand the persistance of the Government of India in thinking that the Siamese Government should accept their choice, as the more powerful party having the advantage of bargaining on their side. But it is very difficult to find out why the Siamese insisted so obstinately about the meeting place. Gould felt that the difficulty was in a great measure due to a Palace intrigue in which Prince Devawongse's rivals were endeavouring to discredit him. He suspected that the Siamese Foreign Office was in some measure influenced by advice from German sources in refusing to participate in the Joint Commission.(1) Without offering any explanation, the Siamese treated the British proposal as unreasonable and repudiated responsibility for failure to arrange the Joint Commission. Even the Government of India does not offer any explanation for the failure except to insist that the Siamese Government was unreasonable. The attitude of the Siamese gave rise to a doubt in the mind of the British representative at Bangkok, whether the Siamese had ever intended a Joint Commission; and he thought that they were avoiding it because their case was weak. Whatever motives governed their decisions the attempts to settle all frontier questions between Siam and Great Britain failed for the time being.

According to their expressed determination the Government of India in communication with the British Foreign Office appointed

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(1) F.O.69/133: Gould to F.O., November 5, 1889.
(2) F.O.69/134: Gould to F.O., October 28, 1889.
Mr. Gould expressed the opinion that the Siamese wanted to force the British to take possession of what they considered to be their territory in such manner that might leave the Siamese with a grievance.

a commission to investigate the claims to the disputed territory on the Burma-Siam frontier. It consisted of Mr. Ney Elias, a renowned explorer in Indian Government service, J.G. Scott, W.J. Archer with Major E.G. Barrow, Intelligance Officer, Captain F.J. Pink and Dr. J.K. Close. The commission started its work in November 1889. A standing camp was formed at Ta Sangle and three parties led by Ney Elias, Archer and Scott respectively started to examine and survey the territory under dispute. In the disputed Karenni territory the commission held a local enquiry and completed the survey of the country but left the Siamese in possession. In Mahsakun and Mong Mau where Siamese troops were established Mr. Ney Elias found that the Siamese had occupied these districts after they were informed by Mr. Hildebrand that their help on the east of the Salween was no longer needed in 1888. He restored the two districts to the Mawkmai Sawbwa. The commission entered the four Shan States claimed by Siam towards the end of February 1890 and found them entirely disorganised. The sub-Chief (Pawmaing) of Mong Ton had cut himself off from Mong Pan and had given his allegiance to Siam. A Siamese party of 200 men was in occupation of Mong Ton when Ney Elias arrived in March and the Pawmaing declined to recognise the British Commissioner. Consequently he was removed and taken prisoner to Moné and the Siamese were ordered to quit under threat of being ejected. Elias gave them twenty eight hours to clear out of the State but they took only three.(1) The four Shan States were temporarily entrusted to the administration of Hkun Pon, nephew of the Mong Pan Sawbwa, but subsequently transferred to the Sawbwa himself. The

(1) Mitton, op.cit., p.137.

problem of these four Shan States was thus finally settled and the question of their administration was left to the Chief Commissioner of Burma to determine.

In March 1890, Mr. Scott visited Kengtung, a trans-Salween Shan State with a party of twenty sepoys under Captain F.J. Pink. Without much difficulty the Sawbwa of Kengtung accepted the position of a feudatory and tendered his submission to Great Britain. After accomplishing his duty Scott left Kengtung on April 1, 1890. Now that Kengtung with its adjacent feudatories[1] had become subject to British protection it became necessary to ascertain its southern and south-eastern boundaries and to deal with its boundary disputes with Siam. The Government of India proposed to send a small party to investigate and report on these matters during the dry season of 1890-91.[2] Notwithstanding the absence of the Siamese Commissioners the Ney Elias Commission had done its job and reported its achievements to the Government of India (May-June 1890). Nothing more was to be heard about the work of the Independent Siamese Commission.

In December 1890 Mr. Scott was upon the border again to investigate the frontier between Siam and Kengtung and here he was joined by Mr. Archer.[3] The Commission was met by a representative of

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(1) The feudatories of Kengtung were believed to be Mong Sat, Keng Sen and Keng Cheng.

(2) F.O.69/139: Indian Government to the Secretary of State for India, August 4, 1890.

(3) Lord Leamington, who was exploring on his own, was also with the Commission. He kept with the party for some time and eventually went over into Tongking. He took a lively interest in matters concerning French and British relations with Siam and his speeches in Parliament on those matters commanded the respect of the Government.

the Sawbwá of Kengtung and some Siamese officials, and they started real business on January 1, 1891. During the survey of the territory Mr. Archer was inclined to recommend conceding the entire Siamese claims, according to which the British had to surrender between two and three hundred square miles of territory claimed by Kengtung.(1) But Scott was not agreeable to this suggestion and felt that if the further bank of the Mekong river were to remain in the hands of Siam, the Mekong frontier might pass, "but unfortunately Siam is a country rich enough to inspire cupidity, weak enough to tempt ambition and foolish enough to court embroilment".(2)

The party moved on to Keng Cheng which is cut in two by the Mekong. Its chief town, Mong Hsing, gives its name to the eastern part of the State. The Siamese Commissioners spent three days preparing their case about their right to the territory but Scott was convinced that it was very weak and that the future of Keng Cheng was entirely in the hands of the British Government. The Commission visited Mong Hsing at the express wish of the Kengtung Sawbwa who, at the time of his submission had insisted that Mong Hsing should also come under the British flag because the Siamese proud of their success in Chieng Sen, were making efforts to win over Mong Hsing also. The Chief of Mong Hsing, who was an uncle of the Kengtung Sawbwa, immediately proffered the gold and silver flowers of submission to the

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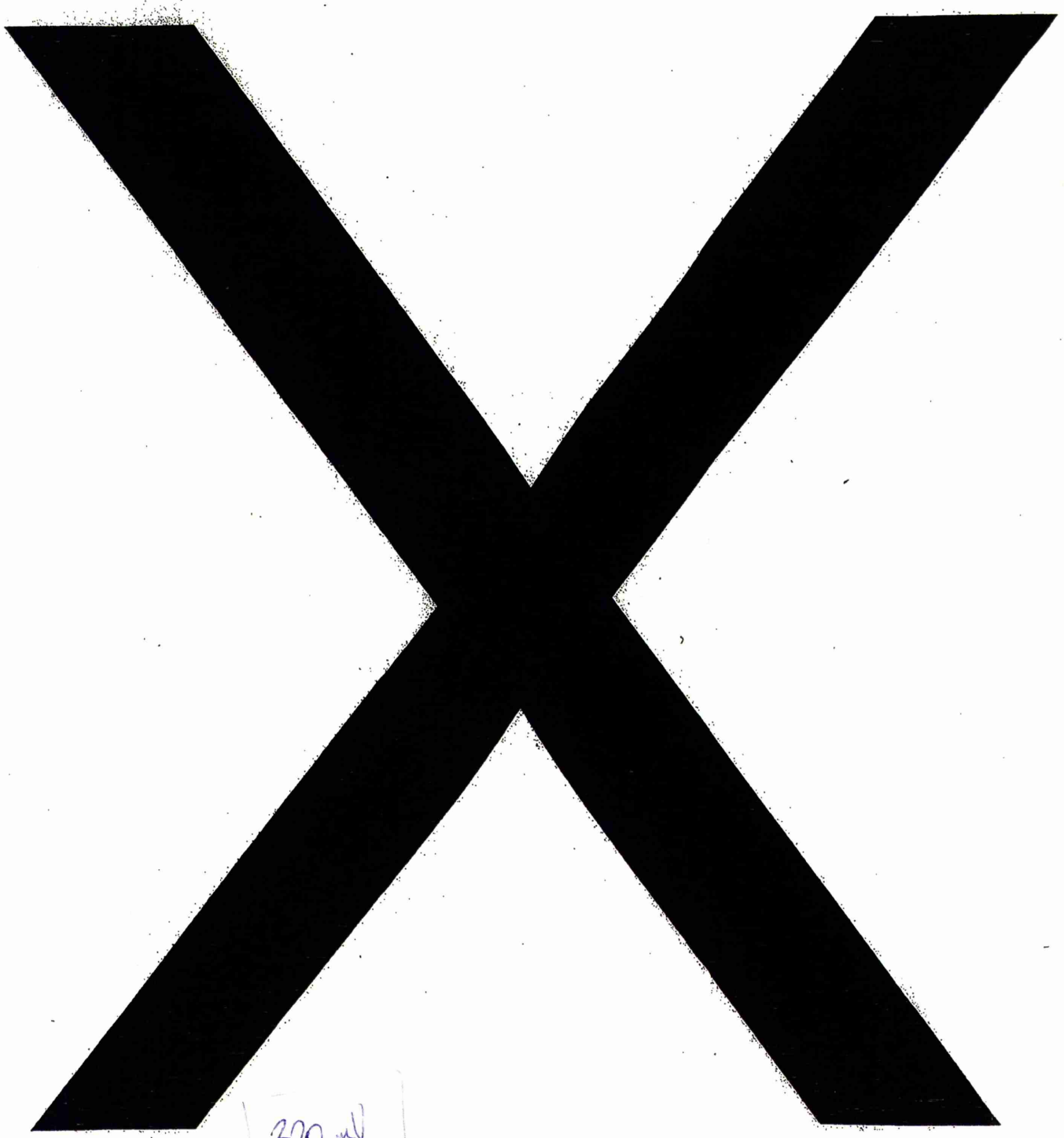
(1) Archer's attitude was influenced by confidential instructions received from the Viceroy in February 1891, asking him to indicate in what places territorial concessions could be made to Siam.
(2) Mitton, op.cit., p.161.



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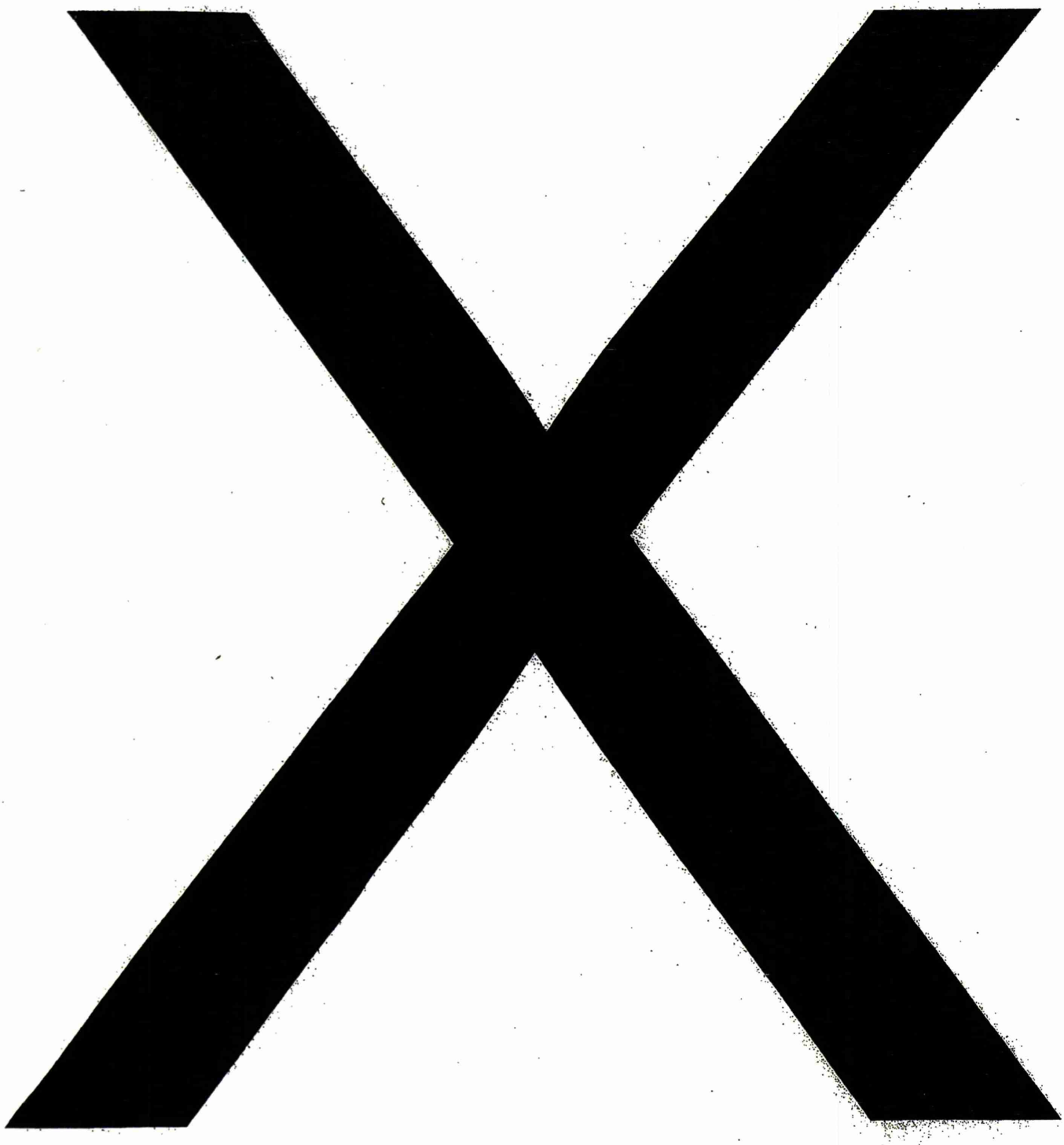

British. On the representation of a member of the Siamese Commission these were not accepted by Mr. Scott.[1] Nothing definite was achieved on the spot by this Boundary Commission but its recommendations were submitted to the Indian Government.

The British Foreign Office persuaded the Siamese Government to accept the frontier as marked by the Kengtung-Chiengmai Commission. The Siamese Government while expressing their willingness to accept this line, still referred to their claims to Karenni territory south of Mi Pai. Finally in 1892 they agreed to take over Keng Cheng in exchange for Karenni territory and at the same time accepted the proposal for the delimitation of frontiers. It was then suggested by the Siamese that an Anglo-Siamese commission should proceed along the entire line of the new frontier.[2]

The final delimitation of the boundary between the Burmese Shan States and Siam by a Joint Anglo-Siamese Commission was arranged for the open season of 1892-93. This Commission met in the month of January 1893 at Mong Hang and the work of demarcation was undertaken in two sections. The northern section commenced work on January 7, working from Loi Un westward to the Salween towards the Mekong river. The southern section started work on January 8 working southwards to the Salween. The demarcation was carried out along the line selected in 1890 by the Ney Elias Commission, and the[3]

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(1) For the full story of Mong Hsing affair see Chapter VI ~~footnote (c)~~
(2) F.O.69/146: French to F.O., June 1, 1892.
(3) J.G. Scott & J.P. Hardiman: op.cit., p.308.

Siamese Commissioners worked in perfect accord with the British Commissioners, Messrs. Hildebrand, Leveson and Scott. This demarcation practically assured the tranquillity of the Shan States and finally solved the Salween problem as far as Siam was concerned. On October 17, 1894 the King of Siam and the British Minister at Bangkok exchanged maps showing the boundary line as finally agreed upon between the two countries.

Even after the final settlement of the Burma-Siam frontier, the Siamese were not very happy with the decision regarding the Karenni territory. Prince Devawongse felt that Great Britain favoured Karenni more than Siam both in point of territory and money. When the new Chief was appointed to Eastern Karenni in 1889 he presented a claim against Siam for compensation for losses said to have been incurred while the Siamese were in occupation of his territory. After some months of definite agreement upon boundaries, the British Government in supporting the claim of Sawlawi for compensation in November 1894 claimed 1400 catties (50,000 rupees) from Siam. When Prince Devawongse was informed of this claim, he said it was very hard on Siam and that he suspected that Britain meant to have some quarrel or to have a big question hang fire for some further agressive policy to be carried out. Discussing the British claim in a private letter to M. Rolin Jaequemyns, General Adviser to the Siamese Government, Prince Devawongse accepted the fact that Siam had no alternative but to yield. At the same time he was very distressed

by the British support of Karenni against Siam. In his characteristic way Devawongse wrote, "if Lion wants White Elephant, let him take it by all means, but not allow the Elephant to be bullied and bitten by Jackal or Wolf nor was it dignified for Lion to bite off Elephant flesh to give charity to smaller animals such as foxes, reptiles etc.".(1)

Prince Devawongse requested Rolin Jaequemyns to speak to Maurice de Bunsen, the British Chargé d'Affaires "in a more proper language than I could do under the circumstances". As a result of talks with Rolin Jaequemyns, de Bunsen in his turn persuaded the Foreign Office not to press its claim on the Siamese Government. To facilitate the easy settlement of various other problems pending between Siam and Great Britain, the Foreign Office agreed not to press the claim for compensation to Eastern Karenni. This gesture on the part of the British Government created a great impression on the Siamese Government and paved the way for continued good relations between the two countries.

Once the difficult problems were solved amicably, the solution of minor questions between Siam and Great Britain became easy. Mr. Rivett Carnac, the Financial Adviser to the Siamese Government, suggested new taxes on land holders in Siam with the intention of improving the financial position of the Siamese Government. In imposing such new taxes on land the Siamese Government was faced with an obstacle as far as British subjects were concerned.

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(1) F.O.69/153: Devawongse to Rolin Jaequemyns, December 7, 1894.

Article 4 of the Agreement supplementary to the 1855 treaty between Siam and Great Britain laid it down, that besides the land tax and the import and export duties mentioned in Articles 4 and 8 of the treaty, no additional charge or tax of any kind might be imposed upon a British subject unless it obtained the sanction both of the Supreme Siamese authorities and the British Consul. A schedule in five sections, of taxes on gardens, ground, plantations and other lands was annexed to the Agreement. The Siamese Government in order to get rid of this obstacle asked Great Britain to consent to the abrogation of the land tax schedule. Nothing was done by the British Foreign Office for a long time to meet the Siamese request. But in November 1899 the Foreign Office was moved to action and consulted the India Office with the intention of meeting the Siamese wish. In turn the Secretary of State for India forwarded the correspondence to the Government of India and asked for their views about the suggested abrogation of the taxes schedule. The Viceroy while agreeing to the abrogation of the schedule, suggested two conditions, namely that British subjects should be allowed to own land elsewhere than in the vicinity of Bangkok (1)

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(1) According to Article 4 of the 1855 Treaty between Siam and Great Britain, British subjects coming to reside at Bangkok could rent land and buy or build houses, but could not purchase land within a circuit of 200 seng (not more than four English miles) from the city walls, until they had lived in Siam for ten years. With the exception of this limitation British residents in Siam could at any time buy land anywhere within a distance of twenty-four hours journey from the city of Bangkok to be computed by the rate at which boats of the country could travel.

and the taxation of land rented, owned or held by British subjects should nowhere exceed the taxation levied on similar land in Lower Burma.(1) When the Foreign Office communicated its assent to the abrogation of the tax schedule with the above conditions the King of Siam expressed certain objections to the first condition.

Mr. Greville, the British Minister at Bangkok strongly recommended the Foreign Office to consider the King's objections favourably. Since the British Indian interests in question were small, the British Government agreed to forego the condition. Accordingly the Indian Government was consulted and the Viceroy intimated his willingness to forego the condition as to British subjects owning land elsewhere than near Bangkok. Hence on September 20, 1900 an agreement was signed at Bangkok between Siam and Great Britain by which the British Government agreed to abrogate the schedule in question and the Siamese Government in their turn agreed not to exceed the tax rates of Lower Burma.(2)

In 1902 the Siamese Government made a proposal for the alteration of Article VIII of the Chiengmai treaty of 1884.(3)

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(1) Lower Burma rates were mentioned because the rates in Upper Burma at that time were not uniform.

(2) F.O.69/208: Archer to F.O., September 20, 1900.

(3) Article VIII of the Chiengmai treaty of 1884 says that the Consul or Vice-Consul shall have power at any time before judgment, if he shall think proper in the interests of justice, by a written requisition under his hand, directed to the judge or judges, (of the International Court) to signify his desire that any case in which both parties are British subjects, or in which the accused or defendant is a British subject, be transferred for adjudication to the British Consular Court at Chiengmai, and the case shall thereupon be transferred to such Court accordingly and be disposed of by the Consul or Vice-Consul. [Aitchison, Treaties etc., Vol.2, Part VII, p.428]

They were prepared to allow British subjects to hold land in the Chiengmai area provided the British Government would surrender the right of the British Consul to remove cases to his Court from the International Court. The Government of India was very pleased with the suggestion and was prepared to accept it. But when Mr. Tower, the British Minister at Bangkok, drew the attention of the British Government to the seriousness of abandoning their right to a Consul removing cases to his Court for Trial, where British subjects were concerned, the Indian Government changed its mind and upheld Mr. Tower's views. At the same time they suggested a general revision of the treaties of 1856 and 1884 in order to attain their object of abolishing the restrictions with regard to holding land by British subjects. Mr. Tower after considering the views of the Government of India suggested acquiring the recognition of the title to land by all British subjects in return for the abandoning the right to the British Consul to remove cases to his Court, only in cases affecting the title to such land. He suggested that British subjects of European descent should be excluded from the jurisdiction of the International Court, established at Chiengmai under the treaty of 1884. The Foreign Office stated that there were strong objections to any discrimination between the treatment of European and Asiatic subjects and they were prepared to agree to the abrogation of the removal clause in cases involving title to land provided Siam agreed to remove all restrictions on tenure of land by British subjects. In October 1905 the Siamese Government expressed their willingness to concede to British subjects the right to hold

land in return for the cession to them of jurisdiction over Asiatic British subjects. After further discussions the British Minister could not come to an agreement with the Siamese Government and the British Government allowed the matter to drop. No final settlement could be reached till 1909 on these matters.

CHAPTER IV

FRANCE AND THE MEKONG QUESTION

The relations between France and Siam during our period arose mainly out of the establishment of the French Colonial Empire in Indo-China and the exploration of the Mekong by French prospectors. The fascination of the Mekong for Frenchmen can be clearly seen if we realise how important a part most - perhaps even all - of the great rivers of Asia have played in moulding the destinies of the peoples and of empires by their geographical features and commercial aspects. Expressed simply, the Mekong 'question' was the French claim to all the territory east of that river on the grounds that it belonged to one or other of the states over which they had assumed protectorates, Annam in the case of the Upper Mekong territories, Cambodia in the case of those further south. All the lands in question were under Siamese authority, either directly as in the case of those of the south, or indirectly as in the case of those in the Upper Mekong. The French claim also affected British interests in Burma. By virtue of its annexation of Burma in 1886 Great Britain inherited the trans-Salween Shan States of Keng Hung and Keng Cheng whose territory extended on both sides of the Upper Mekong. The French claim to the whole territory on the left bank of Mekong created some complications in Anglo-French relations, an account of which will be found in another chapter.(1)

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(1) See Chapter VI, ~~footnote~~ (x)

Franco-Siamese relations date back to the latter half of the 17th century when King Narai of Siam deliberately developed friendly relations with France in order to rid himself of Dutch influence.(1)

It was King Maha Mongkut who opened Siam to the West and entered into commercial and political treaties with almost all European countries. Soon after Sir John Bowring had concluded a treaty of friendship and commerce with Siam on behalf of Great Britain in 1855, the Americans and the French followed suit. For the first time since La Loubere in 1687, a French Envoy reached Siam in August 1856 to negotiate a treaty. When M. de Montigny, the French Plenipotentiary arrived in Bangkok he insisted that he must be accorded all the facilities and be given a similar welcome to that received by Sir John Bowring in 1855. Consequently he was accorded an even warmer welcome than Sir John Bowring.(2) Even though the treaty he concluded was similar to that of the Anglo-Siamese treaty of 1855, with only slight differences, later French writers interpreted it as a proof of Siamese willingness to accept a French protectorate. Notwithstanding the friendly welcome given to M. de Montigny and the good faith shown in concluding the treaty, a shadow was cast on the Franco-Siamese relations from the start. The French

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(1) Hutchinson, E.W., Adventures in Siam in the Seventeenth Century, p.42 For early relations of Siam with France this book is invaluable.

(2) It is interesting that when Mr. Parker arrived in Bangkok in 1856 to negotiate the Supplementary Convention to the 1855 treaty between England and Siam, he insisted on having all the privileges enjoyed by M. de Montigny.

envoy made many promises which were not kept - amongst others the promise to send steamers to take a Siamese Embassy to Paris.(1)

Added to this the exchange of ratifications of the treaty between France and Siam also created a bad impression in Siam. When the treaty was ratified by the French Emperor, a copy was sent in a merchant vessel, the Aigle, and was received in Bangkok by Mr. Moor, Consul for Portugal to whom, as acting Consul for France, was delegated the task of dealing with the matter. The Emperor of France retained the original treaty signed by the Siamese Commissioners and it was a copy that was ratified and forwarded to Mr. Moor. When it arrived in a merchant vessel, the Siamese Government felt that some slight had been offered to them and hesitated to accept it in such a form. Finally it was decided to make another copy to be signed by both Kings of Siam and interchanged with the one received, on August 24, 1857 without any ceremony.

The first French "Chancelier gerant le consulat" M. Heurtier arrived in Bangkok in October 1857 in a French merchant vessel and was sadly disappointed about the feelings then prevailing at Bangkok towards his government. But as soon as the ratifications of the treaty were exchanged, the French Emperor transmitted to M. Heurtier two autograph letters for the Siamese Kings which were delivered by him with the usual ceremony. This, together with the information of

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(1) Encouraged by de Montigny's promise, the King and the Government of Siam pursued the matter further and succeeded in sending an Embassy to England in 1857.

the near arrival of a French man-of-war, caused a marked improvement in the attitude of the King towards M. Heurtier. But in spite of this improved feeling, King Mongkut entertained lively fears of the French, especially of their missionaries in Siam. Mrs. Leonowens, the English Governess at his Court, was often assigned the duty of writing letters in French because he found his French correspondents fond of using "gloomily deceiving terms and murky sentences".

While dealing with Franco-Siamese relations we must bear in mind the peculiar position of the British representative in Bangkok. The Siamese because of their lack of experience in western diplomacy frequently sought the advice of the British Consul in dealing with Foreign representatives in general and the French in particular. Apart from the fact that Siam had entered into treaty relations with Britain first and despatched an Embassy to England, Mongkut was greatly impressed by his English friends, specially Sir John Bowring, whom he appointed as a sort of roving ambassador of Siam to conclude treaties with European Powers. The fact that the English language was the second language of the Siamese, and the predominance of English officers in Siamese service and above all the British policy of friendship and amiability won Siamese hearts. Throughout our study of Franco-Siamese relations the part played by the British representative was very significant. Apart from individual likes and dislikes, the British Government, with its commercial predominance in Siam and anxiety to preserve Siam's independence and integrity, was faced with a delicate problem in French attitude towards Siam.

At a time when the Siamese Government was trying to levy duties on the retail sale of foreign spirits, the French acting Consul, M. de Istria, with the intention of establishing influence in Siam, was granting licenses, not only to French residents, but to individuals of all nations, including Siamese subjects, to sell alcoholic spirits and wines retail.(1) This policy was continued more vigorously by M.G. Aubaret, the French Consul, who proposed some arrangements on this question to the Siamese Government. He insisted on the acceptance of his proposals in such threatening terms that at one time the Siamese Government was so alarmed that it even considered asking for British protection.(2) But on the recommendation of Mr. Knox, the British Consul, the Siamese refused to yield to M. Aubaret's threats. In a private and confidential letter to the King dated June 23, 1865 Mr. Knox advised him not to yield to the French Consul. "The more you yield", he wrote, "the more he will ask and if you only act with common prudence and courage there is no difficulty in putting him in his proper place." He went so far as to draft a letter in the name of the Siamese Kalahom which was sent to the French Consul as coming from the Siamese Government.(3)

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(1) F.O.69/27: Schomburgk to F.O., Mary 9, 1862.
(2) F.O.69/37: Knox to F.O., June 29, 1865.
(3) Siam Daily Advertiser, June 23, 1870.
Knox did not inform the Foreign Office of his letter to the King. But when the Foreign Office came to know in 1870 of the existence of such a document the then Foreign Secretary, Lord Grenville, expressed the Government's "entire disapproval" of the course pursued by Knox.

The French representative also took up the question of an English language newspaper owned by an American of which published profuse and strongly worded remarks on the French. He took great offence at this and wanted to compel the Siamese to suppress the newspaper. The Siamese authorities expressed their wish to consult the British Government regarding the matter as they had no jurisdiction over a newspaper owned and edited by a foreigner. During his angry correspondence with the Siamese Foreign Minister the French Consul took strong objection to the Siamese wish and said "if from this day, the Siamese Council will not hearken to me, and if they will still persist in communicating with England and other nations, I will report to the Ministers that the Siamese Council are growing more evilly disposed".(1)

When the whole correspondence between the Siamese Government and the French Consul was referred to the British Government by Mr. Knox, the British Foreign Secretary Lord Salisbury sent a very significant despatch to Knox, in which he made it clear that the British Government "do not wish to appear to act as judge or arbitrate in any questions which may arise between France and Siam; or to hold out any expectation to the King that Great Britain would interfere in his behalf". His only advice to the King was to execute strictly his treaty engagements with France and to take his stand on them.

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(1) F.O.69/37: Aubaret to the Siamese Foreign Minister, June 13, 1865.

In his instructions to the British Consul, Lord Salisbury maintained that he should carefully avoid entering into any contest for influence with the French Consul, with whom he should endeavour to cultivate friendly relations. The British representative was forbidden to offer any advice to the Siamese Government in regard to its relations with France beyond the limits set forth above.

For a proper understanding of French policy towards Siam over the Mekong question during our period it is essential to follow the changes in fortune of the French Empire in general and their policy in Indo-China in particular as far as it is concerned with our study. On September 1, 1858 the French fleet entered Tourane Bay, to bring pressure to bear on the King of Annam on behalf of the French missionaries, and captured the town. On February 17, 1859 Saigon, the capital of Cochin-China was captured by a combined French and Spanish force. When peace was restored between China, England and France on October 24, 1860, the French Admiral Charner who was active in China returned with his troops to Indo-China and attacked the Emperor Tu-duc of Annam in April 1861 and deprived him of three provinces. On June 5, 1862 France made a treaty with the Emperor of Annam, by which were ceded to her the provinces of Mytho, Bien-hoa, Saigon and the island of Pulo-Condore.(1) On June 25, 1867 Admiral de la Grandière, the Governor of French Cochin-China, annexed

(1) The island of Condore was surveyed by a French man-of-war in 1843 and M. de Montigny when he was in Bangkok to negotiate the treaty with Siam in 1856 proposed to the Siamese Government its cession to France. Both Siam and Cambodia refused this under the plea that the Cochin-Chinese disputed their claim to it.

the provinces of Vinh-long, Chan-doc and Hatien on the ground of the violation of the treaty of 1862 by the Cochin-Chinese who were alleged to be fomenting disturbances and supplying arms and assistance to rebels in Cambodia. By virtue of this annexation the whole of Lower Cochin-China became French.

As a result of the establishment of a French protectorate over Cambodia in 1863 and annexation of Cochin-China, the Governor General of French Indo-China, Admiral de la Grandière, decided to send an expedition to explore the Mekong river, which he hoped would provide a water highway into the heart of Yunnan. The French also wished to test the navigability of the Mekong, to discover its commercial possibilities and to study the ethnography and natural history of the region.(1) The French expedition, headed by Doudart de Lagrée with Francis Garnier as second in command, and accompanied by Delaporte, Jourbert, Thorel and de Carne left Saigon on June 5, 1866. Hopes of the navigability of the Mekong were disappointed. After reaching Luang Prabang, a Lao State extending on both sides of the Mekong, situated on the great bend of Upper Mekong on April 20, 1867 they had to abandon their boats and, with pluck and perseverance, struggle bravely on in native dug-outs to Keng Hung. Thence they reached Yunan Fu and Tali Fu. But the gallant Doudart died at Ting-Chuan on their return journey on March 12, 1868. The rest of the mission under the command of Francis Garnier returned to Saigon with a great wealth of information about the region on

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)1) Georges Maspero, Un Empire Colonial Français l'Indo-Chine, II, p.9.

June 23, 1868.[1] The collapse of the Mekong myth forced the French to try the Black and Red River routes to Yunnan which resulted in the occupation of Tongking.

In order to understand the next series of events in the Indo-Chinese Peninsula, it is necessary to glance for a moment at events in Europe. In 1871 France suffered her crushing defeat at the hands of Prussia and lost the provinces of Alsace and Lorraine. Though working quietly to rehabilitate their country and nursing a yearning for revenge, the French remained isolated from general European diplomacy for some six years after their defeat. Then came the great Eastern Crisis of 1877[2] which severely tested European diplomacy. Bismarck, the German Chancellor, had at first no intention of bringing France into the proposed Berlin Congress to discuss the Eastern question, but on the advice of England, he invited France on June 3, 1878. On July 7, 1878 Lord Salisbury, the British Foreign

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(1) Paul le Boulanger, Histoire du Laos Français, p.233.

(2) The revolts of Montenegro, Bosnia, Serbia and Bulgaria in 1875-6 against the Turkish rule and the murder of some 12,000 Christians in Bulgaria by irregular Turkish troops (May 1876) brought Russia into war against Turkey in April 1877. On March 3, 1878 with Russian armies encamped before their capital, the Turks were compelled to sign a treaty at San Stefano, which brought Europe within measurable distance of a European conflagration. The British Government supported by Count Andrassy, Foreign Minister of Austria-Hungary, demanded the revision of the Russo-Turkish treaty by the Concert of Europe; Russia accepted to submit her treaty to the Powers at the Congress of Berlin (June 13-July 13, 1878).

Secretary, while informing M. Waddington (1) who represented France at the Berlin Congress of the secret convention which gave Cyprus to England added, "do what you like at Carthage and in Tunisia". Bismarck, indifferent to any colonial expansion and desiring reconciliation with his former enemies encouraged the French interest in Tunis and even in Morocco in order to distract their attention from the Rhine. With the approval of Bismarck, Lord Salisbury gave France, on August 7, 1878 a blank cheque for colonial expansion. Thus France brought away from the Berlin Congress the approval of Europe for the expansion of her possessions and resumed her former place in Europe.

Encouraged by these events in 1878 certain Frenchmen formed a small body for the promotion of commercial and colonial expansion, which advertised through the geographical societies. But peace with a policy of 'silent thought' and non-intervention was the desire of the great majority of Frenchmen under Jules Grevy's presidency in 1881. Jules Ferry, the French Prime Minister was however pledged to a policy of colonial expansion and sent an expedition to Tunis in 1881 which adventure cost him his job. Still, some politicians felt that France ought to show some activity abroad to avoid the risk of growing comparatively smaller, at a time

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(1) Waddington was not only a distinguished scholar, but played an important part in French politics as Minister of Foreign Affairs in 1878 and as Prime Minister in 1880. He was appointed in July 1883 as Ambassador to the Court of St. James, where he was to all intents and purposes socially an Englishman. He remained in London for ten years, during which he was accused in France of being "vendu aux anglais".

when European influence was spreading over the world. But when the Governor of Cochin-China, Le Myre de Vilers, requested his government to allow Henri Rivière to move on Tongking, he was ordered "not to plunge the nation into the risks of a military expedition". In spite of these instructions Rivière occupied the citadel of Hanoi on April 25, 1882. The French Minister of Marine wanted to send a 300 man expedition to his assistance, but received an answer from President Grevy "France has got over the craze for distant adventures, and hungers for repose". Rivière succeeded in occupying Nam-Dinh and a part of the Delta on March 27, 1883 but when French troops received a slight setback on the next day near Tongking Paris was excited by the exaggerated reports, to the brink of revolution. The approaches to the Chamber of Deputies were invaded by an angry mob, and Jules Ferry became the object of public hatred. He was obliged to resign for the second time in 1885 because of his active colonial policy. Courbet, Henri Rivière's successor in the Tongking adventure, died on June 11, 1883 after having compelled China to recognise the protectorate of France over Tongking and Annam, and so it came about that by the treaty of August 25, 1883 France found herself the mistress of an empire in Indo-China in spite of herself.

In 1886, as the Presidency of the dull but respectable Grévy was drawing to an end, the imagination of the country was caught by General Boulanger, the late military governor of Tunis. There could be no question that in 1886 and 1887 he was the most popular figure in France, at once Minister of War, mouthpiece of

the nationalist or war spirit and the advocate of a wholesale revision of the constitution. Even though Boulanger's stormy career in French history collapsed like a bubble, President Grévy realised the significant change in the popular attitude and resigned his presidency in November 1887. M. Sadi Carnot succeeded Grévy and remained till 1894 when he was assassinated by a fanatic. During his régime France completely recovered her past glory. He paved the way for the Franco-Russian treaty of August 22, 1891 by offering Russia much needed capital. The first result of the alliance was that France felt no further uneasiness as to her policy of colonial expansion which had previously appeared to endanger the safety of her remote frontiers.(1)

The treaty of August 25, 1883 by which the French protectorate over Tongking and Annam was established made the settlement of frontiers between Siam and the above states an urgent matter as it faced with a rapidly expanding colonial power like France on her eastern and north-eastern borders.

After the Franco-Siamese settlement of 1867 over Cambodia by which the French protectorate was recognised by Siam, the French representatives at Bangkok for many years contented themselves mainly with looking after the administration of their treaty rights and privileges. But during Dr. Harmand's short tenure of office as French Consul at Bangkok in 1883, a more active line was taken. After

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(1) Émile Bourgeois, History of Modern France, 1815-1913, II. p.308.

agreeing to sign the spirits agreement with Siam, he suggested some concession regarding the fishing rights of the Cambodian Tonlè Sap or Great Lake should be given in return. The French had complained of experiencing inconveniences from the mixed jurisdiction over the Lake which lay between Siam and Cambodia, and insisted on taking the full control into their own hands.(1) Dr. Harmand informed the Siamese Government that Chantabun [Chandanapura] a small Siamese port on the east coast of the Gulf of Siam, was an Annamite town. He persuaded the Siamese Government to accept a proposal for the construction of a telegraph line between Saigon and Bangkok through Battambang. The Siamese Government finally yielded to Dr. Harmand's repeated requests and made over the entire construction of the line to a staff of French engineers under whose sole direction and management the line was erected by French labour; payments being supplied monthly in advance by the Siamese Government through the French consulate at Bangkok. The line was opened on July 16, 1883 and it must be said that the French made a wonderful job of it and established a permanent telegraphic station at Battambang in spite of the opposition of Mr. Palgrave, the British Minister at Bangkok, whose dislike of the French was so great that he wrote to a friend "even in bad health and weary, the pleasure to me an intense one, of tricking and checkmating a Frenchman keeps me up a bit; I do so hate republicans and republics".(2)

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(1) F.O.69/83: F.O. to Newman, August 17, 1883.
(2) F.O.69/81: Palgrave to Harvey (Private), June 15, 1882.

A very interesting situation arose after the completion of the telegraph line. As it was constructed entirely with Siamese money the management should have been made over to them; but the French, for various political and international considerations, wanted it to remain permanently a purely French undertaking subsidized by the Siamese. General Boüet, Commander of the French troops in Cochin-China, visited Bangkok in a gunboat Alouette in June 1883 with the ostensible object of ratifying the Telegraphic Convention between France and Siam. But it was rumoured that he invited the Siamese Government to accept two conventions; one binding the Siamese to employ only French engineers for their steamers, the other conveying to the French certain rights over the telegraphic lines between Saigon and Bangkok.(1) If the French had insisted on the conclusion of such a treaty it would have put all the telegraphic stations in the country in the hands of French officials. But Mr. Newman, the acting British Consul-General at Bangkok informed the British Foreign Office on September 29, 1883 that anything of that kind had never been seriously insisted upon by the French.

Count Kergaradec, who succeeded Dr. Harmand as French Consul was very frank as to the ultimate intentions of the French with regard to Siam. In a conversation with Newman he stated significantly that the frontiers towards the east would require rectification and that "everything Annamite" would ultimately be claimed by France.(2) This was the first indication given by a French

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(1) F.O.69/78: Foreign Office Memo on French designs in Siam, July 10, 1883.
(2) F.O.69/105: Newman to F.O., September 14, 1883.

representative concerning French intentions. As the settlement of frontiers between Siam and Cambodia on one side and Tongking and Annam on the other was a pressing problem, the Siamese Government sent Mr. James McCarthy to survey the territory between Annam and Tongking and the valley of the Mekong in 1884. In December 1884 King Chulalongkorn of Siam expressed a desire to meet M. Thomson, the Governor of Cochin-China with the intention of discussing the frontier problems between Siam and the French protected states in Indo-China.(1) The interview was arranged and took place off Cape Samit on January 30, 1885. In the course of the discussion both the Governor and the French acting Consul fully recognised the claim of the Siamese that the frontier between Siam and Cambodia commenced at Hin Khao and ran thence northward along the watershed. But the actual boundary line had to be demarcated and it was agreed that advantage should be taken of a visit which the Governor of Saigon proposed to pay to Bangkok in March 1885, to appoint a joint commission to delineate the frontier between Siam and the French protected states. The Governor of Cochin-China in a telegram addressed to the Department of Marine at Saigon giving an account of the meeting mentioned that the King of Siam declared that the true interests of

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(1) It was believed that M. Thomson addressed a threatening letter to the King of Siam regarding the disorders on the Siam-Cambodian frontier and as a result of that letter the King asked for the meeting. But the acting French Consul M. Lorgeou, in a letter to the Editor of the Siam Weekly Advertiser on April 25, 1885 made it clear that the story of a threatening letter from M. Thomson was a pure invention and the meeting took place at the express wish of the King of Siam.

Siam were bound up with those of Cochin-China and Cambodia. This information gave rise in Bangkok to the impression that the King by employing such language had implicitly offered to place his dominions under French protection. But the Siamese Foreign Minister assured Mr. Satow that the King had merely promised the Governor to take measures to prevent hostile inroads from Siamese territory into Cambodia and generally to maintain order on the frontier.(1)

At a time when negotiations for a frontier settlement were going on between the King of Siam and the French authorities in Cochin-China, French agents were busy in the Upper Mekong region especially in the Laos country. In the month of January 1883 Dr. Neiss, a French naturalist,left Saigon with the ostensible purpose of making natural history collections in the upper portion of the Mekong valley. This was the account given to the Siamese Government by the French authorities in applying for the usual passports. The real object of his mission was to ascertain whether it was possible to detach the Laos population of that region from their allegiance to Siam and induce them to come under French protection.(2) There is not much to say about the results of his attempts except his travels helped future French agents with valuable information.

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(1) F.O.69/99: Satow to F.O., February 26, 1885.
(2) F.O.69/90: Satow to F.O., July 10, 1884.

The French authorities in Indo-China attached too much importance to the possession of the state of Luang Prabang.(1) It was a powerful Lao kingdom, which at one time had extended its authority over nearly the whole of the Mekong valley. In 1699 King Petraja of Siam had been called upon to interfere in the affairs of Luang Prabang, which had been greatly disturbed for several years owing to the claims of various rival princes to the throne. A certain Prince Pra Chao Ong Wiet had set himself up as king at Vieng Chang and a cousin of his, Prince Kingkisarat, had seized Luang Prabang. When the latter prepared to invade Vieng Chang, Prince Ong Wiet applied to Siam for help, offering to cement the alliance by the gift of his beautiful daughter. A Siamese army was sent to his aid but no fighting was needed for the Prince of Luang Prabang, realising the futility of attacking the combined armies of Vieng Chang and Siam, entered into a treaty with his cousin, whereby the principality was divided between them in 1707, one to have his capital at Luang Prabang and the other at Vieng Chang. In 1777 the Siamese King Taksin invaded Vieng Chang with 20,000 men, the Prince of Luang Prabang, Chao Suriwongse joined him, and together they looted everything in Vieng Chang. Again in 1828 a Siamese force invaded Vieng Chang, because the Chief was found to be intriguing with Burma and trying to foment a general rising among the Laos. The Chief was captured and the city reduced to a heap of ruins. The state was broken up and never recovered from the blow; its site soon becoming overgrown by the jungle.

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(1) From the original name of Muang Sawa it was changed to Lan Sang and the name Luang Prabang was given from the Prabang, a golden image of Gautama.

As far as Luang Prabang was concerned the Chief used to pay customary tribute to China, Annam and Siam from time to time. The political instability and unrest which led the smaller states in Indo-China to make presents indiscriminately to neighbours so much more powerful than themselves, created a great deal of confusion in determining their exact relations with those states. Luan Prabang was a typical example of such a situation. Its political importance was mainly due to its geographical situation, which was at the very point of contact and intercourse between all the Indo-Chinese races, Burmese, Shans and their cognates, the Thais of Siam and Eastern Laos, Annamites, Chinese from Yunnan and also many tribes of Indo-China. For a long time it was a tributary of China to which it owed every eighth year a tribute of eight elephants, but the Chief was not invested by the Chinese Emperor. M. de Lanessan in his book L'Indo-Chine Française, after mentioning the occasional and unwilling subjection of Luang Prabang to China and Annam adds, "but its true sovereign has always been the King of Siam, and every year the King of Luang Prabang is bound to send to Bangkok one of his officers to drink the oath water, which is the most manifest sign of vassaldom". Apart from the definite tribute of ivory and eagle wood and other products, and drinking the oath water[1] the King of Siam enjoyed the supreme authority of investing the Luang Prabang Chiefs. M. Paul le Boulanger in his book Histoire du Laos Français (p.240) maintains that

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(1) At stated periods the elders visited the Siamese capital to drink water consecrated by old Brahmins, in which the weapons of the King of Siam have been plunged, and repeat aloud a written formula.

until 1872 the Chief of Luang Prabang did not receive his investiture from the King of Siam. M. de Lanessan felt that the supremacy of Siam over Luang Prabang was not of long standing, but he agreed that he had no precise data on this point.(1) The Chief of Luang Prabang had also been paying a triennial tribute to Hué either directly or through the hands of the Governor of Nglie-an. The situation of Luang Prabang with respect to Annam had undergone great changes and passed through various phases according as the autonomy of the kingdom had been influenced by the rival pretentions of neighbours. M. de Lanessan confessed that "the information we possess on this subject is very confused". But he wished to take advantage of the fact of trienniel tribute from Luang Prabang to Hué and with that intention suggested that it would be of the greatest importance to obtain permission for a thorough search of the Annamite archives of Hué, to acquaint themselves with the nature and extent of the obligations of Luang Prabang to Annam, as well as the circumstances under which that obligation arose and continued.(2) In 1886 even the best authorities on French expansion were not sure of Annamite claims as against the well-established Siamese rights.

As far as Siam was concerned the King never exercised effective control over the affairs of Luang Prabang until he was

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(1) de Lanessan, Burma, Siam and Indo-China. Report drawn up by direction of the Commission for the examination of the "Project de Loix" approving the supplementary Commercial Convention signed at Paris on January 15, 1885, between France and Burma.
(2) Ibid.

forced to intervene in defence of that country against the depredations of the Haw. The Siamese and Lao people styled the caravanmen, most of them Mohammedans, remnants of the Taiping rebellion from Yunnan, Kwangsi or the other neighbouring provinces of China as the Haws. After the rebellion these same people mustered in considerable numbers under different colours, from which they got their names of Black Flags, Yellow Flags and the like, and settled on the borders of Tongking and Luang Prabang. Their armed incursions since 1870 into the country near Tongking border and outlying provinces of Luang Prabang have made them a terror to the French, the Annamites and the Lao districts round Luang Prabang. When the ravages by the Haw on the northeast frontier of Siam were threatening the peace of that region the King of Siam appointed Mr. McCarthy to command an expedition to the disturbed area. He started on January 16, 1884 with 200 soldiers under Captain Leonowens. But owing to sickness McCarthy had to return to Bangkok in July without accomplishing anything. In the beginning of 1885 (February-May) an indecisive effort was made by the Siamese to clear their country of the Haw. It was arranged that Praya Rat from Nawng Kai and Praya Pichai from Luang Prabang should reach Tung Chieng Kum and in concert attack the Haw stockade. Owing to disagreement between the two leaders, and lack of commissariat arrangements, the siege of the stockade was unsuccessful and after three months Praya Rat was obliged to raise the siege of Tung Chieng Kum and to fall back on Nawng Kai. Praya Pichai moved off northward to Muang Teng [French: Dien Bien Phu] and negotiations were entered

into with Chao Lai, the most influential man in the Black Flag country whose father Deo Van Seng had been invested with power to administer the Sibsawng Chu Tai by the old Chao of Luang Prabang. Chao Lai sent a letter accompanied by presents to Praya Pichai by the hands of his two sons. Being satisfied with the success of his attempts Praya Pichai returned to Luang Prabang and subsequently died of fever.(1)

In 1887 another effort was made finally to clear the Haw out of Siamese territory. One expedition under Praya Surisak Montri was sent to operate in the country under the jurisdiction of the Chief of Luang Prabang and Prince Prachak was sent to operate from Nawng Kai. Praya Surisak pushed on the Muang Teng from his head-quarters at Muang Sawn and thinking that Chao Lai was not acting squarely, placed his two sons who had come down to receive him in close confinement and eventually sent them down to Bangkok. This was the prelude to the ravaging of the town of Luang Prabang by the Haw. The Siamese Government, taking advantage of Haw incursions on Luang Prabang territory, multiplied their efforts to strengthen their hold on the state and to convert vassalage into implicit subjection. In the year 1885 they placed one of the King's brothers as Royal Commissioner at Luang Prabang with overriding powers; organised a local militia and increased their regular forces.

By the treaty of June 6, 1884 between France and Annam the French guaranteed the integrity of Annamite territory. At this

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(1) H. Warington Smyth, Five years in Siam, I. p.190.

time Siamese territory extended to all the area over which Annam had vaguely exercised suzerainty, so that her control stretched from beyond Chieng Sen to Luang Prabang and farther northeast to the Black river. Interpreting the meaning of the phrase "integrity of Annamite territory" liberally the Quai d'Orsay asked the Emperor of Annam to formulate the precise extent of his territory and as a precaution addressed the Siamese Government expressing explicit doubts as to the possible consequences of their proceedings in Luang Prabang and nearby states.(1) Siam remonstrated against French interest in the region where Siamese troops were defending themselves against the Haw. It is significant that French protests to Bangkok were rather vague as to the issue at stake because of uncertainty about Annamite claims and internal difficulties arising from the party struggle in France itself. Notwithstanding these drawbacks Siamese and French representatives started negotiations in earnest at Bangkok in September 1885. Even though the French claims were not definite, their purpose seemed to be to check the Siamese from assuming complete control over that region. As a bargaining counter they laid claim to all the territory on which Annam had ever exercised any sort of suzerainty up to the left bank of the Mekong. During the prolonged negotiations both parties produced maps in support of their respective claims.(2) As they were then faced with irreconcilable divergencies in their claims, it was finally agreed to go and see the region in dispute.

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(1) Le Boulanger, op.cit. p.271.
(2) The Siamese produced maps prepared by Mr. McCarthy and the French produced maps prepared by M. Deveria according to the details given by the Court of Hué.

While the negotiations were going on between France and Siam the French Chargé d'Affaires in Bangkok was expressing in November 1885 an opinion that sooner or later they would place a vice-consul at Luang Prabang to look after the old trade routes to Annam and Tongking which the French wanted to reopen. When the French representative suggested the establishment of a French vice-consulate at Luang Prabang, the Siamese expressed their willingness to agree, provided the French concluded a treaty similar to the British treaty of 1884 with Siam regarding Chiengmai. On December 1, 1885, Mr. Satow suggested that it would be advisable for him to visit Luang Prabang on his way to Chiengmai. But the Foreign Office not wishing to excite French suspicions, in view of its proximity to territory coveted by the French, forbade him to carry out his plan.

In January 1886 the French Government offered to appoint M. Auguste Pavie as Vice-Consul at Luang Prabang. It is not out of place to introduce Pavie, a wizened elderly little man with a long grey beard who played a very important role in shaping Franco-Siamese relations during the early period of our study. He first visited Siam in the quality of a telegraph clerk in the year 1884, to work on the Saigon-Bangkok telegraph line and subsequently became the French Minister at Bangkok. As an explorer he had very few equals in his time and his magnificent work Mission Pavie is a standing example of his achievements in that field. In his dealings with the natives, his motto was to capture their hearts. No wonder he did manage to enchant them with his charm and just and conciliatory policy and

succeeded in gaining their goodwill and esteem. He had no diplomatic training, but as all pioneers he had great perseverance and a dogged determination to carry out his own policy, regardless altogether of the promises and engagements of his government. In his relations with the Siamese authorities and other foreign representatives he was as a rule polite, considerate and conscientious. But the Siamese Government refused to recognise Pavie as Vice-Consul at Luang Prabang without a formal treaty. Count Kergaradec after vainly ~~attempting~~ attempting to persuade the Siamese to grant an exequātur for M. Pavie finally agreed that the convention the Siamese required should be concluded. After laborious negotiations between the representatives of the two governments a provisional convention was signed between the French Chargé d'Affaires and the Siamese Foreign Minister on May 7, 1886. By this convention the Siamese Government agreed to the establishment of a French Vice-Consulate at Luang Prabang; but a subtle drafting recognised implicitly, as a compensation Siamese suzerainty over that State.(1) As the French Government were not prepared to ratify the convention till they received reports from their first representative, the Siamese Government refused to grant an exequātur to M. Pavie. In spite of this difficulty Pavie insisted on going to Luang Prabang. After further negotiations for six months he was obliged to travel with a Siamese passport as an ordinary traveller. Mr. McCarthy who was on his way to Muang Teng to meet Praya Surisak, accompanied Pavie to Paknam Po but from thence their ways parted.

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(1) Le Boulanger, op.cit., p.256.

Pavie reached Luang Prabang on February 10, 1887. He moved up the river Nam U for a preliminary study of the region, but when he had advanced as far as the mouth of Nam Nua, he met the Laos of Muang Teng in full flight from the Haw, who were brought down by the eldest son of Chao Lai, to avenge the arrest of his brothers by Praya Surisak. At that time Surisak was at Paklai and Pavie, having returned to Luang Prabang before the arrival of the Haw, left the place with the Siamese Commissioner to the right bank of the Mekong. No opposition was offered to Chao Lai in his advance towards Luang Prabang. But Mr. Gould, British Vice-Consul at Bangkok, reported that Pavie had urged upon the Chief of Luang Prabang the desirability of preparing to resist the Haws, but the Siamese commissioner, being suspicious of Pavie, prevented the Chief from taking the latter's advice. The Haws and their leaders were admitted into the city and had interviews with the Chief. But the city of Luang Prabang was fired and looted by the Haws on June 10, 1887. Then they returned the way they had come. While the ravaging of the city was going on the Chief, with the help of a guard of twenty British Burmese traders succeeded in getting into his boat and crossed the river, where he met Pavie. The old Chief went down to Bangkok on the invitation of the Siamese Government. Pavie accompanied him as far as Paklai and on leaving told him by way of comfort that the Siamese would treat him so well that he would forget his French friend.

The Siamese Government proposed to send a fresh expedition from Bangkok in September 1887 to Luang Prabang and the French planned to send a force of their own from Hanoi to Muang Lai with the determination to secure it for themselves for strategic reasons, in the following month.(1) It was agreed that a French Commissioner should accompany the new Siamese expedition. Three Siamese Commissioners were to accompany the French expedition which was mainly organised for the pacification of the upper regions of the Black river. Its secondary object was to study the frontiers between Siam and Annam as a preliminary to a final settlement of the boundaries. The French tried to give the impression that their expedition was only a sequel to the decision arrived at in 1886 between France and Siam to "aller voir" the region in dispute for the purpose of delimiting the boundaries. M. Pavie with two French officers and three Siamese agents accompanied by two columns duly started on his mission as arranged. Before the Siamese expedition, under Praya Surisak, had left the valley of the Menam, the French expedition attacked the Haw at Lao Kai, marched to Muang Lai and then established themselves at Muang Teng, where meeting with no opposition they quietly assumed jurisdiction over the Sibsawng Chu Tai.(2) They

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(1) F.O.69/117: Gould to F.O., July 10, 1887.
(2) James McCarthy, Surveying and Exploring in Siam, p.109.

established a permanent post at Muang Lai which was the furthest western outpost of French arms at a distance of 160 miles as the crow flies from the Mekong. After these successes M. Pavie travelled all through Sibsawng Chu Tai territory to find some excuse for his occupation of territory under Siamese jurisdiction and to persuade the local chiefs to accept French protection.(1) In 1888 Pavie Mission was extended and Commander Pannequin and several others joined him. In the beginning of August 1888 Pavie left for the Black river region.

By that time Siamese outposts were established not merely in the Mekong basin but in the upper waters of streams draining into the Gulf of Tongking. This district was called Hua Pan Tang Hok and contained six posts each under a Siamese Commissioner, Muang Chieng Kho, Muang Son, Muang Sam Nua, Muang Sai, Muang Hua Muong and Muang Sam Tai. To the west of these posts, the valley of the Nam U draining into the Mekong was also in Siamese hands. They had posts along its banks at Muang Halin, Muang Ngoi, Muang Sop Hat and Muang Sun and also a post more to the east at Sop Nao. Even though the French claimed the Nam U, they had not stationed a single soldier there.(2)

When Praya Surisak arrived in the Black river region at Muang Teng in December 1888, M. Pavie, who was by that time well

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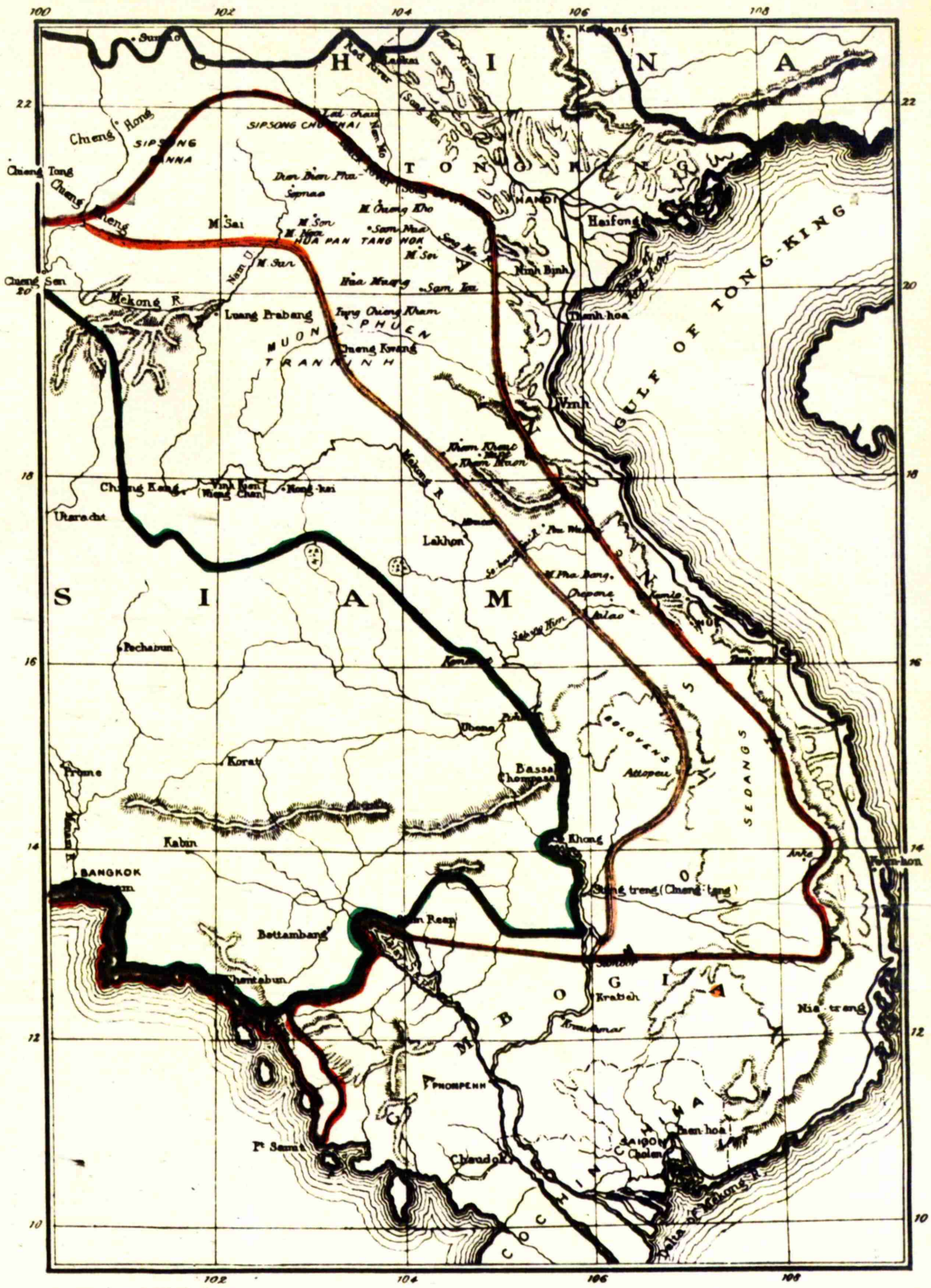
(1) Prince Henri d'Orleans, French explorer in his book Around Tonkin and Siam declares that Deo Van Seng was named by the King of Annam as Quan fou de Theng and the Chief of the Sibsawng Chu Tai. Pavie relied on this assumption for his action. But H.W. Smyth and James McCarthy both testify to the fact that Deo Van Tri positively denied any Annamite jurisdiction over his territory.

(2) George N. Curzon, The Siamese Boundary Question, "The Nineteenth Century", July 1893.

FRENCH INDO-CHINA AND SIAM.



Spottiswoode & Co. Lith. London

YELLOW LINE — Frontier between Annam & Siam as drawn by F. Garnier (1866-8).

PINK LINE — Frontier as drawn on Siamese Government map by J. McCarthy (1887).

GREEN LINE — Hypothetical Frontier as drawn on French map by F. Schrader (1892).

established in that region, made no secret about the results of his expedition and affirmed his intention to re-occupy Sibsawng Chu Tai as he considered it a dependency of Annam. He expressed a desire to have more time to survey the region before fixing the frontiers. Surisak, realising the results achieved by the French mission, hesitated for some days before determining on a course of action. But he was compelled to retire by Pavie who threatened him with force if he refused. Pavie himself returned to Luang Prabang on January 2, 1889, leaving pacification and administration of the newly occupied territories to Colonel Pennequin. During the most advanced stages of the Pavie Mission they had established a post at Kham Khent on the western slope of the mountains between Annam and the Mekong valley to command the mountain track from Vinh to Houten on the Mekong. The Siamese at once retaliated by establishing a similar post and a customs station at Kham Muon a little further to the south and a second post at Pou Wadon close to the mountain range. To the east they established a post very near Napé. M. Pavie categorically declared that the Siamese posts established by Pra Yott, the Siamese Commissioner of Kham Muon district, were on Annamite territory and made it plain to him that the Siamese would soon be replaced throughout that region by Annamite soldiers. On March 24, 1889 Captain de Grasse established a French post at Napé itself and Pavie left for Bangkok to continue his nogotiations with the Siamese Government and organise a new mission of exploration on the river Mekong.

The military occupation by the French of this territory under Siamese jurisdiction created a situation which was full of possibilities for friction between the two Powers. Pavie's proceedings in occupying certain territory on the left bank of the Mekong, based on the vague claims of Annam and ignoring the existing rights of Siam was so extraordinary that the Siamese could not decide their attitude. At the time when he arrived at Bangkok in 1899 the frontier question between France and Siam was still under discussion. The French Chargé d'Affaires asked the Siamese Government whether a Commission could meet on the frontier or at Bangkok. After various negotiations between France and Siam it was at last proposed that after a certain amount of surveying by the French Commissioners they should meet the Siamese Commissioners at Bangkok in August 1890, to fix permanently the common line of frontiers. Pavie then drew up a 'plan of pacification' which resulted in an agreement in March 1889 between France and Siam, according to which each side agreed to observe the status quo until the joint commission settled the frontiers. Captain Jones, the British Minister at Bangkok, in a despatch to the Foreign Office gave the precise conditions of the interim arrangement thus: "Siam will continue to hold the basin of the Mekong from about the 13th to the 22nd parallel of north latitude, with the exception of three small districts on this side of the Khao-Luang range [Ai-Lao, Dign Kia-Heup and Kam-Muan]. Beyond these to the north the Siamese hold the districts called Pan H. Thang Hok and the French will continue to occupy Sipsong Chu Thai". The terms of this arrangement are of considerable

importance for our study, for subsequently hostilities arose out of allegations brought by France that the conditions of this agreement had been violated.

After concluding the status quo agreement M. Pavie left Indo-China for France where he arrived on June 12, 1889. He utilised his five months' stay in Europe to organise his second mission in Indo-China. His personal consultations with the French Government helped to bring about an understanding between the Foreign Minister M. Spuller and the Under Secretary of State for Colonies regarding their policy in Indo-China. Pavie was the spirit behind the formation of an association in France known as Syndicat Français du Haut Laos whose agents played a prominent political part in France-Siamese relations. He left France after accomplishing his work on November 17, 1889 for Bangkok. During a fifteen days' stay at the Siamese capital he had frequent interviews with the Foreign Minister, but the rectification of frontiers was not alluded to. It was thought that the question of frontiers might be brought forward in March 1891 when Pavie would return to Bangkok after completing his surveys.(1) But nothing more was heard about the proposal till Franco-Siamese relations were heading for a breakdown.

While the frontier negotiations were going on between Siam and France, French diplomats were busy suggesting a division of influence between France and England in Indo-Chinese Peninsula.

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(1) Pavie's second Mission for surveying the upper regions of the Mekong and the Black river left Hanoi on February 3, 1890 in three groups, with instructions to meet in Luang Prabang after six months.

M. Waddington, French Ambassador in London, in a conversation with Lord Salisbury on September 28, 1885 suggested that negotiations should be opened with this object. Lord Salisbury thought that the idea might be a fruitful one and agreed to examine it. At the same time he suggested a self-denying ordinance by which both Powers would agree to refrain from extending their influence till the matter was fully examined. But Waddington maintained diplomatic silence over the suggestion. The India Office were consulted about Waddington's proposal and Lord Randolf Churchill in reply on October 8, 1885 viewed M. Waddington's suggestion with apprehension and thought that British influence should be paramount in that quarter. When the Siamese heard of the French suggestion for a division of influence they felt anxious about their fate, but their anxiety was allayed by Salisbury's proposal for a self-denying ordinance.

About a year later, on October 18, 1886 the French Consul-General at Calcutta, Dr. Harmand, made a proposal to the Viceroy of India for a partition of the Indo-Chinese Peninsula between France and England. Both the India Office and the Government of India agreed that such a partition would not only be unjust to Siam but also undesirable in the interests of India and that it would excite the jealousy of the Chinese Government.(1) Dr. Harmand's communication to the Viceroy was most interesting and instructive as to the real motives of the French in regard to Siam. According to him the key

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(1) F.O.69/113: India Office to Foreign Office, October 18, 1886.

to a satisfactory solution of the question of spheres of action between England and France was to be found in the neutralisation of Siam, which should serve the purpose of a small independent buffer state between the two great Powers. While indicating the new proposed frontiers on the French side, Dr. Harmand marked on a sketch map the eastern frontier which followed the watershed between the basins of the Menam and the Mekong, leaving on the French side of the frontier all the Eastern Lao States, which were tributary to Siam including Luang Prabang, When Mr. Wallace, Private Secretary to the Viceroy, remarked that he was annexing a large slice of Siamese territory Dr. Harmand admitted that. But his reasons for such contemplated annexation were interesting. He contended that the territory in question was uninhabited or at least very thinly populated, that though nominally tributary it did not really add to the strength of Siam, that its amputation would tend to consolidate rather than weaken the Siamese State and that its annexation by France was necessary for the protection of the French possessions.(1) It is significant to find that no claim of Annam to the territory was raised in Harmand's argument for annexation. It was justified on the grounds of expediency alone.

On April 3, 1889 M. Waddington in an interview with Lord Salisbury, made a proposal for the neutralisation of Siam. He stated that the French Government had a twofold object in view. They wished to establish a strong independent kingdom of Siam,

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(1) F.O.69/113: Government of India to the Secretary of State for India, September 10, 1886.

with well-defined frontiers on both sides, and they desired to come to an arrangement by which a permanent barrier might be established between the possessions of Great Britain and France in the Indo-Chinese Peninsula. He made it clear that, regarding the frontier of Cochin-China, the French Government did not wish to extend it into Luang Prabang, but they would propose to draw a line from a point nearly due east of that place southwards to the Mekong and below that point to make the river the dividing line between the two countries until it entered the territory of Cambodia.(1) Lord Salisbury informed M. Waddington on August 27, 1889 that the British Government were favourably inclined to such an arrangement and asked as a first step towards the necessary settlement of boundaries for the views of the French Government on the limit of Siam on the east and northeast. M. Waddington, however, left this important question unanswered. There the matter remained until February 1891. Then he made the new and startling proposal that the French and British Governments should bind themselves to consider the Mekong river as the limit of their respective spheres of influence in Indo-China.(2) No immediate answer could be given by the Foreign Office because of prolonged consultations with the India Office and the Government of India. On February 16, 1892 Waddington in the course of a conversation with the Foreign Secretary alluded to Lord Lamington's speech in the House of Lords on the moving of the Address in which he said

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(1) F.O.69/147: Lord Salisbury to Lord Lytton, April 3, 1889.
(2) F.O.69/147: F.O. to Lord Dufferin, October 26, 1892.

that M. Ribot's speech in the French Chamber claiming that French influence had been extended to the Mekong was an undue display of French ambition. While reporting the French reaction to that speech he suggested again that each Power should bind itself not to extend its influence beyond the Mekong. On May 10, 1892 Waddington again asked for an answer with respect to his Mekong proposal and at the same time made it clear that he did not mean to say that the present sphere of influence of either France or Britain extended up to the Mekong.(1)

It is not out of place here to consider the background for the French claim to extend their sphere of influence up to the Mekong. Without any exaggeration we can say that M. de Lanessan had clearly set forth in his masterly book L'Expansion Coloniale de la France (1886) the claims which were scrupulously followed by the French in Indo-China. The Siamese considered this work as a French handbook for the annexation of Siam. He had reported to the Chamber of Deputies on the French treaty with Burma concluded on January 15, 1855 and while doing so he had commented on the error committed by the French in 1867 in ceding to Siam the provinces of Battambang and Angkor, and added, that in view of the new treaty with Cambodia, the treaty of 1867 no longer exists. It is, however, difficult to see how a treaty between the King of Cambodia and the President of the French Republic could annul the engagement of France towards Siam. M. de Lanessan suggested that their new position in Annam

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(1) F.O.69/147: Foreign Office note, May 10, 1892.

should be utilised for the purpose of reclaiming from Siam the protection of the Annamites throughout the Lower Menam, both on the coast and especially at Chantabun where France should be obliged to place a vice-consul because of its importance to France on more than one ground. In this report he gave some hints about French strategy when he said, "With our colony of Cochin-China we hold the mouth of the Mekong; in Tongking we are close to the upper part of the course of the Great River; and through central Annam we can make for any point in its territory between these two extreme points. In the lower portion of the Indo-Chinese Peninsula, we can spread from Cambodia by the Great Lake and its affluents throughout southern Siam; while in its centre our position close to the Mekong gives us all Laos and the Shan States, the richest part of Indo-China and finally, in the north, if we can extend our commercial influence to Luang Prabang we shall be able, by the aid of our treaty with Burmah to extend along the upper course of the Mekong, and reach Yunnan by the south and west as the English are attempting to do". These views expressed by a French Deputy in the Chamber created suspicions about French designs in the minds of the Siamese. But Count Kergaradec explained to the Siamese Government that the utterances of a Deputy were not in anyway official and did not represent the views of the Government. Nevertheless, the policy followed by Count Kergaradec ever since his return to Bangkok in June 1885 had been in entire accordance with the plan of action laid down by M. de Lanessan.(1)

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(1) F.O.69/110: Satow to F.O., November 1, 1886.

In his book de Lanessan devoted a large section to French policy in IndoChina. It is interesting to find that he had sufficient foresight to be able to indicate (pp.438-501) in 1886 the causes of conflict in 1893 between France and Siam. His views on the frontiers between Siam and the French possessions in Indo-China are worth quoting. "On the south-east of Lao Kai", he wrote, "the frontiers between Yunnan and the states tributary to Burmah and Siam are very vague; we have every interest in leaving them in this shape, in order to be able to push them back some day to the Mekong... On the west, from the frontier of Yunnan to the mouth of the Se-Moun, the Mekong ought to be the frontier of our Empire... From the Se-Moun our Empire should cross the Mekong, include the secondary basin of the Se-Moun,(1) join the northern end of the Great Lake, and include the provinces of Battambang and Angkor, which has always formed part of the Kingdom of Cambodia... The basin of Se-Moun, which belongs to the basin of the Mekong, is separated from the basin of the Menam, which represents Siam properly so called, by a mountainous and desert region, which constitutes a natural and scientific frontier between the basin of the Mekong and that of the Menam... That mountainous frontier ought to be considered by France as the natural limit of her Indo-Chinese Empire on the side of Siam. Having retaken the Great Lake provinces...and the basins of Mekong and the Se-Moun, we ought to adhere to the policy of respecting, and if necessary, protecting the independence of Siam."

The Siamese were dismayed when they heard that the author of these opinions had been sent out by France in May 1891 as

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(1) Korat, the most important city and commercial centre for the Siamese after Bangkok is situated on the Se-Moun river.

Governor-General of Indo-China with a large credit for purposes of Colonial development. Their misgivings were soon to be confirmed. The idea which M. de Lanessan voiced that the Mekong ought to be the limit of the French Empire soon caught the imagination of French politicians. M. Goblet, the French Foreign Minister when appointing M. Pavie as the French Commissioner to determine the frontier between Siam and Indo-China in 1888 used the often quoted words "the minimum of our pretensions is the left bank of the Mekong". M. Ribot declared in the French Chamber of Deputies on October 26, 1891 that all the countries lying eastward of the Mekong, from the point where it leaves China, must be considered as belonging to France. He went a step further and said "it is admitted in England that all the parts situated to the east, or left bank of the Mekong should be reserved to French influence".(1) We have already seen the attempts of M. Waddington in London to secure the consent of the British Government to the French desire to extend their influence up to the Mekong.

The story of the fulfilment of the French desire to make the Mekong a French river dominates Franco-Siamese relations during our period. Apart from lust for territorial acquisition, desire to earn popularity at once by gratifying the Colonial party and diverting attention from other troubles in Tongking, the desire to possess the Mekong had a more far-reaching basis for France. The Mekong ~~as~~

(1) Curzon: op.cit.

as a highway to Yunnan and source of monopoly of local trade and inland Chinese markets fascinated French opinion. Neither the verdict of M. de Carne, a member of the Doudart de Lagrée expedition in 1866, that steamboats could never ply the Mekong, and Saigon could never be united by this waterway to the western provinces of China, nor a long series of subsequent failures dispossessed their minds. For some time the discovery of the Red river route from Tongking diverted their attention from the Mekong, but once the unnavigable character both of the Red and the Black rivers had been conclusively established, the old Mekong illusion reasserted itself. George Curzon aptly characterised this revival as the "belated survival of an ineradicable delusion".

The French decision to extend their rights as far as to the Mekong was also to a great extent influenced by the decision of the Siamese Government to build a railway from Bangkok to Korat. This proposed railway would encourage the commerce of the country to flow towards Bangkok, whereas the French interest lay in trying to drain commerce towards Cambodia and Cochin-China. Hence the French resolved to obtain possession of the Mekong as a rival channel. Mr. Archer who took a prominent part in surveying the frontier regions on behalf of the British authorites, in his report on the Mekong region says, "once the line [Bangkok-Korat railway] is completed, neither Cambodia nor Annam will be able to hold their own against Siam in competing for the trade of the valley of the Mekong". Curzon felt that it was largely the anticipation of the

results of that railway that induced the French to go on. Even though the railway was not started till 1892 and was partially opened in 1896, the French authorities were aware of Siamese intentions much earlier. In November 1890 when M. Pavie visited Bangkok and suggested to the Siamese Government that there should be free trade between Siam and French Indo-China, Prince Devawongse told him that Siam was contemplating the construction of a railway from Bangkok to Korat, to be afterwards continued to Nawng Kai on the Mekong and expressed regret at his inability to grant extraordinary privileges to a foreign trading corporation [French Mekong Trading Corporation] which would be a formidable competitor for the traffic necessary for the successful working of the railway. Undoubtedly the unyielding attitude of the Siamese Government had the effect of stimulating the French authorities. M. de Lanessan had gone so far as to urge that that project should be thwarted by every possible means. The inception of the Bangkok-Korat railway therefore strengthened the French resolution to get possession of the Mekong; their interest in it took form and substance, and was soon elevated into a political maxim.(1)

In support of this French resolve maps had to be specially constructed, history rewritten and political jurisdiction invented by the French. Historical researches were published in France, showing that Annam had in past times been in possession of all the territory on the east of the Mekong and even of large portions of territory on the west bank. In their anxiety to give historical

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(1) Gundry, R.S., China and her Neighbours, p.174.

colour to their designs the French politicians, completely ignored the evidence of great explorers like Francis Garnier and other authorities who admitted, as all the later French maps clearly showed, that Siam had undoubtedly been in possession of these territories as far back as 1836. The different maps prepared by the French and Siamese authorities showed the frontier in widely differing positions according to their respective claims. But one thing is certain that all the French explorers from Doudart de Lagrée to Pavie visited the regions which French politicains were claiming for Annam, through Siamese assistance and with Siamese passports. When the trans-Mekong districts were overrun by the Haw, it was by Siamese troops that the invaders were repelled. As for right of ownership the Siamese had the supreme case. But in spite of all these considerations French politicians asserted that the entire Mekong river (over 25,000 miles in length) should belong to France. By the sheer persistence with which the French claims were repeated, they gained a certain credence in France. The official view of the importance of the Mekong was set forth in the "Journal Officiel" of November 10, 1890 thus: "utilisation of the Mekong as a commercial highway destined to unite Laos and the rich provinces of southern China to our Indo-Chinese possessions is not a new idea...."

Notwithstanding the Siamese refusal to allow any special privileges to the agents of the French Mekong Trading Corporation M. Pavie during his discussions with the Siamese Government [1890-91] brought about an arrangement by which French commercial agents were

permitted to reside on the Mekong at Stung-Treng, Bassac and Luang Prabang.[1] These agents were paid by the French Government. The Siamese authorities granted them the ordinary passports to trade and refused to recognise them as having any official position. As there was not much business for these agents to transact they helped their government by creating difficult situations for the Siamese Government and canvassing for French protection over Laos. They were faithfully contributing their share to the acquisition of the Mekong by the French.

In a secret report on the military position and aims of France in Indo-China drawn up by the British War Office, Intelligence Division on July 17, 1891 it was shown that France was preparing to take military action towards the Upper Mekong from her advanced positions on the upper waters of the Red and Black rivers. It took some time to prove the correctness of the forecast, but in the meanwhile the French were not idle. In the first week of July 1891, it was rumoured that the French troops had occupied Luang Prabang. But a Rangoon correspondent of the Times reported on July 5th that although the alleged occupation of Luang Prabang was unfounded, the French had encroached on, and passed, the frontier line claimed by Siam and hitherto occupied by the Siamese. The same report contained the observation that M. Pavie openly favoured the policy of the French seizing the Mekong Valley and was actively intriguing to secure the

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(1) F.O.69/144: Jones to F.O., November 1890.

annexation of Luang Prabang. Mr. F. Verney, the English Secretary to the Siamese Legation in London, in a private letter to Sanderson dated July 6, 1891, expressed his opinion that France was not aggressive, but French officialism in the East was and always have been, for many generations. He felt that if French officialism was to be represented by M. de Lanessan with Pavie as his working Lieutenant, they must look out for squalls.

As far as the rumour regarding the French occupation of Luang Prabang was concerned it might have been caused by the confused situation in the Siamese province of Muang Phuen, east of Luang Prabang. The Siamese commissioner for Muang Phuen had sent two local officials (headmen) Palat Muang Sui and Bang Bien to collect information in the extreme eastern border of Siam. The French agents in that region succeeded in persuading these headmen to denounce Siamese authority over their territory and they returned about March-April 1891 with alleged authority from the French to occupy certain districts. They attempted to set up the French flag at Tung Chieng Kham on the Ne boundary but it was pulled down several times by the Siamese. Palat Muang Sui was arrested and sent down to Bangkok on September 22, 1891 but Bang Bien was at Tung Chieng Kham with thirty followers. Siamese made several efforts to arrest Bang Bien without success.(1)

At the same time two Frenchmen, supposed to be customs officers, accompanied by a number of Cambodian soldiers went and

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(1) F.O.69/144: Jones to F.O., July 7, 1891.

occupied the bay at Point Samit on the Cambodian border and established themselves at Lem Thien. Both these Frenchmen died there, one of them committing suicide, and only about ten Cambodian soldiers remained. By this movement the French pushed on about eight miles up the coast line thus including a fairly good anchorage within their territory, to a point fixed upon by Pavie as the boundary. When the Siamese Government protested against French official encouragement of the violation of Siamese territory, the French Government ordered that the districts annexed by the French authorities in Indo-China, that is to say the Point Samit and Tung Chieng Kham, should at once be evacuated and restored to the Siamese. When informing the Court of Bangkok of the decision of his Government on September 20, 1891, the French representative there made it clear that his Government's action was prompted by its willingness at all times to prove its desire to fulfil faithfully all its engagements with Siam. He further mentioned that this action, however, was not to be held to prejudice any just claims which the French Government might have against the Siamese and which for the time remained suspended. The British representative at Bangkok was inclined to think in April 1892 that the French whether from want of money, or other reasons, were disposed for the present at least, to remain quiescent as far as any advance on the Mekong valley was concerned.(1) It was only the lull before the storm.

In the absence of any definite treaty marking the precise limits between Siam on one side and the French protected State of

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(1) F.O.17/1150: French to F.O., April 12, 1892.

Annam on the other, both parties were anxious to establish their rights to the territory which they claimed was under their jurisdiction. In trying to establish their respective rights, the French authorities failed to accept the simple truth of respecting the occupational rights of a Power, however much weaker in strength, before occupying its territory forcibly. The plain fact was that they wanted the territory and so they occupied it. The status quo agreement of 1899 helped them to consolidate their possessions and as soon as they found that it was no ~~more~~ longer necessary they conveniently ignored it. When French troops were occupying the territory on the left bank of the Mekong, which was presumably under their jurisdiction, the Siamese from their side established new posts to check the French expansion. As long as their authority was not questioned the Siamese never cared to establish any permanent posts in their distant region to exhibit their authority. But when once the French started occupying territory under their suzerainty, the Siamese became active. It was not possible to get correct information regarding the exact location of the various posts in the mountainous regions under dispute. And in this confusion the Siamese complained that some Annamite posts were established near the border of territory which actually was under the Siamese jurisdiction and M. Rolin Jaequemyns called this a violation of the status quo agreement of 1889.

To counter the violation of the Status Quo by France, the Siamese established new posts. In 1892 they were reported to

be installed at Muang Pha Bang and in the district of Kamlo at a distance of not more than thirty miles from the sea, in the wild mountain country lying behind the Annamite chain. This movement of the Siamese was taken as a signal by the French politicians to advance their claims up to the Mekong by protesting against Siamese action as a deliberate encroachment into Annamite territory. The French Press was very vehement in its propaganda condemning this Siamese action. The French Chamber of Deputies re-echoed the press in most powerful speeches concerning the "encroachments" on the part of Siam into Annam. But historical evidence tells us a different story. M. de Lanessan in his book admitted that direct relations between the Annamites and Laotians had almost entirely ceased over this area; while Dr. Hannand, one of the most active French explorers and pioneers, reported that in the valley of the Sebang Hieng and all the way down to Mekong valley to the rapids of Khon, the people on the left bank paid an annual tribute to the Siamese Royal Commissioner at Bassac. Francis Garnier admitted, incidentally that Siamese jurisdiction extended up to the Annamite mountains as far as Attopeu "which was the farthest eastern possession of Bangkok". He placed the frontier line between Siam and Annam about half way between the Mekong river and the highest ridges of the Annamite ranges that run parallel with the Gulf of Tongking. As a matter of fact for at least half a century the Annamites have withdrawn to the eastern slopes of their mountain range and they have never been molested there by the Siamese.

Nevertheless, in a speech in the French Chamber on February 4, 1893, M. François Deloncle, the spokesman of the French colonial group whose motto was, in the words of Curzon, "as well take an ell as an inch", asserted that the Siamese persistently ignored the rights of the Kingdom of Annam and Cambodia over the whole of Laos and the territories situated on the two banks of the Mekong. The Under Secretary for Colonies, M. Delcassé, while answering the discussion upon the Foreign Office Estimates with regard to the alleged encroachments of the Siamese in districts stated to be under French protection on the left bank of the Mekong, on February 4, 1893 declared "the government considers that the left bank of the Mekong constitutes to the North of Indo-China the Western limit of the sphere of French influence; and its opinion rests upon the incontestable rights of Annam, consecrated by possession of several centuries". M. Deloncle in a speech at a meeting held on March 6, 1893 by the "Union des Droites" in a reference to the boundary questions between Siam and the French possessions in Indo-China described what he considered to be the rights of France in that region. According to him French authority included to the north all the territory between the Black river and the Mekong, and to the south all the territory between the Gulf of Tongking and the watershed that separated the basins of Menam and the Mekong. He complained that the Siamese had taken advantage of France's quarrel with China to encroach upon districts clearly within French jurisdiction and that Siamese outposts had advanced to within forty

kilometres of Hué, with a view to cutting off Cochin-China from Tongking. The President of the Colonial Council at Saigon, based a claim on the grounds of expediency only when he said "for us the left bank of the Mekong is absolutely insufficient". These official and non-official statements show a distinct advance in French colonial policy from the attitude of maintaining status quo until a commission could settle the question, into that of ignoring all discussion and peremptorily insisting on the immediate recognition of French claims.

Early in February 1893 conferences went on between the representatives of France and Siam at Bangkok. The Siamese Government suggested a modus vivendi which should be based on the establishment of a temporary demarcation of a zone 300 miles long and 30 miles broad on the slope of the eastern watershed from which all Annamite and Siamese garrisons with certain stated exceptions were to be withdrawn and no new military posts created, pending a final agreement.(1) During a conference on the modus vivendi held on February 23 at the French Consulate, M. Pavie, now French Minister at Bangkok, strongly urged in the name of his Government, the necessity of entering, immediately after agreement, on a modus vivendi, into negotiations for a definite settlement of the frontier question. But when asked by Prince Devawongse for the French terms Pavie replied that he had no instructions to make any proposals and he wanted to know the Siamese view.(2)

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(1) Curzon, op.cit.
(2) F.O.17/1177: Memo by Rolin Jaequemyns, March 21, 1893.

While the negotiations were going on at Bangkok, the Diplomatic and Colonial Group of the Chamber of Deputies met on February 24, 1893 under the presidency of M. Etienne, former Under Secretary for the Colonies, to consider the Siamese question. It was unanimously agreed that immediate steps were necessary and M. Deloncle was deputed to prepare a report upon the question preparatory to a deputation being sent to the Minister for Foreign Affairs, M. Develle, the French Foreign Minister, on March 6, 1893, replying to this deputation, declared that no opportunity had been neglected of assertingthe Mekong as the frontier between Siam and French Indo-China. This declaration was the signal for the commencement of a still further active development in French Policy. On March 8th M. Waddington had a talk with Lord Rosebery, the British Foreign Secretary, on the subject of the Mekong river and the boundaries of Siam, during which he made it clear that his Government did not admit that any part of Siam lay on the left bank of the Mekong, but regarded the country lying on that side as belonging to Annam. Lord Rosebery could not conceal his surprise at such an opinion. At Bangkok the Government of Siam protested to Pavie on March 10th against the charge brought against it by the French press of invading the territory of Annam and suggested international arbitration as the best course to adopt to obviate all risk of collision while negotiations for a definite settlement of the boundary question were proceeding. On March 12th Pavie called on Rolin Jaequemyns and informed him that he was instructed to communicate

officially with the Siamese Government to assert the rights of the French Annamite protectorate on the left bank of the Mekong, to insist on an immediate evacuation of the recently established Siamese military posts and to urge the solution of some questions pending between France and Siam. The French Government insisted that a settlement must be reached before any other matter could be discussed on the following points: (i) unjust treatment of M. Champenois by Siamese officials at Houten; (ii) damages claimed by a French distiller M. Baraton, to whom a concession for distilling spirits at Bangkok was granted; and (iii) the case of the arrest of an Annamite Mandarin.

On March 14th,1893 M. Pavie called on Prince Devawongse and made his verbal communication, claiming the left bank of the Mekong as the boundary of Annam on the west. It is significant to note that Luton, the French man-of-war with Captain Coinj, the commander of the French naval division of Cochin-China, had arrived the same day into Bangkok. M. Rolin Jaequemyns could not help wondering about the political object behind all these threats. He came to the conclusion that "if one considers the present condition of French internal politics, the disintegration of the parties, the want of authority of the Government on their own majority it seems not absolutely impossible that the wish of diverting public attention from local scandals, and of winning some so called 'prestige', were it even by a most unjust and brutal aggression on a peaceful neighbour, would be stronger than any other consideration".(1)

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(1) Ibid. At the end of 1892 owing to the collapse of the Panama Canal Company which produced one of the most tremendous rows ever known in the French Chamber,French politicians were very anxious to divert public attention.

The Siamese Government protested against such an increase in Annamite territory and declared their willingness to settle the frontier question on the basis of actual occupation taking into consideration any justifiable rights of France. But ignoring all these reasonable alternatives, the French Minister at Bangkok refused on March 22, 1893, to accept the modus vivendi proposed by the Siamese Government and insisted upon the withdrawal of the Siamese military posts east of the Mekong.(1) If ever there was a situation when enquiry should have preceded action, and where diplomacy should have made force unnecessary, this was the case. But the French answer to all the Siamese suggestions for a peaceful solution of the rival claims was the armed occupation of the places under discussion.

M. de Lanessan, the Governor-General of Indo-China organised three military columns for the purpose of forcing the Siamese to the other side of the Mekong. The first column was under the orders of Vice-Resident Bastard and Captain Thoreux and had as its object the occupation of Stung-treng and Khone; the second was under the command of the Resident of Dong-Hoi, Dufrenil having as his second in command Militia Inspector Claude Garnier, with instructions to advance on Muang Phuen; and the third column was confined to the Resident of Vinh, M. Luce and Inspector Grosgurin charged with operations in the Kam-Muon region.(2) Stung-Treng was occupied by the first column on April 1, 1893,

(1) F.O.69/150: Jones to F.O., March 22, 1893.
(2) Le Boulanger, op.cit., p.307.

and the same detachment then marched up the river as far as the island of Khong, above the rapids of Khon and established a French military station there on April 4th. When the French advanced on Stung-Treng, the Siamese force there numbered only fourteen men and there was no garrison at Khong. No wonder the Siamese evacuated the posts and retired to the Mekong and the French were not obliged even to fire a shot. On April 13, 1893 M. Pavie notified the Siamese Government formally that his Government had "seen fit" to occupy the posts of Stung-Treng and Khong in the disputed territory. From any standpoint the French action in occupying Stung-Treng and Khong should be characterised as pure aggression. We find de Lagrée calling in 1866 upon the Siamese authorities at these places for the boats and accommodation which they had been ordered to supply from Bangkok. M. Deloncle's map and the French War Office map of 1886 assigned Stung-Treng to Siam. Schrader, the French map-maker, in 1889 though bringing the French frontier up to the middle Mekong yet conceded to Siam Stung-Treng, Khong and a large slice on the left bank of the river. Garnier while giving these places to Siam in his map, declared that the French flag must be hoisted not only on the Khong island but on the right bank also.

The Siamese force which withdrew from Stung-Treng at once notified the Siamese Governor at Bassac of the French encroachments, and he forthwith dispatched 800 men to drive the French out of the island. The Siamese force blockaded the port at Khong for a month. While reconnoitring lower down the river, the Siamese soldiers

surprised a party of coolies under Captain Thoreux, conveying stores to the garrison at Khong and owing to superior numbers easily overpowered them and Captain Thoreux was taken prisoner and kept in custody at Bassac. Prince Devawongse informed Pavie on May 20, 1893 that the Siamese Government considered that the capture of the French officer was justified by the circumstances. He considered that the officer committed an act of war being in command of a hostile and aggressive expedition upon Siamese territory. They were willing to set him at liberty as an act of courtesy towards the French Government, but at the same time he asserted that his Government never expressed regret at taking the officer as a prisoner. He said that the alleged regrets and apologies on the part of the Siamese Government appeared to be inventions made for the purposes of the newspapers in Paris. In his note verbale of June 2nd, Prince Devawongse repeated that "the Siamese Government cannot admit, even indirectly, that in capturing Captain Thoreux when in command of an aggressive and hostile expedition they acted wrongly". But Stung-Treng and Khong were strongly occupied by the French troops under Lt. Pourchot.

The column under Dufrenil-Garnier accomplished its mission without incident. After travelling 300 kilometres they reached the Mekong borders on May 26th and occupied Kemmarat, the Siamese garrison evacuating the post. The third column under Resident Luce advanced into the northern regions with the object of compelling the Siamese to evacuate their posts near the Annamite mountain ranges. On May 29, 1893 the post of Kam-Muon was evacuated by

the Siamese, at the summons of Luce and the French planted a post at Muang Vinh. Encouraged by this success, M. de Lanessan expressed his belief that he would succeed in annexing the whole of the territory in dispute without firing a shot. By June 13th the process of driving the Siamese to the other side of the Mekong was complete. In a telegram to M. Delcassé dated June 13, 1893, de Lanessan informed him that all the posts occupied by the Siamese in the territory situated between Kam-Muon, Houtene and Nawng Kai had been evacuated and the Siamese had recrossed the Mekong.

During the progress of the French column under Luce only one incident occurred. The Royal Siamese Commissioner at Nawng Kai, Prince Prachak, a half-brother of the King of Siam, on hearing of the French occupation of Kam-Muon sent a body of troops with strict orders to expell the French from the whole of the territory to the east of the Mekong in the Kam-Muon district and to "compel their retirement by fighting, if necessary to the utmost of their strength". (1) As a consequence of military action on June 13, 1893, the French Inspector Grosgurin and some seventeen Annamite soldiers were killed by Siamese soldiers under the command of Pra Yott, the Commissioner of the Kam-Muon district. This incident gave rise to the state trial of Pra Yott in March 1894. The Siamese Government definitely acknowledged its responsibility for the action, in an official statement in open court on March 12. The French official account of this

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(1) Sir Henry Norman, The Peoples and Politics of the Far East, p.480.

incident was that Pra Yott himself with a shot from a revolver assassinated the Inspector Grosgurin in his bed, to which he was confined by illness. The only witness who gave evidence to this effect, disproved it at the trial under cross-examination. The exaggerated accounts first published in French newspapers and official statements detailing the treacherous murder of Grosgurin were proved quite false at the trial, his own party having been the first to open fire. It was also proved that Grosgurin was firing from the window of his house, and was struck by a chance shot from outside fired from the mêlée, Pra Yott himself not having a gun. In spite of these proofs the French mixed-court re-tried the case later in 1894 and condemned Pra Yott to twenty years penal servitude. Even though Prince Devawongse at first threatened to resign from the Government refusing to give up Pra Yott, he later agreed to make him a scapegoat for the sake of preserving French prestige. The only concession he secured was to keep Pra Yott in a Siamese gaol, where the French Consul was authorised to pay periodic visits.

When the French troops were marching triumphantly on the left bank of the Mekong, the Siamese Minister in Paris in an interview with the French Foreign Minister at the Quai d'Orsay on May 10, 1893 asked to be informed definitely upon what grounds the French Government based its rights to those positions which they were occupying on the left bank of the Mekong. M. Develle in the course of his reply said, "I will not say that we do so altogether upon the history of Annam, because that history contends that Siam itself

forms a part of the Kingdom of Annam, but so far as the present question is concerned the history of Annam leaves no doubt that the sovereignty of that country extends from the seaboard westward to the Mekong river".

CHAPTER V.

THE FRANCO-SIAMESE TREATY of 1893.

The French preference for military action to peaceful negotiation with Siam to settle their differences and their aggressive methods in forcing Siamese authority away from the left bank of the Mekong brought Franco-Siamese relations to a critical stage in 1893. There were three questions at issue between France and Siam - certain claims by the French government for compensation for losses suffered by some French merchants and travellers in consequence of the action of Siamese officials; the question of the frontier between Siam and French possessions in, or adjacent to, the Mekong valley; and the French demand for the compensation for the incidents concerning Captain Thoreux and M. Grosgurin during military operations started by French authorities. The French government, determined to take every possible advantage of the military success secured by its troops on the left bank of the Mekong, insisted on the immediate redress of these grievances. On June 30, 1893, M. Develle, the French Foreign Minister, threatened Prince Vadhana, the Siamese Minister in Paris, that if these matters were not settled, diplomatic relations would be broken off and "France would have to obtain redress by arms". This was a clear warning that Franco-Siamese relations were heading for a crisis.

When the Siamese Government realised how serious was the deterioration in its relations with France, the Siamese Minister in London was instructed to approach the British Government with a request to use its good offices in persuading France to agree to the settlement by arbitration of all difficulties between Siam and France. Before the British Government had time to decide its attitude on the matter, M. Waddington, the French Ambassador to England, informed Lord Rosebery, the British Foreign Secretary, on 22nd February 1893, that any offers of assistance made to Siam by the British Government would bear the character of an interference in French affairs, and might consequently give cause for a formal protest on their part.(1) This attitude of the French Government gave rise to a new development in Anglo-French relations with Siam. In addition to the official communication, the French newspapers were full of reports attributing to the British Government the underhand policy of inciting Siam against France. They stated that British Peers were in the habit of travelling about Siam as the emissaries of the British Government, and went so far as to refer to Lord Lamington as travelling there in disguise.

The unfounded allegations in the French Press prevented Lord Rosebery from giving the Siamese Minister in London an

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(1) Correspondence respecting the Affairs of Siam: State Papers, Session 12.3.1894 to 25.8.1894 (Siam 1894). Waddington to Rosebery, February 22, 1893.

official interview, a matter which was sure to be noticed in the Press, and he advised the Siamese Minister to confine himself to informal communications through Mr. F. Verney, the English Secretary to the Siamese legation in London. He doubted whether British intervention would help to improve matters between France and Siam, because unsuccessful attempts at mediation generally tend to embitter disputes.(1) On June 19, 1893, he told the French Chargé d'Affaires in London that the British Government hoped not to be drawn into the Franco-Siamese dispute at all. But it was not possible to keep Britain out of the Franco-Siamese conflict for long, because British interests in that region were both great and many.

When the British Government received information from its Commander-in-Chief, China station, about the southward movement of the French fleet from Hongkong, presumably for Bangkok, Lord Rosebery asked for a definite promise from the French Government that any new movement of their fleet in Siamese waters would be made known to the British Government. In April 1893 the French Government gave an assurance to that effect and it was mutually agreed to keep this confidential. But in view of the deteriorating situation between France and Siam, Captain Jones, the British Minister at Bangkok, asked on 22nd March 1893 for a gunboat to protect British property and to maintain order in the event of complications betweeh

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(1) Blue Book; (Siam 1894) Rosebery to Jones, April 12 1893.

Siam and France. Accordingly the British gunboat Swift under Commander Kirby was sent from Singapore and arrived at Bangkok on April 20, 1893. In May there was a rumour that the French intended to send a squadron to Bangkok and close the port. This made the British merchants there urge the Foreign Office to take immediate steps to protect their lives and trade. They feared that a native rising might be imminent if French ships entered Bangkok.

Very soon the rumour was confirmed. On 23rd June, the Siamese Government was advised by the French Government that the French fleet had been ordered to proceed to Saigon, but should the situation demand it, would be sent to Bangkok. This information caused much concern in Great Britain, and Sir Edward Grey, Under-Secretary of State for Foreign Affairs, while answering a question in Parliament on 29th June, declared that the French Government had assured them that they would receive notice before a French fleet was sent to Bangkok. The House cheered him when he informed it that regarding the protection of British life and property, in addition to the Swift which was at Bangkok, "arrangements have been made to send a second, and to have a third ready to proceed at once if required".(1) The French resented the language used by Sir Edward and were convinced that it would stiffen the Siamese attitude towards France. When the

(1) The Times, June 29, 1893.

French Chargé d'Affaires, M. d'Estournelles, complained on 3rd July about Sir Edward Grey's speech in the House of Commons, Lord Rosebery contested the French view. In defence of his action in sending more British ships to Siam, the Foreign Secretary argued that it was necessitated by the loud demands for protection made by the British merchants, and added that complaints had already been made that he was too supine in the matter. He authorised M. d'Estournelles to inform M. Develle that from the very inception of the dispute he had never seen the Siamese Minister, and on the other hand, through Sir T. Sanderson and Captain Jones, he had inculcated in the Siamese the desirability of coming to a prompt understanding with France.(1)

For a proper understanding of the policy followed by Lord Rosebery in 1893 on the question of French aggression in Siam, it is essential to observe the events of December 1892, since they practically determined future British policy. The British Foreign Office prepared a draft agreement with Siam with the object of preserving her independence and integrity, and on December 21, 1892, consulted the India Office on the advisability of entering into such an agreement. The India Office, after consulting the Government of India, objected to the execution of such an agreement. Lord Kimberley, Secretary of State for India, felt that an under-

(1) Blue Book (Siam 1894), Rosebery to Phipps, July 3, 1893.

taking by Siam not to cede any portion of her territory to a foreign Power without previous notice to Britain was not of sufficient value or importance to Britain to justify such an agreement. He was convinced that in the event of French encroachment on the left bank of the Mekong, the intervention of the British Government would not go beyond diplomatic action. He felt sure that in view of the immediate risk of encroachment to which she was exposed Siam would seek the protection of Great Britain, whether an agreement such as the one under consideration were in existence or not.(1) The Viceroy of India objected to the extension of his political responsibilities "which are already too onerous". The strong opposition expressed by both the India Office and the Government of India discouraged the Foreign Office from taking the matter any further and the proposal was abandoned. As the Government of India was not willing to undertake any further responsibilities, the Foreign Office had a very difficult hand to play in maintaining friendship with both France and Siam while preserving British commercial interests in Siam.

Taking Sir Edward Grey's statement that another British gunboat was on its way to Bangkok as an excuse, the French decided to send two more gunboats to Siamese waters in

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(1) F.O.17/1178. India Office to Foreign Office, February 1, 1893.

addition to the Lutin which was anchored off the French Legation at Bangkok. On July 10, 1893, M. Pavie, the French Minister at Bangkok, notified Prince Devawongse, the Siamese Foreign Minister, that the French cruiser Inconstant and the gunboat Comte would arrive at Bangkok for the protection of French subjects while the state of uncertainty lasted. He stated that the French Government were only following the example of Great Britain which had ordered several ships to proceed to Bangkok for a similar purpose. He also informed him that in accordance with the Franco-Siamese treaty of 1856 Admiral Humann had ordered the French ships to cross the bar to proceed to Bangkok on the evening of Thursday the 13th July 1893, for which purpose he requested the usual service of pilots.(1)

This information fell like a thunderbolt on Siam. It was obvious that France meant coercion to force a settlement on Siam with the help of additional ships in the Menam. To the definite announcement of Pavie about the arrival of French ships, Prince Devawongse, on the advice of M.Rolin Jaequemyns, replied on the same day that the reasons advanced by France for sending the ships were neither valid nor founded on facts;

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(1) Article 15 of the Franco-Siamese Treaty of 1856 reads thus: "French vessels of war can enter the river and anchor at Paknam, but they must inform the Siamese authorities before proceeding to Bangkok, and come to an understanding with them as to the anchorage."

and that the Siamese Government objected to an interpretation of the treaty which would give to any Power an absolute right to send into the territorial waters of Siam, and to the capital of the kingdom, as many war-ships as they liked. "The spirit of the Treaty", Prince Devawongse maintained, "cannot be that Siam should be deprived of the natural right of any nation to protect itself, and the French Government will easily understand that, under present circumstances, we cannot without abdicating our right to exist as an independent state, adopt such interpretation." But when Pavie insisted that the Inconstant must anchor at Paknam in conformance with the Treaty, whilst waiting a reply from his Government, the Siamese Foreign Minister on 11th July replied that his objections against the Inconstant passing the bar were of a general nature and applied to its anchoring at Paknam as well as its proceeding up to Bangkok. On July 12th, he informed Pavie that the Siamese Government were unable to consent to the presence in the Menam of more than one warship of any state and that instructions to that effect had been given to the Siamese naval and military authorities.(1)

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(1) Mr. H.W. Smyth (Five Years in Siam, p.261) characterises the Siamese answer as an unpardonable blunder. Sir Henry Norman (The Peoples and Politics of the Far East, p.490) was convinced that it was the deliberate decision of the Siamese Cabinet to disregard their plain obligations under the treaty.

Pavie promptly replied that the French gunboat Inconstant would go up in spite of opposition. His answer caused the Siamese Government to stiffen its attitude considerably. It realised that a crisis was at hand. Patriotic feeling in Siam was stirred to its depths and it was deemed a point of national honour to resist to the utmost these attempts at aggression. The defences at Paknam were overhauled and the King himself spent some days there personally superintending the operations. Simultaneously measures were taken to block the channel of the river. In the meanwhile, Lord Rosebery reminded the French of their promise to keep the British Government informed of the movements of their fleet and pointed out that the two additional British ships sent from Singapore[1] had been instructed to remain outside the bar at the mouth of the river; therefore the reported intention of the French Admiral to force his way up to Bangkok could not be based on any act of the British Government. The French Government in Paris were inclined to show moderation and M. Develle informed Mr. (afterwards Sir) Constantine Phipps, Councillor of the British Embassy at Paris, on the

(1) Captain Macleod arrived at Bangkok on 4th July 1893 in the Pallas and remained off the Menam river bar. The Linnet arrived at Bangkok on 14th July and remained off the British Legation, assisted by the German gunboat Wolf and the Dutch gun-vessel Sumbava. The Swift proceeded outside the Menam river on 26th July and remained off the Menam bar. The Pigmy arrived at Bangkok on 31st July and on the next day was directed to Kohlan, 9 miles outside blockade limits.

afternoon of 13th July that it had been decided that such French ships as would be sent would remain outside the bar, and that the intention of sending others had been abandoned. The French Ministers of Marine and Foreign Affairs despatched on 11th July definite orders to the French Admiral at Saigon not to provoke hostilities under any circumstances until the matter had been referred home. As for the entry of the ships into territorial waters in the circumstances which then existed, the Admiral was permitted to make an attempt and if refused permission to do so, was to retire after protesting. (1)

On the morning of the 13th July Pavie informed the Siamese Government that the ships would be ordered to remain outside the bar and sent a note at 4.45 p.m. to the Commander of the Inconstant which was approaching the bar, informing him of the Siamese objections to his passage and of their determination to resist it. He also enclosed the statement made to him by Prince Devawongse that the Siamese Minister in Paris had been assured by Develle that the gunboats would not enter the bar. About 3 p.m. the Inconstant and the Comte coming from the east towards the bar were joined by the J.B. Say, a small local boat running between Saigon and Bangkok. After Pavie's message was delivered by a Siamese steam launch, the Siamese harbour-master, Captain Vil, had

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(1) F.O.17/1179. Phipps to Rosebery, July 15, 1893.

boarded the Inconstant according to his orders, with the request that the ships should wait outside the bar. Earlier Captain Macleod of the British cruiser Pallas lying outside the bar, sent word to the French that they might expect instructions from Bangkok to wait outside the bar.

But nothing could persuade the "irresponsible and uncontrollable" Captain Bory of the Inconstant to wait outside the bar. Thus on the evening of 13th July 1893, towards dusk, occurred the battle of Paknam.(1) When at 6.30 p.m. the French ships reached a certain point on the bar two blank shots were fired by Commodore de Richelieu, the Danish chief of the Siamese navy. They were followed by six or eight shots which were fired across their bows. Immediately the French ships cleared for action, hoisting big French ensigns, and opened fire on the fort while continuing their advance towards Bangkok. At 8 p.m. the two French ships, after successfully passing the defences at the bar, anchored off the French legation at Bangkok. During this brief encounter at Paknam the J.B. Say was run aground in the mud on the east shore and the French had three men killed and three wounded; the Siamese fifteen killed and twenty wounded. Soon after

(1) The story of the battle at Paknam has been recounted very vividly by Sir Henry Norman and H.W. Smyth in their books The Peoples and Politics of the Far East and Five Years in Siam respectively. For further study of the incident I direct readers to these two books with this caution, that Sir Henry's account, though vivid, was written with an anti-Siamese bias, and Smyth's account, equally fascinating, with sympathy for the Siamese.

the French ships forced the defences at Paknam, Commodore de Richelieu suggested to the King and the Cabinet the idea of sending every available boat and gun down the river to smash up the intruders; but commonsense prevailed and the King refused to listen to any such advice. Richelieu was very much disappointed with the King's refusal to follow his suggestion. In a private letter to Verney on September 13, 1893, he said "the frog-eaters seem to like to treat Siam as if she had been utterly knocked down in war, when she is nothing of the kind". He maintained that if the King had allowed him, the French ships would have been at the bottom of the river the same night. Lord Rosebery made an obvious comment upon the discrepancy between the assurances of the French Government and the action of the French gunboats. He said that however ill-advised and useless the resistance of the Siamese might have been, the responsibility for what followed rested primarily with the French officers, who acted in flagrant opposition to the engagement made by the Representative of their Government.(1)

During the night of the 13th July Pavie sent a letter to Prince Devawongse in which he declared that no attack on the town or the Palace had been contemplated and he would visit the Siamese Foreign Office the next morning to discuss the

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(1) Blue Book (Siam 1894), Rosebery to Dufferin, September 5, 1893.

events of the night. At the meeting next morning, however, Prince Devawongse exercised the greatest restraint, as did Rolin Jaequemyns, as both earnestly desired not to precipitate hostilities which could only end in the defeat of Siam. Devawongse went so far as to congratulate the French Commander on his gallant entrance. Pavie,who had no instructions, merely said that he must await further instructions from Paris. Devawongse's diplomatic handling of such a delicate situation helps to some extent to explain why Siam retained her independence while her neighbours in Indo-Chinese Peninsula lost theirs.

France was aroused by the reports that reached home and almost all the Paris newspaper comment was unanimously in favour of energetic action in Siam. The excitement in the Press was so great that the British representative in Paris felt sure that a decision to return to the status quo in the Siamese waters would involve the fall of the French Cabinet, or at least that of the Minister of Foreign Affairs. The French Cabinet promptly took full advantage of the situation in Siam. The Siamese action on the 13th July had put the game into Pavie's hands. On 20th July an ultimatum was addressed to the Siamese Government by Pavie on behalf of his Government, demanding that (1) recognition should be given to the rights of Annam and Cambodia to the left bank of the

Mekong and the islands; (2) the Siamese should, within one month, evacuate the posts held in those districts; (3) reparation be made for various acts of aggression against French subjects in Siam and vessels and seamen in the Menam; (4) pecuniary indemnities should be paid to the families of the victims and the offenders punished; (5) two million francs should be paid in respect of losses caused to French subjects; and (6) as a guarantee for the claims under clauses (4) and (5), a sum of three million francs in dollars be at once deposited, or failing this, the farming of the taxes of Battambang and Siem-reap be surrendered to the French as security. A time limit of only forty-eight hours was given to the Siamese to accept these clauses, failing which the French Minister would depart and a blockade would be immediately declared.(1) To this ultimatum Prince Devawongse replied just before the time of grace expired on 22nd July accepting all the clauses except the first. Regarding the first clause he maintained that no precise statement had been made with respect to the rights of Annam and Cambodia on the Mekong; but as the King was anxious that peace and safety should be restored to his country, consented that the territory to the south of the 18th parallel of latitude and to the east of the Mekong should be given up to France.

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(1) F.O.69/150. Jones to F.O., July 20, 1893.

By demanding the whole of the left bank of the Mekong the French were claiming nearly 100,000 square miles, i.e., one-third of the Siamese kingdom.(1) Lord Rosebery wanted to know the real significance of the term " left bank of the Mekong" as was used in the French ultimatum. Hence he instructed Lord Dufferin, British Ambassador in Paris, to open negotiations with the French Government, on the question. M. Develle in his conversation with Lord Dufferin on July 22, 1893, made it clear that Luang Prabang was indeed included in the phrase. But Lord Dufferin felt that if the British Government were very firm and that if he were authorised to use more serious language, he might induce Develle to alter his definition of the 'left bank of the Mekong'.(2)

The one danger Lord Rosebery feared was lest Siam by some rash act might wreck his efforts in Paris to obtain some reduction in the French demands, so on 21st July he instructed Captain Jones to urge the Siamese Government to exercise all possible restraint.

Up to this point the British Government had looked upon the dispute between France and Siam as merely centred round the question of the frontier on the Lower Mekong, and as not

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(1) The French demand included Luang Prabang also. But in 1889 M. Waddington had definitely stated that his Government did not wish to extend the frontier to include Luang Prabang.

(2) Blue Book (Siam 1894), Dufferin to Rosebery, July 23, 1893.

directly their concern. If, however, France were to take possession of all the territory east of the Mekong, British interests were at once affected, since on the Upper Mekong she would not only come into direct contact with British Burma, but would actually occupy territory in which Great Britain had a reversionary interest in that of the trans-Mekong territory of Siam which had belonged to the Shan States. The British Government could not , therefore, view this new claim on the part of the French with indifference. Lord Dufferin laid stress on these facts in his talks with M. Develle and maintained that the expanding claims of the French jeopardised the integrity of the entire kingdom of Siam, and brought France nearly half way down to Bangkok and into actual juxtaposition with Great Britain in Burma. Such a transformation of the French pretentions, he warned him, was undoubtedly calculated to excite alarm in England.

Regarding Luang Prabang, Lord Dufferin told Develle that public opinion in England considered the claims of France to advance to the part of the Mekong river which lay below the 18th parallel as obscure and doubtful, and they were certainly convinced that the appropriation by France of the province of Luang Prabang was unjustifiable in equity upon any principle recognised by the Law of Nations.(1) M. Develle did not justify the inclusion of Luang Prabang

(1) F.O.17/1180. Dufferin to Rosebery, July 26, 1893.

in the ultimatum, but replied that public opinion in France was equally excited, and the ultimatum having once been published in France and in Siam, it was impossible for the Government to withdraw or modify it. But he expressed his preparedness to resume the discussions commenced in 1892 respecting the rights of Great Britain and any questions concerning a neutral zone which might interest the two nations, whenever desired.(1) M. Develle assured Lord Dufferin that Siam's acceptance of the first clause of the ultimatum would in no way hinder settlement to constitute a neutral territory between French and British possessions in the Indo-Chinese Peninsula, as this question was outside the Franco-Siamese dispute. The British Government accepted M. Develle's statement as sufficient for the protection of their interests in the area, and left the French with a free hand to exact the terms of the ultimatum from Siam.

At Bangkok the concessions offered by the Siamese on the Mekong did not satisfy the French Minister. As the province of Luang Prabang had all along been nearest Pavie's heart, and its inclusion in French Indo-China had been the object of his labours for years, it was impossible for him to be satisfied by the acceptance of all the demands except his principal desire. Consequently Pavie, even without entering upon a discussion on any of the points informed

(1) F.O.17/1180. Phipps to F.O., July 21, 1893.

the Siamese Government on 23rd July that he had received instructions from Paris to break off diplomatic relations and that he was leaving Bangkok next day on the Inconstant. Soon after he transferred the protection of French subjects to the Netherlands Consul-General and true to his word did not hoist his flag on 24th at the Legation. The same day Pavie left Bangkok on Inconstant with five other ships; crossed the bar on 26th and settled at the island of Koh-si-chang, awaiting further instructions from Paris.

This dramatic departure was the prelude to a new attempt to force Siam to climb down. On 26th July 1893 Captain Reculoux of the French warship Forfait notified the Siamese authorities that the port of Bangkok would be blockaded from 5 o'clock that evening. Three days'grace was given to friendly ships to clear. All ports lying between Lem Chao Lai and Lem Krabang were included in the blockade area. The greatest confusion prevailed as to the date of the commencement and the character of the blockade. The French Foreign Minister informed Lord Dufferin on July 27, that the blockade would commence from 31st instant and would be "un blocus pacifique".(1) But a telegram from Captain Jones dated 29th July to the Foreign Office reporting that a British ship, the Incomprehensible, from Hongkong with Chinese coolies on board, had been stopped and forced to remain outside the bar

(1) F.O.17/1181. Dufferin to F.O., July 28, 1893.

of Menam gave conclusive proof that the blockade had already begun, and was being rigorously enforced by the French officers on the spot. When the discrepancy was brought to the notice of the French Government they said it was due to a telegraphic error, and on 29th July M. Develle explained to Lord Dufferin that the affair of the Incomprehensible was caused by the difficulty which existed in communicating with the naval officers who had acted under a misapprehension of their orders.(1) The French Admiral did not arrive at Koh-si-chang until the 28th and on the next day he issued a revised order of blockade, adding a second zone from Lem Ling to Kaw Samit.

The character of the blockade also gave rise to a considerable amount of confusion. Soon after Develle's declaration that the blockade would be peaceful, Lord Dufferin was instructed to elicit more detailed information as to the character of this measure, of which the application, without any declaration of war, raised an important question of international law. In his explanation, M. Develle pointed out that the measure was actually one to which a State was entitled to have recourse without a breach of peace, as a means of bringing pressure to bear on another Power. He quoted a number of occasions since 1827 when a pacific

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(1) F.O.17/1181. Dufferin to F.O., July 29, 1893.

blockade was resorted to by various Powers.[1] According to Mr. Davidson, the Assistant Secretary of State for Foreign Affairs (Legal) the only blockade known and universally recognised by writers on International Law was a blockade Jure gentium. But a pacific blockade was an invention as recent as 1827 which had been used as a measure of constraint short of war. Mr. Davidson felt that Develle could not have meant by "un blocus pacifique" what was ordinarily understood by that phrase; "for it seems to me that such a proceeding against a non-maritime state like Siam would be a mere brutum fulmen". He thought that if it was a pacific blockade the French could not enforce the blockade against ships other than Siamese. After reading this legal opinion Lord Rosebery commented, "I feel quite confident that Develle had no idea what he was talking about."[2] The Law Officers of the Crown to whom the matter was referred for expert advice

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(1) Blue Book (Siam 1894), Develle to Dufferin, August 3,1893. France, England and Russia resorted to a "Pacific Blockade" in 1827 during the Greek insurrection. Since then, Tagus (by France) in 1831, Coasts of New Grenada (by England) in 1836, the Mexican ports (by France) in 1838 and 1840, in 1845 and 1848, and Buenos Ayres (first by France alone, afterwards by France and England) were subject to this form of blockade. M. Develle gave further instances of blockade of the coast of Duhomey in 1876 by the British Commander and French blockade against Chinese coasts in 1884.

(2) F.O.17/1181. Davidson's comment on Dufferin's despatch to F.O., July 28, 1893. Rosebery's comment on the same.

supported Mr. Davidson's view. In their report they maintained that if under a so-called pacific blockade it was proposed by France to treat neutral vessels as liable to capture and condemnation, Her Majesty's Government were justified in intimating to the Franch Government that they would regard such a blockade formally notified as constituting a state of belligerency.(1)

As to the effects of the blockade on themselves, the French could well afford to enter upon it with a light heart, as their share of Siamese foreign trade at that time amounted to only .03 per cent. It would not in any way touch the Siamese either. The food supplies of the valley of the Menam were more than adequate for the wants of the people, and with such commodities as furnished the staple articles of import they could very well dispense for a prolonged period. So in effect the blockade could hurt no one but the British and, as Lord Rosebery observed, France by blockading Bangkok was practically blockading British commerce. Undoubtedly the effect of such a blockade on British shipping visiting Bangkok could not be other than serious, for during the year 1892 it had carried 87% of the whole trade of that port; and imports from Great Britain had amounted in the same year to 97% of the total. It was further anticipated

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(1) F.O.17/1181. Report of the Law Officers of the Crown.

that the stoppage of the supply of rice to the British colonial settlements in the Malay Peninsula and at Hongkong as a result of the blockade, might be productive of serious inconvenience and distress.

Lord Rosebery's characteristic observation on the French blockade was that there were few blacker pages in history than those which record the recent French proceedings in Siam. "They proceed", he observed, "as a man who has unprovokedly knocked down someone else, and exacts compensation from his victim because he has bruised one knuckle in doing so."(1) Even so, and in spite of the serious complications and anxious moments resulting from French actions in Siam, the British Foreign Secretary felt that Britain could not interfere, and said he would be satisfied if he could secure sufficient neutral territory between the French and British frontiers in Indo-China.

Meanwhile opinion in Paris was vehement and excited and M. Develle evaded seeing Lord Dufferin. It is interesting to observe the circumstances which influenced Lord Rosebery to follow so moderate a policy towards France over Siam. In a telegram to Queen Victoria, who was at Osborne, on 26th July, Rosebery expressed his belief that neither the Government nor the House of Commons would support him in an

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(1) The Letters of Queen Victoria (Third Series), II, p.285.

ultimatum at that moment to France over Siam, though he would not hesitate, if necessary, to stake his official existence in the cause. But he felt that the moment for such an action had not yet come. He characterised the behaviour of France to Siam as unspeakably "base, cruel and treacherous", but at the same time he was convinced that Britain could not afford to be "the Knight Errant of the World". He thought that the prime interest for Britain in this case was to get a buffer between the French frontier and that of India. The upshot of all this deliberation was that he advised the Siamese to accept the French ultimatum unconditionally.

Lord Rosebery was convinced that to refuse the French ultimatum would be to play into the hands of the more fanatical advocates of colonial expansion at any price, who both in Paris and at Saigon denounced the terms as inadequate and would gladly find an excuse for raising their demands. He informed Captain Jones on 27th July that his private inquiries in Paris showed that the tendency of the French demands was to increase, and rapidly so, if the Siamese were to continue to resist the conditions laid down in their ultimatum. He made his Government's position clear by reminding the Siamese about his consistent advice to come to terms with the French quickly and declared that it would

be impossible for the British Government to change that view or indeed to intervene with advice at that juncture. He maintained that under these circumstances, Siam could not gain anything from maintaining her refusal to accept these conditions; and so he felt that the best course for Siam was to accept the French terms at once and unconditionally. (1)

This categorical statement of Lord Rosebery disillusioned the Siamese Government, who were relying, rightly or wrongly, on British support. The effect of this advice as felt in Siam could be clearly seen in a private letter from Prince Devawongse to Rolin Jaequemyns on December 7, 1894, in which he wrote, "You know very well at the time of our crisis with France that how much the King has relied and trusted upon the friendship of England, and if we know that England will consent to our giving in so far as we have to do after useless struggles, we might have easily arranged with France for better terms. The severe disappointment the King has thus experienced nearly broken his heart or kill him." But when once they realised their helpless position, the Siamese accepted the French ultimatum unconditionally. Accordingly, a note was sent to Pavie at Koh-si-chang by Prince Devawongse on the 29th July, to say that "His Majesty the King of Siam, being actuated by the most friendly feeling

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(1) Blue Book (Siam 1894) Rosebery to Jones, July 27, 1893.

towards France accepts the demands of the Government of the Republic unconditionally".

In France there had been grave dissensions in the Cabinet over the Siamese question. M. Delcassé, the Under Secretary for Colonial Affairs, who was sitting in the Cabinet as a Minister, had made some extravagant proposal in regard to the declaration of the French protectorate over Siam, and when this suggestion was rejected by the Foreign Minister, he urged that the submission of the Court of Siam should be refused on the ground that it had arrived too late, and that the two provinces of Battambang and Angkor should be confiscated as reprisals for the expense and inconvenience to which France had been exposed by the hesitations of the Siamese Government. M. Develle, who was opposed to this policy, threatened to place his resignation in the hands of the President. But in his conversation with Dufferin on 29th July Develle alluded to the provinces of Battambang and Angkor and suggested some arrangement by which they might be handed over to France in exchange for a portion of the Siamese territory in the north, surrendered under the terms of the ultimatum. Lord Dufferin declined to continue any discussion in the direction indicated and maintained that any transaction of the kind would be not only a serious invasion of the integrity of Siam, but would equally destroy her independence

in view of the proximity of those provinces to Bangkok.[1]

Presumably to please the Colonial party in Indo-China, the French Government, before accepting the Siamese surrender, added four more conditions by way of guarantees to their ultimatum. They were: (1) the occupation by French troops of the river and port of Chantabun, pending the evacuation by Siam of the left bank of Mekong; (2) no Siamese troops to be permitted within 25 kilometres of the Mekong river; (3) no Siamese armed vessels to be allowed on the Great Cambodian lake and (4) the right to establish consulates at Nan and Korat was reserved by France.[2] M. Develle informed Lord Dufferin on 30th July that provided the Siamese acquiesced in these additional arrangements the blockade would be raised. He added that the effort required to make his colleagues agree to his moderate policy had left him exhausted; and complained of the way the French Press had attacked him for what was called subservience to Great Britain. Lord Dufferin expressed his willingness to give him every possible assistance in presenting his actions in a manner calculated to meet with the approval of the French public. If they could accomplish by their discussions, the creation of a neutral zone between their territories in Indo-China, Dufferin was agreeable to Develle receiving all the

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(1) F.O.17/1181. Dufferin to F.O., July 29, 1893.
(2) F.O.69/150. Jones to F.O., August 1, 1893.

honours of successful negotiations. This conciliatory attitude was further strengthened by Lord Rosebery when he telegraphed to Lord Dufferin on 31st July instructing him that he should be conciliatory with Develle and allude to the crisis as severe but in a fair way of appeasement. He added, "I have never, as you know, doubted his personal loyalty."(1)

On 27th July the French Government had agreed to the principle of the constitution of an independent territory between the French and Indian Empires and to negotiate with the British Government as to the limits of the region in question. Nevertheless, the French were not prepared to entertain any discussion on this question until France received satisfaction from Siam regarding her ultimatum.(2) In order to facilitate the start of negotiations on the establishment of a neutral zone, Rosebery advised the Siamese not to hesitate to yield to the French demands. On July 31, 1893, Lord Dufferin signed a Protocol with the French Foreign Minister agreeing to the establishment of a neutral zone. On the same day Rosebery telegraphed Captain Jones instructing him to persuade the Siamese to accept French ultimatum and additional guarantees in order to deprive the French of any

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(1) F.O.17/1181, Rosebery To Dufferin, July 31, 1893.
Dufferin to Rosebery, July 30, 1893.
(2) Blue Book (Siam 1894), Dufferin to Rosebery, July 27, 1893.

further opportunity of action or territorial requisition. The Siamese having no other alternative accepted the ultimatum in toto as well as the additional guarantees. On August 3, 1893, the blockade was raised and on the 7th the French Minister returned to Bangkok and raised his flag, to the salutes of the Siamese navy.

The French Government having forced the Menam, and blockaded Bangkok, secured great advantages and were in an uncontestably strong position to dictate to Siam. Few problems relevant to our study now remain for clarification. Among those French and British authors who wrote on the subject of the Franco-Siamese crisis of 1893, and among the contemporary politicians, the opinion prevailed that the Siamese attempt to resist French demands was both foolish and futile, and that such ineffective resistance had but increased French demands.(1) But in Bangkok there were those who thought differently. M. Rolin Jaequemyns was convinced that had Siam meekly given way before the first French demands, it would only have led to further claims, and those would have found Siam in a still weaker position. In a letter to Verney dated 16th August 1893, he said that persons who called the Siamese resistance futile were not sufficiently

(1) Invariably the French writers maintained that Siamese resistance was futile. Among the British writers Sir Henry Norman, The Peoples and Politics of the Far East, (p.494), Mr. Warrington H.Smyth, Five Years in Siam (I, p.267), and J.G.D.Campbell, Siam in the Twentieth Century (p.304), held the same opinion.

aware of this fact. In the course of another private letter to Verney on August 24 he argued that their policy of resistance to the first claims was more than justified because according to his judgement, the aim of France was all along the absorption of Siam per fas et nefas. He added, "If we had conceded the first claims, we would have had the shame of it, but to these first claims would have succeeded others, and the final result would have been, if materially the same, morally worse."(1) Captain Jones added weight to the contention of Rolin Jaequemyns. He also believed that the best course for the Siamese to obtain reasonable terms from France lay in manifesting a determined resistance.

Before judging the futility or otherwise of the Siamese resistance to French pretentions, it is useful to observe French hesitation before embarking on extreme measures in Siam. At a time when the French Government was demanding the release of Captain Thoreaux, who was captured by the Siamese in an encounter at Khone, it is noteworthy that no demand had been made for the liberation of the Annamite soldiers taken on the same occasion. Captain Jones heard rumours to the effect that the French did not trust the loyalty of their local Laos, which might explain in some degree the apparent disinclination of the French to push

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(1) F.O.69/151. Rolin Jaequemyns to Verney, August 16 and 24, 1893.

matters to an extreme with Siam. It is surprising to find that the French Chamber of Deputies was not informed by the Government of the true situation between France and Siam until June 30, 1893. M. Develle, in his talk with Lord Dufferin on 30th June, while expressing his belief that military operations against Bangkok would be very easy and caused him no apprehension, said that there were dangerous anarchist elements at Bangkok which might be betrayed into the committal of excesses against foreigners, and hence he did not wish to proceed to extreme measures unless no other course were open.(1) The conciliatory attitude of the French Government in agreeing to waive its treaty rights by ordering its ships to stay outside the bar at Paknam is noteworthy. No doubt the French Government were aware of the possibility of provoking a European conflict in the autumn of 1893 when the German and Italian armies would be under arms for manoeuvres.(2) They were anxious also not to get involved in a war with England over Siam. French hesitation may, perhaps, be accounted for by their uncertainty as to the policy which would be pursued by Great Britain over the Franco-Siamese conflict. So long as this remained unkown they remained cautious. But as soon

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(1) F.O.17/1178, Dufferin to F.O., June 30, 1893.
(2) F.O.17/1183. Foreign Office Memorandum (P.Currie), August 28, 1893. This information was given by Count Hatzfeldt as coming from a reliable source at Paris.

as they were able to placate the British Government by agreeing to the establishment of a neutral zone, they became more menacing in their attitude to Siam.

In spite of the British policy of moderation and conciliation there was considerable feeling against England in France. French politicians seriously believed and the French Press propagated with conviction the idea that Great Britain had been urging the Siamese to resistance, and at one time during the Franco-Siamese crisis a report was current in Paris, though it was at once contradicted, that British officers had been instructing the Siamese in torpedo practice. On the morning of July 25, 1893, the French Chargé d'Affaires in London called upon Lord Rosebery and informed him that every one in France was convinced that the British ships had been ordered to Bangkok to encourage Siam in her resistance, and that the British Minister at Bangkok, with or without authority, had given advice to the Siamese Government in that direction. But Lord Rosebery could not admit either statement. He maintained that the British ships were sent to protect British life and property and that he had offered to keep them outside the bar to avoid mis-understanding. With regard to Captain Jones, the Foreign Secretary informed the French Chargé d'Affaires that Jones had solemnly assured him that he had literally obeyed his injunctions against the

slightest interference with Siamese affairs. "Our policy", Rosebery continued, "had all along been to rely on French promises, and I regretted to say that, no doubt under the force of circumstances, these had not been fulfilled. What I saw was that we were moving fast towards a most dangerous and critical position."(1)

Lord Rosebery's denial of French insinuations needs further clarification. The part played by Captain Jones, the British Minister at Bangkok, during the Franco-Siamese dispute was rather involved. From the beginning of the Franco-Siamese complications, Captain Jones believed that France had entered on this adventure on the assumption that Siam would submit without contention, and that the mere prospect of a struggle would modify considerably the "preposterous pretentions of France". On July 12, 1893, the British Foreign Office received information from the Siamese Minister in London that Captain Jones was quoted in telegrams received from Bangkok as approving the resolution of the Siamese Government to resist the passage of French gunboats up the Menam.(2) Lord Rosebery immediately instructed him by a secret telegram to be very careful in his communications with the Siamese. But on 15th July the Siamese Minister in London confidentially communicated to the Foreign Office a telegram from Devawongse

(1) Blue Book (Siam 1894), Rosebery to Dufferin, July 25,1893.
(2) F.O.17/1179. Devawongse to the Siamese Minister in London, July 12, 1893.

in which he stated, "Bangkok has been now at mercy of the three French gunboats in Menam, though British Captain's opinion is that two British gunboats in Menam with our force can defence. Yet British Minister Resident saying he is waiting instructions before further action, there is reason to fear instructions arrive too late ...." Lord Rosebery found himself at a loss to understand the meaning of this telegram. He demanded from Captain Jones, the exact nature of any advice that he or British naval officers had tendered to Siam. He once more instructed Jones to take steps to disabuse the Siamese of any idea in their minds that the British Government contemplated taking any joint action with Siam for the defence of Bangkok or that they at all approved the attitude of the Siamese Government which appeared to them "futile and ill-judged, and which had been maintained in direct opposition to the advice they have offered".(1) Still another telegram arrived from Devawongse on July 20th to the Siamese Minister in which he maintained that the Captain of the Pallas and the British Minister agreed with him that something must be done by the British Government very soon. Each fresh telegram brought forth a definite warning from Lord Rosebery. This time his telegram to Jones read thus: "I hope you keep written records of all conversations and make it perfectly

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(1) F.O.17/1179. Rosebery to Jones, July 15, 1893.

clear that we have never held out hopes of assistance. These repeated assertions cause me some anxiety as I cannot conceive to what they refer."(1)

No wonder the attitude of the British Minister at Bangkok was raised in the British Parliament. While answering a question on 2nd August 1893 referring to the Daily News comment that the attitude of Captain Jones remained sphinx-like, Lord Rosebery said "obviously I cannot either corroborate or deny that".(2) Whatever might have been the share of Captain Jones in advising or encouraging the Siamese to resist the French, the correspondence between him and the Foreign Office incidentally throws some light on the question of the Siamese expectation of British help and the attitude of the Foreign Office towards any such expectation. On 14th August Captain Jones received a telegram from the Foreign Office announcing that he might expect the arrival in Bangkok in about a month of Mr. James George Scott, in order to assist him with technical information and advice. Even though neither Jones nor Scott was aware of the significance of this move at that time, the background to this step is very revealing. The Foreign Office desired that a sharp eye should be kept upon M. Le Myre de Vilers, who had been appointed by the French Government to negotiate with Siam in August 1893, while

(1) F.O.17/1180. Rosebery to Jones, July 20, 1893.
(2) The Times, August 2, 1893.

he was at Bangkok. In a private and confidential letter to Sir Stuart Bayley of the India Office, Sir T. Sanderson wrote, "Is there anybody whom the Government of India could send to Bangkok temporarily - on the plea of affording technical information. He should be very prudent and quiet - and able to get on without hurting Jones' feelings, and perhaps Jones could have a little leave - he wants it I believe."(1)

The other and comparatively simple question was that of the effect of the presence of British warships in Siamese waters on the French attitude. While reporting on the situation at Bangkok on 12th June 1893, Captain Macleod mentioned that the arrival of the Swift off the British Legation at Bangkok, certainly improved the chances of a peaceful settlement in the long run by its moral effect on both sides. Judging from Pavie's keen interest in the movements of the British ships and the tone of his negotiations while they were there, Captain Macleod firmly believed that the appearance of the Pallas at the mouth of the river added to the improvement. Admiral Humann in his talk with Macleod on 29th July did not disguise the fact that the presence of the Pallas off the bar had been obnoxious to him and that his Government

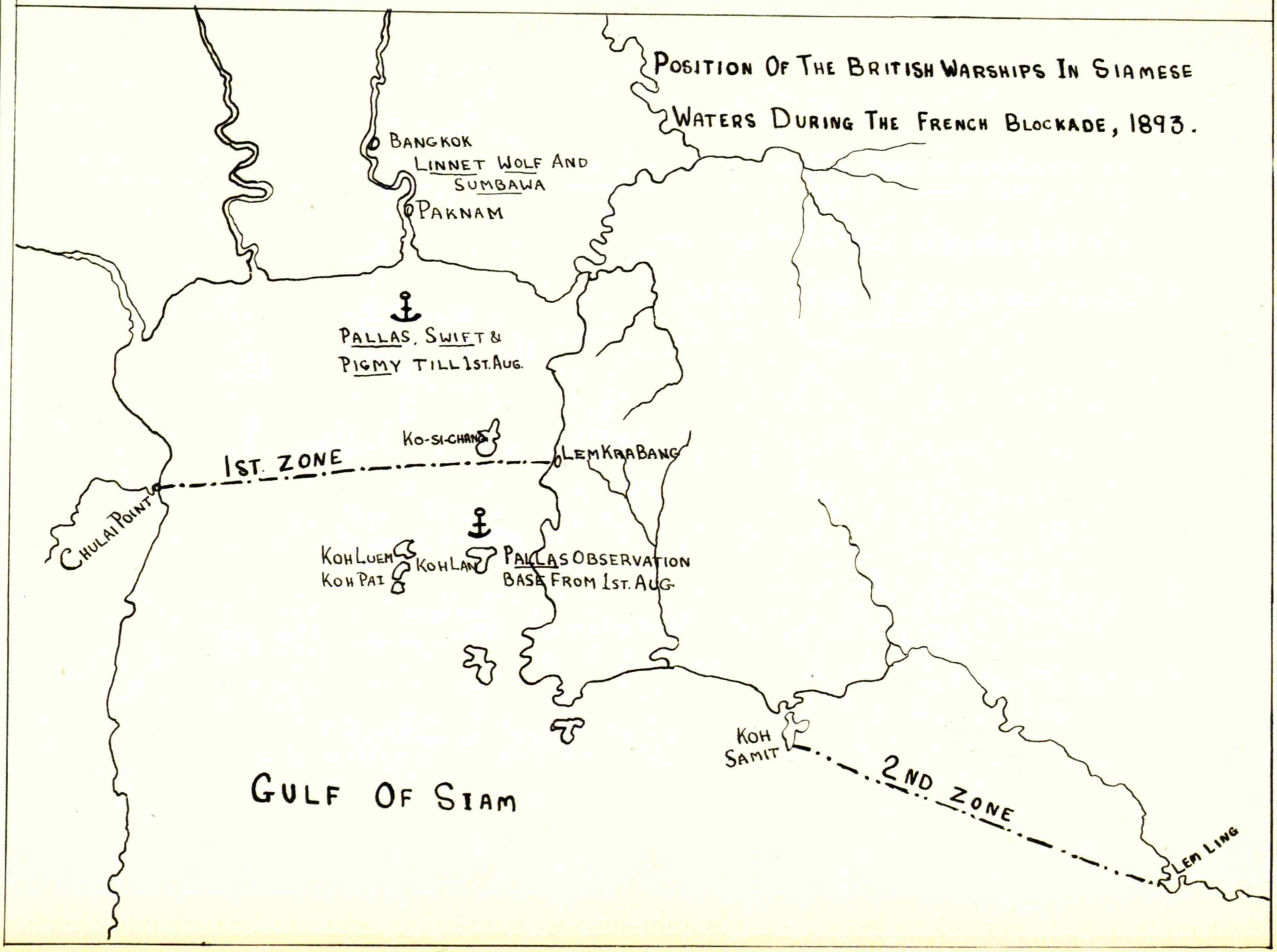
(1) F.O.17/1182. Sanderson to Bayley, August 5, 1893. Bayley in his reply dated 12th August informed the Foreign Office that the Government of India recommended J.G. Scott for the post.

was convinced that it encouraged Siam to hold out. Captain Macleod felt sure that the presence of British ships in those waters undoubtedly affected the whole situation. The Foreign Secretary's comment on this interesting observation throws a good deal of light on the point at issue. Rosebery wrote, "What Macleod says about the effect of our ships of war on the Colonial waters is notable." It is presumptuous to accuse Britain of deliberately sending warships to encourage Siam but we cannot afford to ignore the effect the ships had on the French attitude in Siam.

This brings us to the most important aspect of the French blockade of Bangkok port. The presence of British warships in Siamese waters during the blockade complicated matters between England and France. On 29th July Admiral Humann issued revised blockade limits with three days' grace for friendly ships or neutrals to complete their loading and quit the blockaded places. In a covering letter to Angus Macleod, Captain and Senior Naval Officer, Straits of Malacca division, commanding the British cruiser Pallas, stationed off the Menam river bar, he stated, "from the orders of my government the blockade arrangements which concern delays of departure are equally applicable to ships of war as to merchant ships". He further mentioned that it was for Captain Macleod to take proper steps with regard to the British ships under his

command: the Linnet that was at Bangkok, the Pallas and the Swift stationed at the bar. If Macleod accepted the warning and withdrew the Linnet from Bangkok, that would have left the British subjects without any protection. He immediately proceeded to Koh-si-chang to persuade the French Admiral to reconsider his notice and in the meanwhile told the Linnet to be ready to leave Bangkok. Admiral Humann assured Macleod that the warning was not intended to refer to gunboats off Bangkok, provided they elected to remain inside throughout the blockade. He did not disguise the fact that his Government drew a blockade line across the Gulf as it was convinced that the presence of the British warships at the bar encouraged Siam to hold out. Captain Macleod thought that the irritation caused by the presence of the British ships must have been responsible for Admiral Humann's remarks in his covering letter as to men of war being on the same terms as merchant ships in regard to leaving the blockaded ports. Macleod reported by telegram on July 30 to the Admiralty the French Admiral's warning, and twelve hours later, after meeting the Admiral, he telegraphed again that the Admiral had unintentionally conveyed the idea that the Linnet must be withdrawn. He added "gunboats remain inside, perfect understanding with us".

According to this arrangement the Linnet remained at


POSITION OF THE BRITISH WARSHIPS IN SIAMESE WATERS DURING THE FRENCH BLOCKADE, 1893.
BANGKOK
LINNET WOLF AND SUMBAWA
PAKNAM
PALLAS, SWIFT & PIGMY TILL 1ST. AUG.
KO-SI-CHANG
1ST. ZONE
LEMKRABANG
CHULAI POINT
KOH LUEM
KOH PAI
KOH LAN
PALLAS OBSERVATION BASE FROM 1ST. AUG.
KOH SAMIT
2ND ZONE
LEM LING
GULF OF SIAM

Bangkok on the understanding that she was to stay there throughout the blockade. Regarding the other ships, the Pallas, the Swift and the Pigmy, which arrived only on 31st July, Captain Macleod informed the Admiralty thus: "I withdrew outside ships to my observing station at Kohlan (9 miles outside the blockade limits) at the expiration of time appointed 1st August for the purpose of watching blockade."(1) It is interesting to find that Admiral Humann's notice was not pressed, though it was not officially withdrawn.

The first telegram of Captain Macleod on 30th July gave great and unnecessary anxiety to the Foreign Office. When Lord Rosebery was informed of the French Admiral's announcement and the intended departure of the Linnet from Bangkok, he immediately informed Captain Jones that she must on no account leave Bangkok. In an urgent telegram to Sir Henry Ponsonby, Private Secretary to Queen Victoria, on 30th July, Lord Rosebery described the situation as anxious, if not grave. He added "French persist in blockade in spite of unreserved Siamese submission, and have desired our gunboats to leave. This I have refused. Would you ask Count Hatzfeldt (German Ambassador in London) to come and see me

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(1) Admiralty 1.7151 S131/1893. Macleod to Admiralty, October 11, 1893.

without delay"[1]. This telegram was immediately communicated, according to the Queen's wish, to the German Emperor who was at Cowes. It is very difficult to find out what made Lord Rosebery send such a telegram. It definitely gave the German Emperor the impression that war was imminent and that Lord Rosebery was asking for German support. A few years later, in February 1900, Lord Rosebery was reported to have said in a conversation with Count Metternich, that it was on a Sunday that he had received from the British representative at Bangkok a telegram announcing that the French commandant had demanded the withdrawal of the British warships. On his own responsibility he had sent a message to Gladstone, the Prime Minister, and telegraphed to the British representative to refuse completely the French demand. He had expected that on the Monday the country would wake up to find itself at war with France, without any Minister but himself having the slightest notion of it. At this critical moment he had telegraphed to the Queen[2]. On 9th October 1896 while

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(1) The Letters of Queen Victoria (Third Series) II, p.290. Rosebery to Ponsonby, July 30, 1893. On 31st July Sir Henry Ponsonby telegraphed to Lord Rosebery that as Count Hatzfeldt was too ill to move, the Queen thought it advisable to inform the German Emperor, who had ordered Count Metternich to come to London at once to see Rosebery and to be most cordial.

(2) German Diplomatic Documents, 1871-1914. Selected and translated by E.T.S.Dugdale (based on Die Grosse Politik der Europaichen Machte, 1871-1914). Vol.II, p.244. Metternich to German F.O., July 31, 1893. German F.O. note on this.

addressing a public meeting at Edinburgh Lord Rosebery declared, "I do not say that I am unwilling to draw the sword in a just and necessary cause; I have myself, while a Minister, incurred the risk of war."(1)

On July 31, 1893, when the French Government had accepted the submission of Siam and signed a Protocol with Lord Dufferin regarding the constitution of a neutral zone, Rosebery telegraphed to Sir Henry Ponsonby asking him to inform Count Hatzfeldt that the gravity of the situation appeared to have ceased for the moment. But curiously enough, later, when the dispute was settled, he explained to Count Hatzfeldt that in telegraphing to the Queen, he had, in consideration of the Emperor's presence, thought it necessary to request that the Emperor should be informed of it. The German Emperor's marginal remark on Hatzfeldt's despatch dated 3rd November 1893, reporting the above conversation was "So blan! That need not have been done through a deathly pale private secretary at 12 o'clock in the night."(2)

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(1) Thomas, F.G.Coates, Lord Rosebery, His Life and Speeches, II, p.873. Rosebery was talking after his resignation as the leader of the Liberal Party and the reference was made during his observations on the Armenian question. As there was no other occasion during his Ministerial career when there was serious risk of a war with France I presume that he was referring to 30th July 1893 incident.

(2) Dugdale, op.cit. II, p.240.

Count Hatzfeldt in a despatch dated 31st July 1893 to the German Foreign Office from Cowes, expressed his disbelief in the possibility of an immediate conflict between England and France. But while mentioning the desirability of keeping out of the Siamese question, he sought the advice of the German Chancellor on the following question: "Does it at all suit our political and military policy for a European conflict to break out now, from which we could not hold aloof in the long run?" Otherwise, he thought, they ought to pour cold water on it in time. The German Chancellor's reply to this categorical question was revealing. He felt that from the point of view of domestic politics a war would not be undesirable, if strongly supported by public opinion, and from the military point of view "it is just as good now as later". He clearly stated that for them the best beginning for the next great war would be for the first shot to be fired from a British ship. Then he thought it would be easier to convert the Triple Alliance to a Quadruple one.(1) Apart from this German reaction to the Franco-Siamese crisis there was a typical comment on the Siamese dispute from the Russian Emperor. While expressing his regret at not being able to interfere on behalf of Siam, the Emperor told a son of

(1) Ibid, II, p.242. Hatzfeldt to the German F.O., July 31, 1893. Triple Alliance: Germany, Italy and Austria-Hungary.

the King of Siam who was staying at Copenhagen in September 1893, that the whole trouble had been brought about by the English, who always wanted to be first everywhere. He further said that the French were aware of their (English) aggressive intentions and for once had been beforehand with them.(1) To the great disappointment of Germany and corresponding relief of England the threatening war clouds suddenly parted in an unexpected manner.

Lord Rosebery was not fully aware until October 1893 of what had actually happened at Bangkok as far as his instructions to British warships were concerned. In the meantime on 13th September 1893, in the course of his reply to a question in the House of Lords, he denied that the Pallas and the Swift had been ordered outside the blockade line by the French. Even though he came to know the full facts in October 1893, it is surprising to find the report of a conversation in February 1900 with Count Metternich, during the course of which Lord Rosebery was stated to have said that he really did not know what action had been taken by the officer commanding the British ships present in Siamese waters when the French Admiral demanded their withdrawal. Count Metternich reporting this conversation to the German Foreign Office

(1) F.O.17/1185. Dufferin to F.O. September 29, 1893. On reading the Russian Emperor's opinion on the Franco-Siamese dispute Rosebery felt it did not present the Emperor's intelligence in a favourable light.

on 20th February 1900, commented, "I laughed and said that I could tell him. The British commander had cleared out." Lord Rosebery was reported to have replied that he did have the impression that the British commander gave in too easily, but he had never discovered for certain.(1) When the German Diplomatic Documents were published in The Times in 1924, G.A. Ballard, retired Vice-Admiral of the British Navy, in a letter to the Editor on 9th January 1924, commented on the above passage from Count Metternich's despatch. While vehemently contradicting the Count's remark that the British Commander had "got out of the way", Admiral Ballard went so far as to declare that there was not a particle of truth in that statement, which was obviously invented on the spur of the moment to embitter Anglo-French relations. In his letter Admiral Ballard made an extraordinary statement to contradict Metternich: he declared, "I was serving as first lieutenant on one of the British ships myself and can testify that neither of them lifted an anchor till ordered by our own Government to withdraw some months later."(2) The available evidence tells a different story.

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(1) Dugdale, op.cit, II.p.244, Metternich to German Foreign Office, July 31 1893. German F.O. note on this.

(2) The Times, January 9, 1924. Mr. Dugdale in his translation of German diplomatic documents (II,p.243) after giving Metternich's despatch and the German Foreign Office note on that, inserted a special translator's note in which he said, "There seems no justification for the statement given above, which was categorically contradicted by Admiral Ballard."

According to the reports which reached Lord Rosebery, it was clear that the French Admiral did summon the British men-of-war to leave their anchorage and proceed to an anchorage designated by him, with which summons Captain Macleod complied. Rosebery asked the Admiralty on October 17, 1893, "Exactly what took place?"(1) From the Admiralty side there was no doubt about the fact that the ships went out of the blockade area, on the authority of the report submitted by Captain Macleod. The Lords of the Admiralty concurred with the views expressed by Vice-Admiral Sir E. Fremantle, Commander-in-Chief, China Station, with regard to Captain Macleod's action in tacitly accepting the terms of the blockade, that it would have been more prudent had he accepted the terms provisionally in the first instance, pending instructions from Her Majesty's Government. They felt that Macleod should have formally protested against such an apparent assumption of authority by Admiral Humann over the British warships, instead of, as he did, practically admitting the Admiral's right to insist on their withdrawal. The First Lord of the Admiralty, in a memorandum prepared on 13th November 1893, mentioned that Macleod had received no instructions from home during the whole period from 23rd July up to the date of the final raising of the blockade, though

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(1) F.O.17/1186. F.O. to Admiralty, October 17, 1893.

he kept the Admiralty informed of what was going on. He further wrote that Macleod was justified in the belief that he had to act on his own responsibility and that he had no option in the matter of acceptance.(1) In defence of Captain Macleod, Sir T. Sanderson put forth the argument that he never heard of the blockade being pacific. Sanderson was convinced that Macleod acted rightly with regard to the blockade and he was very happy for he did not commit the Government.(2)

But there was one very important aspect of the blockade of which Captain Macleod failed to inform the Admiralty and Foreign Office immediately, namely, the insulting and aggressive behaviour of one of the French vessels in the Siamese waters towards the Pallas. The French made some spectacular demonstrations of resentment against the presence of the British ships in Siamese waters. One particular incident which took place on the night of 31st July is worthy of detailed study. While the blockade was continuing, at 11 p.m. on 31st July Captain Macleod anchored in the Pallas at East Koh Lan, intending to bury a gunner on that island on the following morning. Soon after the Pallas had anchored, the French gunboat Lion was seen approaching from the southward at less than a mile distance and she went so far as to fire a gun.

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(1) Adm.1.7151 S131/1893. Memo by the First Lord of the Admiralty, November 13, 1893.
(2) F.O.17/1186. Macleod to Admiralty, November 8, 1893, Foreign Office Memo on this despatch.

At first Captain Macleod thought that it must be some signal made by one blockading cruiser to another, but he soon perceived that the Lion was steering directly towards him and moving at considerable speed. Owing to certain movements of the French ships after they forced the Menam on 13th July, the war head torpedoes in all tubes and guns on the British ships were kept perfectly ready. In spite of the preparedness of his ships Captain Macleod did not clear decks for action, even when he saw the French gunboat bearing down upon him with her crew at general quarters, and at her machine guns aloft. At that moment Captain Macleod felt that the Lion thoroughly deserved a warning shot across her bows. However, he exercised the greatest self-control and presence of mind, and although he could not understand what prompted such behaviour on the part of her commander, he refrained from taking any corresponding action.

But when the Lion was passing the stern of the Pallas someone shouted "it is a mistake, it is a mistake", and just as Captain Macleod was despatching his senior lieutenant in a cutter to demand a full explanation, the Lion rounded to, anchored, and sent an officer on board, with the most profuse apologies from his commander. The French officer told Macleod that they had taken the ship for a merchant steamer, (1)

(1) The idea of the vessel being mistaken for any other by the French officers who had seen the Pallas veryfrequently seemed almost incredible, because the moon was shining upon her broadside and further the upper deck was unusuall well-lit electrically to enable the carpenters to work.

but failed to answer his queries as to what right they had to behave in such an alarming and threatening manner to any merchantman anchored outside blockade limits. Captain Macleod declined to accept the apology until he could see, and report to Admiral Humann, at Koh-si-chang,

Next morning when he was in the act of weighing to proceed to Koh-si-chang, the Lion was seen approaching flying the signal "Have a letter for you", and as soon as she was close enough, Lieutenant Papaix, Commander of the Lion, went on board with an apology which Admiral Humann had written personally, as well as one from himself; and also to add verbally apologies for the occurrence of the night before. Captain Macleod gladly accepted the apologies, explanations and assurances from the French officers.(1) Thus, all ended pleasantly after a somewhat lengthy interchange of explanations and comments between the British and the French officers. But the Admiralty was not very happy about the course followed by Captain Macleod and entirely agreed with Vice-Admiral Sir E. Fremantle in his opinion that Macleod should have adopted the course of making an official protest to the

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(1) F.O.17/1188. Admiralty to F.O., December 1, 1893, enclosure: Macleod to Sir E. Fremantle, August 30,1893. Macleod observed that there was plainly observable among the personnel of the French ships that arrived after the attack on the forts at Paknam, an excitable demeanour that found its vent in activity and bustling attention to blockade duties. He said "we as lookers-on, did not grasp the fact that some of the display was a sign of friendship."

French Admiral on every occasion on which discourtesy was manifested by the French officers in their dealings with the British ships in Siamese waters.

The Lords of the Admiralty were, however, satisfied with the action taken by Captain Macleod in accepting the apology, the promptness of the explanation on the part of both Lieutenant Papaix and Admiral Humann having rendered it difficult for him to do otherwise. They fully recognised the extreme difficulty and delicacy of the position in which Captain Macleod was placed and appreciated the efforts which he made to maintain an attitude of strict impartiality under very trying circumstances. The First Lord of the Admiralty in his memorandum of 13th November remarked, "it requires more courage to observe moderation and keep a cool head under such circumstances than to sink a French gunboat, and he probably saved his country from that at a time when she was none too well prepared to enter upon it." But for the forbearance and self-restraint displayed by Captain Macleod under such deliberately insulting behaviour by the Lion the whole course of the story would have been different. Commodore Richelieu to whom the restraint of Macleod on the night of 31st July seemed incomprehensible observed, "if England really wants peace to be kept at any price they ought to gild Captain Macleod, for certainly he has kept it for

them."[1]

Once the blockade was raised it only remained to arrange details of the future relationship between Siam and France and this task was entrusted to a special Minister Plenipotentiary sent from France for the purpose. M. le Myre de Vilers, a Deputy, who had formerly been Governor-General of Cochin-China and was at that time dictating French terms to Madagascar, was described by M. Develle as one of the most experienced French negotiators in colonial questions. The preference shown by the French Government by appointing M. de Vilers over M. Pavie who was at Bangkok is significant. Mr. Phipps, in a despatch to the Foreign Office on July 18, 1893, gave the reason, learnt from a private source, for the substitution of a fresh negotiator at Bangkok. He said that M. Pavie "who is stated to have made a certain fortune in Siam by commerce, is regarded as undesirous to promote any disturbance of the commercial situation in Siam and to have a leaning towards British interests."[2] Just before the arrival of the French Minister Plenipotentiary in Bangkok,

(1) F.O.17/1186. Richelieu to Verney, September 13, 1893. Richelieu gave an incident as told by Macleod to him (but not reported to the Admiralty) how the Lion (he mentioned the Forfait, presumably wrong) kept her electric searchlight on the Pallas till Macleod had to request them to turn it away. It is generally considered a most impudent and insolent thing to do and the general answer to it is supposed to be "first a blank shot and after that anything you like".

(2) F.O.17/1179. Phipps to F.O., July 18, 1893.

Lord Dufferin in a conversation with Develle on 9th August commented on an endeavour in the French Press to create an "irredentism" in regard to the Cambodian claims on Battambang and Angkor. In reply Develle expressed his determination to resist any such notions since he regarded the Siamese question as buried. Lord Rosebery observing "we have had all this sort of thing before" warned Captain Jones in a secret telegram that the Siamese should be alive to the great importance of strictly observing the conditions they had accepted and should not give any opportunity for fresh demands.(1)

M. le Myre de Vilers reached Bangkok on August 16, 1893. The King of Siam, who had retired to his summer Palace at Bang-pa-in almost directly after the final surrender had been made and the acute crisis had passed, returned to Bangkok to receive the French Plenipotentiary in the afternoon of 20th August. M. de Vilers' first act was to refuse to meet M. Rolin Jaequemyns or have anything to do with him as far as Franco-Siamese negotiations were concerned. This unprecedented action of M. de Vilers was resented by the British Government. Lord Rosebery stated that if Siamese independence was to be respected by placing a veto on the persons whom that Government thought fit to employ, there would be little left of it. He thought that the French Government

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(1) F.O.17/1182. Rosebery to Jones, August 10, 1893.

had committed a mistake in their own interests, in thus discarding an intelligent European as a channel of communication.[1]

At the first conference with Prince Devawongse on 24th August, M.le Myre de Vilers offered a new Treaty of Peace and Friendship with the following articles:[2]

(1) The sovereign rights of Annam and Cambodia over all the districts on the left bank of the Mekong and the islands in the river are to be recognised by Siam.

(2) The Cambodian Lake and the Mekong River are to be policed by France, and Siam gives up the right to maintain armed vessels in these waters.

(3) No military post is to be established by Siam in the districts of Battambang and Angkor or within a distance of 25 kilometres from the right bank of the Mekong. All existing posts there are to be abolished.

(4) No change is to be made in the present administration of the reserved territory above mentioned. The local governors will have charge of police and no troops regular or irregular will be kept up.

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(1) Rolin Jaequemyns had been accused in France of being "a mere instrument of an astute and unscrupulous England". Anti-Rolin feeling during the Franco-Siamese crisis ran so high in Paris that direct postal communications between Bangkok and Paris were not trusted. Letters from the Siamese Government to the Legation in Paris were, therefore sent enclosed in an envelope addressed to Sir Thomas Barclay, the President of the British Chamber of Commerce in Paris, at either his Paris or London address and delivered by him direct to the Legation, and vice versa. (Sir Thomas Barclay, Thirty Years: Anglo-French Reminiscences, 1876-1906, p.110)

(2) F.O.69/150. Jones to F.O., August 24, 1893.

(5) No import or export taxes will be imposed within these specified limits and no Custom House will be built.

(6) Store house for wood and coal and any construction indispensable for navigating the river may be erected by France on the right bank of the river.

(7) (8) and (9) (relate to passports and consular affairs and were not read)

(10) French citizens and persons registered at the Consulate as French protégés are all subject to the jurisdiction of France.

(11) The French text of the treaty only shall be binding.

Thereafter followed a long series of delays. M.de Vilers complained that the Siamese did not approach the question in the proper spirit and were putting him off. The Siamese complained with as much justification, that M. de Vilers' object seemed to be the humiliation of Siam by the forced imposition of further clauses.(1)

The new treaty proposed by the French envoy to Siam roused public opinion in England to such a degree that the language of the English Press as well as that employed in the House of Commons, in regard to the French encroachments during the Siamese negotiations attracted official attention in Paris Their reaction to English public opinion was quick. Mr.Phipps

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(1) H.W. Smyth, op.cit., I, p.275.

in his despatch to the Foreign Office dated September 1, 1893, described the explanations given by French officials to the new treaty proposed by Mr. de Vilers to Siam. The French argument was that their envoy had proposed certain mutual concessions in regard to customs duties and trade between Battambang and Angkor and Siam, and at once he had been accused of wishing to lay hands on the provinces. They further maintained that in order to improve the navigation of the Mekong, he had asked for permission to extend to the right bank such works as might be necessary on the left bank, as well as to establish wood and coal depots, and that again was distorted into a desire to lay hands on the provinces. Even after reporting the French explanations faithfully, Phipps gave his own opinion thus: "I could not conceal my fears lest M. de Vilers would prove to be either exceeding his instructions, or to be executing them unjustifiably".

Captain Jones from Bangkok suggested that in view of the threatening tone of the French envoy and the persistently menacing attitude of France, Siam should receive some direct words of encouragement from the British Government. Lord Rosebery in a despatch dated 7th September 1893 to Lord Dufferin, who had been sent again to Paris to resume negotiations regarding the neutral territory and Siamese affairs, made the position of his Government clear on the question of

Franco-Siamese negotiations. He wrote that they regarded the independence and integrity of Siam as a British interest of high importance and on this ground "Her Majesty's Government see strong objections to any proposals which would give to France a permanent hold over the port of Chantaboon, or the provinces of Battambong and Angkor, and, indeed to any further territorial acquisition by France at the expense of Siam". Lord Dufferin in his interview with Develle on the same day in accordance with his instructions, stressed the strength of public opinion in England, where a great interest was being taken in what was passing in Bangkok, and he drew special attention to the fact that the French representative had given the appearance of presenting three ultimatums. He said, "to use the language of the grammarians, the Siamese Government are now in the possession of an ultimatum, a penultimatum and an anti-penultimatum. In fact the word 'ultimatum' had completely lost its meaning, for each new one seemed to procreate a successor". M. Develle explained the character of the document submitted by M. de Vilers to the Siamese Government as not another ultimatum, but only a document which contained, not demands, but proposals to be discussed, accepted or modified according to the views and interests of the contracting parties.(1)

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(1) Blue Book, (Siam 1894) Dufferin to Rosebery, September 14, 1893.

On 13th September the French Minister in London, M. d'Estournelles, paid a visit to Lord Rosebery and complained that the Siamese were unreasonable and constantly interposed difficulties. He suggested that if Rosebery would make it clear that the British Government preserved its neutral attitude it would greatly accelerate the settlement of the affair While repeating his faith in a neutral attitude, Lord Rosebery stated that he had indeed exceeded his neutral attitude by pressing on the Siamese the acceptance, not only of the first ultimatum, but also of the second, and it was impossible for him to press on them the third. When the French failed to secure British support to force the Siamese to accept their terms, they depended on their Plenipotentiary to do the job. Even M. Develle, the only member of the French Cabinet in whose personal loyalty Lord Rosebery had unfailing faith, was also interested in obtaining from Siam as much as he could beyond the original French demands.

At Bangkok the difficulties in the negotiations were extraordinary. After a few meetings between M. de Vilers and Prince Devawongse, the latter went up during the first week of September to see the King at his summer residence. He did not resume negotiations till 26th September, and even then they could not agree on the draft treaty between France and Siam. By this time M. de Vilers lost his patience, and

the French Government in Paris began to grow peremptory. On 27th September, M. de Vilers went to the Siamese Foreign Office and placed in Prince Devawongse's hands a Convention drawn up by the French Foreign Minister, embodying "a final statement of all the alterations and conditions that France was prepared to accord". He declared: "I leave Siam within four days, whether these conditions be accepted or not; and I shall come here again on Sunday, October 1st, to hear your decision. The Treaty can afford to wait but there must be no delay as regards the Convention."(1) Again a crisis was imminent. Even then, up till the last minute, Prince Devawongse declined to give way. On Sunday morning the French gunboat Aspic had her steam up, and a pilot on board, in readiness to leave at a moment's notice. At the last minute Prince Devawongse agreed to the French terms unconditionally. A telegram dated 1 October from Captain Jones announced to the British Government "treaty signed this morning and contrary to my expectation Convention also".

The Treaty and the Convention were formally signed by the Siamese Foreign Minister and the French Minister Plenipotentiary on October 3, 1893. The text of the Treaty ran thus:

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(1) Sir Henry Norman, The Peoples and Politics of the Far East, p.500. On 25th November 1902, M. de Vilers in a letter to the Editor of Le Temps admitted that he acted during his negotiations with Siam in 1893 on the principle that the only way to deal successfully with Asiatics was to use force.

"His Majesty the King of Siam and the President of the French Republic, being desirous of closing the disputes which have lately arisen between the two countries, and of consolidating the friendly relations which have for centuries existed between Siam and France, have named as their Plenipotentiaries:

His Royal Highness Prince Devawongse Varaprakar

M. Charles Marie Le Myre de Vilers

Article

(1) The Siamese Government renounces all claim to the whole of the territories on the left bank of the Mekong, and to the islands in the river.

(2) The Siamese Government binds itself not to maintain or navigate ships or armed vessels on the waters of the Great Lake, the Mekong and their affluents within the limits stipulated in the following Article.

(3) The Siamese Government shall construct no fortified port or military establishment in the provinces of Battambang and Siemreap, and within a radius of 25 kilometres on the right bank of the Mekong.

(4) Within the zones stipulated by Article (3) the police shall be carried on according to custom by the local authorities with the contingents strictly necessary. No armed force, regular or irregular, shall be maintained there.

(5) The Siamese Government undertake to open negotiation within six months with the French Government with a view to the settlement of customs and commercial system of the territories specified in Article (3) and the revision of the Treaty of 1856. Until the conclusion of this Agreement no customs duties shall be established within the zone specified in Article (3). The French Government shall continue to grant reciprocity to the products of the said zone.

(6) As the development of the navigation of the Mekong may entail certain works on the right bank, or establishments for relays of boats and stores of wood and coal, the Siamese Government engages to grant any necessary facilities for this purpose on the request of the French Government.

(7) French citizens, subjects, or those under French protection ("ressortissants") shall travel and trade freely, if provided with a pass issued by the French authorities, in the territories specified in Article (3). Reciprocal rights will be accorded to the inhabitants of the said zones.

(8) The French Government reserves to itself the right of establishing Consuls at such places as they shall judge suitable to the interests of their lieges and particularly at Korat and Muang Nan.

(9) In case of difficulties of interpretation, the French text shall carry weight.

(10) The present Treaty is to be ratified within four months from the date of signature.

In witness whereof the respective Plenipotentiaries above named have signed the present Treaty in duplicate and attached their Seals.

Done at the Palace of Vallabha, at Bangkok, the 3rd October 1893."

The Plenipotentiaries had drawn up a Convention with the different measures and arrangements entailed by the execution of the Treaty of Peace given above and the ultimatum which had been accepted on the 5th August. The clauses of the Convention signed on 3rd October 1893 were as follows:

"Article

(1) The last Siamese military posts on the left bank of the Mekong shall be evacuated within a period of one month at most from the 5th September.

(2) All the fortifications in the zone specified in Article (3) of the Treaty of this day's date shall be razed.

(3) The persons guilty of the offences of Tong-xieng-kham and Kammuon shall be tried by the Siamese authorities, a representative of France to be present at the trial, and will see that the penalties inflicted are carried out

The French Government reserves the right of deciding whether the sentences are sufficient, and if they are not of claiming a new trial before a Mixed Tribunal, of which it shall determine the composition.

(4) The Siamese Government shall hand over to the French Minister at Bangkok or the French frontier authorities all the French, Annamite and Laotian subjects of the left bank, as well as the Cambodians detained under any pretext whatever. They shall set no obstacle in the way of the return to the left bank of the former inhabitants of that district.

(5) The Ban Bien of Tong-xieng-kham and his suite shall be brought by a delegate of the Ministry of Foreign Affairs to the French Legation, as well as the arms and the French flag seized by the Siamese authorities.

(6) The French Government shall continue to occupy Chantaboon until the execution of the stipulations of the present Convention, and more especially until the complete evacuation and pacification both of the left bank and of the zones designated in Article (3) of the Treaty of this day's date."

It is worth noticing that Article (10) of the draft treaty submitted by M. de Vilers which opened up the subject of the registration of French protégés, which later was to

become a burning question, was not embodied in the Treaty or in the Convention as subsequently signed on October 3 1893. It is not quite clear why Article (10) was withdrawn from the final Treaty. H.W. Smyth in his book Five Years in Siam stated that it was withdrawn on the objection of the Siamese.(1) But French opinion was that Lord Rosebery objected to the original drafting of the article and procured a different wording. Sir T. Sanderson considered this opinion as an invention. After examining the whole correspondence respecting the negotiations for the conclusion of the Treaty of October 3 1893 between France and Siam, he failed to find any reference to show that either Lord Rosebery or the Siamese Government raised any objection to Article (10) as originally drafted by the French. No comment was available on the article, and when Lord Dufferin discussed the text of the French demands clause by clause he stopped at article (8). According to Sir T. Sanderson, the article was also not alluded to in the conference which took place between the French and Siamese Plenipotentiaries on the 22nd August. It was inserted in all the draft proposals up to 28th September, but was not contained in the treaty signed on October 3 1893.(2)

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(1) H.W. Smyth, op.cit, I. p.276.
(2) Lord Sanderson's Private Papers (1860-1922). Sanderson's note on Sir E. Mason's despatch to F.O., October 13, 1897.

The conclusion of the Treaty and the Convention between France and Siam failed to satisfy anybody except France. Lord Rosebery was surprised at the sudden conclusion of the treaty while the British Government were doing their best for Siam in Paris. It was thought in Siam that Prince Devawongse signed the Convention with France without authority from the King and possibly against His Majesty's desire. George Scott, the British Chargé d'Affaires at Bangkok, in a very confidential despatch to Lord Rosebery on January 28, 1894, stated that he was informed on very good authority that Prince Devawongse practically admitted that he had exceeded his instructions, that he had not sufficient authority from the King to sign, and proposed to resign as the only way of getting out of the difficulties. As a consequence of signing the Treaty and the Convention the King's confidence in Prince Devawongse was shaken and a breach was caused between him and Rolin Jaequemyns, whose anti-French attitude was understandable. Captain Jones' verdict on the last collapse of the Siamese was that it was "due to panic". But Prince Devawongse's main interest and purpose in accepting the Treaty and Convention was the preservation of the independence of his country. After realising the utter helplessness of the army and navy, with no prospect of foreign help in sight, and with the French Envoy ready to leave Bangkok with the

intention of forcing the Convention, Prince Devawongse could not think of any alternative but to risk his position and accept the French terms before it was too late. By risking his position, it must be said that he saved at least the independence of his country.

On 15th October, soon after recovering from the panic, Devawongse addressed a letter to the French Plenipotentiary asking him, in vain, for reconsideration of the Convention. Lord Rosebery felt it was futile retrospection. On January 21, 1894, the French Parliament ratified the Treaty unanimously. Thus the second acute stage of the Franco-Siamese quarrel was brought tardily to a conclusion.

CHAPTER VI.

THE ANGLO-FRENCH AGREEMENT OF 1896.

In the race for colonial expansion among the Western Powers during our period of study Britain was more successful than any other Power in the world. The British Government added to its Empire in twelve years (1884-1896) whether in the shape of actual annexation or of dominion or of spheres of influence two million six hundred thousand square miles of territory; 22 times as large as that of United Kingdom itself. This British achievement excited to an almost intolerable degree the envy of other colonising nations. France was left behind with a grievance and renewed determination to expand her territory. She nourished a feeling that expanding British commercial interests and colonising enterprises were always getting the better of her all over the world, and crossing her path at the very point where it was about to open on some extraordinary advantage. It was the same story in Egypt, Newfoundland or Siam. The colonial expansion of England and France in the Indo-Chinese Peninsula which brought the two Powers very close together on the Mekong created a significant situation in Siam.

In the second half of the 19th century the British Government mainly concentrated on consolidating its extensive territories. Hence it followed a policy of caution for peace. British foreign policy during this period was

dictated much more from the periphery of the Empire than from London itself. The British Indian Empire practically pulled the British nation by the coat-tails out of the European system for some time. Apart from their China trade, it was the preservation of their Indian Empire, its defence and integrity that influenced British policy in the Indo-Chinese Peninsula. They thought of India being placed between two fires, with Russia on the west and north and France on the east. Determined to save India from these fires, the British Government followed the policy of creating buffer states around it. On the west Afghanistan was erected into a buffe state and on the north the lofty regions of the Pamirs seemed to provide the requisite barrier; and on the east Siam was accepted as a serviceable volunteer in a similar capacity between the French and British possessions. The British Government did not like the idea of having a common frontier with the French in Indo-China.

But with the British annexation of Upper Burma in 1886 the chances of having a common frontier with French possessions became obvious. The Indian Government, whose hands wer full at the time with their north-west frontier problem, considered it all the more desirable to keep Siam as a 'buffer' between British Burma and French Indo-China. Reflecting public opinion on the necessity of a buffer state

a special correspondent of the Times wrote from Paris on February 24, 1886, that since the annexation of Burma by England, Siam had become a precious and necessary buffer between the two great Colonial Powers. A diplomatist who knew those countries said "if there had not been a Siam already, we should have had to make one".(1)

Curiously enough it was the French Ambassador in London, M. Waddington, who took the initiative and started discussions with the British Government on the question of a division of influence between France and England in the Indo-Chinese Peninsula. He first mooted the idea with M. Jules Ferry, the French Foreign Minister, and after securing his approval, communicated to Lord Salisbury, the British Foreign Secretary, on 28th September 1885. It is very difficult to discern the motives on the part of the French for making such a proposal, but Lord Salisbury thought that the idea might be a fruitful one and promised to examine the matter. At the same time he suggested a self-denying ordinance as far as Siam was concerned, that no Power should annex her territory. Waddington maintained silence on this point and Lord Randolph Churchill, Secretary of State for India, viewed Waddington's suggestion with apprehension and felt that British influence should be paramount in that quarter.

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(1) The Times, February 25, 1886.

On October 18, 1886, the French Consul-General at Calcutta, Dr. Harmand, made a proposal to the Viceroy of India for a partition of the Indo-Chinese Peninsula between France and England. He was convinced that the key to a satisfactory solution of the question of spheres of action between the two Powers was to be found in the neutralisation of Siam, which should serve the purpose of a small independent buffer state between the French and British possessions. But both the India Office and the Government of India agreed that such a partition would not only be unjust to Siam, but also undesirable in the interests of India.

On April 3, 1889,(1) M. Waddington again suggested to Lord Salisbury the neutralisation of Siam with a view to establishing a strong independent kingdom of Siam and to come to an arrangement by which a permanent barrier might be established between the British and French possessions in Indo-China. He explained that as the British were the masters of the mouth of the Salween, that river should form the boundary between Burma and Siam through its length northwards. On the other hand as France was mistress of the mouths of the

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(1) Waddington in a despatch to Lord Rosebery on 30th April 1893 recorded that it was on 4th April 1889 that he saw Lord Salisbury. But a despatch from Lord Salisbury to the Earl of Lytton which appears to be a record of the conversation with Waddington, dated 3rd April 1889, and stated that the interview had taken place that afternoon.

Mekong he proposed the course of that river as the eastern frontier of Siam from the boundary of Cambodia to some point below Luang Prabang to be fixed afterwards.(1) When Lord Salisbury consulted the India Office on the French proposal, Lord Cross, Secretary of State for India, in his reply on 24th July 1889, while recognizing the value of the existence of an independent kingdom between British and French possessions to help to prevent complications, considered that a delimitation of the frontiers should precede an agreement for the neutralisation of Siam. Lord Salisbury informed Waddington on August 14, 1889, that the British Government were favourably inclined to such an arrangement, and asked for the view of the French Government as to the limits of Siam on the east and north-east. Waddington, however, left this question unanswered and the matter remained there until 16th February 1892, when he made an altogether new proposal, that the French and British Governments should bind themselves to consider the Mekong river as the limit of their respective spheres of influence in Indo-China. This proposal, he

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(1) Blue Book (Siam 1894) Waddington to Rosebery, April 30, 1893. Lord Rosebery failed to find reference to this suggestion in the Foreign Office archives. The terms of Waddington's proposal were given somewhat differently in Lord Salisbury's record, but there was nothing in his description of it which conflicts with Waddington's statement.

claimed, was made with a view to preserving the independence and integrity of Siam, to reserve to that State districts lying to the south of the Chinese frontier between the Salween and the Mekong on the one side, and between the Nam U and the Mekong on the other; French abandonment of all influence over the territories situated to the west of the Nam U being set against abandonment by England of the territories situated to the east of the Salween.

M. Waddington repeated the proposal on 10th May 1892 and in his account of the interview he represented Lord Salisbury as having said "as we are still far from the Mekong, my colleague of the India Office no doubt does not regard the question as very urgent". It is scarcely credible that Lord Salisbury should have made such a remark, because the British Government had already assumed the protectorate of Keng Tung, a Shan state under Burmese suzerainty, which brought them actually up to the Mekong, and were considering what they should do about Keng Cheng (1) which was astride that river. But Sir T. Sanderson, the Under Secretary of State for Foreig

(1) Even though Keng Cheng is the Burmese form of the Siamese word Chieng Kheng which is also used by the Shans themselves, I use Keng Cheng for the simple reason that it is more familiar in England. Chieng is a Lao word meaning a city. The Burmese pronounce it Keng or Kiang and the French Xieng. In the Foreign Office and India Office records we find the words Kyaing Chaing and Kyaing Cheng also used in addition to Keng Cheng.

Affairs, suggested that it was possible that Lord Salisbury might have observed that the French were still far from the Mekong, which was the case at that time, and that M.Waddingtc (who was a little deaf) might have misunderstood him.(1) Lord Salisbury consulted the Secretary of State for India on the subject of the Mekong frontier. In his despatch to the Indi Office dated 14th May 1892, while communicating Waddington's definite proposal for an engagement that the French should in no case extend their sphere of influence to the westward of the Mekong, nor the British to the southward of it, Lord Salisbury wanted to know if they still considered it ambiguous and what were the points on which a fuller or more defini statement was desired. He wanted to know the definite opinion of the Government of India, whether to accept or reject the proposal, instead of giving a merely evasive answer which would induce the belief that the British Government had designs on the other side of the Mekong.(1) The India Office felt that until the arrangements regarding the offer of Keng Cheng to Siam and Keng Hung to China were completed, the exercise of British influence could not be restricted to the territory lying west of the Mekong. Lord Cross in a despatc dated May 27, 1892 to the Foreign Office, stated the difficulties involved in allowing France, which was still at a

(1) Blue Book (Siam 1894), Foreign Office to India Office, May 14, 1892.

considerable distance from the Upper Mekong, to advance in that direction from Tongking without being exposed to any remonstrance from the British Government. He saw no advantage from an Indian point of view in acceding to Waddington's proposal. No reply was given to him before Lord Salisbury's Government quitted office.

On 26th October 1892 Waddington raised the question of the delimitation of French and British spheres of influence in the Indo-Chinese Peninsula with Lord Rosebery, who had succeeded Lord Salisbury as Foreign Secretary. As the subject had not been brought to Lord Rosebery's notice till then he promised to enquire at the India Office. Before any answer was given to him Waddington again brought up the question of delimitation on 14th December 1892. Lord Rosebery after consulting the India Office replied to Waddington, informing him that as the Siamese Government had accepted exclusive jurisdiction over the State of Keng Cheng and that under that arrangement the Mekong would, in a part of its course, form the boundary between a British Protectorate and the Siamese dominions, "nowhere would the British possessions under that arrangement extend beyond that river." After stating the intention of the British Government to transfer Keng Hung to China, Lord Rosebery expressed his doubt, whether under such circumstances, a specific engagement between France

and Britain of the nature suggested by Waddington would be advisable. He felt that it would be open to mis-constructio and would be more likely to excite alarm and suspicion on the part of Siam, than to reassure her as to the intention of the Powers to respect her integrity. On 3rd April 1893, Lord Rosebery finally rejected the French proposal with regard to spheres of influence in the Indo-Chinese Peninsula. In communicating his decision to Waddington, Rosebery wrote that his Government could "scarcely conceive that the French Government can wish to propose that the two Governments should assume exclusive spheres of influence in territory which actually belongs, or which may hereafter be assigned to, Siam and that their respective interests in the independence and integrity of that Kingdom should be divided by the Mekong river". "Such an arrangement", he went on, "has no preceden in international practice, and seems at variance with the principle of the national independence of Siam, which both countries wish to preserve." He thought that until they wer furnished with some more definite explanations of the views o the French Government with regard to the frontiers of Siam on the east and north-east, it did not seem that there was a clear basis for a formal engagement between the two Governments with regard to spheres of influence.

M. Waddington left his post in May 1893. By that time

the Government, Press and public opinion in France were clamouring for the extension of their territory up to the left bank of the Mekong. Waddington had tried his best to achieve this object in a peaceful way by agreement with the British Government. But when once their plans were shattered by Lord Rosebery's refusal to enter into any arrangement with regard to spheres of influence, the French changed their front, and as we have already observed in the previous chapter, drove out the Siamese from all their posts on the left bank of the Mekong by force. After the incident of French men-of-war forcing the Menam on 13th July 1893, the French Government presented an ultimatum on 20th July to the Siamese by the first article of which they claimed all the territory on the left bank of the Mekong.

With the presentation of the French ultimatum to Siam the whole situation was changed. If the French demand to the whole of the left bank of the Mekong were carried into effect to its full extent, it would bring the British and French frontiers into actual contact for at least 80 miles. This was a situation which the Government of India was anxious to avoid. If once British and French possessions became adjacent it would be necessary, in order to preserve the peace of the border, to make arrangements for regularly garrisoning the frontier districts, and for bringing them under direct

administrative control. A heavy charge which had hitherto been avoided, would be thrown upon the finances of the British Indian Government, and both countries might be constantly exposed to the danger of conflict as a result of such irritating incidents as necessarily arise between the tribes which inhabit those regions. Realising all these difficulties, Lord Rosebery instructed Lord Dufferin on 20th July 1893 to return to Paris to obtain an explanation of Article (I of the French ultimatum to Siam. Lord Rosebery in his instructions maintained that the term 'left bank of the Mekong' was far too comprehensive in its scope, and felt that it could not apply to any districts east of the Mekong which the Siamese Government had no power to cede, whether from rights of sovereignty, suzerainty or reversion possessed by other Powers. He was anxious to ascertain from the French Government whether the expression 'left bank of the Mekong' was used subject to the assurances repeatedly given by France that they would respect the independence and integrity of the Siamese kingdom. Regarding the immediate problem, Rosebery reminded Dufferin "in this interchange of views Your Excellency will not lose sight of the extreme importance in the interests of both countries of preserving a considerable belt of territory under the control of an independent Kingdom between the French and the British frontiers". Lord

Rosebery while informing Queen Victoria of the French proceedings in Siam wrote "if I can secure a sufficient buffer State between our frontiers and those of France, I trust your Majesty will be satisfied".(1) He considered the question of securing a 'buffer' between the French frontier and that of India as his "one prime interest".

In an interview with M. Develle, the French Foreign Minister, on 22nd July 1893, Lord Dufferin put the matter quite tersely and clearly, and pointed out that such a claim for the whole of the territory on the left bank of the Mekong would bring France into direct contiguity with Burma, and that the approach of a great military Power like France to a frontier lying naked to attack could not be regarded by the British Government with indifference. Moreover, such a transformation of French pretensions was undoubtedly calculated to excite alarm in England, and the most serious apprehensions in the mind of the British Government. M. Develle replied that as it was with Siam and with Siam alone that France was dealing, there could be no question of her laying claim to any territory outside the Kingdom of Siam, no matter how situated. After explaining the difficulties involved in the situation, Lord Dufferin suggested that Siam as an independent State should be left as a 'buffer' between

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(1) The Letters of Queen Victoria (Third Series) II, p.284. Rosebery to Victoria, July 25, 1893.

them, in order to avoid the possibility of France and England becoming limitrophe in Asia. M. Develle consented to recognise the necessity of leaving a buffer, and thus leaving the door open for future negotiations. On 26th July Lord Dufferin met M. Develle again and reminded him that France herself had always advocated the policy of introducing an independent state as a 'buffer' between the two countries, as it was for the advantage of both France and England that neutral territory should intervene between them. Develle gave his cordial assent to this view. When Lord Dufferin proposed the Nam U, which flows into the Mekong a little to the west of Luang Prabang, as affording a suitable line of demarcation of the proposed buffer territory, Develle said he would prefer to substitute its western watershed for the river itself, on the understanding that a parallel line should demarcate the Burmese frontier between the Salween and the Mekong.(1) Dufferin replied that such a line was already in existence and the British Government had reinforced the 'buffer' principle by giving Keng Cheng to Siam.

The French Government authorised Sir Edward Grey, who was to make a statement in the House of Commons on 27th July

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(1) Lord Dufferin suggested to Rosebery that if they were driven on this basis, the British Government's views in regard to Luang Prabang would be ignored. In the circumstances it is not surprising that Luang Prabang was sacrificed for the shadow of a buffer state which never came into being.

about the negotiations, to announce that the French Foreign Office was perfectly prepared to constitute a wide territory, independent both of England and France, which should remain as a permanent 'buffer' between the two countries. Lord Rosebery felt that it would be desirable to obtain an exchange of notes recording the agreement of the two Governments on the principle of maintaining a neutral zone. On 28th July M. Develle, in a letter to Dufferin, accepted the principle of creating a buffer State and on 31st July he asked that the agreement to constitute a neutral zone be at once recorded and its delimitation be deferred to for the time being. A Protocol to this effect was signed between Dufferin and Develle the same day. In the draft of the Protocol a paragraph was introduced to the effect that neither Power should cross the Mekong; but on Lord Dufferin observing that such an engagement could not hold good in respect of the British trans-Mekong State of Keng Cheng if the negotiations for a buffer state should fall through, the article was erased. Lord Dufferin when signing the Protocol made it clear that as far as his Government was concerned the terms "mutual sacrifices and concessions" in the preamble of the Protocol should mean the surrender of their own trans-Mekong Shan State of Keng Cheng. In declaring his Government's contribution to the proposed buffer State and in accepting the terms

"mutual sacrifices and concessions" Lord Dufferin was favouring Develle's position, for otherwise he would have been accused in France of surrendering all the advantages secured from Siam on the Mekong and getting nothing in return. Lord Dufferin thought that because of this reservation he made at the time of signing, future discussion of the matter would not in any way be prejudiced.

The negotiations were then suspended till after the French elections. On 2nd August 1893 Lord Dufferin waited upon the French President, M. Carnot, for the purpose of presenting Queen Victoria's letter announcing the marriage of H.R.H. the Duke of York with H.R.H. Princess Victoria Mary. After performing this duty, Lord Dufferin told M. Carnot that he took it for granted that they should at once proceed to settle the question of the delimitation of the neutral zone, upon which the President expressed a very strong opinion that it would be impossible. He said that French public opinion was still in a very excited state, Dufferin's visits to the Foreign Office would give rise to unfavourable comments. The President, wrote Lord Dufferin, talked a little, "though not in an enthusiastic tone, about the buffer principle". Lord Dufferin argued that it was more necessary to France's interests than to the British to have a buffer, for "if we were coterminous, France being a protectionist

country, would immediately have to line her frontier with Customs House officers, which was an expense not so incumbent upon us, while the question of frontier fortresses and other military matters would at once be pressed upon the attention of both countries." Even though the response of M. Carnot was not very encouraging, Dufferin was inclined to believe that the plea for delay of further negotiations was really founded on the reasons adduced by the President, which coincide with the considerations advanced by M. Develle.

As soon as the French elections were over, Lord Dufferin was instructed to commence discussions regarding the delimitation of the neutral territory. In his instructions to Dufferin, Lord Rosebery outlined the limits of the proposed neutral territory to which he was prepared to agree.(1) The British Government, he said, was willing to sacrifice that portion of the State of Keng Cheng which lay to the east of the Mekong. But he went so far as to offer that the portion of the State on the right bank of the Mekong might also be added to the neutral zone if it were found desirable in order to facilitate a settlement. The Government of India was consulted as to whether they would be satisfied with a neutral zone having a minimum width of about fifty miles. In his reply on 26th October 1893, the Viceroy of India

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(1) Blue Book (Siam 1894), Rosebery to Dufferin, September 2, 1893.

asked that the buffer state should be bounded on the west and south by the Mekong river, and on the north-east by the Chinese frontier. The eastern boundary, should, in his opinion, follow well marked natural features, and should be fixed with reference to them and not to an arbitrarily determined width in miles. The Viceroy felt that the Nam U would form the best boundary and wanted the Foreign Office to press this point. Mr. Scott, the British Minister at Bangkok, writing on 17th October 1893, stated that the true and proper boundary of the neutral zone on the east was the water parting east of the Nam U among the hills west of Dien Bien Phu, and failing that, the Nam U itself up to Monglim; then due east to Monglai on the Black river.

Lord Rosebery in a telegram to Dufferin on 9th September reminded him that it was quite time that the buffer state question in its main features and in detail should be settled. He felt that if it was postponed Press polemics on both sides of the Channel would make a settlement difficult. But M. Develle was not in a mood to discuss the buffer state till the conclusion of the Franco-Siamese negotiations at Bangkok. On 3rd October 1893 a treaty was signed between France and Siam by the first article of which the Siamese Government renounced all claim to the whole of territory on the left bank of the Mekong. The termination of the negotiations at

Bangkok, having removed the ostensible grounds assigned by Develle for deferring consideration of the neutral zone boundary, Dufferin met Develle the same day and found that the French Foreign Minister was willing to take up the thread of the negotiations which had been suspended at the beginning of August. Develle suggested that the discussion of the limits to be assigned to the neutral zone should be referred to a commission composed of Messrs. Phipps and Austin Lee of the British Embassy, and Messrs. Jusserand and Revoil of the French Foreign Office. Lord Dufferin replied that the whole question could be settled in half an hour if they both sat together instead of leaving it to a commission. But Develle insisted that in arranging delimitations it was necessary to attend to very minute particulars.

Dufferin was forced to acquiesce and the Buffer State Commission held meetings in Paris between the 16th and 26th October 1893, during which the French members asked for proof of the British title to Kengcheng and insisted that the contributions of each country to the proposed neutral zone should be equal in area. The proceedings threatened to be interminable. But on 27th October M. Jusserand privately communicated to Lord Rosebery through Mr. Austin Lee a draft of a Protocol giving the terms of an arrangement which would be acceptable to his government. According to the fourth

article, no military posts should be established and order should be maintained by a police force for a distance of 25 kilometres along that part of the right bank of the Mekong which would form the frontier of the buffer state. Lord Rosebery, however, felt that this suggestion was wholly inadmissible so far as it applied to the portion of Keng Tung, adjacent to the Mekong. After hearing all the reports on the unsuccessful negotiations of the commission, Lord Rosebery thought it was of little use to endeavour to patch together in a narrow and grudging spirit, a small neutral state on the Upper Mekong, unless the ultimate end and object of the arrangement be borne in mind, and steps be taken properly to confirm and secure the independence and integrity of Siam, which had been freely recognised by both Governments, and without which any settlement must necessarily be illusory and incomplete. In a most statesmanlike way Lord Rosebery declared his Government's belief that it would be to the advantage of both countries to enter into a joint guarantee of the dominions of Siam as they were left by the acceptance of the French ultimatum and subsequent conditions. He further mentioned that if the French Government were prepared to enter promptly into such a guarantee, the British Government would feel justified in dealing with the question of the northern neutral zone in a liberal spirit so as to satisfy public

opinion in France. At the same time, in a communication to the Queen he mentioned that he had put the French professions to the test by proposing a joint guarantee of Siam and he had "little doubt of the reply". He added that negotiation with a nation drunk with elation, in the midst of the inflammable and explosive conditions of Europe, was no easy task.(1)

It is not difficult to guess what Lord Rosebery meant when he wrote that he had little doubt of the French reply to his suggestion of a joint guarantee. Lord Dufferin conveyed the British suggestions to M. Develle on 30th October 1893. On the next day when the proposal had been discussed in the French cabinet he was told that the President and the Cabinet were prepared to give a favourable reception to the suggestion. There was, however, one difficulty which stood in the way of a document of the nature suggested being immediately signed. Owing to heavy rains the Siamese Government had not been able to evacute all their military posts in Luang Prabang, and hence M. Develle expressed his doubts regarding entering into such a guarantee in view of the unfulfilled stipulations of the Franco-Siamese Treaty of 3rd October 1893. Lord Dufferin in a despatch to the

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(1) Presumably Lord Rosebery was referring to the Franco-Russian rapprochement and the visit of the Russian fleet under Admiral Avellan to Toulon in October 1893.

Foreign Office dated 31st October 1893 mentioned that M. Develle was ready to adopt as a principle that the contribution of France to the neutral state should be at least equal to the contribution of England and he was ready to acknowledge Keng Cheng as British territory without raising the question of title. M. Develle, however, was of opinion that it would be desirable for a commission to delimit the frontiers of the buffer state on the spot.

The anxiety of Lord Rosebery to secure the guarantee of the Siamese kingdom was evident from his communication to Lord Dufferin on 1st November 1893, in which he suggested that the execution of the Franco-Siamese Treaty should be guaranteed by an Article to be inserted in the proposed convention and form one of its principal conditions, or as an alternative, the British Government might guarantee the fulfilment of the Franco-Siamese Treaty. But the French Government was not in a hurry. Develle was unwilling to enter into a guarantee until the Siamese treaty stipulations were fulfilled. He mentioned that as they were going to face a new Parliament, if anything were signed before the terms of the treaty were completely carried out, the Government would at once be accused of having acted with unjustifiable precipitation. Lord Dufferin asked Develle whether under those circumstances it might not be desirable that England and China

should enter into an arrangement leaving it to France to join them when it suited the exigencies of the Parliamentary position. Develle felt that Dufferin was coercing the French Government. He stated on 11th November "I desire to renew the assurances I have already given you that the moment the Franco-Siamese Treaty is executed I shall be quite ready to consult with you on the exact terms in which a reciprocal engagement to that effect may be most conveniently embodied."(1)

The Buffer State Commission held two more meetings in Paris on 9th and 13th of November. When Lord Rosebery heard the reports of these meetings he felt that the negotiations had degenerated into petty polemics. He suggested that Lord Dufferin should see Develle and come to a national Agreement. With this object Dufferin was authorised to suggest that the neutral state be composed of Keng Cheng on both sides of the Mekong and of the portion of Muang Nan to the north of that river, being bounded on the east by Luang Prabang and on the west by the Mekong and the frontier between Keng Tung and Keng Cheng. A commission should be appointed to ascertain the real frontier between Muang Nan and Luang Prabang leaving

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(1) By 9th November 1893 all Siamese troops were removed from the left bank of the Mekong. However, on 11th November Develle mentioned the question of punishment of the 'murderers' of Grosgurin as a pending problem. But in a private letter which appeared in the Avenir du Tonkin of 27th September 1893 it was admitted that Grosgurin was not murdered but killed in fair fight.

always a minimum breadth of 50 miles, and if that was agreed Great Britain should engage to preserve inviolable the right of free navigation and transit on the Mekong where it would be contiguous to British dominions. If a substantial state was not to be created, Lord Rosebery felt that it would be better to abandon the idea of a neutral intermediary state and content themselves with maintaining and actively asserting their control over the territories already theirs. In suggesting this procedure Lord Rosebery advised Lord Dufferin "in indicating this, Your Excellency might appear to drop the question of the neutral state and propose at once to pass on to the guarantee of Siam itself as to which we are in such complete agreement."

In his interview with Develle, Lord Dufferin definitely stated, that if the negotiations could not be put through on the lines suggested by Lord Rosebery, they should be compelled to assert their dominion over Keng Cheng on both sides of the Mekong, in a more active and effective manner than had hitherto been found necessary, for their position in India was such that anything approaching to disputed jurisdiction along their frontier could not be tolerated. To this M. Develle replied with equal curtness that the integrity of Luang Prabang was as valid and reasonable a cause of solicitude to France as the integrity of Keng Tung was to

Britain "nor would the French Chamber nor French public opinion tolerate its disintegrity."

As a result of their prolonged deliberations the Buffer State Commissioners at Paris produced two draft Protocols at the conclusion of their last meeting on the 20th November 1893. In these Protocols the acre for acre principle was abandoned and a buffer state of at least 50 miles broad was indicated as the chief desideratum. No question was raised as to the British rights in Keng Cheng; and Keng Tung, except so far as its trans-Mekong portions were concerned, was recognised as lying outside the territory it was proposed to neutralise. The suggestion that British cantonments be withdrawn to a distance of 25 kilometres west of the Mekong also disappeared. But certain phrases were introduced with set purpose. The British Government suggested some alterations in the draft Protocols, but by the time they could insist on the changes the French Ministerial situation had completely changed. On 25th November it was rumoured that the Minister of Finance and the two Radical members of the Cabinet had resigned. As the Government itself was shaky Lord Dufferin asked Rosebery for instructions, whether to get the Protocols signed even if they could not get the suggested alterations introduced, or "shall we chance our luck with another Minister?"[1] Lord Rosebery who was aware

(1) F.O.17/1187. Dufferin to Rosebery, November 25, 1893.

from the newspapers that the French Cabinet had resigned, told Dufferin on 26th November to press for what he could get, "but in the last resort sign."

On 27th November Lord Dufferin met M. Jusserand and expressed his regret at the failure of the French Commissioners to accept slight alterations. Jusserand explained the difficulty with which the original draft was accepted by the Colonial Office and said that it would be useless for the Foreign Office to try to induce the Colonial Office to agree to any further modifications. He further added that all the difficulty arose from the fact that public opinion in France was violently opposed to the creation of a buffer state and a deputation from the Colonial Party would wait upon M. Develle that evening to protest against the arrangement which he was about to conclude with the British Government.(1) On 28th November Dufferin met Develle and explained the reason why the British Government thought their version of the Protocols was the more convenient. Develle

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(1) F.O.17/1187. Dufferin to Rosebery, November 28, 1893. M. Deloncle, the spokesman of the Colonial Party, animated by the spirit of opposition to the principle of a buffer state, in an article published in the Patrie of the 25th January 1894, contended that inasmuch as the French Parliament by ratifying the Franco-Siamese Treaty of October 3, 1893, had decreed the annexation by France of the whole left bank of the Mekong as far as the Chinese frontier; this region having consequently become French territory, no particle of it could be legally alienated without the consent of the Chamber of Deputies.

replied that his Government having sent in their resignation he was not in a position to continue to negotiate, though he would be quite ready to sign the documents as originally submitted while he was in the full exercise of his functions as Minister. Though he was personally in favour of a buffer state and though his Government had agreed to it, public opinion in France was extremely averse to the notion and he had been very much abused for yielding the point to the British Government.

Before signing the Protocols Lord Dufferin pointed out to M. Develle a phrase in the principal Protocol which stated that the inquiry on the spot should concern itself with the limits of Keng Cheng; for he thought that the French geographical experts might seek to put a strained interpretation on it such as would be unacceptable to the British Government. He informed Develle quite firmly that his Government could not admit that the position of these limits was a disputable matter. He agreed to sign the Protocol on the understanding that the first article merely meant that the British Commissioners were to indicate with exactitude, and to communicate to their colleagues what they held to be the limits of that state. M. Develle agreed to this and said all that the British Commissioners had to do would be to define their

"pretensions".[1]

The two Protocols were signed on 25th November 1893.[2] The first Protocol, signed by British and French Commissioners recommended the appointment of a Technical Commission with a view to ascertaining the geographical and political features of the area it was intended to neutralise. The second, signed by Lord Dufferin and M. Develle, laid down as the leading principle of the proposed delimitation that the territory in question should comprise a breadth of not less than 50 miles between its eastern and western boundaries with no exclusive advantages to either Power in the State to be constituted.[3]

When Lord Dufferin called upon M. Casimir Périer who succeeded M. Develle as Foreign Minister on 10th December 1893 the latter preferred not to commit himself for the present, on the question of neutralisation. But subsequently he appointed M. Pavie, the French Minister at

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(1) Lord Dufferin brought to Develle's notice that the word "pretensions" in English means "disputed claim"; but Develle said that in French it means "recognised claim" and used it in that sense.

(2) Even though the Protocol was dated 25th November the negotiations were going on even on 28th November. Presumably it was dated 25th because the French Cabinet resigned on that day. The Protocols were signed most probably on 28th November.

(3) For Texts of Protocols see Appendix.lll.

Bangkok, as the head of the French Commission to delimit the buffer state. But active operations for conducting the inquiries on the spot were postponed, as the Commission could not be organised and could not reach the distant regions before the rainy season. It was therefore agreed on 23rd December 1893, that it would be useless to proceed with the delimitation of the neutral zone before the following autumn. In the meantime considerable opposition to the creation of the proposed buffer state was shown in the French Press, and the French Colonial Party resolved to bring pressure upon the French Government to disavow, either by direct or indirect means, the arrangements agreed upon by their predecessors. Lord Dufferin, while reporting the Colonial Party's attitude towards the buffer state, stated on 4th January 1894 that it would be very desirable for the Government of India to take such additional measures as might establish, in a practical and self-evident manner, their authority over the state of Keng Cheng. Even though Develle had recognised Keng Cheng as British territory, not only in conversation but also in a Memorandum read by M. Revoil, his chief of Cabinet, at a meeting of the Buffer State Commission on the 21st October 1893, Dufferin did not feel certain that Delcassé and Deloncle would not question the British claims.

Before considering the further action taken by the

British Government on Dufferin's suggestion, it is essential to follow events in Keng Cheng, especially in view of the subsequent French claim to Mongsing, the eastern part of Keng Cheng on the left bank of the Mekong, under the Treaty of 3rd October 1893, by which all Siamese territory on the left bank of the Mekong was ceded to France. The State of Keng Cheng, which lay on both sides of the Mekong in 20° latitude, was formerly subject to Keng Tung which in its turn had been under Burmese suzerainty. But it had at various times been over-run by the Siamese. The relations between Siam and Keng Cheng were rather complicated in a sense, because there was more than one version of the story. According to Mr. J.G. Scott, the Siamese connection with Keng Cheng dated back to 1803-04, when the Siamese, in league with Princes of the Keng Tung house against Burma, advanced up the Mekong. On that occasion the Chief of Keng Cheng and most of his people had been carried off as prisoners and made to settle in Muang Nan. No attempt had been made by the Siamese to annex any part of Keng Cheng; and very soon afterwards the Burmese over-ran the whole of Northern Siam. In 1813 Keng Cheng was conquered by Chao Chang Phuck, Prince of Nan, and the Burmese troops were driven out, but still the people of Nan did not establish their authority over Keng Cheng. Again in 1852 the Siamese made an attack against Keng Tung and Keng Hung,

and in the course of the expedition Keng Cheng West was overrun and ravaged. But as far as the question of establishing authority was concerned the expedition was a failure.

The Siam Free Press in an article on 24th August 1895 mentioned that in 1877 an embassy was sent to Muang Nan by the then Chief of Keng Cheng (later Sawbwa of Keng Tung) with presents and a request to establish villages in the eastern portion of Keng Cheng. Scott mentioned in his Mekong Buffer State Commission Report that the late chief of Keng Cheng (brother of the then Myoza) when he became the Sawbwa of Keng Tung, sent presents to Muang Nan and received return presents. This chief died in 1886 and was succeeded somewhat unexpectedly by his son, then only thirteen years of age, instead of, as was customary in Shan states, by his brother, who was at that time Myoza of Keng Cheng. From that time the Myoza's relations with Keng Tung were by no means friendly. He believed himself to have been unjustly passed over in the succession when his brother died. Relations between the uncle and nephew were very strained, if not actually broken off. This may be the real key to the solution of the complicated relationships of Keng Cheng and Muang Nan on the one hand and Keng Cheng and Keng Tung on the other.

There was no doubt that Keng Cheng state had paid tribute to Burma regularly twice every three years. This

tribute had been paid in the spring of 1885 for the last time before the end of King Thebaw's reign in Burma. On 9th April 1886 the Myoza of Keng Cheng transferred his capital to Mongsing on the left bank of the Mekong and went to reside there permanently.(1) The capital of Keng Cheng had previously been Muang Yu and before that again not far from it at Chieng Kheng on the banks of the Mekong, and from which the whole state of Keng Cheng took its name. On the occasion of the transfer of the capital to Mongsing, complimentary letters and presents were exchanged with Muang Nan. According to the Myoza of Keng Cheng in 1888-89 one Lôntit Labon arrived at Mongsing followed by thirty men with a letter from the Chief of Muang Nan. The letter intimated that if he wished to settle in Mongsing, he should personally present the usual homage presents to the King of Siam. The Myoza sent Hpaya Ywet and Sa Kattiya as Ambassadors to Muang Nan with four fully harnessed ponies. The present was refused by the Chief of Nan because gold and silver flowers formed no part of the presents, and he sent the Sawbwa of Monan and Eingazat Hpaya of Keng Kaung with a letter to the Myoza of Keng Cheng. The Myoza was given three alternatives; either to evacuate the state; to announce his determination to offer armed resistance, or to pay tribute.

(1) F.O.17/1183. Government of India to the Secretary of State for India, August 1, 1893. Enclosure: Extract paragraphs from Scott's memorandum dated May 21, 1891.

On 28th November 1888 the Siamese representatives stationed themselves at Monglon with a large number of followers. Then the Keng Cheng Myoza decided to send twenty men with gifts to Bangkok. This mission was received in Bangkok on 17th January 1891. As soon as the Myoza agreed to send tribute to Bangkok, Chao Suriya was sent to Mongsing in April 1889 as the Siamese Commissioner to organise the State. The Myoza was then called upon to drink the water of allegiance to Siam. He agreed to do so on the understanding that his protest as to the State being Burmese was recorded and that he was to be exempted from military duty, i.e., that he should supply no armed contingent to the Siamese army. This was the version of the story given by the Myoza himself to Archer and Scott in 1891 when they visited Mongsing. But Scott was convinced that the strained relations between the Sawbwa of Keng Tung and the Myoza of Keng Cheng had indirectly led to the occupation of Keng Cheng by the Siamese from Muang Nan. As the Keng Cheng Myoza was related by marriage to the Chief of Nan, Scott felt "there can be very little doubt that he asked the Chief of Nan to assist him in the event of difficulties with Keng Tung." The request was promptly complied with, and before he realised the situation, the Myoza found himself saddled with a Nan Commissioner and called upon to pay tribute to Siam.

According to the Siamese members of the Keng Cheng - Chiengmai Boundary Commission of 1890-91, the Myoza of Keng Cheng, of his own accord and without being influenced by threats and cajolments, asked to become a subject of Siam. They made no attempt to assert that the Myoza actually invited the Siamese to come into his State. The Commissioners attributed the Siamese presence in Keng Cheng to the Keng Lap incident. Keng Lap district was under the authority of Keng Tung State. The people of Mong Keng, Mong Long and Mong Hok wanted to be under Keng Tung like the rest of the Keng Lap district on the west of the Mekong. To prevent this and to keep them under his authority, the Myoza of Keng Cheng attacked them, burnt their villages and drove them beyond the river. The Chief of Nan, hearing of this fighting on the frontier, sent Chao Suriya to enquire into the matter. Thus according to the Siamese version, he came to Mongsing in April 1889, and the Myoza, on seeing that he was related to Muang Nan, submitted to Siam with the greatest readiness, all the more so because there was at the time a disagreement with Keng Tung.

Scott in a memorandum dated 21st May 1891 argued that the Myoza of Keng Cheng knew nothing of the British Government as the successor to the Burmese Kingdom, that the letters sent by him and Mong Nai Sawbwa in May 1887 never reached

Mongsing, nor did he receive Mr. Hildebrand's despatched in the autumn of 1888 inviting him to a durbar at Mong Nai; consequently the Myoza could not be supposed to be renouncing his allegiance to the British Government, of whose rights and intentions he knew nothing. The first intimation the Myoza had was a letter received in March 1890 from the Sawbwa of Keng Tung inviting him to come to meet Scott on his visit to Keng Tung in the spring of 1890.(1) When Scott and Archer along with the Siamese Commissioners on the Keng Cheng-Chiengmai Boundary Commission 1890-91, visited Mongsing, the Myoza offered the gold and silver flowers formerly paid as tribute to the Kings of Burma. This, he thought, would be a protection to him against Siam which had been threatening him with punishment or expulsion if he did not submit. But Scott refrained from accepting the tribute on the representation of the Siamese Commissioner that at that moment Keng Cheng was a tributary to Siam. In his report to the Government of India Scott maintained that the Siamese case was very weak and the future of Keng Cheng lay entirely in the hands of the British Government. While reporting the anxiety of the Myoza to rid himself of Siamese overlordship and to become a British subject, Scott wrote that as far as the British

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(1) The Myoza did not meet Scott, but afterwards declared that he had been very anxious to go but that the Siamese Commissioner would not let him move.

Government was concerned, they need look no further back than the arrival of the Nan Commissioner in April 1889, more than three years after Burma had been annexed by the British. He said, "The question therefore is not whether Keng Cheng is or is not a part of the Burmese Empire which we have annexed, but whether it is to our advantage to extend our frontier beyond the Mekong river." He thought that it would be desirable to accept the submission tendered by Keng Cheng but for the uncertainty as to what might be decided about Keng Hung; and he concluded, "If it be decided not to assert our partial rights over Keng Hung, then Keng Cheng would be a mere excrescence on the further side of the Mekong, projecting aggressively and inviting criticism and dispute".

The same consideration governed the attitude of the Chief Commissioner of Burma. He felt that in annexing Keng Cheng, Siam had wrongfully encroached upon Burmese territory and hence the British Government would be fully justified in insisting upon the restitution of Keng Cheng. But, he added, "whether it is worth our while to do so or not, and whether we should claim the whole of Keng Cheng or only so much as lies to the west of the Mekong, must depend partly on Mr. Archer's views with regard to the suitability of the Mekong as a frontier"[1]. The Ney Elias Commission brought to the notice

(1) F.O.17/1183. Government of India to the Secretary of State for India, August 1, 1893. Enclosure: Extract from letter from the Chief Secretary to the Chief Commissioner of Burma.

of the Government of India the reported encroachment by Siam in trans-Mekong Keng Cheng, and commented, "although we are indisposed to protest in such a manner as to involve us in obligations beyond the Mekong, it appears advisable to take some steps to obviate its being said, hereafter, that we have acquiesced in the Siamese occupation". In deciding their attitude towards Keng Cheng the British Government thus found themselves on the horns of a dilemma: whether to exercise their undoubted rights of suzerainty acquired through their annexation of Burma and thus encroach on territory coveted by both France and Siam but of questionable value to the British Government, or to acquiesce in its occupation by Siam in pursuance of the 'Buffer State' policy and the maintenance of a viable, independent Siam, and risk being accused of slackness.

In the autumn of 1890 the Government of India despatched a party under W.J. Archer, Vice-Consul at Chiengmai, to investigate the northern frontiers of the trans-Salween Burmese feudatory states and the neighbouring Siamese districts. As we have already observed, the British authorities were inclined to be somewhat favourable towards Siam in determining its boundaries with Burma, with the intention of securing the evacuation of Siamese troops from Eastern Karenni.(1)

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(1) See Chapter III.

Lord Cross, on 17th November 1891, when communicating to Lord Salisbury the Report of Archer's Commission and the views of the Government of India, proposed that the Siamese should be asked to agree that the Burma-Siam boundary line should run from Muang Hang to the Mechuak, a tributary of the Mekong. If this was accepted by the Siamese, Lord Cross felt, they should be compensated by the transference to them of the state of Keng Cheng. But he added that the Government of India wanted to be satisfied that all Siamese troops had been evacuated from the trans-Salween Karenni territory before the transfer took place.

Captain Jones was instructed to find out whether the Siamese Government would consider such an arrangement fair and equitable. When he took the matter to Prince Devawongse, the Siamese Foreign Minister showed no disposition to accept the proposed line of frontier and attached very little value to Keng Cheng, which he regarded as uncultivated and unpeopled But when the proposal was formally laid before the Siamese as a preliminary to the claims which Siam might advance, they eventually agreed to the proposed frontier line and expressed their readiness to take over Keng Cheng.[1] On December 23 1892 M. Waddington was informed that an arrangement had been

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(1) F.O.17/1266. Foreign Office memorandum respecting communications with the Siamese Government relative to Keng Cheng, March 13, 1895. French to Foreign Office, June 1, 1892.

concluded with the Siamese Government respecting the frontier between Burma and Siam, and as a part of the settlement, Britain had proposed the transfer of Keng Cheng to Siam and the Siamese had accepted the offer.

When Hildebrand, the Superintendent of the Shan states, was appointed head of a Commission (1892-1893) for the final demarcation of the Burma-Siam frontier, the Government of India on 6th December 1892 instructed him through the Chief Commissioner of Burma to promulgate formally their recognition of Siamese authority over Keng Cheng. In pursuance of his instructions, Hildebrand informed the Myoza of Keng Cheng of the arrangement, and so representatives arrived at Keng Lap on 20th February 1893, and on 23rd February in open durbar Hildebrand promulgated the British recognition of Siamese authority over Keng Cheng. A letter was also sent to the Keng Cheng Myoza to the same effect by the hands of his representatives. The British Foreign Office tried to represent this transfer of the State and the delimitation of the frontier only as a provisional arrangement. In a memorandum respecting communications with the Siamese Government relative to Keng Cheng prepared by the Foreign Office on 13th March 1895, it was stated that the arrangements made by Hildebrand had never been confirmed by any formal instrument between Great Britain and the Siamese Government and that no Siamese

representative was present at Keng Cheng.[1] On 24th January 1893 the India Office suggested that the Siamese Government should be required to undertake not to cede the State to any foreign Power without previous consultation with the British Government. Prince Devawongse gave this assurance on 11th April 1893. Lord Rosebery on 3rd April 1893 notified M. Waddington about British rights over Keng Cheng and the fact that if it were not retained by Siam those rights would revive and no objection was raised by the French at that time.

As soon as Hildebrand announced the transfer of the state to Siam, the Myoza of Keng Cheng sent the customary gold and silver flowers to Muang Nan and received in a friendly way the visit of Phra Phrom Surindr, the High Commissioner of Siam in that state, who came to arrange for the administration of the new territory. News of the receipt of the tributary offerings had hardly reached Bangkok and the Siamese commissioner had barely left Keng Cheng, when the Franco-Siamese embroglio commenced, ending in the cession by Siam of all the territory on the left bank of the Mekong to France.

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(1) F.O.17/1186. Rosebery to Dufferin, October 25, 1893. In an interview with the French Chargé d'Affaires Lord Rosebery mentioned "it was true that we had drawn up a treaty by which we agreed to give Keng Cheng to Siam, but the French were in such a hurry to attack Siam that they had not given us the time to sign it". No reference could be traced that such a treaty was ever contemplated by the Foreign Office.

As soon as the French ultimatum was received by Siam on 20th July 1893 Marquis Maha Yotha, Siamese Minister in London, pointed out to the British Government that the French demands included a very considerable part of the State of Keng Cheng. Prince Devawongse called the attention of the British Government through Captain Jones to the conditions on which Keng Cheng was transferred to Siam. But Lord Rosebery, when advising the Siamese Government on 27th July, to accept the French ultimatum unconditionally, presumed that Keng Cheng would revert to the British Government according to the agreement with the Siamese Government in April 1893. He made it plain to the Siamese Government that the engagements entered into by the Siamese Government with the British Government in regard to Keng Cheng need not deter them from accepting the French ultimatum; and he also mentioned that the question of the future status of that state must be discussed directly between the British and French Governments. The same presumption regarding the reversion of Keng Cheng to the British Government was responsible for Keng Cheng being offered as their contribution to the buffer state during the discussions between the British and French representatives in November 1893. As they had offered Keng Cheng as their contribution to the Buffer State, the British Government omitted to take proper measures to exercise their control over that state,

and even failed to inform the Myoza about their intentions regarding the reversion of that state to them from Siam.

When Lord Dufferin suggested to the British Government on 4th January 1894 that in view of the French Colonial Party's attitude towards the buffer state, it would be desirable to take measures to establish British authority over Keng Cheng, the Government of India, to whom the suggestion was referred, proposed that Mr. G.C.B. Stirling, the Assistant Superintendent of the Shan states, who was on his way to the Keng Cheng frontier to complete the survey of the border with Keng Tung, should visit Mongsing and explain to the Myoza that the State was still subject to British authority. Mr. Stirling was instructed to demand nominal tribute from the Myoza. With a portion of his escort Stirling reached Mongsing on 29th March 1894 and the same evening informed the Myoza, who came to visit him, about the situation and demanded tribute. The Myoza explained his eagerness to stand on good terms with the British and said he had offered his allegiance to Mr. Scott when he visited Mongsing in 1891. But at the present moment he considered himself as a feudatory of Siam. If a Siamese representative were present and released him from his allegiance, he would willingly pay tribute to and accept the protection of the British Government. As it was, however, no Siamese official was present and he had not even received

a letter from that Power, he practically refused to pay tribute to Stirling. On 31st March the Myoza sent a letter in which he repeated his arguments and requested that nothing should be done to alter the existing arrangement for another year. After a visit to the eastern boundary Stirling returned to Mongsing on 3rd April 1894, and demanded a token tribute from the Myoza. But the Myoza still argued about his oath of allegiance to Siam and asserted that he could not break that allegiance by paying tribute of any kind to the British Government. The situation was rather irritating to Stirling when the Myoza refused to see him on the plea of ill-health. He went to the Chief's house and declared to the sons and Ministers of the Myoza there present that Keng Cheng State was under British authority, and that its position could not be altered by a refusal on the part of the Chief to pay tribute in acknowledgment of such authority. He left Mongsing making it clear that he would duly report their refusal and the way in which it had been given.(1)

It is not difficult to ascertain the reasons for the Myoza's refusal to pay tribute to the British Government. Apart from his insistence on getting rid of the Siamese suzerainty before he paid tribute to any other Power, it was

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(1) F.O.17/1266. F.O. Memo, op. cit.
India Office to Foreign Office, July 2, 1894.
Enclosure: Stirling's account of his communication with the Myoza.

suspected that there was every likelihood of French influence behind his attitude. It is surprising that Stirling was unaware of a proclamation issued on 13th November 1893 by M. Lugan, the French Commissioner Adjoint in the Lao territory annexed by France, intimating to the people of Keng Cheng territory on the east bank of the Mekong from Cambodia to Yunnan belonged to France. But when Scott forwarded a copy of the Lugan proclamation to the Foreign Office on 7th March 1894,(1) Lord Kimberley, the Secretary of State for Foreign Affairs, suggested on 26th April the issue of a proclamation to the Keng Cheng population and authorities by the Superintendent of the Shan States, of British supremacy over that State. At the same time Lord Dufferin was instructed to point out to the French Government that the terms of M.Lugan's proclamation were inconsistent with the British rights over Keng Cheng and the concurrent rights of Great Britain and China over Keng Hung.(2)

A proclamation issued by the Assistant Superintendent of the Shan States was dispatched from Fort Stedman on 8th May 1894 by special messenger to Mongsing, by which it was notified that the whole State of Keng Cheng was subject to

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(1) F.O.17/1266. Scott to F.O., March 7, 1894 (received on 16th April 1894).

(2) Keng Hung was ceded to China by Great Britain by a Convention signed on March 1, 1894, by the two Powers.

the supremacy of the British Government and to no other Power. At the same time the Siamese Government was asked to inform the Myoza of Keng Cheng that the allegiance of that State had reverted to Great Britain. On 19th May 1894 the Siamese Foreign Minister agreed to do so.

In the meanwhile M. Pavie reached Muang Nan on his way to Luang Prabang early in May 1894 and soon after arrival he came across a party of Lü (Keng Hung) Shans who informed him of the visit of G.C.B.Stirling to Mongsing in March 1894. On hearing this Pavie broke out into very violent language, accused Scott of bad faith in not having informed him of the intention to send Stirling to Keng Cheng, and announced that he also was going to that State. Pavie's intending visit to Keng Cheng was very disturbing to Scott, because he felt that neither the proclamation of the Superintendent of Shan States nor the letter of the Siamese Government to the Myoza of Keng Cheng was likely to reach him before Pavie's arrival there. Scott while mentioning his fears said in a despatch to the Foreign Office on 28th June 1894, "it is possible that that gentleman who is as unscrupulous as the Tonquin papers credit me with being, may have taken advantage of the incident to extract admissions from the Sao Kamawm of Mong Hsing for future use." When the Foreign Office learnt that Pavie had not gone after all to Keng Cheng, the relief was evident.

But Lord Kimberley felt that Pavie had no right without the leave of the British Government to enter their tributary State. Had he persevered in his intention a remonstrance would have been sent. In his note on Pavie's movements he wrote, "it would be well to point out to the India Office how urgent it is that the Government of India should establish regular means of communication with the Chief of this (Keng Cheng) State". It was proposed that a British Officer should proceed to Keng Cheng to announce publicly to the authorities that the State was under the British Crown and it was suggested that the Siamese Government should send one of their officials who should meet and accompany the British Officer to notify to the Myoza the altered relations of Keng Cheng.

On 3rd July 1894 the India Office instructed the Viceroy of India to depute a British Agent to Keng Cheng immediately. When Lord Kimberley was informed of these orders he was rather annoyed at the slow pace of the India Office. He commented "did we not ask the India Office long ago to send someone to Kyaing Chaing? Are they only now sending orders for that to be done?" He felt that this matter was unfortunately managed. On 4th July 1894 he wrote "as soon as Kyaing Chaing lapsed to us, there obviously ought to have been a formal notification jointly from us and Siam to the Myoza." He further remarked "one can not blame him (Pavie) for his

attitude to Mr. Stirling which in the circumstances was quite natural and indeed justifiable". In spite of Lord Kimberley's anxiety, the proposed visit of a British Officer to Keng Cheng did not take place, because the Myoza had by that time accepted British supremacy. The Myoza replied to the Superintendent of the Shan States on July 9, 1894, accepting his position as a feudatory.(1)

Regarding their letter to the Keng Cheng Myoza, the Siamese represented on 9th July 1894 that it would be difficult for them to send an Agent to Keng Cheng without danger of the French accusing them of interference beyond the Mekong; so they proposed to send a formal signed, sealed letter renouncing the allegiance of the State and declaring the revival of British supremacy through the British Agent. The Foreign Office thought that in the circumstances they could not insist on the Siamese sending their own messenger, and after communicating with the India Office, instructed Mr. Scott on 30th July 1894 that the Siamese letter should be sent to the British Vice-Consul at Chiengmai, with instructions to forward it to the Myoza immediately by a messenger who should obtain an acknowledgement of receipt. Prince Devawongse in his letter to the Myoza wrote "His Majesty was

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(1) F.O.17/1266. F.O. Memo. op. cit. India Office to Foreign Office, October 9, 1894. Enclosure: The Keng Cheng Myoza's letter to the Superintendent and Political Officer, Southern Shan States, July 9, 1894.

thefefore graciously pleased to order its (Keng Cheng) restoration to England before making the agreement with France in accordance with the original promise given to England." He further agreed to insert a paragraph at the suggestion of the British authorities which read: "It must therefore be understood for the future that the State of Chieng Kheng no longer belongs to Siam, and must not send tribute to Bangkok, and must arrange the affairs of her State according to her own discretion." According to the Foreign Office instructions Scott transmitted the letter to Mr.Archer who forwarded it, together with a letter of his own, to the Myoza by a clerk on the 1st September 1894. On 10th November 1894 Archer received the Myoza's acknowledgement.of the letter.(1)

At the same time the Myoza wrote a reply to the Government of Siam and sent it by the hands of an official to Muang Nan. This messenger, Nai Nan Pichawong, was intercepted at Chieng Khong by MM. Lefèvre-Pontalis, who took the letter and told him that the Keng Cheng Chief must not have any correspondence with Siam; and that Keng Cheng East was French territory and the Chief a French subject. Nai Nan went back to Mongsing with this message, accompanied by an emissary of M. Paul Macey, the then French Commercial Agent at

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(1) F.O.17/1266. F.O. Memo. op. cit.
Maurice de Bunsen to Foreign Office, December 12, 1894.
Enclosure: The Myoza's letter to Archer.

Chieng Khong. The Myoza found himself between the devil and the deep sea. He thought, however, that his only safe policy was to temporise and to express himself in terms which, should occasion arise, might be interpreted as a recognition of French authority. On 6th November 1894 he wrote to M. Macey informing him that he had been told that he was a British subject and asked what he was to do pending the settlement of the question between the two great Powers.(1) M.Macey in his reply to the Myoza on 16th November made a formal statement that by the Treaty of October 1893 the Government of Siam gave over the State of Mongsing to the French, and according to the above Agreement the Commissaire Général of the French Republic, who was looking after the Lao country, had extended his jurisdiction to Mongsing. He directed that the Myoza should not levy any taxes without the permission of the French Officer at Chieng Khong, and that all disputes should be referred to that officer. The Myoza was asked to furnish the French Officer with the list of people, tax payers and their places of abode in Mongsing, for information.(2) Macey sent a French flag to the Myoza along with his letter. From this time onwards, Scott observed in his Report on the Mekong Commission, the state of Keng Cheng became much more French than British in feeling and tendencies.

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(1) F.O.17/1269. Report of the Mekong Commission, Scott to Salisbury, July 25, 1895. Enclosure 4: The Myoza of Keng Cheng to the French Agent at Chieng Khong, November 6 1894. For the text of the letter see Appendix. IV.

(2) F.O.17/1269. ibid. Enclosure: S.M.Macey to the 'Sawbwa' of Keng Cheng.

The British Government informed the French Foreign Office in August 1894 that arrangements should be made for the constitution of the Commission for the delimitation of the proposed Mekong Buffer State. M. Casimir Perior, the French Foreign Minister, consulted Pavie with regard to the place and date of meeting of the Commission. Pavie had a discussion with Scott in Bangkok on various matters relative to the Commission. They agreed upon the number and composition of the respective escorts and also that Keng Hung should be the place of meeting, and the middle of January 1895 the date. The Foreign Office thought that there must have been some mistake because the meeting could not take place in Chinese territory without consulting China. Anyhow, Scott was under no illusion about it. The truth of the matter was, M. Pavie did not recognise any Chinese right in Keng Hung, and he further suggested that the Commission should map the frontiers of Keng Hung and Keng Cheng. The British Government objected to these proposals and informed the French Government of Pavie's proposals and their objections to them. M.Jusserand immediately disowned Pavie's suggestions and instead proposed Mongsing as the place of meeting and 1st January 1895 as the date.

By September 1894 M. Hanotaux succeeded M. Casimir Périer at the Foreign Office. The British Government, after

consulting Scott and the Government of India, agreed to the Commission meeting on the 1st January 1895, and Mr. Phipps was asked on September 22, 1894, to inform Hanotaux that they would give instructions for the admission of the French Party into Keng Cheng for the purpose. As the French Government objected to Chinese participation in the Commission, the British Government suggested that a Chinese officer should accompany the Commission while passing the Chinese frontier. M. Hanotaux objected even to this suggestion, but agreed that the Chinese Government might be requested to afford all facilities in their power to the Commission. Sir T. Sanderson remarked on the French objection to the participation of a Chinese officer to indicate the frontier, "it looks as if the French wished to get rid of the Commission altogether." Lord Kimberley's reaction was even more significant when he added "and the buffer state."

Jusserand objected to the phrase in the British communication as to Her Majesty's Government giving instructions for the admission of the French Party into Keng Cheng. He said that M. Develle had admitted that Keng Cheng should constitute the British "apport" to the proposed buffer state, but the French Government had never abandoned their contention, preferred in the Commission in Paris, that Great Britain should prove or explain her title to its possession. He ultimately

agreed that the French Government would accept the phrase "Her Majesty's Government have no objection to the Commission meeting at Mongsing, the capital of Kyaing Cheng, on the 1st January." He also required the omission of the word "Chinese" as applied to the State of Keng Hung. This was a thunderbolt to the British Government, because the French Government refused to admit without discussion both the British rights over Keng Cheng and the rights of China over Keng Hung. To agree to withdraw the words "will give instructions for the admission of the French Party" would be tantamount to the admission of a doubt about it, which would be giving themselves away. Sir Frank Bertie, the Assistant Secretary of State for Foreign Affairs (~~Legal~~) felt that the French wanted to get out of the Commission and to manoeuvre Britain into being the party in fault. Lord Kimberley considered the alterations as very serious. The first alteration amounted to a withdrawal from their position that their right to Keng Cheng was not to be called in question, and by the second that the right of China and of Britain as having ceded its share of the suzerainty to Keng Hung was open to dispute. Lord Kimberley very much doubted the advisability of admitting the alterations. But finally the British Government gave way and accepted them. Before accepting these alterations pregnant with dangerous possibilities, Lord Kimberley

explained to Phipps the British rights over Keng Cheng and added "the position being thus perfectly clear and indisputable, Her Majesty's Government have no desire to contend for any particular form of words or to raise unnecessary obstacles". The British Government's anxiety to establish a buffer state was so great that for the moment they ignored the difficulties involved in accepting such doubtful alterations. It was undoubtedly a great diplomatic success to the French. Lord Kimberley maintained "all they (British Government) desire is to treat this whole question in a liberal and conciliatory spirit so as to render effective the agreement concluded with so much difficulty, for the establishment of a neutral zone between the British and French possessions in the Indo-Chinese Peninsula."

The British Government appointed J.G. Scott, British Minister at Bangkok, as British Commissioner on the Mekong Buffer State Commission, and furnished him with general instructions on 17th October 1894. It is curious to find that the Foreign Office instructed Scott to insist on all the points which they had agreed to alter in communications with the French Government. They informed Scott that he should arrive at Mongsing some time before the arrival thereof the French Party and receive them as visitors to a British possession. It was considered advisable, as a matter of

precaution, in the event of Scott not arriving first at Mongsing, that the Myoza should be informed that the French Commissioner and his party came to Keng Cheng at the invitation of the British Government and that they should be admitted into his territory. Scott should be careful to avoid any action or language that could possibly be construed into an admission of any question as to their rights over the State of Keng Cheng.(1)

By this time the French Government had changed their attitude towards the British right over Keng Cheng. Lord Dufferin, who had returned to Paris in November 1894, was handed by the French Foreign Office a note verbale, conveying the reply of the French Government on various details concerning the Mekong Commission. This note stated that in the communication to the British Delegates at Paris on 20th October 1893 the French Government made their admission of the claims of Great Britain to Keng Cheng dependent on the production of the Agreement as to that State concluded with Siam. No such Agreement having been arrived at, and the rights of Great Britain being founded on the sovereignty of Burma over Keng Cheng, the French Government considered themselves justified in maintaining their reservations and intimated that when the question was again discussed they would explain

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(1) F.O.17/1225. Foreign Office to Scott, February 12, 1895.

their reasons for disputing the declaration made by the British Government.

The British Government were determined that they could not admit that their title to the territory was open to question or that any discussion on the subject could properly form part of the negotiations. With this determination the Foreign Office communicated with the India Office with regard to the necessity, in view of the French attitude, of making prompt arrangements for the assertion, if necessary, of British suzerain rights in Keng Tung and Keng Cheng. It is quite evident that by December 1894 the British Government were not very hopeful of a successful outcome of the Buffer State Commission. On 3rd December the Foreign Office in a despatch to the India Office, warned that they were not certain that the negotiations with the French would result in the creation of a buffer state, and that they should be fully prepared for the breakdown. They declared that if the buffer state should not be established, Keng Cheng should remain a British protected state and British authority in that state, as well as in Keng Tung, should be maintained. The near approach of the French to the British frontier and their pretentions on the Upper Mekong prompted the Foreign Office to suggest the appointment of a political officer to be permanently stationed in Keng Tung to deal adequately with intrigues and complica-

tions raised by the presence of the French so near to the frontier.[1] The Viceroy of India dispatched 130 rifles to Keng Tung, thirty of whom were to form an escort for the British Commission. The establishment of a large post was considered impossible before the rainy season.

British contingent on the Mekong Buffer State Commission was:

Mr. (later Sir) J.G. Scott, C.I.E., British Commissioner,
Mr. W. Warry, Chinese Political Adviser to the Government of Burma,
Mr. G.C.B. Stirling, Political Officer in charge of the Mong Nai, or Eastern Division of the Southern Shan States (Extra Assistant Commissioner),
Colonel R.G. Woodthorpe, C.B., R.E.)
) Survey of India Officers
Lieutenant C.H.D.Ryder, R.E.)
Surgeon Major G.E.P. Lloyd, V.C., A.M.D., Medical Officer,
Captain H.B. Walker, D.S.O., D.C.L.I., Intelligence Officer,
Abdul Rahim and Ramsabad, Sub-surveyors.

The escort of thirty rifles of the 1st Burma Regiment was commanded by Jemadar Ranjit Gorung. Scott left Bangkok on 23rd October 1894 and reached Mongsing on 24th December 1894, covering 884 miles in 63 days with nine days at halts. He was full of praise for the Siamese help given to him throughout

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(1) F.O.17/1265. Foreign Office to India Office, December 3, 1894.

his most arduous journey.[1]

The French party consisted of:

M. Auguste Pavie, Commissaire-Général au Laos, French Commissioner,

M. Lefèvre-Pontalis, Secrétaire d'Ambassade, Commissaire-Adjoint,

Captain A. Rivière,)
Lieutenant Thomassin,) Survey Officers,
Lieutenant Seauve,)

Dr. Lefèvre, Surgeon to the Mission,

M. Caillat, Private Secretary to M. Pavie,

Two interpretors and an escort of thirty Tongkinese Militiamen.

The French party left Hanoi (except Pontalis who arrived later) on 20th October 1894 and reached Mongsing on 1st January 1895.

When Scott entered Mongsing on 24th December 1894 he was confronted with a most dramatic situation. Even though he was welcomed by the Ministers of the Myoza of Keng Cheng, the Myoza himself with his son the Kem-mong had fled from his 'haw. The State Council explained to Scott that the Myoza had left Mongsing for an unknown destination for fear of punishment for refusing to pay tribute to Stirling when he visited the State in March 1894. Scott had to wait for

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(1) F.O.17/1270. Further Report on the Mekong Commission, Scott to Salisbury, August 22, 1895.

eight days before the Myoza could be persuaded to return to Mongsing. He addressed a formal letter guaranteeing to the Chief his personal safety and immunity from any punishment for his failure to obey Stirling's orders. On the night of 31st December the Myoza returned to Mongsing and called on Scott the next morning. Scott told him that he was a British subject and must have no relations with the French, except through a British Officer. The Myoza agreed to this without the least demur.(1)

On arrival in Mongsing Scott had seen to his surprise a French flag flying over the Myoza's residence. This was the flag that had been sent by M. Macey along with his letter to the Myoza claiming Mongsing as French, in November 1893. Added to this he found a series of little French flags installed along the banks of the river. Scott with his usual prompt decision ordered the French flags to be pulled up. The Keng Cheng officials obeyed his order and hauled down the French flag from the Myoza's residence and handed it over to Scott, along with the letter addressed by Macey to the

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(1) There must have been some connection between the return of the Myoza on 31st December 1894 and the arrival of Pavie on 1st January 1895 at Mongsing. The suggestion made in the Memorandum prepared by the Foreign Office on communications with the French Government respecting Keng Cheng on June 10 1895, thatthe Myoza was communicating with the French from his hide-out corroborates this view.

Myoza. Upon the arrival of M. Pavie, Scott protested against the proceedings of Macey in claiming Keng Cheng East for France and sending a French flag to the Chief, who was a British subject. Pavie characterised the letter from Macey to the Myoza as of an ordinary routine character, and with regard to sending the flag, he did not seem entirely ignorant of what had occurred. Nevertheless, it is surprising to find the Foreign Office maintaining that they "do not wish to attach too much importance to the proceedings of Macey which they do not understand to have been supported by Pavie."(1) On 12th January 1895 Scott proposed to hand over the French flag that was surrendered to him by the Keng Cheng officials to M. Pavie. However, Pavie demurred at receiving the flag from Scott, on the ground that if the incident became known it might cause excitement in France, and proposed that it should be returned to the Myoza, and the latter should hand it back to him. Scott consented to this procedure as a personal concession to Pavie, and the incident was thus considered to be at an end. But when the flag was returned to him by the Myoza on 14th January as it had been agreed upon, Pavie did not retain it but gave it back again, requesting that it might be kept carefully. The Myoza did not accept

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(1) F.O. 17/1268. Foreign Office Memo, June 10, 1895.

the flag but it was apparently taken by his son.[1] In reporting the incident to the Foreign Office Scott agreed that the flag should have been restored to Pavie, but at the same time he admitted the fact that he was jockeyed over the way in which this was done. Personally he would have preferred to retain the flag, but as the opinion of the other members of the British Commission was against this, he agreed to the arrangement suggested by Pavie. This was the first diplomatic success scored by Pavie in Mongsing, and his prestige went up in the eyes of the people and the authorities of that State. In demanding the hauling down of the French flag from the Myoza's residence, Scott took the greatest risk as the situation was very delicate and full of possibilities of a serious conflict with the French. Scott took this risk in order to maintain the British right over Keng Cheng. In later years, while talking of this incident, he remarked "What could I have done? If I had allowed them to remain there, it would have been equivalent to acknowledging the territory as belonging to France."[2] The flag incident

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(1) The uncertainty regarding who took the flag from Pavie was due to the absence of Scott from the ceremony, and the information as reported by him was based on an eye-witness account.

(2) G.E. Mitton, Scott of the Shan Hills, p.208.

at Mongsing recalls Fashoda,[1] but the incident has received insufficient notice by writers on Anglo-French relations in Indo-China, most probably because of its mild ending. The British Government took the whole matter in a very indifferent way. On 28th March 1895 Lord Kimberley, in a conversation with Baron de Coursel, the French Chargé d'Affaires in London, agreed to consider Macey's letters and the flag incident as having had no effect or meaning and as having been amicably settled.

For a fortnight after Pavie's arrival on 1st January 1895 in Mongsing, while the Commission was waiting for the arrival of M. Pontalis from Hanoi, various informal conversations took place between Scott and Pavie. During these talks Pavie showed himself most conciliatory; fell in with all that was proposed and volunteered the information that he personally had never entertained any doubt that Keng Cheng was a feudatory of Burma ("relevait de la Birmanie"). Scott

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(1) A French party under M. Marchand coming from the French Congo had occupied the Bahr-el-Ghazal and Fashoda (in the Upper Nile Valley) and hoisted the French flag early in July 1898, in accordance with instructions from the French Government. On 18th September 1898 Kitchener reached Fashoda and hoisted the British flag about 500 yards south of the French flag and this caused acute tension between England and France. However, in the same year the French Government withdrew the Marchand "Mission" and evacuated Fashoda.

was convinced that had Pavie been the sole Commissioner, they would have arrived at some sort of agreement. But with the arrival of M. Pontalis on 14th January the outlook changed. The best introduction to Pontalis would be to say that he was one of the active members of the Colonial expansionist Deloncle school. He was the representative of the Governor-General of Indo-China on the Commission. Scott felt that Pontalis's very thinly veiled contempt for Pavie and his views were in no small degree responsible for the result of the Commission's inquiry. As far as his views with regard to British authority over Keng Cheng was concerned, he believed and asserted openly that Great Britain had no real right to anything east of the Salween, if so far as that, that her progress to the Salween was "unblushing effrontery", and to anything beyond a "blatant insult". No wonder at formal meetings of the Commission Pavie's actions were chiefly confined to restraining the violence of Pontalis's language.

The first formal meeting of the Mekong Buffer State Commission soon after Pontalis's arrival resulted in deadlock. From the very outset the probability of an agreement on recommendations for the limits of a tract of territory for the proposed buffer state seemed very problematical. Pavie and his colleague Pontalis insisted on raising a discussion

on the question of the British title to Keng Cheng, notwithstanding the objection raised by Scott that the Commission was one of geographical inquiry only, and that his instructions did not allow him to admit any question as to their rights to that State. Pavie demonstrated that the State of Keng Cheng East and West of the Mekong was all that was required for the proposed buffer state; the east being contributed by France, the west by Great Britain. Scott on the other hand maintained that the neutral zone should be entirely east of the Mekong, Great Britain contributing Keng Cheng East and France the trans-Mekong portion of Muang Nan. The piece of territory included in both propositions was claimed for both countries and their discussions therefore never got beyond the deadlock as to the ownership of Mongsing. On this point neither would give way in the least.

The French Commissioners remained firm in their contention that Keng Cheng East was an integral part of Siam and therefore, ceded to them by the treaty of 3rd October 1893 with Siam. Pavie suggested that the Myoza should be summoned before the two commissions and questioned as to the past history of the State and his own leanings. Scott refused this suggestion on the ground that the previous enquiries had substantiated the fact that the entire State of Keng Cheng had always been tributary to Burma, and was so at the time of

the annexation of Upper Burma. But Pavie, after maintaining persistently the French claim to Keng Cheng East, suggested that the work of the Commission should wait till the matter had been decided by the two Governments. As an alternative, he further suggested in a letter to Scott on 15th January that the Myoza should be informed that their mission was simply one of enquiry regarding the frontier, that the decision as to the future of the country was reserved to the British and French Governments, and that pending the receipt of such decision he alone was charged with the administration of the State.

On 17th January Scott accepted Pavie's proposal as the only course which was not likely either to render the mission abortive or to embroil the two Powers. Moreover, he was under the impression that there was a tacit understanding that no definite action was to be taken by the British in Keng Cheng or by the French in trans-Mekong Nan, pending the buffer state enquiry.(1) Scott was undoubtedly faced with a delicate situation when he was asked to agree not to issue any orders to the Myoza. The Myoza himself was much too alarmed to obey any one. As two of his chief advisers were pronouncedly in favour of the French, Scott thought if he had

(1) The Foreign Office informed Scott that they absolutely maintained the rights of Great Britain to Keng Cheng, and that they had not consented to any limitation of their action there pending the inquiry.

issued any orders they would have almost certainly remained unobeyed and if he had enforced them he would have risked a conflict. If he had to agree to Pavie's first suggestion that the work of the Commission should wait till the two Governments decided the ownership of Mongsing, the enquiry work could not have been started. The other alternative left to Scott was to proceed with the enquiry independently. But as the two Parties claimed Mongsing and the French instructions stated that no English officer was to be allowed to go anywhere in French territory without being accompanied by a French officer, the situation was full of dangerous possibilities. That Scott tried to avoid conflict, not because of military reasons, can be very well seen from his own statement that with the force he had at hand he could have undertaken to sweep away all French opposition up to the Black river and the hills above Hué, but that the establishment of a buffer state did not seem to warrant this. In his defence against the Foreign Office opinion that he conceded too much to the French by accepting Pavie's communication to the Myoza, he argued, "if I failed to carry out your Lordship's instructions I very deeply regret it, but if the distance at which I was from all possibility of advice is considered, as well as the magnitude of the possible issues, I submit that I am not absolutely without excuse."

The British Government on their part refused to admit that the Commission had any competence to make arrangements as to the administration of Keng Cheng. They insisted that as that State constituted an integral part of Her Majesty's Indian Empire, pending a discussion as to the formation of a buffer state, its administration could only be conducted under the control of Great Britain. They considered that the communication made by the Commissioners to the Myoza was therefore ultra vires. As a consequence of the new development in the situation the Foreign Office informed the India Office on 5th March 1895 that arrangements should be made for occupying the State of Keng Cheng at any moment should the necessity arise.(1) Scott was also informed by a secret telegram on 25th March of the instructions to the British Reserve escort at Keng Tung to move forward to Mongsing and to remain permanently, failing an arrangement with the French for the constitution of a buffer state. At the same time they instructed Scott to continue the work of the Commission which was not affected by their orders. On 17th April 1895 Lord Dufferin handed to M. Hanotaux a British note declaring the communication made by the Commissioners to the Myoza as ultra vires. Hanotaux felt that as similar difficulties in connection with the Sierra Leone delimitation had been overcome,

(1) The Government of India issued orders on 10th April for the location at Keng Tung of 200 additional rifles as a support to the detachment in Keng Cheng.

a satisfactory solution could be found in regard to these matters; the region in dispute was of little value and not worth fighting about.

As soon as Scott and Pavie finished their preliminary discussions it was finally agreed to examine the territories indicated in the Protocol of November 25, 1893, only as a geographical inquiry. It was agreed to visit the Keng Tung villages on the left bank of the Mekong and the district of Keng Lap which was under Keng Tung authority, and also a portion of Keng Tung territory which formed an enclave in the northern part of Keng Cheng West. It was mutually agreed during the preliminary meetings at Mongsing that the French would accept the British frontiers laid down west of the Mekong, while the British Commissioners accepted the French definition of the boundary with Luang Prabang. Then the Commission set about its work of enquiry on the 22nd January 1895. The main party with Colonel R.G. Woodthorpe and Lieutenant Thomassin of the French Legion as surveyors, moved northwards, and Lieutenant Ryder with Captain Rivière proceeded southwards.

During the investigations the extent of the territory occupied by Keng Tung beyond the Mekong came upon Scott as a surprise. It amounted to 736 square miles. He was convinced that the villages had been founded with the authority of the

Chief of the Keng Tung State and paid revenue to him. Pavie contended that the Keng Tung territory east of the Mekong would be considered as French territory, but it was agreed that the question should be left for settlement between the Governments. Scott declared that any interference with the existing headmen could not be looked upon as other than an unfriendly act. Pavie somewhat hotly said that he would issue orders for the arrest of any officials who should cross the river and enter the disputed territory. Scott protested against these threats, declared that he would take measures for the protection of British subjects, and left his escort on the spot for a time in order to prevent a collision. Sir S. Bailey of the India Office, in a letter to Sir T. Sanderson on 18th April 1895, remarked that Scott seemed to have taken rather too high ground in regard to the Keng Tung villages, east of the Mekong. He insisted that at all events they would not wish to make a point of retaining Keng Tung jurisdiction east of the Mekong. He felt that it would be a useful card to throw away "but I would not wish to commit the Indian Government to extending its jurisdiction to villages east of the Mekong where it can be avoided." Even regarding Keng Cheng East where the British Government was committed to exercise authority failing a buffer state, Bailey considered it 'a pity' and declared "we should not

pose as grasping at any disputable territory beyond the Mekong." Sanderson considered Bailey's letter sensible and noted "we don't want that beastly place, but we can't let Pavie go flourishing about treading on our toes with hot headed boots".(1)

From the investigations of the Mekong Buffer State Commission it was ascertained that Keng Cheng had an approximate area of 2,400 square miles, and was nearly halved by the Mekong. The eastern portion was slightly the larger, containing approximately 1,250 sq. miles, while the western portion was estimated at 1,150 sq. miles. (This omits the districts of Keng Lap and Keng Hkong). The proposed British contribution to the buffer state of Keng Cheng East and the Keng Tung villages on the east of the Mekong were not likely ever to be wealthy, but its only point was its orderly government and fairly settled state of affairs. Against these two British contributions the French had trans-Mekong Muang Nan to offer. This was divided by the French into three parts; Chieng Khong proper, Muang Pu Hka and Muang Luang (more precisely called Muang Luang Pu Hka). The total area of these three was estimated to be about 2,200 sq. miles. Pavie owned frankly that the country was worth nothing at all. The proposed British contribution had an area of 2,050 sq.

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(1) F.O.17/1267. Bailey to Sanderson, April 18, 1895. Sanderson's comment April 22.

miles while that of the French contribution extended to 2,700 sq. miles. The surveyors of the commission covered 9,000 sq.miles with triangulated points, and 7,000 sq. miles were sketched, of which 5,700 were of fairly accurate topography.

On 20th March 1895 all the members of the Commission with the exception of Captain Rivière, who had been sent down the river seriously ill, and Dr. Lefèvre who had gone with him, reassembled at Chieng Khong. A day or two sufficed to show that there was no chance of Pavie and Scott agreeing upon any joint recommendations. The French claimed all Keng Cheng east of the Mekong, all the trans-Mekong Keng Tung tract, and on the west of the Mekong Keng Lap and a large slice of territory extending up to and including Mengyawn. They wished for boundaries coterminous with British territory, and maintained this would create less friction than an intermediate zone, which might become the haunt of bad characters from both sides and also from Siam. Pavie suggested that they should be limitrophes on the Mekong and that river should form the boundary between British and French possessions from China southwards to the Me Hak. On this basis which assumed that Keng Cheng East was French, Scott refused to discuss the question, and all idea of a joint recommendation "except with a string of stultifying provisions" was thrown overboard.

The Mekong Buffer State Commission broke up at Chieng Khong without coming to any agreement. At their last meeting on 2nd April 1895 the Commissioners signed procès-verbal placing on record that there was no probability of their agreeing as to details, and that joint recommendations being impossible, separate reports would be submitted to their respective governments. Pavie and Pontalis left on 3rd April and Scott reached Mandalay on 4th June 1895, 225 days after leaving Bangkok, having marched 1,881 miles in that time. On 22nd June he left for London to submit his report.

During the stay of the members of the Buffer State Commission at Mongsing and their subsequent journey through the region, the disagreeable truth was gradually but unmistakably borne in upon the British party that the French were considered by the inhabitants the more important party. Warry in his report on his journey with the Mekong Commission wrote, "the fact is that at present in the State of Keng Cheng popular feeling is with the French and French influence is paramount." The reasons for such a state of affairs were many. But mainly the activities of the French agents and lavish distribution of money and promises accounted for the French predominance. The Myoza had been told that the French would require no tribute and would levy no taxes in his territory. The Myoza's unfriendly relations with the

Keng Tung Sawbwa helped French propaganda to a great extent. Moreover, the systematic advance of the French and their evident intention to stay in all the places that they had taken under their protection produced the impression in Keng Cheng that France was the abiding Power in that region. Compared to this British authority seemed to them as that which "comes and goes" and was not certain of its own intentions.(1)

Scott in his report on the Buffer State Commission gave a few possible alternative settlements of Anglo-French relations in Indo-China which suggested themselves to him. Firstly he thought of a buffer state, under its own Chief, independent of his neighbours. But he dismissed this idea at once as being altogether impracticable and even dangerous. Secondly he considered the possibility of handing over the buffer state to China. This question had been discussed between the two Governments since the inception of the idea of a buffer state, but when France definitely refused to accept a Chinese representative on the Commission, the British Government gave it up. The extension of the Chinese frontier so far round the northeast of their territory did not commend itself to the French, who were already fully convinced of the

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(1) F.O. 17/1269. India Office to Foreign Office, July 3, 1895. Enclosure: Warry's Report on his Journey with the Mekong Commission, May 10, 1895.

undesirability of China as a neighbour, from exasperating experiences in Tongking. Added to the French unwillingness, the defeat sustained by China in its war with Japan (June 1894 - March 1895), discredited its military power, and it seemed extremely unlikely that it would take any real steps to keep the buffer territory in order.

Scott, while considering the alternative of handing over the buffer state to Siam, felt that if it would imply a revision of the Franco-Siamese Treaty and Convention of 3rd October, 1893, it was worth considering. He would have preferred that the whole of Siam should be the buffer state between the British and French possessions and the lesser question of the handing over of the buffer territory appeared to offer an admirable opportunity of bringing up the discussion of the greater question of the status of Siam itself. He suggested that a mutual guarantee by Great Britain and France of the independence and integrity of Siam as the only way to rescue the country from the state of despondency, approaching almost to despair, into which it had fallen. He mentioned this solution to Pavie during the buffer state inquiry, and Pavie considered it as entirely novel and likely to get over many difficulties which stood in the way of other proposals, but he objected on the ground that it would affect the 1893 Treaty. The proposal was not discussed in detail because of the absolute disagreement as to the ownership of Mongsing. In his

recommendations to the British Government Scott maintained that/only if the buffer territory/to be considered, was ~~that~~ no more than trans-Mekong Keng Cheng and Keng Tung should be given for the French contribution of Muang Nan. But if Siam herself were regarded as the buffer territory he considered it better to add Keng Cheng West and possibly more territory. He stated that the establishment of a stable authority would be worth considerable sacrifice.

Finally, he considered the alternative of abandoning the idea of an intermediate zone, and establishing a direct Anglo-French boundary. Pavie several times said to him that it would have been more generous if the British Government had recognised the sentimental feeling of the French for "le fleuve", and had agreed to the Mekong forming the boundary line of French Indo-China as far north as the Chinese frontier. Scott was puzzled by the French devotion to the Mekong. They always referred to it as "le fleuve". Scott unwittingly caused offence by saying that in the same latitude the Salween was a much finer river. He agreed that "at any rate it is undeniable that the Mekong forms an important factor in the buffer state question, and may be as valuable and as dramatically used as a straight flush or a right bower". He was convinced that the Mekong was valueless from a commercial point of view and that it would never give the French that

access to Yunnan which they were so anxious to get; nor would it enable them to push forward threatening forces towards the British Shan States. Scott felt that there was no really great objection to accepting contiguous boundaries with France. "The small excrescence on the other side of the Mekong," Scott maintained, "can be of no advantage or profit to us, and will be, on the contrary, a considerable expense and a perpetual red rag to the French Colonials." Hence he thought that the Mekong frontier would be a good and cheap bait. He doubted whether the Mekong boundary would be as effective as the establishment of a buffer territory, for a satisfactory settlement of the question of integrity and independence of Siam. He confessed that except as a means of mapping and gathering miscellaneous information about a little known country, the Commission over which he had presided had not been very productive of results.(1)

The establishment of a strong fortified post garrisoned by militia-men at Chieng Khong in the territory proposed to be contributed to the buffer state by the French on the left bank of the Mekong, and the news of the agreement between Scott and Pavie not to issue orders to the Myoza of Keng Cheng, forced Lord Kimberley to act promptly and effectively. He felt that arrangements should at once be made to send a

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(1) F.O.17/1269. Scott's Report of the Mekong Commission, July 25, 1895.

British Political Officer to Keng Cheng, accompanied by a sufficient escort who should leave no doubt whatsoever as to the British supremacy over that state, and should remain there permanently. He saw no reason why the force at Keng Tung should not be utilised for the purpose. Orders were accordingly sent to the Chief Commissioner of Burma through the Government of India for the occupation of Mongsing. The India Office instructed the Viceroy of India on 27th February 1895 to be prepared to occupy Keng Cheng at any moment, should occasion arise. Telegrams of 7th and 15th March from the India Office confirmed the above view. But the Government of India considered that these telegrams, though indicating the importance attached by the British Government to preparations for an early and effective display of authority on the Mekong, did not cancel the discretion left to the Viceroy by their message of 12th February 1895. The Indian Government, relying on the non-cancellation of the discretion given to them, informed the India Office on 18th March that the occupation of Keng Tung before about December was practically impossible. Because of pressure from the Foreign Office the India Office sent definite orders on 20th March to occupy Mongsing. In spite of the difficulties involved in the move, the Government of India instructed the Chief Commissioner of Burma to move a British force from Keng Tung to Mongsing.

On 18th April 1895 orders to occupy Mongsing arrived from the Chief Commissioner of Burma, and Stirling, accompanied by Captain G. Caulfield and Surgeon Major Lloyd, immediately started with 100 men of the 1st Burma Regiment from Keng Tung to Mongsing, which they reached on 2nd May 1895. On the very same day the Myoza left the State and Stirling occupied Mongsing on 5th May 1895.

The news of Stirling's arrival at Mongsing reached M. Dupuy, the French Agent at Chieng Khong, on 5th May, through the Keng Cheng Ministers. He wrote on 10th May asking them to protest against the occupation. The ministers dared not protest to Stirling, but they showed the letter of M. Dupuy to him on 30th May. Three days later Dupuy addressed a letter to Stirling protesting against the occupation of Mongsing.(1) On 10th May the French Ambassador in London had inquired whether it was true that a British detachment was about to occupy Mongsing. Lord Kimberley answered in the affirmative, and said that they thought it right to maintain their authority there, though in no way withdrawing from their intention that it should form part of the proposed buffer state. At a subsequent interview on May 21, 1895, Baron de Coursel stated that his Government considered the occupation

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(1) F.O.17/1270. Government of India to the India Office, August 20, 1895. Enclosure: Dupuy to Stirling, June 2, 1895.

of Mongsing to be a disturbance of the status quo, entirely inconsistent with the Agreement entered into between Scott and Pavie on 17th January. If the troops were not withdrawn, the French Government would have to consider what course they must pursue. He feared that the occupation would cause much irritation in Paris. Lord Kimberley promised to consult the Prime Minister, Lord Rosebery, and observed for the moment that his Government did not consider that Scott and Pavie had any authority to conclude such an Agreement, as they were only empowered to conduct an inquiry.(1) Remonstrances were also addressed to Lord Dufferin in Paris by Hanotaux, in the course of which he stated that the French Government, in the existing circumstances, must refuse to recognise the existence of any British rights to any portion of the State of Keng Cheng on the left bank of the Mekong.

On May 25, 1895, Baron de Courcel again met Lord Kimberley and protested against the British occupation of Mongsing. The French Government contended that the occupation had compromised the principle of the formation of a buffer state, rendering it almost impossible to resume the consideration of such an arrangement. Hanotaux, however, was anxious to treat the matter in a conciliatory spirit and to prevent its assuming undue proportions, and therefore suggested,

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(1) F.O.17/1267. Kimberley to Dufferin, May 21, 1895.

through de Courcel, the adoption of the Mekong as the line dividing the possessions of the two countries, as the most favourable solution. Baron de Courcel told Lord Kimberley that it appeared to M. Hanotaux that the adoption of the Mekong as the frontier would secure to both nations the best frontier and the one which would be the least open to dispute, and would at the same time put an end to the discussions between the two Governments as to questions of right, and recriminations to which those discussions had given rise.(1)

Thus by a clever diplomatic stroke the French Government exploded the buffer state idea which had been the guiding principle of Lord Rosebery's foreign policy in the Indo-Chinese Peninsula. After three years of trial and negotiations, the French had gone back to the original proposal of Waddington, to make the Mekong the frontier between the French and British possessions. Since the time of their annexation of all territory on the left bank of the Mekong, there was a definite change in the French attitude towards the creation of a buffer state. They did not like the idea of ceding an inch of the territory they had acquired from Siam for the formation of a neutral zone.

When Lord Kimberley was faced with the substitution of the Mekong frontier for a buffer state he was rather surprised.

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(1) F.O.17/1267. Foreign Office to Dufferin, May 25, 1895.

In a conversation with Baron de Courcel on 30th May 1895 he said that public feeling in England would not be disposed to favour concessions to France unless they were met in a corresponding spirit. Sir T. Sanderson considered the Chinese collapse as a misfortune and thought the best policy for England was to accept the French proposal of the Mekong limit "if coupled with satisfactory arrangements as to Siam, and a recognition of Chinese rights in Keng Hung."(1) The idea of having the Mekong as the frontier was discussed between the Foreign Office, the India Office, the Government of India and the Chief Commissioner of Burma. A telegram from the Chief Commissioner of Burma dated 29th June 1895 was very significant of public opinion regarding that question. He saw the gravest obstacles in the way of making the Mekong the boundary, surrendering all trans-Mekong Keng Cheng and Keng Tung. This would reverse the policy publicly announced regarding Keng Cheng and officially communicated to the Myoza. He maintained that it "would damage prestige, stultify recent action, render useless work of past season and give us river frontier with France, the military objections to which have been pointed out." The Chief Commissioner was prepared to abandon the buffer state idea and accept contiguity with the French provided Keng Cheng and atleast part of the Keng Tung

(1) F.O.17/1267. F.O. note (Sanderson), June 1, 1895.

trans-Mekong area was retained. The Viceroy of India expressed his unpreparedness to advise definitely until he knew what general arrangements of Siamese affairs was contemplated. The Chief Commissioner's opinion was a typical example of the men on the spot, based on local considerations. But the India Office was pressing the Foreign Office to come to some amicable arrangement with the French Government "to relieve the Indian Government, if possible, of the burden of maintaining troops in the trans-Mekong Shan States."(1)

There were still more important reasons for the anxiety of the British Government to come to an understanding with the French and avoid all possibilities of conflict in spite of the irritating circumstances. Three reasons seem to have prevailed which made the position of Lord Salisbury and Rosebery as Foreign Secretaries very delicate. In the summer of 1893 a disaster to an ironclad battleship of the first class, the Victoria, brought the condition of the British Navy before the public with startling emphasis. The idea that it was not strong enough to resist the combined fleets of two other

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(1) F.O.17/1268. India Office to Foreign Office, June 19, 1895. Apart from the considerable difficulties in providing for the troops at these places because of the insufficiency of local supplies, the estimated cost of maintaining a British Political Officer at Keng Tung including the provision of quarters for two Companies of Native Infantry, clerical establishment, travelling allowances, etc., exceeds one lakh of rupees.

Powers took hold of the public mind and it became known that the Lords of the Admiralty were gravely dissatisfied, if not apprehensive.[1] Parliamentary conditions were not easy during Lord Salisbury's two Ministries. He held office from 1886-1892 in a minority Government, and although in 1895 that unstable relation was improved by a formal Coalition with the Liberal Unionists, he had to work with those members of Parliament with whom he could not see eye to eye on many matters. Above all, the internal dissensions of the main political parties and the Cabinet, weakened British policy to a great extent. In this respect it is interesting to find both Salisbury and Rosebery as victims of cliques inside their own parties. Lord Salisbury in a letter to the Queen explaining the reasons which weakened British diplomacy, said they were due to "our shifting foreign policy, our precarious Governments - the necessity of adopting our foreign policy to the views of a Cabinet of 14 or 16 men usually ignorant of it and seldom united in their views."[2] In a private letter to Sir Henry Wolff on May 4, 1887, Lord Salisbury confessed "there are a certain number of jingoes in our own party who on all questions between foreign countries and us or our Colonies take the most extravagant view as a matter of course

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(1) Herbert Paul, A History of Modern England, V, p.254.
(2) The Letters of Queen Victoria, (Third Series) I, p.194. Salisbury to Victoria, August 29, 1886.

and of late years they have gained greatly in strength."[1] Even though he realised that France was the enemy, nothing effective could be done because "we are meek - our internal divisions make us so." He characterised the situation admirably in this sentence: "English policy is to float lazily downstream, occasionally putting out a diplomatic boat-hook to avoid collisions."

Lord Rosebery during whose period Anglo-French relations worsened and conflict seemed inevitable, was faced with difficulties of party dissensions and public apathy which dissuaded him from taking any effective action against France. On 18th November 1893, in a conversation with Count Hatzfeldt, the German Ambassador in London, Rosebery explained the reason why, after the formal reason for the complication with France had been removed, he had avoided allowing the still outstanding delimitations of Siamese territory to be a matter of war or peace. He had at the time made inquiries as to the reception that his continued treatment of the affair as a casus belli would meet in Parliament, Press and public opinion, and had heard from all sides that in such a case he could hope for support in no quarter. Under such circumstances he had been forced to pause before taking up an unfriendly attitude towards France and finally to admit

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(1) Gwendolen Cecil, Life of Robert, Marquis of Salisbury, IV, p.45.

himself that the Siamese question was not the one on which to settle accounts with France.(1) The Rosebery Cabinet's consideration for France during buffer state negotiations was described by German diplomats as timidity. But Lord Rosebery in his capacity as Prime Minister, in a letter to Queen Victoria on 2nd April 1895 confessed "it is impossible to disguise from Your Majesty that there is a small but important section of the Cabinet, the keynote of whose policy is that France is always right, and Great Britain always wrong." So acute was their difference with Lord Rosebery on questions of foreign policy that, so far as those questions were concerned, they would long ago have left the Government had they not been restrained by considerations of a different character dependent on other motives.(2)

The British Government thus reconciled itself to the idea of abandoning the buffer state and fixing the Mekong as the frontier. Lord Kimberley in a memorandum prepared on 28th May 1895 for the use of the Cabinet, declared that the weakened condition of China rendered the prospect of a buffer state less advantageous to Britain than it appeared when it was first proposed. He suggested therefore that the

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(1) German Diplomatic Documents, Vol.II, p.243. Metternich to German Foreign Office, July 31, 1893; German note on this despatch.

(2) The Letters of Queen Victoria, (Third Series) II, p.492. Rosebery to Victoria, April 2, 1895.

line of the Mekong would present the more tolerable alternative if it should form part of an arrangement favourable to Britain in other parts. As the Government of India never showed any desire to retain Keng Cheng, and on the other hand the French attached so much importance to the possession of the left bank of the Mekong, Lord Kimberley felt that it would be possible that the prospect of obtaining the eastern portion of Keng Cheng might induce the French to come to a friendly arrangement regarding Siamese affairs. But he was almost in despair of ever arriving at a good understanding with the French because "they are so slippery and so anxious to trip us whenever they can".

Before Lord Kimberley was given a final chance to settle the whole problem the Liberal Government of Rosebery had to give way to Lord Salisbury's Tory Government. So the problem of settling Anglo-French relations and the Siamese question fell to Lord Salisbury. During the first interview with Baron de Courcel on 13th August 1895 he discussed the general position of Siam, declaring that the main object of British policy in that region was to maintain the integrity and independence of that country, and expressing a desire to enter into an agreement with France mutually to guarantee it. He went so far as to suggest that France might occupy Keng Cheng, east of the Mekong, by offering to the British Government stipulations which would add to the security of Siam.

On the very same day Salisbury reiterated his policy of maintaining intact the territory of Siam to Prince Svasti, Siamese special envoy in Europe, and M. Rolin Jaequemyns, General Adviser to the Siamese Government, who visited him. While explaining that he would do all that was reasonable and possible in order to carry out this policy, Lord Salisbury thought it necessary to interpose the caution "that I did not think that the interests of Siam were likely to be of sufficient moment to this country to lead us to go to war with France in defence of them".(1)

Before we proceed with the details of the Anglo-French Agreement with regard to Siam, it is necessary to consider the development of the idea of the mutual guarantee of Siam's independence and integrity. From time to time during our study we have observed Britain declaring its determination to preserve the independence of Siam. But the men on the spot in Bangkok were thinking in different terms. The Siamese, till the collision with the French in 1893, were always accustomed to believe that the views of their country inspired respect and were to be treated as those of an independent kingdom. But it was a sad experience for Prince Devawongse to be treated by the French as a spoilt child and flouted when he talked of Siam's rights as a treaty Power.

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(1) F.O.17/1270. Salisbury to de Bunsen, August 13, 1895.

The French action absolutely paralysed the Siamese Government. Scott, the British Minister in Bangkok, was convinced that the only method of restoring self-confidence in them was to persuade Siam that she had friends. He expressed a doubt whether a joint guarantee with France was practicable. He was more concerned with the danger that Siam, worried and worn out by constant French demands, and hopeless of help from outside, might in a moment of despair give up the struggle and accept a French Protectorate as the only safeguard against eventual destruction. Scott was determined to avert such a danger, and with that purpose in view he had suggested a convention between England and Siam. Under his plan England would join the King of Siam by force of arms in repelling attempts by France or any Power to annex further territories of the King of Siam and in return the King would fulfil certain obligations.(1) He had a great deal of discussion on the proposed Convention with Prince Devawongse and Rolin Jaequemyns, and they expressed their agreement with the

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(1) F.O. 69/153. Scott to Foreign Office, March 2, 1894. The King of Siam to undertake, in consideration of this:- (a) to construct a railway either to the Burmese frontier near Moulmein or across the Kra Peninsula to Malawun in British territory; (b) to keep a standing army of 30,000 men properly drilled and armed; (c) to complete the defences of such points in his territory as may be indicated by Great Britain, such as the entrance to the Menam river and the fortification of Chantabun when it was restored.

suggestion. Jaequemyns believed that no French Ministry would be powerful enough to carry out the mutual guarantee in the face of opposition by the Colonial Party in France. Scott expressed his opinion that unless Siam was encouraged in some way the country would melt away before the French. But the Foreign Office was not so active in accepting protection over Siam as suggested by Scott. On April 3, 1894, Scott again wrote to the Foreign Office saying that the Siamese Government was anxious for the conclusion of an agreement with the British Government which practically amounted to the acceptance of a British Protectorate.

The Foreign Office received another set of papers from Mr. Morant, ex-tutor to the Crown Prince of Siam, who also suggested very active policy by the British Government in Siam. To him Scott appeared to be a very inactive and unworthy representative in Bangkok. They both wished that Britain should conclude an intimate alliance with Siam and reform the country. But to the great disappointment of Scott, he was informed on 18th May 1894 that the British Government "do not contemplate any arrangement for a British Protectorate or defensive alliance with Siam." Lord Kimberley expressed the desire that at the proper moment they would renew their endeavours to bring about an agreement with France and China to respect the independence and integrity of Siam.

In the meantime rumours were prevalent to the effect that Prince Svasti, who was in Europe as a special Envoy of the King of Siam to settle matters pending with France, was treating for a French Protectorate over Siam.(1) Even though the rumour was contradicted by Lord Dufferin, the possibility of a French Protectorate over Siam haunted the Foreign Office for some time. Undoubtedly there had been some talk between the Siamese Minister in Paris and the French Foreign Minister in August 1893 of France taking the initiative in guaranteeing the independence and integrity of Siam. Such a possibility had been suggested by the Siamese Minister on 26th August, and M. Develle felt that it was a matter for consideration to what extent France should be responsible with other nations. It was also considered whether or not Britain would take the French initiative in a favourable light. But there was no doubt on the part of Great Britain. Lord Kimberley in a despatch to Maurice de Bunsen, British Chargé d'Affaires in Bangkok, on 27th October 1894, explained the principal points regarding British policy towards Siam. He once more declared that the maintenance of Siam as an independent kingdom without further material diminution of territory was of great importance, in order to prevent complications if the possessions of England and France should come into immediate contact. As for

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(1) F.O.17/1222. Kimberley to Dufferin, July 4, 1894.

theachievement of this object, Kimberley thought "a joint guarantee with France in which China has also expressed her willingness to join, could undoubtedly be satisfactory security". He instructed de Bunsen to oppose any tendency or movement in favour of a French Protectorate, in substance if not in name. Because of the predominant British commercial interests in Siam, the British Government preferred an independent Siam to either British or French protection.

The Siamese Government could not afford to take matters so coolly and calmly in view of French actions which threatened to cost them their Kingdom. Their only anxiety was to preserve the independent existence of their country. On 5th December 1894, Mr. Verney, the English Secretary to the Siamese Legation in London, called on Sir T. Sanderson and wanted to ascertain Lord Kimberley's opinion as to the expediency of an application by the Siamese Government to Great Britain and France asking those Powers to take Siam under their tutelage and guidance. On 11th December Verney was told that in view of the Anglo-French negotiations regarding the creation of a buffer state, the Siamese Government would do better to defer making any such proposal. Again on 19th December Verney visited the Foreign Office and saw Sanderson and Frank Bertie. As the Siamese were greatly alarmed at the position in which they found themselves vis à

vis the French, he said they would be glad to seek safety in an Anglo-French Protectorate. Clarifying the Siamese request, Verney declared "they would object to be an Egypt, but they would like to be a Belgium". Still Sanderson did not consider the time for such a serious proposal had arisen, and repeated that any application for joint tutelage of Siam by France and England was premature. On the question of a joint guarantee, both Rosebery and Kimberley made statements during 1894 to the effect that whenever the Governments of Great Britain and France came to consider definitely the creation of the buffer state on the Upper Mekong, the subject of the guarantee might be profitably discussed in connection with that matter. On 27th March 1895 the Siamese Minister, in an interview with Sanderson, introduced the subject of the desired guarantee by England and France of the independence of Siam. He enquired whether, in view of the French Government not seeming disposed to consider the matter of a joint guarantee with England, the British Government would have any objection to undertaking themselves to guarantee the independence of Siam. Sanderson advised the Siamese to wait for a time and put up with difficulties for the purpose of obtaining a joint guarantee by England and France, rather than for a single guarantee by either Power.(1)

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(1) F.O.17/1266. Memorandum of an interview at the Foreign Office between Sanderson and the Siamese Minister on March 27, 1895.

That brings us to Lord Salisbury's discussions with Baron de Courcel for the settlement of the Siamese question. In a conversation with Salisbury on October 18, 1895, de Courcel suggested that the British Government should cede Mongsing which Britain was then occupying, and in full consideration of that cession the French Government would relinquish their rights - which he alleged they possessed - on the western side of the Mekong. The only other compensation offered for the surrender of Mongsing was that France should consent to a reciprocal treaty with Britain, each conferring upon the other the privileges in regard to commerce and to the construction of railways which had been received by either country from China in any part of the Chinese Empire.(1) Lord Salisbury asked for larger compensation than was offered, and suggested the inclusion of some provision by which future stability of Siam would be guaranteed. The Baron objected in principle and expressed himself willing to give verbally on the part of his Government the most formal assurance that they would not annex any part of Siam "but he would not hear of any written engagement not to devour Siam". It is very interesting to find the French Ambassador arguing that not only had the British Government no right to Keng Cheng East, but also the French had quite as large a claim against them

(1) F.O.17/1271. Salisbury to Dufferin, October 18, 1895.

on the right bank of the river. Consequently all he offered was to exchange these two territories; he declined to consider any demand for any further compensation for Mongsing. Lord Salisbury threw out the suggestion, without pledging himself to it, of a mutual guarantee of the Valley of the Menam. But though Baron de Courcel did not reject it, Salisbury did not think that he took to it.(1)

Lord Curzon, who was then Under Secretary of State for Foreign Affairs, in a memorandum dated 21st October 1895 on future French and British policy towards Siam, maintained that Keng Cheng should not be allowed to go for any smaller price than a complete revision of the 25 kilometre zone arrangement and other stipulations imposed on Siam by the Franco-Siamese Treaty of October 1893. He could not find any prospect of a settlement in the attitude of the French Ambassador. The French claim to the Keng Cheng territory on the right bank of the Mekong was fantastic. The unwillingness of de Courcel to make any assurance in writing against further annexation was rather ominous. Curzon, referring to de Courcel's lavish use of verbal promises, only quoted the old Latin tag "Timeo Danaos ..." which showed that he, at least, feared that these portended no good. He foresaw loss rather than advantage

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(1) Lord Sanderson's Private Papers, 1860 - 1922. General 1 (268) Salisbury to Sanderson, October 19, 1895.

to the British Government in the suggestion of a possible guarantee by England and France of the Menam Valley. It would produce an immediate impression that the British Government had abandoned the eastern half of Siam to the French. "The ulterior consequences", according to Curzon, "would be that we might be prevented at a future date from assuming that control of the Menam Valley to which it is not inconceivable that we may some day in the last resort be impelled". He thought that it might have been well to accept the proposal of M. Waddington in 1890 even though it involved the British trans-Mekong territory and the tacit admission of the French right to annex up to the left bank - because it would have fixed a line and a boundary. He further suggested that the British Government should make up their minds as to the territorial limits of the curtailed and concentrated Siam which England intended that France should never seize.

In an interview with Salisbury on 6th November 1895 Baron de Courcel showed a disposition to fall in with the suggestion with respect to a mutual guarantee of the drainage basin of the Menam. But he expected Britain to compensate France for this agreement, by accepting the Mekong as the boundary in the Upper Mekong region. Lord Salisbury promptly refused to admit that France had established a title to any kind of compensation for binding herself not to make any aggression upon the

Valley of the Menam. On 12th November 1895 Salisbury frankly told de Courcel that it was in Britain's interest to maintain Siam's independence and integrity. He mentioned that Great Britain had a large and increasing trade with Siam and consequently any contingency which threatened the independence of Siam affected in an important degree the commercial as well as political interests of Britain. It was again for the sake of her trade that Great Britain viewed with apprehension the acquisition of predominant influence by France in the Menam basis and on the adjacent coast, because the commercial policy of France had been for many years so strongly protectionist. Lord Salisbury told Baron de Courcel that unless both countries could agree upon some reciprocal arrangement, he would be forced to make a formal declaration that the maintenance of Siam within her present limits as an independent Kingdom was a matter of serious interest to Great Britain. He suggested that if the French Government would accept such a declaration it might have advantages in point of procedure over a formal agreement.(1) For once during all these years of Anglo-French negotiations, Salisbury put the French in a defensive position. Baron de Courcel decidedly thought that it would be desirable to find some alternative by which such a declaration could be avoided. As the

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(1) F.O.17/1272. Salisbury to Howard (Paris) November 12, 1895.


Skeleton reduction
of the
SIGNED MAP
Illustrating the agreement signed at
LONDON.
15TH JANUARY 1896.
Scale 1 inch to 47 Miles
Reference
Portion of Siamese Territory referred to in agreement of 15th January 1896 bounded by red line thus
Portions of 25 Kilometres zone (Franco-Siamese Treaty of 3rd October 1893) that fell within the above area thus
East of Paris
XIENG HONG
XIENG KHENG
XIENG TONG
Mong Sing
XIENG KHONG
XIENG HAI
LOUANG PRABANG
M. Soui
M. Pen You
XIENG MAI
M. Ngou
M. LAMPOUN
M. NAN
M. Laken
M. Raut
M. Prey
M. Hin
M. TOURAROM
M. BORIKAN
M. PAT CHOUM
PAK LAY
Xieng Khan
NONG KHAY
M. Tuen
OUTARADIT
M. Kon Tao
M. Loeui
M. SANTABOURI
M. Souankalok
M. Pitchai
M. Sakotai
M. SAKON LAKON
RAHENG
M. Pitsanoulok
MOULMEIN
M. Kampang
M. Pitchit
M. Petchabouri
M. CALASSIN
M. Taratbouri
M. Selapoum
M. Ban Pao
M. Tchatourat
M. IOTT SO TON
M. SOUVANAPOUM
M. Tchaipoum
M. PATHAI SOONG
M. Payon Ha Kiri
M. Manorom
M. Tiamat
M. Bouri Soum
M. Tchambak Nakon
M. Sisalalat
M. Intabouri
M. Pimai
M. Sisaket
M. Prom
M. Lop Bouri
M. Prabat
M. Kamarang
KORAT
M. Bouri Moun
M. Pakhonchai
M. Pa Konchai
M. SOUREN
M. Tien Touk
M. Nang Rong
M. KOUKAN
M. Ang Tong
M. Sara Bouri
M. Sou Pan
AYOUTIA
TAVOY
M. KAN BOURI
Koh Yai
Nakon Naiok
M. Pratoum Tan
PEKIM
M. Chantaboun
M. Kabin
M. Non Ta
BANGKOK
PETRIOU
M. TCHONKAN
Sa Sang Soun
Pak Nam
Vatana
Aranh
M. Rat Bouri
Tachin
Mong Kol Borey
Kalanh
Bang Pla Soi
Panat
M. SIEMREAP
M. Petcha Bouri
Pang Pra
BATTAMBANG
M. Rayong
M. Pase
CHANTABOUN
Pursat
MERGUI
M. Prasboury
M. Koui ou Pra Chaeb Khiri Khan
G O L F E
M. Krat
TENASSERIM
D E
M. Santon
Thepang
Linya
S I A M
M. Bang Tapan ou M. Kom not Nob Pa Koun
Sré Umbel
I.D. W.O. No 1149
Lithographed at the Intell Div W.O. Feb. 1896

preliminary discussions had already shown a safer way out, the French Ambassador preferred to accept the Province of Mongsing on the left bank of the Mekong for his Government, and in return agreed to sign the agreement with Lord Salisbury mutually guaranteeing the integrity of the Menam Valley from armed intrusion.

On 15th January 1896 a declaration was signed in London between Lord Salisbury and Baron de Courcel regarding the settlement of the Siamese question. Apart from guaranteeing the safety of the Menam Valley against any other Power, the two Powers engaged not to acquire within that region any special privileges or advantages which should not be enjoyed in common.(1) In the course of the letters exchanged between de Courcel and Salisbury after signing the declaration, the French Ambassador expressed the wish that the conclusion of the negotiations would give evidence of their joint solicitude for the security and stability of the Kingdom of Siam. He was convinced that the assurances which the two Governments had exchanged implied a real desire on the part of each of them to maintain the most friendly relations with Siam "and the intention to respect existing Conventions". It was Lord Salisbury's letter to Lord Dufferin communicating the declaration which has since become a historical document very often

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(1) For the text of the Anglo-French Declaration see Appendix.V.

quoted by the Siamese in their negotiations with France. In the course of the letter Lord Salisbury declared "we fully recognise the rights of Siam to the full and undisturbed enjoyment, in accordance with long usage or with existing Treaties, of the entire territory comprised within her dominions; and nothing in our present action would detract in any degree from the validity of the rights of the King of Siam to those portions of his territory which are not affected by this Treaty". He made a categorical statement that they had selected a particular area for the application of the stipulations of the Agreement not because the title of the King of Siam to other portions of his dominions was less valid, but because it was the area which affected their interests as a commercial nation. Lord Salisbury explained that because the British Government hoped that the signature of the Agreement would tend to foster the industrial growth of the Menam Valley and after being sufficiently impressed with this belief the British Government agreed to attest to it by admitting the French claims to the ownership of the Mongsing district of Keng Cheng State.(1)

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(1) F.O. 69/174. Salisbury to Dufferin, January 15, 1896. In the draft declaration Lord Salisbury's language was somewhat in the sense of accepting the French view on the surrender of Mongsing. Lord Curzon suggested that from the House of Commons point of view, it would be preferable that the British Government should appear to make a concession rather than accept the French view. He said in explanation that the British Government had

According to the agreement between England and France, Mongsing was handed over on 10th May 1896 to the French officer M. J. Vacle by Mr. G.C.B. Stirling who had been in occupation of that territory for exactly a year. A statement was signed by Stirling and Vacle as a formal record of the handing over of Mongsing. In the course of the statement M. Vaclé introduced a phrase with the deliberate purpose of obtaining an admission that the British occupation of Mongsing was unjustifiable, or, as Dr. Lefèvre in explanation put it, "a mistake". But Mr. Stirling, who realised Vaclé's intention in adding the phrase, did not consider it to have any real significance. In a letter to the Superintendent of the Shan States on 16th May 1896, Stirling explained that as Mongsing was handed over because it was on the left bank of the Mekong in accordance with the declaration of 15th January which fixed that river as the boundary between the possessions of the two Powers, by no possible ingenuity could the words used be held to imply an admission of the impropriety of British occupation of the territory ceded. For French agents the expression meant much in prestige.

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so strongly maintained their absolute right to Mongsing, and the French had so completely failed in advancing any legitimate ground for their claim, that to speak of accepting their view would be in the nature of a volte face.

The Anglo-French Agreement of 15th January 1896 produced different reactions in different quarters. The French Indo-Chinese Press and Colonial Party loudly complained at the opportunities for the annexation of Siam which had been allowed to slip by, and their whole subsequent policy was to discredit the Agreement, and encourage the belief that it could not stand. "A betrayal of the rights of France over Siam" was the title given to the agreement by the French Press. The Colonial Party was not at all happy with any such restriction of area for their expanding activities, mainly because the whole of Siam, and specially the Menam Valley, was their ultimate goal.(1) Maurice de Bunsen, the British Chargé d'Affaires at Bangkok, wrote to his mother on February 25, 1896, that the Anglo-French Agreement was a great relief to him, and that he considered it a real triumph for Lord Salisbury's diplomacy. He expressed the hope that it would certainly be a check to the French Colonial Party "who think they have been jockeyed by Lord Salisbury."(2) But the French Government considered the agreement as a blank cheque for the exercise of their influence in the eastern part of Siam, which was not included in the declaration. The Provinces

(1) M. Etienne, Vice-President of the French Chamber of Deputies, in a conversation with Lord Lansdowne on 2nd July 1903, confessed that there was no doubt that at one time France looked forward to the ultimate annexation of Siam.

(2) E.T.S. Dugdale, Maurice de Bunsen; Diplomat and Friend, p.129.

of Battambang and Angkor and the Korat plateau which were not included in the 1896 declaration on the French side come under this category.

The language of Lord Salisbury's letter to Dufferin made the French Government realise that it could not altogether exclude the possibility of British interference in the unguaranteed portion of Siam adjacent to the French possessions. Baron de Courcel was instructed on 18th January 1896 to make it understood that if Great Britain could not remain indifferent to what happened on the French side, the French Government must make the same reservations with regard to the Malay Peninsula and the Siamese territories situated to the west of the guaranteed territory. Lord Salisbury observed that he did not accept any unreserved engagement to abstain from any interference with the parts of Siam which were contiguous to the French possession, nor did he expect any similar undertaking from France in respect of the Malay Peninsula.(1) But he told M. Geoffray, the Councillor of the French Embassy, on 18th January, that it would be the wish on both sides to remember the preferential claim to influence which immediate neighbourhood was usually held to confer and to abstain from

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(1) Soon after the conclusion of Anglo-French Agreement Great Britain entered into a Secret Convention with Siam regarding Siamese Malay States. See Chapter II.

any action to which the other party to the Agreement would take exception.[1]

The Indian Government accepted the Anglo-French Agreement with open arms. They considered it advantageous to the interests of Burma and the Shan States, and the limitation of the Indian frontier as conducive to economy and efficiency in the Civil and political administration of the border. As for the political relations on the eastern frontier with Burma, the Government of India considered that very important advantages were secured by the stability of Siamese dominions in the Menam Valley. While referring to the cession of Mongsing to France, the Viceroy of India, in a despatch to the India Office on May 6, 1896, wrote: "We were prepared to cede this district to Siam in 1893 and include it in a buffer state in 1894, and though we reluctantly occupied it in 1895, we have all along recognised that this small excrescence on the other side of the Mekong could be of no advantage or profit to us."

But public reaction in England was rather critical. Lord Rosebery, who was in opposition by then, characterised the agreement as "the surrender of Siam". The bitterest criticism came from J.G. Scott. In an article written long afterwards Scott, while commenting on the surrender of Mongsing

(1) F.O.17/1293. Salisbury to Dufferin, January 18, 1896.

wrote "the apathy of the Province is in some measure responsible and so is the want of enterprise of the Government of India, but the chief mischief was done by the late Lord Salisbury and Lord Curzon of Kedleston". Scott's disappointment can be seen from the following remark, "Lord Kimberley courted a snub by ordering the immediate occupation of Mong Hsing, and then came Lord Salisbury, who was without exception the worst Foreign Secretary we ever had for matters east of Suez, and he gave the whole question up."(1) Mr. W.H. Dawson, writing in The Cambridge History of British Foreign Policy, described the Angle-French Agreement as one of those "graceful concessions" by which Lord Salisbury from time to time purchased the temporary goodwill of Great Britain's neighbours and rivals. He felt that Rosebery resisted the French pretensions to the last, whereas Salisbury yielded to France all that she demanded without equivalent advantage.(2) It is true that the agreement made with France did surrender the British claims on the left bank of the Mekong and put an end to the proposal for a buffer state; but if we carefully recollect all the various circumstances that prompted Lord Rosebery to give up the buffer state idea, and Scott's suggestion of the sacrifice of Mongsing for the sake of the

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(1) G.E. Mitton, op. cit. p.166.
(2) Sir A.W. Ward and G.P.Gooch, The Cambridge History of British Foreign Policy, 1783-1919, III, p.199.

stability of the Siamese Kingdom and the anxiety of the Government of India to retire from the left bank of the Mekong, one feels that Lord Salisbury's action was only the logical conclusion of past suggestions and considerations.

It is essential to discern for what considerations Salisbury surrendered Mongsing. There was a view point that the Menam Valley was Siam for all practical purposes.(1)

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(1) F.O. 17/1272. Memorandum prepared by Mr. J.S. Black on a proposed rectification of Franco-Siamese frontier, November 19, 1895. He divided Siam into two Basins geographically, the Mekong and the Menam, and conclusively proved that the Menam Valley was the more important part of Siam.

Menam Basin	Mekong Basin
Richest and most populous. Exports only amount to: Rice £2,000,000 Teak £ 15,000 5 million population. People are active, intelligent and possess good business acumen.	Larger half in extent. Poor. Total of imports and exports: £200,000 2 million population. People are lazy, ignorant and wanting in the instincts of trading. Simple mode of life and full of epidemics. Undesirable for colonisation by any European country.

But apart from such justification one should bear in mind two main considerations before judging Salisbury's action. One was the commercial interest of Britain in Siam, and the other the apprehensions felt with respect to the future of Siam. Both are interdependent, and from the very beginning the British Government's policy of keeping Siam independent was based on their commercial supremacy in that country. During 1893, when France blockaded Bangkok, it was felt in England that the four and a half millions of Siamese trade wasthe thing that was worth fighting for. Lord Salisbury, by securing the independence of Siam, albeit in truncated form, at the expense of ceding Mongsing to France, managed to preserve seven-eighths of Siamese trade for Great Britain. As far as the apprehensions with respect to the future of Siam itself were concerned, there were no two opinions as to the gravity of the situation. The year 1895 was full of unrest in Bangkok. Apart from the perpetual shower of diplomatic notes on the Siamese Foreign Office kept up by the French on every conceivable subject; continued occupation of Chantabun and irritating circumstances in the 25 kilometre zone, the Siamese were declared not to have fulfilled any clauses of the Treaty of 1893 with France. They were subjected to persistent bullying by the French and they were anxious to secure some sort of joint guarantee, or at least

a single Power guarantee, to save their existence as an independent country. By the end of 1895 the outlook had become hopeless and people openly discussed the possibility of French annexation. Under such circumstances Lord Salisbury sacrificed Mongsing and secured the stability of the Menam Valley as an effective 'buffer' between the two Powers in the Indo-Chinese Peninsula. Lord Salisbury, in a conversation with Prince Svasti on 22nd January 1896, recalled the suggestion made by Waddington in May 1892 regarding the Mekong frontier and spheres of influence, and confessed "if the arrangement had been concluded then, the events which ended in the Treaty of 1893 that was so disastrous for Siam, could not have taken place." While talking about the Anglo-French Agreement he stated "the recollection of this circumstance made me desirous, while there was time, to interpose a barrier against the possibility of a still worse disaster."

It is a fact that Lord Salisbury failed to persuade the French Government to include the whole of the Siamese Kingdom in the joint guarantee. The agreement would have been more advantageous to the Siamese if Salisbury could have secured the abolition of the 25 kilometre zone and the evacuation of Chantabun by the French. But naturally he concentrated more on preserving British trade and other political interests in

the Menam Valley than on solving Franco-Siamese difficulties. From the point of view of British interests, both commercially and politically, the 1896 Anglo-French Agreement definitely secured great advantages to Britain.

The Siamese reaction to the Agreement was mixed. They felt that the joint guarantee should have been extended to the whole of the Siamese Kingdom, and the failure to achieve this end made them feel that the arrangement was only a veiled partition of Siam between England and France. But the best advantage that Siam received from the arrangement, was, so far as the most important portion of her dominions was concerned, a respite (and it has proved a long respite) during which she has had an opportunity to strengthen herself by developing her internal resources. It provided, undoubtedly, the additional and exceptional security to the Menam Valley which gave the Siamese the strength and confidence required for the necessary efforts to bring about the development of their country and to realise the full scope of their position and rights. In spite of great territorial losses to Siam during the years immediately preceding it, the 1896 Agreement between England and France secured to Siam, her most cherished desire - the existence of Siam as an independent country. The declaration provided a sort of security to Siam that even if Franco-Siamese

relations continued to be unhappy, in view of the agreement, they could not be disastrous, or end in the disappearance of Siam as an independent country.

CHAPTER VII.

THE AFTERMATH OF THE FRANCO-SIAMESE CRISIS.

France secured many advantages by forcing on Siam the Treaty of October 1893. As a consequence of that treaty new complications arose in Franco-Siamese relations. The French attempt to gain further advantages or consolidate those already secured and the Siamese struggle to resist them is a long drawn out but a very interesting study. Under the terms of that treaty Siam abandoned all her territory east of the Mekong, including the eastern portion of Luang Prabang; destroyed her fortified posts and withdrew her garrisons from Battambang and Siem-Reap, and further, evacuated a zone twenty-five kilometres in width, measured from the right bank of the Mekong. In addition to this Siam granted to France the right to occupy the town of Chantabun until such time as the provisions of the treaty should have been fulfilled. Subsequent to the treaty, the terms were interpreted by both the parties in different ways, and consequently new complications arose.

The situation regarding the twenty-five kilometre zone was very interesting. According to Article VI of the 1893 Franco-Siamese Convention "Le Gouvernement Français continuera à occuper Chantaboon jusqu'à l'exécution des stipulations de la présente convention, et notamment jusqu'à complète évacuation et pacification tout de la rive gauche que des zones

viscés a l'article III de Traité en date de ce jour." The word "pacification" is the key to the situation - it made the Siamese authorities responsible for the pacification of a territory which in the same breath, they were ordered to evacuate, and in which, therefore, it was not open to them to undertake any military operations. Article IV of the Franco-Siamese treaty provided that "within the zones stipulated in Article III", namely the provinces of Battambang and Siem-Reap and the 25-kilometres zone "the police duties shall be carried on according to custom by the local authorities with the contingent strictly necessary". Local authority was interpreted by the French diplomatists to mean the village headman. In those parts which lay within the 25 km. zone and which was peopled by semi-savage "indigenes" local disturbances were inevitable, unless there were a strong administration and a reliable police. Yet, on the ground that they had no business in the zone, and were infringing the treaty, the French authorities arrested and imprisoned Luang Mani, the Siamese Commissioner at Chieng Mên, and the expulsion of his successor was followed up by threatening letters from the Luang Prabang authorities directing the Commissioners at Nan, Houng, Muang Fang and Paklay to withdraw outside the 25 km. zone. Besides excluding the Siamese Chief Commissioner at Nan from the zone, M. Pavie, Commissioner Général of French Laos, took advantage of his stay at

Chieng Khong with the other members of the Mekong Buffer State Commission to threaten the Siamese postmaster at Chieng Khong with his vengeance if he did not at once retire beyond the 25 km. zone.(1) There was a growing tendency on the part of the French Colonial authorities to regard the zone as virtually constituting French territory. Pavie went so far on one occasion as to protest violently against the presence in the 25 km. zone of twelve Siamese soldiers who had been sent out as a guard of honour to him.(2) According to Sir George Scott, the sole aim of Pavie was "to convert the 25-kilometre zone into an Alsatia with obvious ulterior ends."

The occupation of Chantabun by the French in 1893 was a bitter blow to Siamese prestige. It remained for many years to come a sore point in Franco-Siamese relations. The French post at Chantabun was established on the site of the old Siamese Rawng Law quarters above the town. The garrison consisted of Commandant Arlabosse, with the rank of chef de bataillon, a Commissaire and a doctor, two Captains, four Lieutenants and four native officers with 300 tirailleurs - Annamites; one lieutenant and twenty five men of the Artillerie de Marine; and a captain and subaltern and seventy five men of Infanterie de Marine. From the beginning

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(1) F.O.17/1268. De Bunsen to F.O., June 3, 1895.
(2) F.O.17/1224. Scott to Kimberley, August 31, 1894. Pavie had reported all these cases to Paris as infractions of the treaty.

of the occupation a fortnightly steamer was subsidised to run from Saigon to Chantabun and Bangkok, but beyond a few hundred tons of teak shipped to Saigon, the only cargoes were stores for the troops at Chantabun. As far as the commerce of the place was concerned, the French occupation had apparently very little effect. After the first scare of occupation people returned to their ordinary avocations. Mr. (later Sir) Maurice de Bunsen, the British Chargé d'Affaires at Bangkok, suggested to the British Government that it should assume profound indifference towards the French occupation of Chantabun. He believed that the French would retire from Chantabun if they did not make so much fuss about it in Parliament.(1) But as far as the Siamese were concerned the evacuation of Chantabun by the French remained a question of first priority.

The Siamese relations with the French on their eastern border were complicated by the presence of the French "navigation agents" on the right bank of the Mekòng. The officials exercising authority on the eastern frontier of Siam were the High Commissioners at Makeng and Oubon, and a number of sub-commissioners, the chief being the sub-commissioners at Nongkhay, Lakhon, Kemmarat and Bassac. The Commissioners of all ranks represented the central

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(1) Dugdale, E.T.S., Maurice de Bunsen: Diplomat and Friend, p.117.

authority of Bangkok in the regions which they administered and under their orders the lesser affairs of purely local government were carried on by a class of magistrates, chiefs of districts and villages, all of Lao birth and natives of the border region. A number of disputes had arisen on the border out of the action of the French navigation agents, who had taken up their quarters on the right bank of the Mekong in the places occupied by the Siamese Sub-Commissioners.(1) These navigation agencies which were created by Pavie, were supposed to be there for commercial purposes, but as there was no trade to transact, the officials dabbled too much in politics. They assumed administrative rights and terrorised the Siamese officials and the people in the neutral zone so often that the Siamese authority was practically abolished. While commenting on the French demand for consular rights for their navigation agents Scott in his characteristic way remarked "if the French appoint epicene Administrators all along the right bank and give counter jumpers consular rights throughout the extent of the 25-kilometre zone, M. de Lanessan's scientific frontier of French Indo-China is likely to stretch like an India-rubber garter in the Tropics."(2)

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(1) Lieutenant Simon at Nongkhay, Champenois at Bassac and Macey at Chieng Khong.
(2) F.O.17/1272. Scott to Kimberley, December 9, 1894.

In spite of their territorial advantages on the left bank of the Mekong, France was faced with the problem of an increasing tendency on the part of the river population on the left bank to pass over and settle down on the right bank of the Mekong. They sought to check the exodus by proposing a reciprocal passport system, but the Siamese refused to agree. Apart from this, France failed to divert to the Mekong river the current of the trade of her new possessions. To her disappointment, trade tended, as before, to go to Bangkok, by way of Nan and Korat. The extension of her frontier proved to be a source of increased expenditure without anything like a corresponding return. France could not derive any satisfaction from the continued occupation of Chantabun which was expensive and did no material harm to Siam. No doubt the French were discontented, and the real cause was to be found, perhaps, in the financial failure of their policy of colonial expansion.

The French authorities were determined to acquire more benefits from their venture in Siam. As a first step Pavie started with a claim to the Luang Prabang territory on the right bank of the Mekong. Almost immediately after the conclusion of the Franco-Siamese treaty of 1893, by which the Luang Prabang territory on the left bank of the Mekong was ceded to the French, the Siamese Commissioner on the right

bank, Phya Phichai, issued a proclamation to the inhabitants of the right bank of the Mekong on November 8, 1893, declaring that Luang Prabang territory there was Siamese territory. Captain Simon of the French ship guarding the Laotian country issued a similar proclamation to the inhabitants of the eastern side of the Mekong on 12th November 1893, declaring that territory to be French.(1) The Chief of Luang Prabang himself, in a letter addressed to the Chief of Nan dated 12th December 1893, accepted the position by saying "now the territory on the east of the Mekong is subject to France, and the territory on the west of the Mekong is still under Bangkok."(2) But Pavie thought fit to address a letter to the Siamese Commissioner denouncing his contention that the province of Luang Prabang on the right bank had become "une partie intégrante" of Siam.

In August 1894 the French authorities sent officers to the Luang Prabang territory on the right bank of the Mekong, and issued a proclamation to the inhabitants requiring their homage and tribute to the Chief of Luang Prabang. At the same time another proclamation was issued to the inhabitants of Bassac on the left bank of the Mekong that they had no further connection with the Chief of the right bank. Without

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(1) F.O.17/1223. Scott to Kimberley, August 13, 1894.
(2) F.O.17/1268. Memorandum prepared by Mr. Black on Luang Prabang on the right bank of the Mekong, June 8, 1895.

wasting any time Pavie, on his arrival at Chieng Khong (on the left bank under Muang Nan), called together the gem-miners there, who were all British subjects, told them to appoint a headman for themselves, and giving a French flag to the headman, he informed him that the people were all French subjects. Pavie reported his actions in Chieng Khong to Scott on 20th August 1894. When the British Foreign Office was informed of the French plan to take Luang Prabang on both sides of the Mekong, Lord Kimberley, the then Foreign Secretary, expressed his helplessness in checking Pavie's proceedings because of the weakness of the Siamese Government, which rendered effectual support of them impossible.

Pavie raised the question of the status of Luang Prabang with Prince Devawongse. He claimed that the Chief of Luang Prabang retained complete authority over the right bank. At the same time he was willing to admit that the Chief should pay tribute for the right bank to Siam, and maintained that the appointment of all officials should rest, not with Siam, but with the Chief. In an interview on August 24, 1894, he protested against the transformation of the portion of Luang Prabang on the right bank of the Mekong into a Siamese province and the appointment in that district of Siamese officials in substitution for those of the Chief of Luang Prabang. He maintained that the action of the Siamese Government in this

regard was an infraction of the treaty of October 1893, and claimed that the "king" of Luang Prabang still retained all his authority over the right bank and that no officials appointed by the Siamese Government had any right there. He demanded that immediate orders should be issued on this point. Prince Devawongse refused to agree to Pavie's suggestion. But Scott reported to the Foreign Office on 27th August 1894 that the Prince was tempted by the bait which Pavie threw out, that the Chief of Luang Prabang would no doubt have to pay tribute for the right bank territory to Siam, in proportion to that which was formerly paid by the whole State. But subsequently Prince Devawongse denied having given to Pavie the assurances alleged by the latter regarding the right bank Luang Prabang territory.

In the meantime the Chao Uparat (Second Governor or Chief) of Luang Prabang in October 1894 crossed over from the left bank and established himself on the right bank as the official

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(1) Pavie insisted in calling the Chief of Luang Prabang "king".

(2) F.O.17/1224. Scott to Kimberley, August 27, 1894. Scott reported that Devawongse was painfully afraid of Pavie, and hence he was prepared to agree or to seem to agree verbally to anything in order to get Pavie away from Bangkok. According to him, the Prince was willing to risk the accusation of breaking his word rather than have Pavie a day longer in Siam.

agent of the 'king' of Luang Prabang. He issued a proclamation to the inhabitants of the right bank imposing on them regulations as to the administration of justice and the issue of passports and ordering them to come to Chiengmen at stated periods to take the oath of allegiance to the 'king' of Luang Prabang. He started taking a census of the Siamese police and people at Chiengmen, employing the Siamese police as his own and forcing the people of the right bank to do corvée. He made a number of arrests and punished the wives and families of those who declined to obey his authority.(1) When Prince Svasti, the Siamese special envoy in Europe, made representations to M. Hanotaux, the French Foreign Minister, in respect of the action of the Second Chief of Luang Prabang on the right bank of the Mekong, Hanotaux said that the sovereignty of the 'king' of Luang Prabang must be maintained over the whole extent of his former territory. But in the course of his argument he ignored the cardinal fact that Luang Prabang officials were formerly appointed subject to the approval of a Siamese Commissioner, whereas the Second Chief was acting in defiance of, and in complete opposition to, the authority of the King of Siam. Hanotaux maintained that Prince Devawongse agreed with Pavie to the Chief exercising his authority on the right as well as the left bank.(2) Although

(1) F.O.17/1226. Beckett to F.O., November 1, 1894.
(2) F.O.17/1226. De Bunsen to F.O., December 5, 1894.

Prince Devawongse denied having given to Pavie the assurances alleged by the latter, the British Foreign Office was convinced, on the authority of Scott's despatch of August 27, that there was some truth in Hanotaux's assertion that Devawongse had admitted the justice of the French theory. Lord Kimberley felt that the Siamese had "made a mess of this business". The French contention was that Luang Prabang was, before the Franco-Siamese Treaty, independent of Siamese control, and that therefore Luang Prabang on the right bank was entirely independent of Siam. This French contention was really an ingenious mode of laying claim to both sides of the Mekong. In his anxiety Hanotaux ignored the historical facts regarding Luang Prabang. If the Siamese had no control over Luang Prabang before the Franco-Siamese Treaty, the French demand for and acquisition of the left bank Luang Prabang territory from the Siamese Government by the treaty of October 1893 was inexplicable, and, above all, the French Vice-Consul at Luang Prabang before the treaty of 1893 was a standing proof of the French recognition of the Siamese authority over that state.(1) However, the second Chief was withdrawn in the early part of December 1894 from the right bank.

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(1) For a detailed discussion see Chapter IV.

While the French authorities in Indo-China were following the policy of irritating the Siamese in their frontier relations with the intention of picking a quarrel, Prince Svasti, who was specially sent to France to negotiate a treaty, was trying his best to arrange matters in a friendly way. In January 1894, while Casimir-Périer was directing French Foreign Affairs, Prince Svasti called his attention to the fifth article of the treaty of 1893 with the object of regulating customs and commercial matters, as well as the revision of the old treaty of 1856 with France. From the French side M. Hanotaux, Director of Consular and Commercial Affairs, had been appointed to negotiate with Prince Svasti. But on 19th February, when the talks had hardly started, the negotiations were suddenly interrupted because of reported complaints from Pavie from Bangkok regarding the alleged infringement of the 1893 treaty by the Siamese in the 25-kilometre zone. In the meanwhile Casimir-Périer's Ministry went out of office and Hanotaux became the Foreign Minister. When the negotiations were resumed Prince Svasti suggested that a Joint Commission be appointed by the two governments to travel through the districts where the alleged incidents had occurred and to report. He submitted a draft agreement on 13th August 1894 and the full text was finally settled and a Protocol was signed on 31st August.[1] Even though the arrangement was a

(1) F.O.17/1225. Note prepared by the Siamese Legation in London, September 22, 1894.

reasonable one, it had the defect that it constituted an acknowledgement that the treaty and convention of 1893 were not yet executed. The French could use this Protocol as a bar to any claim as of right for the evacuation of Chantabun. Lord Kimberley felt that this document practically adjourned the evacuation of Chantabun sine die, for the powers of the Joint Commission were to last for a year and might be renewed according to circumstances.

In order to carry out the agreement of 31st August respecting the appointment of a Franco-Siamese Commission for the settlement of frontier disputes, Prince Devawongse concluded an agreement with the French Chargé d'Affaires at Bangkok in February 1895. According to the agreement Monsieur Roland was appointed as the French Commissioner; and it was agreed that he and the Siamese Commissioner, Phra Sakda, should confine their attention to difficulties which might arise in the future. As regards the past incidents complained of in general terms by the French authorities, they were to be discussed between the Siamese Foreign Minister and the French Representative at Bangkok. It was agreed that the seat of the Joint Commission should be at Battambang.(1) In May 1895 two more Franco-Siamese Commissions were appointed under the Paris agreement, to reside at Oubon and Makeng.

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(1) F.O.17/1226. De Bunsen to F.O., February 7, 1895.

The Commissioners selected were M. Champin and Phya Bhakdinarong for Oubon, and M. Bonyeure and Cho Chaungfai Pratipwang for Makeng. The agreement of August 1894 which called these commissions into being expired on 31st August 1895. The French Minister expressed no wish or opinion with regard to their continuation, and as not a single case of dispute had been brought before them, Prince Devawongse considered that no good purpose would be served by prolonging such a barren experiment. The Siamese Government quietly withdrew their representatives on the Franco-Siamese frontier commissions at Battambang, Oubon and Makeng.(1) Complaints regarding frontier disputes were left for the Siamese Foreign Minister and the French representative at Bangkok to settle.

Apart from frontier difficulties, there was another question which played a prominent part for many years in Franco-Siamese relations subsequent to the 1893 treaty. That was the question of registration of Asians of all races as French protégés in the Siamese Kingdom, thus putting them outside Siamese jurisdiction. The registration question turns on Article 4 of the Franco-Siamese Convention of October 3, 1893, which reads: "The Siamese Government shall hand over to the French Minister at Bangkok or the French frontier authorities all the French Annamite and Laotian subjects of

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(1) F.O.17/1271. De Bunsen to F.O., October 9, 1895.

the left bank (of the Mekong) as well as the Cambodians detained under any pretext whatever. They shall set no obstacle in the way of the return to the left bank of the former inhabitants of that district." The first part of this clause was inserted by the French under the impression that the Siamese had, according to the custom of Indo-China in old days, deported to Siam a number of prisoners of war whom they prevented from returning home. But nothing was said of persons who elected to stay in Siam. The silence of the convention on this point, and all the known law and custom, would lead to the conclusion that they were to remain Siamese subjects. The draft treaty proposed by M. de Villiers, the French Plenipotentiary in 1893, contained a clause to the effect that "those under French protection and French subjects registered in the Consulate are all under French jurisdiction". This clause was dropped from the final draft of the treaty as signed by the French and Siamese representatives.(1) The omission of such a convenient clause to support the position he had taken up was at a later date complained of by Pavie. Be this as it may, the lack of statutory support did not deter Pavie from following his own wishes, and claiming the right to register as French subjects all who could assert any sort of connection with the left bank of the

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(1) See Chapter V.

Mekong, even by descent from a remote ancestry. The local French officials solemnly adopted and acted upon the view that an inhabitant of Siam whose ancestors had been transferred from Combodia to that Kingdom in the reign of Louis XIV was entitled to be registered as a French subject because France had acquired Cambodia, and to be protected as such from Siamese jurisdiction. Some ardent French Colonial enthusiasts calculated with satisfaction that by this easy method France could deprive King Chulalongkorn of five millions of subjects and transfer them to her own jurisdiction.(1)

Prince Svasti and Rolin Jaequemyns, General Adviser to the Siamese Government, complained to the British Government about the general policy of the French with regard to the 25-kilometre zone and the artificial manufacture of French subjects by registration. Mr. (later Lord) Curzon, Parliamentary Under Secretary of State for Foreign Affairs, suggested that the Siamese should follow a firm but non-belligerent standing upon their own treaty rights. As the British Government was busy at that time with the Mekong Buffer State Commission, their representative in Bangkok concentrated on advising the Siamese to fulfil their engagements with France so as to deprive France of any excuse for further aggression. But the French representatives were bent on creating endless

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(1) The Times, Editorial, December 19, 1901.

problems and on seizing every opportunity of trying to scare the Siamese Government. Their constant eagerness to produce friction may have been due to the ulterior motive of devising an excuse for the retention of Chantabun. As the French had no substantial interest in Siam, they were striving to create one by enrolling as many people as they could as French subjects. But the Siamese refused to recognise the French certificates of registration and hence the question assumed grave importance in Franco-Siamese relations.

A very interesting situation was created when the French Minister in Bangkok took the Japanese subjects in Siam under his protection at the request of the Japanese Government. Maurice de Bunsen in a telegram to the British Foreign Office on September 17, 1895, expressed his fear that France might seek to protect Chinese subjects also.(1) He encouraged the Siamese to resist the French endeavour to take the Japanese who numbered only 100 in Bangkok under their protection. He advised Prince Devawongse to point out to the French Minister that protection of subjects of non-treaty Powers did not

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(1) Everybody in Bangkok jumped to the conclusion that France would protect the Chinese, and the newspapers published telegrams saying that M. Gerard, the French Ambassador to China, was negotiating to that end in Pekin. But these rumours were not confirmed.

include jurisdiction.[1] To hit back at the French the British Government contemplated protecting the Chinese in Siam. A telegram from the Foreign Office on September 30 1895, asking de Bunsen to make arrangements to act as Consular Agent for China in Siam brought forth some candid remarks from him. In a private letter to Sir F. Bertie, dated October 10, de Bunsen wrote that he was rather alarmed at the idea of becoming the protector of hundreds of thousands of Chinese all over Siam, of whom 100,000 were in Bangkok. But he agreed that if there was no other way of preventing the French from undertaking it, he would have to do it himself. He felt that in the absence of treaty between China and Siam, protection should not include jurisdiction, as it would be striking a severe blow at Siamese authority. De Bunsen thought "the extra-territorial system was surely never intended to be applied to a quarter or a third of the entire population of the capital, and by far the most wealthy and industrious part". While explaining his personal opinion, he mentioned that he regarded the protection of Asiatics as a burden rather than as a means of gaining influence in the country. This view

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(1) F.O.69/159. De Bunsen to F.O., September 17, 1895. A treaty between Siam and Japan was signed at Bangkok on 25th February 1898. Jurisdiction over Japanese subjects was given to Japanese Consular Officers until such time as the judicial reforms of Siam should have been completed.

really explains the difference of approach between the British and French governments to the problem of protecting their Asiatic subjects in Siam. He went so far as to suggest that China should be discouraged from the idea of constituting a consular agent in Bangkok because such an agent would set up an imperium in imperio to which Siam would certainly refuse to agree except under compulsion. On 26th September the Japanese Government was reported to have withdrawn their request for French protection of their nationals in Siam. But de Bunsen in a telegram dated October 21, reported that the French continued the protection of Japanese, but that no case had involved the question of jurisdiction.(1)

Hanotaux, in a conversation on July 2, 1897, with Sir E. Monson, the British Ambassador to France, characterised the Siamese as the most effrontés people he had to deal with. He said that the Anglo-French Agreement of 1896 had put the Siamese into an exceptional position which encouraged them to be impertinent all round. While reporting his conversation with the French Foreign Minister, Monson in a most confidential despatch dated July 3, 1897, wrote "it seems to me very clear that Monsieur Hanotaux would not by any means be averse from picking a quarrel with Siam and it is very probable that public opinion would be strongly favourable to a very energetic

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(1) F.O.69/159. De Bunsen to F.O., October 21, 1895.

policy towards that Kingdom".[1]

M. de France, who succeeded Pavie as the French Minister in Bangkok, proved to be the right man for following the energetic French policy in Siam. He claimed not only that all persons who at a previous period of their lives had been Cambodian subjects, should be looked upon as under the protection of France, but that persons claiming to have descended from former inhabitants of Cambodia should be in the same position. When Prince Svasti informed Lord Salisbury of this French contention the latter said that he was not aware of any parallel claim to this or that it had every been sanctioned by any international law. The idea that persons who themselves and whose fathers were born in Siam should claim any protection from a foreign government on account of the nationality of their ancestors seemed to Lord Salisbury "absolutely absurd". He could hardly believe that the French Government were serious in putting forward such a demand and he thought that de France must either have been misunderstood or must have been greatly exceeding his instructions in the language that he used.[2] But there was no mistake on the part of de France in his contention. In January 1897 he threatened to break off relations with the Siamese Government

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(1) F.O.69/187. Monson to F.O., July 3, 1897.
(2) F.O.69/178. F.O. to Greville, June 8, 1896.

if they did not agree to his claim to exercise protection over a person named Kadir, a Siamese subject, whose ancestors were Cambodians.

The French method of registering was very peculiar. Any person who would pay the requisite fee, plus a little doucer according to his means, to the touts who waited about Bangkok for promising subjects, and who was ready to affirm that his ancestor came from the left bank of the Mekong could get his registration paper, without further proof being asked for and thereby he could set the Siamese authority at defiance. Criminals about to commit a crime would apply beforehand for letters of French protection in order to escape arrest and punishment. The worst part of the Siamese population was being enrolled as protected French subjects and there were cases in which men actually serving in the Siamese army after securing letters of protection committed acts of insubordination. According to M. Charles d'Orelli, the first Secretary of the Siamese Legation in Paris, letters of protection had become in the Mekong Valley a regular article of trade. Packets of forms were sent up the Mekong Valley with the spaces for names left blank; they were openly bought and sold and not only that, but even resold to higher bidders by the original purchasers.(1)

(1) F.O.69/186. Memo prepared by Martin Gosselin, November 1, 1897.

On January 25, 1897, Hanotaux informed the Siamese Minister in Paris that the French Government were obliged to demand that all the criminals claimed as protected, on account of their Cambodian nationality, by the French Legation, should be surrendered, including murderers and highwaymen.[1] The Siamese were determined to make a stand against French demands, because they considered that a concession of the kind required by Hanotaux would affect Siamese administration in the heart of the country, and thus indirectly impair its independence. Prince Devawongse in a letter to de France stated that the Siamese Chargé d'Affaires in Paris had been instructed to propose to Hanotaux as a first rule, that the question of French subjects should be settled on the following principle: ten years residence in Siam should be taken as prima facie evidence of Siamese nationality. No person should be treated as a French subject unless he could prove that he was born on French territory, or from a French father, or that he was naturalised according to the French law as applied in France.[2] An editorial article in the "Journal des Debats" on 11th October 1897 written in a most conciliatory vein tempted the British Ambassador in Paris to think that the French Government was anxious to throw cold water on the

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(1) F.O.69/186. Monson to Salisbury, January 26, 1897.
(2) F.O.69/186. Archer to F.O., February 9, 1897.

extreme colonial party and to come to a reasonable settlement on outstanding questions. With regard to the question of protected French subjects, the article admitted that excessive claims had been put forward by certain French extremists and these, if maintained, would render all government in Siam impossible. So said the article, "we ought not to push things to an absurd point, but rather to adopt a conciliatory attitude in this matter".(1)

During his nine months' tour of Europe(2) in 1897 King Chulalongkorn visited Paris, and while there tried to settle the existing differences between his country and France, especially the 25-kilometre zone and registration questions. He was treated by the Government in Paris with distinction, but hardly with cordiality. Hanotaux was very reserved and the king could not make any progress towards coming to a better understanding with France. In the course of a conversation with the king, the French Foreign Minister expressed the willingness of his Government to abandon the 25-kilometre zone to Siam on condition that the latter ceded to France the provinces of Battambang and Angkor. The king referred the

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(1) F.O.69/188. Monson to F.O., October 11, 1897.
(2) Chulalongkorn was the first King of Siam to leave his country on a foreign tour. He left Bangkok on April 7, 1897, for Venice, and returned on 30th December, after visiting Switzerland, Italy, France, Germany, Russia, Belgium, Denmark and England.

French suggestion to his General Adviser in Bangkok, who in turn strongly advised Chulalongkorn not to make any concession of territory. Hanotaux had seemed inclined during his conversation with the king to ignore all Siamese jurisdiction within the 25-kilometre zone on the right bank of the Mekong. He had also remonstrated against the excess number of British subjects and other foreigners taken into Siamese service, while no single Frenchman was similarly employed.(1) When Chulalongkorn met the Emperor of Russia at Darrustadt, the latter offered to arbitrate between France and Siam, and advised the king on no account to cede territory to France, or to exchange notes with the French Government on the subject.(2)

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(1) F.O.69/188. Memo prepared by Martin Gosselin, October 7, 1897. For a list of foreign officials in Siamese service drawing ticals 1000 per month and over at the beginning of 1902, see Appendix. IX.

(2) Grenville described the meeting of the King of Siam and the Emperor of Russia in the form of a dramatic scene. He mentioned in a private letter to Bertie on April 14, 1899, that the scene actually took place. Even though it had no significance to our study, I am reproducing it for its satirical humour:

"The Peaceful Autocrat and the Outspoken Monarch".
Place - Peterhof
Time - Autumn, 1897.
Dramatis Personae:
The Emperor of Russia
The King of Siam.
1st and only scene.
Emperor of Russia, loq: "Could you defend your country against England or France for three months?"
King of Siam: "No."
Curtain

But the King could not persuade either the President or the French Government to agree to arbitration. In a telegram to the Queen Regent before leaving Paris he characterised the position of affairs as "status quo ante".

During his stay in London the King had consultations with the British Foreign Office on the French registration question, and their complaint that Siam was employing too many Englishmen in her service. Sir T. Sanderson, when invited by the King of Siam to luncheon on August 7, 1897, to discuss these matters, confined himself to listening and to advising prudence and moderation. If the French complained of the employment of too many Englishmen, Sanderson suggested the King should say that they would be ready to employ Frenchmen also whenever the attitude of France became more friendly.(1) On this suggestion, while agreeing with Sanderson, Lord Salisbury commented that when he saw the King he had strongly recommended that the French should get their fair share of appointments for Europeans.

As the King of Siam failed to settle matters with the French Government during his stay in Paris, the points of difference between the two Governments were left once again to the Siamese Foreign Minister and the French Minister in Bangkok. Prince Devawongse addressed a note in June 1898

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(1) Lord Sanderson's Private Papers, 1860-1922, General 2. (268) August 6, 1897.

to M. de France, in which he detailed the questions which the Siamese Government considered should be the subject of negotiation, and proceeded to examine the three chief points at issue:- the 25-kilometre zone, the Luang Prabang territory on the right bank of the Mekong, and the question of registration. De France replied on 27th June that the two questions requiring immediate settlement were those of protection and the Luang Prabang territory on the right bank of the Mekong. Regarding the question of protection, he still maintained that the French Annamite and Laotian subjects of the left bank of the Mekong and Cambodians transported to Siam against their will, and their descendants, had the right either to remain in Siam under French protection or to return to their country of origin. He supported this contention by an appeal to the laws of nations and the laws of humanity, and asserted that all these people were detained and treated as prisoners of war, contrary to Article 1 of the Treaty and Article 4 of the Convention of 1893. With regard to the Luang Prabang territory, he maintained the exclusive right of the 'king' of Luang Prabang to certain territories on the right bank. He interpreted Article 4 of the Treaty as forbidding the presence of any Siamese official within the 25 km. zone

Prince Devawongse in a note of 10th July answered very

exhaustively and effectively the question of the prisoners of war. While denying that any captives had been made by Siam subsequent to the year 1825, he maintained that no difficulty had ever been put in the way of any of these people who wished to return to the left bank of the Mekong. On the other hand, he denied the right of the French officials, either on the ground of humanity or of the laws of nations, or even in accordance with the letter or spirit of the treaties, to register these persons as French subjects, and allow them to remain in Siam. De France in a short note dated 12th July 1898 informed Devawongse of his inability to continue the discussions by letter and said he would refer to Paris for further instructions.

In March 1899 there seemed at last to be a chance that this interminable controversy and state of near-crisis might be ended. King Chulalongkorn took a very significant step in sending Phya Sri Sahadeb to pay a friendly visit to His Excellency M. Doumer, Governor-General of French Indo-China at Saigon. On 13th March 1899 Sri Sahadeb paid a visit to Doumer and in a speech said, "in confiding to me this high mission my August Sovereign has ordered me to express to you his unaltered love for France and his firm hope that the good relations which exist between Siam and France be always continued for the greater advantage of our neighbouring States,

which, united by political, economic and social bonds, form part of the Great Indo-Chinese family; and it is the most ardent desire of His Majesty that this visit contribute to the strengthening of these bonds."[1] The warm reception given to Sri Sahadeb at Saigon tempted the Siam Free Press, which had for years followed an anti-Siamese policy, to talk of a Franco-Siamese Entente. In Bangkok many circumstances tended to bring forth a more conciliatory attitude on the part of the French. For the first time on record a joint inquiry was held at the French Legation into the nationality of a Siamese holding a French registration paper. The French Government officially expressed their condolences on the death of the Superintendent of the Siamese Navy, and Doumer evinced a strong desire to pay a visit to Bangkok. It looked as if the French were anxious to come to an understanding with Siam.

On April 16 1899, M. Doumer paid an official visit to the King of Siam. He declared at the Foreign Office banquet given by Prince Devawongse in his honour, that one of his ambitions was the conquest of Siamese hearts. According to the British representative's account of the visit, Doumer, whose justly earned sobriquet was "Paul le charmeur", certainly succeeded in his ambition. He charmed one and all by his courtesy and affability and above all by his evident

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(1) The Siam Free Press, March 21, 1899.

desire to assist in settling Franco-Siamese differences. The King was impressed so much with Doumer's visit and with him personally that he told the British representative at a private audience on 22nd April that Doumer was the only official French Gentleman he had seen in Siam.

During discussions on political matters the King expressed his willingness to consider a proposal to transfer under certain conditions to the French Republic all his rights of sovereignty over the Luang Prabang territory on the right bank of the Mekong, as it was in 1893 under the chief of Luang Prabang.(1) His conditions for the transfer covered the important problems of registration, the 25 km. zone and the evacuation of Chantabun by the French. On the first point the king proposed that only the following registrations made before the present agreement should be considered as valid: (a) all French citizens by birth or by naturalisation; (b) all registrations of persons born in French colonies or in French protected states, this being understood to mean that Cambodian subjects would continue to be under the rules laid down by the Treaty of 1867; (c) all registration of persons born on the left bank; (d) all registration of persons whose fathers were born on the left bank and were brought to the right bank against their will; as far as the future was

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(1) F.O.69/196. The King of Siam to Doumer, April 21, 1899.

concerned, the rules laid down in the draft Siamese laws on Siamese nationality and on the condition of foreigners in Siam should be adopted. Regarding the 25 km. zone, Chulalongkorn suggested that the clauses of the arrangements of 1893 relating to this zone should be interpreted and executed according to his own belief, that the restrictions brought by these clauses on the full sovereignty of the King of Siam were only intended to serve purposes of military defence; but not to obstruct the full right of the King to exercise and to control the civil administration of the zone in the same way as other parts of his dominions. The King wanted Chantabun to be evacuated by the French garrison.

M. Doumer on his part promised to keep order on the frontier and agreed to the Siamese reading of the treaty, that the civil administration of the 25 km. zone should be in their hands. With regard to the other questions, memoranda were exchanged, and Doumer promised to use his best endeavours to bring about a permanent arrangement. He was in favour of the withdrawal of the French garrison from Chantabun on certain conditions. The King on his part promised, at Doumer's request, to employ a Frenchman as Engineer to the Sanitary Department, and further that French should be taught in schools.[1] Doumer left Bangkok on 21st April 1899.

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(1) F.O.69/196. Greville to F.O., April 24, 1899.

While the negotiations were going on in Bangkok, the Siamese Minister in Paris, Phya Suriya, was also carrying on negotiations for a friendly settlement with the French Government. On 15th April 1899 he intimated to de France, who was in Paris, that the Siamese Government was prepared to accept the list of French ressortissants to a maximum number of 14,000 persons of every description. The French Government should submit the above mentioned list with the shortest possible delay for joint revision by Siamese and French officials with a view to the exclusion therefrom of all persons holding Siamese titles, persons who had obtained French certificates by fraudulent means, and subjects of foreign States. It was further suggested that from the date of agreement no persons born and living in Siam should be registered as French protégés. Phya Suriya proposed that all French ressortissants other than French citizens should be subject to the laws and the jurisdiction of Siam both in civil and criminal cases, provided that in all such cases the French consul should be entitled to be present at the trial and to make suggestions to the judge.

The French Government was not satisfied with Phya Suriya's proposals, and consequently M. Delcassé, the French Foreign Minister, informed him on 7th July 1899 that as his terms were very different from those suggested to Doumer by

the King the negotiations in Paris should be considered as closed, and would be continued in Bangkok by de France, who was shortly leaving for Siam.(1) The Siamese Government immediately sent a telegraphic reply to Phya Suriya instructing him to inform Delcassé that they were willing to adhere to their proposals to Doumer, and suggested that the interpretation of the Treaty of 1893 in regard to the questions of registration and of the 25 km. zone should be referred to arbitration by two jurists, one to be appointed by the French Government and the other by the Siamese.

In Paris there was much opposition to Doumer's conciliatory attitude towards Siam. M. Lemire, an influential columnist on international relations, writing from Paris on 15th July in the Courrier d'Haiphong, maintained that by Doumer's proposed agreement, Siam would get real advantages and France obtained no real compensation. He felt that France would fail in her most sacred duty if she withdrew her protection from her Lao, Cambodian and Annamite subjects. "If we yield that," Lemire argued, "we destroy the work of M. Pavie." M. Doumer, with all his understanding of the Siamese problem and sincere desire to conclude an agreement, could not achieve any success, and the cordial relations resulting from his visit to Bangkok served only as a good

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(1) F.O.69/196. Phya Suriya to Devawongse, July 7, 1899.

background for the later negotiations between the two countries.

On 28th September 1899 M. de France returned to Bangkok. It is surprising to find that he arrived there without any special instructions, and the registration and protégé questions were discussed in a most desultory way, so that nothing could be settled. The situation was very unsatisfactory for Siam and not very dignified for France. De France repeated his old terms with slight modifications which were not acceptable to the Siamese Government. Prince Devawongse sent a semi-official note to de France saying that it would be impossible to continue the negotiations on the basis proposed by him. The Russian Minister at Bangkok, M. Olarovsky, suggested a way out of this delicate situation. He advised Prince Devawongse that if his Government would grant a concession to M. Grevy, a French Engineer for water-works and sanitation in Bangkok, de France would at once modify his proposals.(1) But the Siamese Government refused to comply with the Russian Minister's suggestion and the negotiations went on.

By December 1899 de France came down from his high pedestal and was prepared to accept, with regard to the 25 km. zone, the Siamese view that they should have the civil administration of this territory. He was inclined to agree to

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(1) F.O.69/197. Greville to Salisbury, October 13, 1899.

the evacuation of Chantabun on condition that the Luang Prabang territory on the right bank of the Mekong should be given to France. He also suggested that all the French protégés should be under the jurisdiction of an International Court.(1) Even though both parties were nearer to an agreement, there remained some differences of opinion as to details which prevented the signing of a convention between Siam and France; and consequently, once again negotiations between the two countries came to a standstill. On 28th February 1900, de France in an interview with Prince Devawongse, said that as his Government could not accept the proposals of the Siamese Government he could not carry on the negotiations "which might, however, be reopened at a later date by someone else, who would be more fortunate and meet with better success." The negotiations between de France and Devawongse were then suspended. From the Siamese point of view, however, it was a distinct advance to have the French proposals reduced to writing at all.

After the departure of de France from Bangkok, the French Government did not show any willingness to deal with pending questions between France and Siam. Rolin Jaequemyns and Prince Devawongse shared the opinion that the French Government were purposely holding back from dealing with the pending

(1) F.O.69/197. Greville to Salisbury, December 20, 1899.

questions with Siam until a favourable opportunity occurred for pushing further claims. The demand by France for the cession of the Luang Prabang territory on the right bank of the Mekong was a clear proof that some advantage other than the mere fulfilment of treaty obligations by Siam was sought for in exchange for the evacuation of Chantabun.(1)

The new French Minister, M. Klobukowski, arrived in Bangkok on 14th September 1901 and resumed negotiations with the Siamese Government for a general settlement. He did not formulate any demands but concentrated at first on sounding Devawongse as to the arrangements which would be most acceptable to the Siamese Government. In the course of his conversations with Prince Devawongse, M. Klobukowski suggested the appointment of a joint commission to settle the boundaries of the Luang Prabang territory on the right bank of the Mekong. He asked for a French railway concession in the Korat plateau connecting with the French system and an exclusive sphere of influence for France in the Mekong Valley on similar lines to the Anglo-Siamese secret Malay Convention of 1897. He further suggested the employment of Frenchmen in Siamese services and in special technical education offices to be formed in Bangkok. In return Klobukowski offered the progressive

(1) On 6th December 1900 Devawongse informed Archer that it was indirectly suggested that the province of Siem-Reap should be ceded to France in return for the evacuation of Chantabun, but that he was indisposed to entertain the suggestion.

evacuation of Chantabun in the space of six months, and said he was prepared to abandon the 25 km. zone except for the prohibition of Siamese military defences. While expressing his wish to withdraw from Chantabun which was worthless to France either as a harbour or as a military post, Klobukowski declared that with due regard to public opinion, France could not abandon it without some arrangement with the Siamese Government that could be looked upon as in the nature of compensation for the discontinuance of an occupation which had already cost the French Government six million francs, without any equivalent advantage. He admitted that large numbers of Asiatics, through misinterpretation of the vaguely worded convention, had been registered who were not entitled to French papers, but he stated that since his arrival no new papers had been issued and many old ones had been cancelled. He was prepared to agree to the Siamese suggestion that registration in future should be regulated on the lines of the Anglo-Siamese agreement.(1)

Prince Devawongse assured the French Minister that the Siamese Government would be glad to avail itself of the services of French experts so soon as they were satisfied that France no longer harboured designs against Siam.

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(1) F.O.69/218. Archer to F.O., September 30, 1901. For the text of the Anglo-Siamese Agreement on Registration see Appendix.Vl.

Regarding commercial privileges in the Mekong Valley, the Siamese Government saw no objection to granting them, so long as France did not ask for exclusive privileges conflicting with the rights of other nations under the most favoured nation clause. Soon after explaining his proposals to the Siamese Government, the French Minister requested Mr. Archer, the British Consul-General in Bangkok, to advise it to endeavour to come to a friendly arrangement.(1) In spite of the Siamese anxiety for an agreement nothing could be achieved in Bangkok between Devawongse and Klobukowski.

The ever increasing demands and new proposals of the French Minister, however, had a very unfavourable reaction on the Siamese Government. The French policy of friendly assurances and aggressive actions was particularly disturbing. Prince Devawongse told Archer that Asiatics objected to being patted on the back and knocked on the head. On December 31 1901, the Siamese Minister in London requested the intervention of the British Foreign Secretary in transferring the Franco-Siamese negotiations from Bangkok to Paris, in view of the domineering attitude of the French Minister at Bangkok.

Mr. Reginald Tower, British Minister Plenipotentiary and Envoy Extraordinary to Siam, was convinced that France was

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(1) F.O.69/218. Archer to F.O., December 4-5, 1901. Klobukowski did not mention his proposals regarding the exclusive commercial privileges in the Mekong Valley to Archer.

specially anxious to arrive at a satisfactory conclusion of the long-standing controversy. He felt that the proposals put forward by Klobukowski which, he admitted to the King, he had not authority from his Government to press, showed that he was acting on the instructions of Doumer rather than as the representative of the Republic. Doumer's impending return to France in order to enter political life and his desire to achieve a triumph in the Far East for French colonial policy to use as an electoral card, prompted the French Government to expedite a settlement with Siam.(1) However, in August 1902 the Siamese Vice-Minister of the Interior, Phya Sri Sahadeb, was appointed as Special Envoy to visit Paris and London to settle existing difficulties with both Governments. Accompanied by M. C. Schlesser, a Belgian Legal Adviser to the Siamese Government, he reached Europe in September 1902. Reginald Tower and Klobukowski also left Bangkok for their respective countries at the same time, presumably to be on the spot while the final negotiations were proceeding.(2)

Soon after his arrival in Paris Sri Sahadeb entered into negotiations with Delcassé. Within a few weeks a treaty was signed on October 8 1902, by which Siam ceded the

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(1) F.O.69/227. Tower to Lansdowne, January 23, 1902.
(2) "Siam and the Powers" by XYZ, The Fortnightly Review, October 1, 1902.

provinces of Melamprey and Bassac, about 12,000 square miles in area, and in return France promised to evacute Chantabun. The French Government agreed to give up the 25 km. zone and allow Siam to keep troops within the zone along so much of the right bank of the Mekong as remained Siamese territory under the new treaty, provided the troops were Siamese. The Luang Prabang territory on the right bank of the Mekong would, under the new arrangement, fall to Siam, although it would remain under the immediate control of the Luang Prabang Chief, who would thus owe allegiance both to France and to Siam.

Phya Suriya, the Siamese Minister in Paris, called on Lord Lansdowne, who had succeeded Lord Salisbury as Foreign Secretary, in London on 23rd October 1902, and requested him not to publish the Secret Anglo-Siamese Convention of 1897 till the Franco-Siamese treaty was ratified. Lord Lansdowne took the opportunity to explain that the effect of the Franco-Siamese treaty was to place France in a position which would enable her in future effectually to dominate the central portion of Siam,(1) and that no concession which could be offered to Britain in the Malay Peninsula could have the effect of placing her in a corresponding position. Phya Suriya suggested a new agreement between Siam and Great Britain

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(1) Articles IV and VIII of the Franco-Siamese Convention of 1902 conferred exclusive privileges upon the French. For the text of the Convention see Appendix. Xl.

resembling as closely as possible the Franco-Siamese treaty and in substitution of the Secret Convention of 1897. But Lord Lansdowne was reluctant to accept any new arrangement which gave no more than they were already entitled to under the existing treaty.(1) The silence of the Franco-Siamese treaty with respect to the frontier line from the Great Lake (Tonlé Sap) to the sea was rather ominous. A note prepared by the Intelligence Department of the British Government on the Franco-Siamese Treaty of 1902 dated 17th October 1902 indicated that this silence might lead to further incidents and rectifications. It contained a warning that a large and influential body of French politicians had determined on the annexation of Siam as one of the primary aims of French policy in the Far East.(2) The Intelligence Department expected some trouble from the Colonial Party with regard to the ratification of the treaty. In proof of the correctness of these doubts, Delcassé asked for amendments in the treaty in several important particulars in view of the Colonial Party's opposition and pressed for further advantages for French subjects while the ratification of the treaty was hanging

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(1) F.O.69/226. Memorandum by Lansdowne, October 23, 1902.
(2) F.O.69/239. Intelligence Department to F.O., October 17, 1902.

fire.[1] When the treaty came before the Chamber of Deputies for ratification it was denounced by the Colonial Party with such violence that Delcassé was compelled to abandon it and to reopen negotiations with a view to extorting further concessions from the King of Siam. These negotiations were brought to a close on the 13th February 1904.

On that date a Convention was signed between France and Siam. It represented a distinct step in the direction advocated by the Colonial Party, for considerable Siamese territory was ceded to France. From a point on the Great Lake a line was drawn due north to the Prom Dang Rek range of mountains, which it then followed more or less closely up to the Mekong; it thus included the Provinces of Melonprey and Bassac in the French Empire. On the higher reaches of the Mekong the whole of the Luang Prabang territory on the right bank of the river was transferred to France. Although the 25 km. zone was to be abolished, yet the new Convention provided for the cession to France of territory at six points on the right bank of the river, where the French were to be authorised to establish commercial stations and river ports; and the Siamese undertook to join with the French in the execution of various works for improving the navigation of

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(1) F.O.69/232. Archer to F.O., November 14, 1902. Delcassé specially referred to the appointment of an Adviser in the Siamese Customs Department where a British Officer had just terminated his services.

the river. Thus the French obtained the great object of their ambition to convert the Mekong into a French river. The Siamese Government undertook to maintain in the provinces of Battambang and Siem-Reap only such police as might be necessary for the maintenance of order. This force, moreover, was to be recruited exclusively from natives of the provinces, and by a supplementary Agreement it was provided that they were to be commanded by officers of the French army. Article 7 of the Convention provided that if Siam desired to make any ports, canals or railways "notamment des chemins de fer destinés à relier la capitale à un point quelconque de ce bassin", she must come to an agreement with France, unless these works could be executed exclusively by Siamese engineers and with Siamese capital. This condition was also to apply to the actual working of such enterprises. The Siamese Government consented to the frontier between the Great Lake and the sea being drawn so as to include the Siamese port of Krat (Korat) in French territory. For all these concessions the French Government offered to Siam as compensation the evacuation of Chantabun, the abolition of the twenty-five kilometre zone along the right bank of the Mekong, and certain restrictions on the vexatious registration by French Consuls of Asiatics as French subjects, whereby they had been removed from the jurisdiction of the Siamese courts. But under

Article V the surrender of Chantabun was made conditional on the completion of an agreement to delimit the frontier between the Great Lake and the sea, and was not to be carried out until the French authorities had been officially notified that the territory resulting from that delimitation and those which were to be ceded under the Convention had actually been placed at their disposal.(1) Even then, according to a well-informed writer in the Morning Post, March 30, 1904, the provisions of the Convention did not satisfy the Committee of Foreign Affairs to which, in accordance with French constitutional practice, it was referred. They were very far from satisfying the more active spirits of the Colonial Party. The dream of the French Colonial Party for the eventual absorption of Siam into the French Indo-Chinese Empire was shattered finally by the Anglo-French Entente of 1904, by which the independence and integrity of the Menam Valley was guaranteed once again by Britain and France. The French Government had to content itself with the 100,000 square miles of territory which it had by such dubious means managed to squeeze out of Siam during the preceding decade.

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(1) Chantabun was finally evacuated by the French garrison only in 1909.

Entente Cordiale, 1904.

The 1896 Anglo-French Agreement regarding Siam was a definite contribution towards easing the tension between England and France in the Indo-Chinese Peninsula. Subsequently there arose many problems which threatened friendly relations between the two Powers. But during that period Great Britain deliberately kept the Siamese question in the background[1] because of far graver questions in the other parts of the world. We should bear in mind that it was only one of some six outstanding questions between England and France during the latter half of the nineteenth century. These were Morocco, Siam, Sakoto, Newfoundland, the New Hebrides and Egypt. In the first three places the French wanted various things which the British had in their power; in the latter places the situation was reversed and the British depended to a greater extent on the goodwill of France. In such a complicated situation Siam would naturally play a somewhat insignificant part in a general Anglo-French Agreement.

In these circumstances it is not possible to deal with Anglo-French relations with Siam after 1896 exclusively.

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(1) For a considerable period the British Government did not even replace its Minister in Bangkok. Even though the acting official was a very able man, he had not the rank or consequently the influence of a Minister. Reginald Tower was appointed as Envoy Extraordinary and Minister Plenipotentiary at Bangkok in December 1901.

So, before finally considering the position of Siam in the 1904 Anglo-French Entente Cordiale, by which a general agreement was reached between the two Powers regarding all their existing differences, it is essential to review the circumstances that led to the Entente. In 1898 the relations between England and France were more strained than they had been since 1840 because of Marchand's Mission to Fashoda in the Upper Nile basin. There was acute tension for some five or six weeks between the two Governments, but finally on 4th November 1898 the French Government agreed to evacuate Fashoda. The failure of the Marchand Mission at Fashoda resulted not only in the evacuation by France of that disputed territory, but also in the transference of the French portfolio of Foreign Affairs from M. Hanotaux to M. Delcassé. Delcassé, who was to guide French policy for seven eventful years through five successive governments from 1898 to 1905, made up his mind from the first to bring England and France into an effective accord. While the Fashoda incident was going on, he said to a friend in the Quai d'Orsay, "I do not want to leave this place without having established a good entente with England."(1) In a conversation with Sir E. Monson, the British Ambassador in Paris, on 28th September 1898, the French Foreign Minister reiterated that it was the desire of

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(1) Kennedy, A.L., Old Diplomacy and New, 1876-1922, p.192.

his Government to make a friend of England, and stated that he would much prefer an Anglo-French to a Franco-Russian alliance. He pleaded "You surely would not break with us, over Fashoda?"(1)

In November 1898 Delcassé chose with wise prescience a statesman of his own views, M. Paul Cambon, to fill the French Embassy in London, which Baron de Coursel was vacating. M. Cambon was described by Delcassé to Monson as an Ambassador notoriously most friendly and inspired with the best disposition towards England.(2) Cambon's first task was to negotiate with Lord Salisbury the delimitation of their respective boundaries in North Africa. The work went quickly and smoothly, for Salisbury knew his own mind. By the spring of 1899 this agreement was signed. Then Cambon suggested to Salisbury that there were several other matters which might be settled in an equally friendly spirit. Lord Salisbury expressed his confidence in Delcassé and the then French Government, but he thought that in a few months' time, they would probably be overturned and their successors would make a point of doing exactly the contrary of what they had done. He shook his head and smiled: "No, we must wait a bit."

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(1) G.P. Gooch and Harold Temperley, British Documents on the Origins of the War, 1898-1914, Vol.I, p.171.
(2) The Letters of Queen Victoria, (Third Series), Vol.III, p.283.

"C'est de l'utopie!" [1] was his remark.

In October 1900 Lord Salisbury relinquished the Foreign Office in favour of Lord Lansdowne, and finally resigned his Premiership on 11th July 1902. [2] Soon after Lansdowne took the Foreign Seal Cambon reopened with him the question of a rapprochement. But for the time being the prospect of an Anglo-German agreement forbade any discussion with France.

In the meantime two important events took place in France and England. In February 1899 in France, President Faure died suddenly and M. Loubet, "a simple, sincere sort of man", succeeded him. In England on 22nd January 1901 Queen Victoria passed away and was succeeded by King Edward VII, who was a good friend of France. King Edward announced his accession by means of specially accredited missions to his fellow sovereigns in Europe. Earl Carrington (afterwards the Marquis of Lincolnshire) was selected for France, Spain andPortugal. In Paris both President Loubet and M. Delcassé pressed him to let the King know that France was anxious for a good understandingandDelcassé begged him to assure the

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(1) The Times, December 22, 1920.

(2) There were rumours that the resignation was the culmination of a serious difference with King Edward VII respecting the aims and methods of British foreign policy, and the King's views of what should be Britain's relations with Germany and France were opposed to those of the Prime Minister. Whatever the cause, the sudden resignation occasioned great surprise. Lord Salisbury died at Hatfield on 22nd August 1903.

King that no effort would be spared on his part to foster and maintain happy relations between France and England. On 20th March 1901 at the State dinner, the President of the Republic told Lord Carrington "I and my Ministers would consider it a crime if anyone, I care not who, were to make mischief between France and England. Please tell your King this, and say I said so."[1] Both the King and Lord Landsdowne were impressed by the pregnant words of Loubet and Delcassé, and though for the moment nothing followed, they were remembered a few months later, when efforts to secure an Anglo-German understanding proved fruitless.

Credit should go to Mr. (afterwards Sir) Thomas Barclay, former President of the British Chamber of Commerce in Paris, for throwing out the first suggestion of a rapprochement between England and France. Barclay made his proposal for an arbitration treaty between England and France in the basement of a Paris district town hall, in the presence of some fifteen members of the French Arbitration Society. He spoke in favour of obligatory arbitration on all matters. The proposal was well received in both capitals. Lord Lansdowne, in a letter to Barclay on May 20, 1902, expressed his concurrence in the belief that whatever might be the ultimate fate of the proposal, its discussion in a friendly spirit could do nothing

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(1) Sir Sydney Lee, King Edward VII, A Biography, Vol.II,p.14.

but good. Barclay showed Lansdowne's letter to Delcassé, who then and there instructed Cambon in accordance with the feeling expressed in it.

Before considering further developments in Anglo-French understanding, it is essential to note the significant change in British foreign policy with the departure of Lord Salisbury from the political scene. The disposition of the great Powers of Europe at the beginning of 1902 was mainly conditioned by the two sets of alliances, the Triple Alliance of Germany, Austria and Italy, and the Dual Alliance of Russia and France. On 30th January 1902 the Anglo-Japanese Treaty was signed in London. It had great historical significance. It was not only the first breach with the policy of 'splendid' isolation which Great Britain had maintained for well nigh fifty years, but it also initiated a new policy of combination which rapidly developed. In February 1902 King Edward definitely relinquished the idea of an Anglo-German understanding, and turned his attention to the establishment of an entente cordiale with France. The end of the Boer War in 1902 gave the British Government a better chance to devote more time to the achievement of a general understanding with France.

On 28th February 1902 M. Cambon mentioned to Lord Lansdowne the subjects on which he would like to negotiate

an agreement. King Edward and the Prince of Wales (afterwards King George V) showed so much interest in Cambon's proposals that he felt that with patience and goodwill a general agreement ought to be possible. On 6th August 1902, Cambon made overtures to Lansdowne for an understanding with regard to Siam. He considered that the effect of the treaty of 1896 had been to assign to France and Great Britain respectively spheres of influence in those parts of Siam which were not included within the region guaranteed by the Anglo-French declaration, and he suggested that each Power might well recognise the privileged position of the other within the zone of territory which adjoined its own possessions.(1) He mentioned that it might be done without any attempt to convert those zones of influence into zones of actual occupation. He further suggested that the two Powers might further agree to extend the guarantee of the Menam Valley in such a manner as to make it a matter of common interest for both to exclude any third Power from intervention within the area covered by the 1896 agreement. The British Government was willing to examine the proposals in a friendly spirit, and to discuss with the French Government the possibility of arriving at some arrangement. In the meantime, however, the French Government had entered into a convention with Siam which at

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(1) F.O.69/239. Memo by Lansdowne, October 21, 1902.

certain points encroached upon the treaty rights of Great Britain and placed France in a privileged position which would enable her to dominate the central portion of the Siamese kingdom. Cambon told Lansdowne that his Government would acquiesce in and agree to respect arrangements made on the British side with Siam in reference to those portions of Siam in which Great Britain was most concerned, provided the British Government acquiesced in the new Franco-Siamese convention. Even though Lord Lansdowne was tempted by the suggestion and was prepared to consider its application at the proper time, nothing happened just then, as the Franco-Siamese convention of 1902 was not ratified by the French Chamber of Deputies.

While the ground was being prepared for negotiations between England and France, King Edward paid a state visit to Paris on 1st May 1903. He completely won the hearts of Parisians immediately. Some time afterwards Cambon, when speaking of the Anglo-French Entente of 1904, said that King Edward's visit to Paris really made the entente possible. "Without him," Cambon affirmed, "the Entente might never have been made and the world today might be at the feet of Germany."(1) On 2nd May, at a state banquet at the Elysée, King Edward said in reply to M. Loubet, "our great desire is

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(1) The Times, December 22, 1920.

that we may march together in the path of civilisation and peace."

By the time of the King's visit to Paris, the popular support given to the movement for an arbitration treaty was overwhelming. On 19th May 1903 Paul Cambon mentioned to Lansdowne the matter of a permanent treaty of arbitration between the two countries. He said that there was a group of no less than 200 Deputies in the French Parliament in favour of the project, and that the group was headed by Baron d'Estournelles, who was a good friend of England. D'Estournelles, formed a group in the French Parliament for the purpose of making serious efforts to promote peace whether by arbitration or by conciliation. This information was received in British political and commercial circles most favourably, and the Commercial Committee of the House of Commons invited the French parliamentarians to London for an interchange of thought on matters of deep interest for their mutual benefit,(1) and on July 23, 1903, Baron d'Estournelles addressed this Committee in the House. On 14th October 1903 the Treaty of Arbitration between Great Britain and France was signed and the first step in a new period in the history of Anglo-French relations was taken.

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(1) Sir Thomas Barclay, Thirty Years: Anglo French Reminiscences (1876-1906), p.214.

On 6th July 1903, to return the King's visit to Paris, President Loubet accompanied by M. Delcassé, arrived in London for four days. M. Emile Loubet was the delight of all who met him in London. His beaming ruddy face, his pleasant smile and his cheery manner made him a great favourite and it amused others to see his amusement. M. Delcassé's presence in London afforded the British Government the opportunity for a full and frank exchange of ideas on political matters. On 7th July Delcassé called upon Lansdowne. He expressed his agreement with the view that points at issue between the two governments were few and by no means incapable of adjustment. He made it plain that the French Government had ceased to desire a wide extension of their colonial possessions and were intent, not upon adding to them, but upon consolidating them, and removing all sources of future trouble with them and upon their borders. While talking about Siam, Delcassé observed that the position of France and Great Britain had virtually been determined by the Agreement of 1896, which involved the recognition of the claims of France in the Mekong Valley and of Great Britain in the Malay Peninsula. Lansdowne reminded Delcassé that Lord Salisbury had expressly guarded himself against such an interpretation of the Agreement. But he felt that there was no resisting the conclusion that the two Powers, when they guaranteed the centre of Siam,

had by implication admitted that they were free to deal with the external portions of the Kingdom.(1)

Soon after the preliminary discussions had taken place between the two Foreign Ministers on the general outline of a treaty of amity, the complex interests involved were discussed in detail by Cambon and Lansdowne. On July 29, 1903, Cambon placed before Lansdowne the details of a general agreement as envisaged by Delcassé. His ideas regarding Siam might be summed up thus: The Convention of 1896 ought to be maintained in regard to the basin of the river Menam. British influence would be recognised on the western and French influence on the eastern sides of the basin of Menam. Although the British sphere would, under such a division, be less extensive than the French, the former would be distinctly more valuable in respect of the richness of its soil, its mineral wealth and the strategic positions which it afforded. Lord Lansdowne, in a private and confidential note to Cambon on October 1 1903, expressed his Government's concurrence with Delcassé's suggestions. He suggested that the declaration of 1896 would accordingly be supplemented by a further declaration to the effect that, while both parties disclaimed all idea of annexing Siamese territory, or encroaching in any respect upon existing treaty rights, the action of France

(1) British Documents: op.cit. II, p.296, Lansdowne to Monson, July 7, 1903.

would, as far as Great Britain was concerned, be unfettered within the sphere of French influence, and that within the sphere of British influence the action of Great Britain would, as far as France was concerned, be equally unfettered.(1) Even though an understanding was reached between the two Governments regarding Siam in October 1903, the formal declaration had to wait till April 1904, as the questions of Morocco and Egypt provided unending complications before final agreement was reached.

On 8th April 1904 Lord Lansdowne and M. Paul Cambon signed the Anglo-French Entente Cordiale in London. The result of the negotiations ultimately issued in three separate Conventions, which though of different significance, comprised a single diplomatic instrument. One agreement dealt with Anglo-French interests in Newfoundland and West Africa, another with those in Egypt and Morocco, and a third with those in Siam, Madagascar and the New Hebrides.

Lord Lansdowne explained the Entente with France in a despatch to Sir E. Monson on 8th April 1904. On the subject of the declaration regarding Siam, he referred to the 1896 agreement between England and France by which both Powers undertook to refrain from any armed intervention, or the acquisition of special privileges, in the Siamese possessions

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(1) Ibid II, p.315, Lansdowne to Cambon, October 1 1903.

which were included within the basin of the Menam river. "It was explained by my predecessor", Lansdowne went on, "that the restriction of the undertaking thus given did not imply any doubts as to the validity of the Siamese title to those portions of her possession which lay outside the Menam Valley." But the 1904 agreement virtually accepted the interpretation which Lord Salisbury had taken such pains to disclaim. Yet, it is difficult to understand Lansdowne's assertion that the British Government adhered to Lord Salisbury's view. Moreover, the agreement whittled down the territories which were to be secured from invasion, and excluded from the spheres of influence the Menam basin only.[1] Still it was quaintly described as "completing Lord Salisbury's arrangements". In an editorial article in Blackwood's

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(1) Under 1896 Agreement the territory which both Powers undertook not to invade was not merely the basin of the Menam river, but "the region which is comprised in the basins of the Patcha Bowie, Meiklong Menam and Bang Pakong (Petriou) rivers and respective tributaries, together with the extent of coast from Muong-Bang Tapan to Muong Pase, the basins of the other rivers on which those two places are situated, and the basins of the other rivers, the estuaries of which are included also the territory lying to the north of the basin of the Menam, and situated between the Anglo-Siamese frontier and the Mekong River."

Magazine, May 1904, under the caption "Siam's place in the Anglo-French Agreement", the editor wrote "it completes the arrangements made for maintaining the independence of Siam by completely depriving her of all independence on either side of the Menam basin."

But Lord Lansdowne maintained that in point of fact, British influence had for some time past prevailed in the western, and French influence in the eastern portions of the Siamese dominions. The agreements which were entered into with Siam by the British Government as to the Malay Peninsula, and by the French Government as to the Mekong Valley, proved that the two Powers had in each case considered themselves at liberty to acquire respectively a preponderating influence in those parts of the Siamese Empire. The exercise of such influence, according to Lansdowne, was compatible with the absence of all idea of annexing Siamese territory, and in order that this might be made abundantly clear, both parties to the convention placed it on record that neither of them desired to take for themselves any portion of the possessions of the King of Siam and that both would maintain the obligations which they had incurred under existing treaties.(1)

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(1) British Documents, op. cit. II, p.372. Lansdowne to Monson, April 8 1904. For the text of the 1904 Anglo-French Convention concerning Siam see Appendix.VII.

Lord Lansdowne's assertion that the British Government adhered in their agreement with France in 1904, to Lord Salisbury's view respecting the rights of the King of Siam over the territories outside the Menam basin, is misleading. But undoubtedly events had moved since 1896, and it would have been almost impossible for Lansdowne to have adhered to the spirit of Salisbury's declaration with regard to the rights of Siam. As the settlement of the Siamese question formed only a part of a bigger bargain between England and France, Lansdowne had to accept the French interpretation of the 1896 Agreement to facilitate a general settlement regarding the other more important matters. The British Government secured their commercial interests in Siam by the 1896 Agreement with France, and their territorial interests in the Malay Peninsula by the 1897 Secret Convention with Siam, and subsequently they showed little interest in Siamese affairs. The 1904 Entente did not bring any special advantage to Britain as far as Siam was concerned: France gained more. As all doubts regarding the territory on the east and northeast of the Menam basin were removed by the British acceptance of the French exclusive sphere of influence there, they managed to annex all that territory without a protest from Britain. In view of the French Colonial Party's activities and French claims in that region, we could have wished that England had

not been made to appear as aiding, abetting and sharing in what was characterised as a somewhat arbitrary use of force majeure on the part of France.

Although the 1904 Agreement really ended France's colonial expansion, it confirmed Siamese apprehensions regarding the fate of the territories outside the area guaranteed in 1896. Definitely the 1904 agreement was a blow to Siamese aspirations, but in a way it helped to make them realise their position outside the guaranteed area, by removing all ambiguity. Still, the only consolation was that Siam, though stripped of much of her territory - maintained her much-cherished independence. The unique position of Siam as the only country in south east Asia to remain a sovereign state when the whole of that area was being deprived of its independent existence was achieved by the shrewdness and foresightedness of the Siamese. Her strategic position between the British and French Empires in the Far East was of great assistance to her in retaining her independence. The Siamese policy of employing foreign advisers and experts to run their Government after their first contact with Westerners, contributed most of all to the stability of that Government in the face of the ambitions and intrigues of foreign Powers. Other notable factors were the attitudes of Maha Mongkut and Chulalongkorn and their able Advisers and Ministers of

whom special mention must be made; of Prince Devawongse, who as the Foreign Minister of Siam during the most critical period of the Siamese history, steered the ship of state safely through the formidable dangers which might easily have overwhelmed it.

CHAPTER VIII.

EXTRA-TERRITORIALITY.

The first Europeans to arrive in Siam in any considerable number were the Portuguese, during the early part of the sixteenth century. They were followed, after a long interval, by the Dutch, and in the early part of the seventeenth century the English appeared on the Siamese scene, while the French did not arrive till about 1662. There were also during the seventeenth century, considerable groups of Asiatic peoples; Armenians, Persians, Indians, Malays and others, living in Siam for commercial purposes. As a great number of foreigners visited Siam for trade, the state of the law and of the administration of justice became a matter about which they were extremely sensitive. No doubt during the seventeenth century Siam's legal institutions were of primitive nature, and foreign governments considered it to be a logical and simple expedient upon which to base trade relations with Siam, to exercise extra-territorial jurisdiction over their subjects. By this arrangement foreigners living in Siam were exempted from the jurisdiction of the local authority and placed under the jurisdiction of the representatives of their respective countries. But with time the system became increasingly burdensome to Siam, and the number of foreigners, originally European, but during the latter half of the nineteenth century, preponderantly Asiatic, affected by it, had grown

to considerable proportions. The reorganisation of law and the courts in Siam after 1855 and especially after the reorganisation of the Ministry of Justice in 1892 resulted, in many instances, in a progressive amelioration of the regime of extra-territoriality. A review of the system of jurisdiction over special groups of foreigners in Siam is not without interest to our study.

During the seventeenth century, various national groups were permitted to live in "camps" in Siam, over each of which was placed a "captain"chosen by his own people with the approval of the King. This captain was the judge in all differences among his nationals, but was responsible for all his actions to a Siamese official designated for that purpose. The captain, or as he was sometimes called, the "amphur" (the title of a subordinate Siamese administrative official at the present time) seems to have been subject in all respects to Siamese jurisdiction, and indeed, although a foreigner, he was regarded as a Siamese functionary having no official relation to the Government of his own country.(1)

The earliest treaty containing reference to jurisdiction was signed between Siam and the Dutch East India Company at

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(1) Eldon R. James, "Jurisdiction over Foreigners in Siam", The American Journal of International Law, Vol.16, 1922, pp.585-603.
Most of the material for this chapter is taken from Mr. Eldon James's article. He was the Adviser in Foreign Affairs to the Siamese Government in 1922.

Ayuthia, the ancient capital of Siam, on August 22 1664. This treaty provided that, should any of the Company's servants commit a grave crime in Siam, neither the King nor the Siamese Courts should judge him, but he must be delivered to the Company's chief to be punished according to Dutch law. If the chief himself committed a capital crime he was to be kept under arrest by the King until notice had been given to the Governor-General. Dutch traders were thus exempted from Siamese jurisdiction and this exemption extended even to crimes against the Siamese themselves.(1) The Dutch treaty with Siam is a typical example of the way in which Europeans wanted to be treated, not only in Siam, but throughout the East.

On December 10, 1685, M. de Chaumont, special envoy of Louis XIV to the King of Siam, entered into a treaty which dealt exclusively with matters of religion. By this treaty missionaries were granted the privilege of preaching Christianity in Siam. The French request, that in order to avoid any attempt at the persecution of converts, a qualified Siamese "mandarin" might be appointed to hear and judge all such cases, was granted, but with the qualification that the Mandarin must refer such matters to one of the judges of the King before passing sentence. It was also agreed

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~~(1) John Anderson, English Intercourse with Siam in the Seventeenth Century, p,~~

(1) State Papers of Siam.

that if the missionaries did not transgress the privileges conferred upon them by the treaty, their affairs should be judged by a mandarin presented by the bishop but appointed by the King.[1] On December 11 1685, a commercial treaty was executed by the Siamese and the French plenipotentiary. This treaty contained a request that the French servants of the Compagnie des Indes Orientales as well as French people not connected with the Company and who were not in the service of the King, might be judged as to disputes among themselves by the Captain of the Company, who was also to have authority to punish any of the French guilty of theft. The King granted this request. It was provided that if any one of the parties were not satisfied with the judgement of the Captain and should request that justice be done by the King's Ministers, the execution of the judgement should be stayed until the King of France had been informed and had given directions. If any of the servants of the Company should commit any act worthy of judicial consideration, whether civil or criminal, against anyone not French, the French Captain was to sit with the Siamese judges to determine the case according to the laws of Siam. The King expressed the belief, however, that it would be better if a French judge should be appointed as that would relieve the officers of the Company of a burden

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(1) Ibid.

which might interfere with their commercial duties.[1]

The provisions of the above treaty were not completely satisfactory to France, and in 1687 another embassy headed by MM. de la Loubère and Ceberet was sent to Siam. This mission negotiated a treaty which was signed at Lopburi on December 11 1687. According to its provisions the principal officer of the Company was given full jurisdiction in all disputes, both civil and criminal, in which only individuals in the Company's service were involved, whether French or of any other nationality. If one of the parties was not in the service of the Company the jurisdiction remained with the King of Siam, but the principal officer of the Company was to have the right to sit in the Court and to have a definite voice in the determination of the case, after taking an oath to judge according to right and justice.

On June 20 1826, Captain Burney on behalf of the Indian Government entered into a treaty with Siam. It provided that English and Siamese when in the country of the other, must conduct themselves according to the established laws of that country, in every particular.[2] On April 18 1855, Sir John Bowring concluded a treaty with the Siamese Government which remained for many years the model for all other foreign

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(1) This treaty was not published. Journal of the Siam Society, Vol.14, Part 2, pp. 23, 30.
(2) British and Foreign State Papers, Vol.23, p;1153.

countries to follow. This was the first treaty in which extra-territoriality was clearly assumed by the British Government. Even though the treaties of the seventeenth century undoubtedly contained the germs of an extra-territorial system they had long since become obsolete and inoperative, and in 1855 extra-territoriality was practically unknown to Siamese law.(1) But the Bowring treaty re-established the system on a firmer basis. Article 11 of the Anglo-Siamese treaty of 1855 reads thus:

"The interests of all British subjects coming to Siam shall be placed under the regulation and control of a Consul, who will be appointed to reside at Bangkok ..... Any dispute arising between Siamese and British subjects shall be heard and determined by the Consul, in conjunction with the proper Siamese officers; and criminal offences will be punished in the case of English offenders, by the Consul according to English laws, and in the case of Siamese offenders by their own laws through the Siamese authorities. But the Consul shall not interfere in any matters referring solely to Siamese; neither will the Siamese authorities interfere in

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(1) Even though the treaties became obsolete and inoperative still groups of foreigners lived in Siam, enjoying all privileges by private favours from the King. In Asian countries during 17th and 18th centuries it was incumbent on every country to renew their treaties whenever there was a change in succession to the throne. Anybody could secure favours or privileges by simply offering presents to the King.

questions which concern only the subjects of Her Britannic Majesty."

In January 1856 the British Government felt that additional negotiation was desirable on a number of matters with the Siamese Government. Mr. Harry Parkes was entrusted with this task and one of the questions was a clearer definition of the exclusive jurisdiction of the British Consul in Bangkok. During his negotiations with the Siamese Commissioners Parkes found that they had in mind that the Siamese authorities should have some sort of concurrent jurisdiction with the Consul. As the Siamese courts were very rudely organised and their mode of procedure according to their own admission was more partial and irregular, Parkes felt that the ideas of the Commissioners were neither clear nor satisfactory. But he finally succeeded in inducing them to agree to the exercise by the Consul of sole criminal and civil jurisdiction over British subjects in Siam.(1) On May 13 1856 an agreement supplementary to the treaty of 1855 was executed in which were made certain explanations and amplifications of the provisions of that treaty. By article 11 of this agreement, it was established: "That all criminal and civil cases in which both parties are British subjects or in which the defendant is a British subject, shall be tried and

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(1) F.O.69/5. Parkes to F.O., May 22 1856.

determined by the British Consul alone. That whenever a British subject has to complain against a Siamese he must make his complaint through the British Consul, who will lay it before the proper Siamese authorities. That in all cases in which British or Siamese subjects are interested, the Siamese authorities in the one case, and the British Consul in the other, shall be at liberty to attend at, and listen to the investigation of the case; and copies of the proceedings will be furnished from time to time or whenever desired, to the Consul or the Siamese authorities until the case is concluded. That although the Siamese may interfere so far with British subjects as to call upon the Consul ... to punish grave offences when committed by British subjects, it is agreed that British subjects, their persons, houses, premises, lands, ships or property of any kind shall not be seized, injured or in anyway interfered with by the Siamese." The Bowring treaty and the supplementary agreement furnished the model for all treaties negotiated between Siam and various other foreign countries regarding Consular jurisdiction up to 1876. (1)

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(1) Siam entered into treaties containing extra-territorial jurisdiction on the model of the Bowring treaty with:

United States of America . .	May 29, 1856
France	August 15, 1856
Denmark	May 21, 1858
The Hanseatic Republic (unpublished) .	October 25,1858
Portugal	February 10, 1859

(cont.)

The question of jurisdiction over the Siamese in the employ of foreigners created some trouble between the Siamese authorities and the foreign Consuls in Bangkok. Article III of the British treaty with Siam provided that if Siamese in the employ of British subjects, offended against the laws of their country they should be searched for and upon proof of their guilt, given up by the Consul to the Siamese authorities According to the French treaty Siamese in the employ of French subjects should enjoy the same protection as Frenchmen themselves until convicted of any offence against Siamese law, when they would be handed over by the Consul to the local authorities. In spite of these treaty provisions, the Siamese authorities in 1856 committed two open infractions thereof about which the British Consul protested to the Siamese Foreign Minister. In one case, Kru Seng, a Siamese writer in the employ of the British Consul, was arrested and punished so cruelly that he died. In another case Aifung, a Siamese foreman working for a British subject, was seized and put in irons by the Siamese authorities instead of at their request

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The Netherlands	December 17, 1860
Prussia	February 7, 1862
Sweden and Norway	May 18, 1868
Belgium	August 29, 1868
Italy	October 3, 1868
Austria-Hungary	May 17, 1869
Spain	February, 1870

by the Consul, whose duty it was to investigate all charges brought against Siamese in the employ of British subjects, and then after conviction to hand over the guilty party to be punished by a local tribunal. As a result of the British Consul's interview with the Foreign Minister, Aifung was sent down to the British Consulate within two hours.(1)

In a joint memorandum dated October 3 1856 to the King regarding these infractions of the treaty stipulations, the three Consuls representing Great Britain, America and France and the Commander of the British ship Saracen mentioned that they considered the persons and property of foreigners resident in the Siamese dominions unsafe as long as the third article of the British treaty, which they had looked upon as the foundation of their liberties, was thus utterly ignored and set at nought. The memorandum maintained that the treaty was worth little "if the plainest rules of verbal construction and facts which were patent to the senses of all" were to be disregarded at the will of either of the contracting parties. They entreated the King to banish from his presence all councillors "who would make light of the sacred obligations of the Royal word and to choose those only, who would seek to build up the Siamese kingdom upon the sure

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(1) F.O.69/4. Hillier to F.O., October 4 1856.

foundations of truth, justice and mercy."[1]

On April 29, 1857 the Foreign Minister of Siam addressed a letter to the three Consuls asking for clarification of some of the matters of jurisdiction. He explained the difficulty with which the Siamese authorities were confronted when dealing with foreign nationals, Siamese servants of whom violated Siamese law. If they followed the rule that the Consuls must be first informed before arresting such people, the criminals would make their escape and when seized and the Consuls were informed it might be said that hired servants had been caught without previous information, and that treaty rights were violated. To this problem the British Consul gave the definite answer, that all Siamese servants employed by foreigners and doing what was contrary to the laws of Siam were under Siamese rule entirely. Should they be caught in the streets offending against the laws, the Siamese should seize them, and upon finding out in whose service they were, should immediately take them to the Consul of the nation to which the master belonged and report the cause of arrest.[2] As the Siamese Government was not well informed about international laws and obligations there were some misunderstanding during the first year or two after signature of the treaty.

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(1) F.O.69/4. Joint letter addressed by Consuls for Great Britain, America and France to the King of Siam, October 3, 1856.

(2) F.O.69/7. Gingell to the Siamese Foreign Minister, May 8, 1851.

On August 8 1857, King Maha Mongkut in a letter to the Earl of Clarendon, British Foreign Secretary, wrote "there are many things which are not well understood by us regarding several clauses in the treaty and its explanatory or commentary agreement and moreover in code of International laws which we have just tested by partly audience from conversation of certain bodies come from enlightened nations ..."(1)

During the formative stages of the consular jurisdiction in Siam a ticklish question had to be tackled by the Law Officers of the Crown in London. Sir R. Schomburgk, British Consul in Siam, asked the Foreign Office on January 11 1858, how he should protect himself from insult when presiding over his Consular Court. Even though, under the Order-in-Council of July 28 1856, the judge of a Court was given the power to commit for trial or to fine for contempt, the Foreign Office, after consulting the Law Officers, advised Schomburgk that this power should never be resorted to except in cases of absolute necessity. Even when the judge was openly insulted or the business of the Court and the administration of justice interrupted by violent or disorderly conduct, which could only be repressed by the prompt exercise of this extreme authority, the Consul was instructed to act with the greatest caution, moderation and forbearance.(2)

(1) F.O.69/9. Maha Mongkut to Clarendon, August 8, 1857.
(2) F.O.69/10. F.O. to Schomburgk, July 13, 1858.

The question of the procedure to be adopted in the British Consular Court in a case where a French subject had a complaint to prefer against a British subject, led to a large amount of correspondence between the French and the British Consuls in Bangkok. The French Consul insisted that his statement must be accepted as a substitute for the sworn accusation of the aggrieved person in a British Consular Court, where information upon oath was required by English law as generally admitted in that Court in Bangkok. The British Foreign Secretary, after consulting the Law Officers of the Crown, endorsed the British Consul's stand that the foreign subject, who was the plaintiff in an action or suit in a British Consular Court, must submit himself to the laws and procedure which prevailed in that Court.(1)

The process of modifying the extra-territorial system established by the Bowring treaty began in 1874 when the first changes in the régime of extra-territoriality were made. The growing number of British Indian and Burmese subjects in the north of Siam, where a British Consul was available only after a long and difficult journey to Bangkok more than five hundred miles to the south, soon made some special arrangements for such persons necessary. On January 11 1874, four years after the last treaty of the Bowring type had been

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(1) F.O.69/36. F.O. to Knox, August 3, 1865.

entered into, a treaty between Siam and the Government of India was signed at Calcutta, which provided for a special régime for British Indian and Burmese subjects in the three northern provinces of Chiengmai, Lakhon and Lampoonchi. As the treaty had for one of its purposes the prevention and punishment of crime committed along the borders, chiefly dacoity, provision was made for the establishment of guard stations on Siamese territory, and for a mutual surrender of fugitives. If dacoity was committed in the three Siamese provinces and the perpetrators fled into British territory, the British authorities were to use their best endeavours to apprehend them and, if Siamese, they were to be delivered to the Siamese authorities. If British, they were to be dealt with by the British authorities. A corresponding arrangement was made in cases of dacoity in British territory if dacoits fled into Siam; the important provision was, however, that if any persons were apprehended in the territory in which the dacoity had been committed, they were to be tried and punished by the local courts without question as to their nationality. Passports were required for Siamese going into British territory and for British subjects going into Siam from British Burma. British Indian subjects entering the three Siamese provinces without passports were liable to the local courts, and the local law for offences committed by them

on Siamese territory, but if provided with passports, they were to be dealt with according to English law by the Consul at Bangkok, or by the British officer in the Yonzalin district in Burma, who was authorised, subject to the conditions of the treaty, to exercise all or any of the powers of a British Consul under the treaty of 1855 and the supplementary agreement of 1856.(1)

The arrangements made in the 1874 treaty for the disposition of civil disputes had great historical significance, for in them is found the germ of those International Courts which figure so largely in the later British treaties of 1883 and 1909, and in the French treaty of 1907. The King of Siam agreed to appoint proper persons to be judges in Chiengmai with the power to investigate and decide claims arising between British and Siamese in the three provinces of Chiengmai, Lakhon and Lampoonchi; but in the case of claims by Siamese against British subjects holding passports, the judges were to have jurisdiction only when such British subjects consented. Claims of Siamese against British subjects not consenting to the jurisdiction of the judges were to be investigated and decided either by the Consul at Bangkok or the officer in the Yonzalin district in Burma. All claims by Siamese against British subjects not holding passports were to be decided by the ordinary local courts.

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(1) State Papers, Vol.66, p.537.

These limited arrangements continued for nine years. On September 3 1883 the treaty of 1874 was abrogated by a new treaty with the British Government, which provided for a British Consulate at Chiengmai and brought into existence a new system of jurisdiction for all British subjects resorting to Chiengmai, Lakhon and Lampoonchi.(1) Many of the provisions of the 1874 treaty were retained, but the jurisdiction of the Court established by that treaty was extended so that all British subjects in those provinces, in both civil and criminal matters and without distinction as to race and place of origin or the possession of passports, were placed under the jurisdiction of a special Siamese Court, in the later treaties called the International Court, in which Siamese law was to be applied. Article VIII of the treaty of 1883 dealt with the trial of cases in which British subjects were concerned and Article IX with the appeals in such cases.(2) By

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(1) State Papers, Vol.74, p.78.
The British Foreign Office felt that the exercise by the Indian Government of extra-territorial jurisdiction by means of British Consular officers in the pay of the Government of India was much to be deprecated. The Foreign Office decided that the British Consul to be appointed at Chiengmai should be under the control of the British Agent and Consul-General at Bangkok. They insisted that with respect to the 1874 treaty the Government of India had no power to enter into a separate treaty with Siam, and so the new treaty concerning Chiengmai (1883) was signed between the British Government and the Siamese Government.

(2) For the text of Articles VIII and IX of the Anglo-Siamese treaty of 1883 see Appendix.VIII.

this treaty, which was to continue in force for seven years from the exchange of ratifications and from year to year thereafter, all British subjects in specified provinces were placed under the jurisdiction of a Siamese Court, administering Siamese law. But justice was effectively secured by the provision that the British Consul was entitled to be present at the trial; that he might make suggestions to the judge which he might think proper in the interests of justice; and that also if he considered proper he might remove a case where a British subject was defendant to his own Court to be tried by English law. The privilege of evoking any case in which either or both parties were British subjects, together with the provisions for appeal to Bangkok, furnished guarantees of fairness on the part of the Siamese tribunal. If the privilege of evoking cases from the International Court was applied in the proper spirit by the Consul, it would not be likely to give offence to the natural pride of the Siamese in the integrity of their own institutions. The success of the system was shown by the fact that the Consul found it necessary to remove a case to his own Court only thrice between 1884 and 1902.[1]

The practical effect of the International Court arrangement was that the Siamese judge and the British Consul sat

(1) F.O.69/227. Foreign Office Memorandum on the Chiengmai International Court System, February 11, 1902.

together as joint judges and that the Siamese judge was guided almost entirely by the suggestions of the Consul in cases where the defendant was a British subject, and gave attention to the Consul's reasonable suggestions in cases where the defendant was a Siamese subject. A great advantage gained by British subjects through the system was that, where a Siamese subject was defendant there was more certainty of obtaining justice than there was in other parts of Siam, where the International Court system did not apply. This was due not only to the opportunity for making suggestions afforded to the Consul during the trial, but also to the provision for an Appeal Court composed of the British Consul-General and the Siamese authorities at Bangkok. The effect of the absence of such a provision in other British treaties with Siam, was that cases brought by British against Siamese subjects in Lower Siam were decided solely by the Siamese authorities, the only remedy against gross injustice being diplomatic intervention after judgement. Undoubtedly the International Court system very greatly aided the development of British trade in the north of Siam; and it was an important factor in political relations by providing for the joint and harmonious settlement of international disputes. In 1902, after the system had been in force for seven years, the British Foreign Office was convinced that it had amply

justified the expectations on both sides.[1] Indeed, so satisfactorily to both parties did these arrangements work that they were extended later to eight provinces in northern Siam.[2]

The refusal of the French Government in 1897 to recognise the International Court at Chiengmai created a very delicate situation for all the parties concerned. Though the system ran smoothly when only British and Siamese subjects were involved, new complications arose when the parties to the dispute were British and French protected persons. The French Government declared that they would not allow their protégés to sue British protected persons in the International Court and they insisted that such cases must be heard in the British Consular Court. On this question British Foreign Office opinion was quite strong. A Foreign Office note dated January 1 1897 maintained that there seemed to be no reason for giving way to French pretentions in this matter. The British Government felt that it was no business of the French if the British chose to forego in Siam some of their extra-territorial jurisdiction. They thought that if the French

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(1) Ibid.

(2) The International Court system was extended to Muang Nan and Phre by exchange of notes dated December 31, 1884 and January 10, 1885, and to Muang Than, Raheng, Sawankalok, Sukothai, Utaradit and Pichai by notes exchanged on September 28, 1896.

Government would not allow their protégés to sue British protected persons in the International Court, the French plaintiffs and would-be prosecutors would have to go without remedy through the perversity of their own Government. The British Government was of the opinion that it would be derogatory of the treaty with Siam if they were to establish a Consular Court in Chiengmai specially for cases in which French protected persons desired to prosecute British subjects (1) In the meanwhile the International Court at Chiengmai declared its incompetence to hear suits brought by French protégés against British subjects. In 1904, however, the difficulty was cleared up; by a Convention with Siam, France recognised the International Court and placed her protégés under its jurisdiction.

Apart from the International Court in Chiengmai, for which full credit must go to the British Government, the gradual changes brought about in the British attitude towards extra-territorial jurisdiction in Siam as a whole, form an interesting contribution to the study of extra-territoriality in that country. It was Mr. (afterwards Sir) E. Satow, British Minister in Bangkok, who first brought the disadvantages to the native states concerned of extra-territorial jurisdiction, to the notice of the British Government. He

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(1) F.O.69/227. F.O. note on Chiengmai International Court, January 7, 1897.

proposed that British subjects should be made to observe the Siamese law for the prevention of opium smuggling, and asked for the addition of a penal clause in the regulations to be issued by him. He mentioned that it would be difficult, without experience of the actual working of the extra-territorial clauses in treaties, to appreciate the obstacles which hampered Eastern Governments in the introduction of even the most beneficial legislation, whenever that legislation was calculated in any measure to affect foreign residents. He had no doubt that such clauses would seriously impair the dignity and authority of the native rulers and that really cordial relations were scarcely possible unless every care was taken to avoid wounding their natural susceptibilities.(1) On April 8, 1886, in a letter to the Government of India Satow mentioned that he had frequently told the Siamese that the British Government had expressed their willingness to give up extra-territorial jurisdiction as soon as they saw that they could do so consistently with a due regard to the protection of the persons and property of British subjects.(2)

The British Government was very soon confronted with a serious problem over the question of the increasing German influence in Siam. In a memorandum to the Colonial Office

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(1) F.O.69/100. Satow to F.O., September 8, 1885.
(2) F.O.69/109. Satow to the Government of India, April 8, 1886.

on 14th January 1891, Major Clarke, the Secretary of the Colonial Defence Committee, suggested the possibility of placing native British subjects under Siamese jurisdiction in return for a promise from Siam not to alienate any of its sea coast to any foreign Power. On 16th January 1891 the Colonial Office suggested to the Foreign Office that the concession to the King of Siam of jurisdiction over British subjects in his country could, under sufficient safeguards, be properly made. Lord Salisbury was willing to give such a concession to Siam in order to safeguard British commercial and political interests. He requested the help of the India Office in the matter. Lord Cross, Secretary of State for India, replied on January 29th that the exclusive consular jurisdiction exercised at Bangkok over British subjects in Siam might be modified so as to admit to some extent the jurisdiction of the Siamese authorities. The Viceroy of India in a telegram dated February 21, 1891 to the India Office, agreed that as far as the interests of British Indian subjects were concerned, he saw no objection to disowning exercise of extra-territorial jurisdiction if power was reserved to intervene in case of injustice. On the other hand, Captain Jones, the British Minister in Bangkok, maintained that the time had not come for transferring to Siamese jurisdiction the body of British Asiatic subjects. He went so

far as to say that he saw no reasonable prospect of such a time coming when the interests of any British subject could be left to the "capricious tyranny"of Siamese law.(1) Mr. French, the British Consul in Bangkok, was of the same opinion and said that there was very little security for life and property under Siamese law as it was administered. Judges in Bangkok, he wrote, were miserably paid and were forced to live on what they could get from bribes. He thought, however, that if a Court were instituted in Bangkok presided over by well paid judges of rank and position sufficient to render them indifferent to the influence of princes and officials; that if a simple code of procedure were adopted; Siamese laws revised, torture abolished, proper prisons constructed, proceedings where foreign subjects were concerned carefully watched, and power reserved to remove any case where the defendant was a British subject for trial to the Consular Court, then the experiment of making the concession might be tried. In the face of such arguments it was felt wiser to drop the proposals for the time being.

On February 25 1898 a treaty between Siam and Japan was signed at Bangkok which, though containing no reference itself to jurisdiction, had a Protocol annexed to it according to which the Siamese Government consented that Japanese

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(1) F.O.69/141. Jones to F.O., March 18, 1891.

consular officers should exercise jurisdiction over Japanese subjects in Siam until the judicial reforms of Siam were completed.(1) It was the first time that a time limit for the eventual surrender of the consular jurisdiction in Siam by any foreign Power was incorporated in a treaty. Certainly the treaty with Japan provided a very strong incentive to the Siamese Government to undertake much-needed law reforms.

In ancient times the Kings of Siam governed their people with laws which were originally derived from the Dharmasutras of Manu. It would be a hopeless task for any one to attempt to ascertain how far these laws obtained and how far they were obsolete during the later part of the 19th century. But when once Siam came into full contact with the Western Powers, the old judicial system was found inadequate and the need for reform became urgent. The Siamese judicial reforms though much in the way of modern legislation had been attempted since 1855, really began in earnest in 1892 with the reorganisation of the Ministry of Justice. Soon afterwards th Courts also were remodelled. The highest Court was the Dika Court, which was responsible to the King and was equivalent to a Supreme Court of Appeal. In Bangkok there were - a Civil Court, a Criminal Court and three police courts.

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(1) State Papers, Vol.90, pp.66, 70.
By judicial reforms it was meant, Criminal Code, a Code of criminal procedure, Civil Code (with the exceptio of a law of marriage and succession) a Code of civil procedure and a law of constitution of the Courts of Justice.

Provincial courts were divided into three classes: the Monthon Court, the Muang court and the Kweng court. There were two appeal courts in Bangkok, one for the hearing of Bangkok appeals, and the other for the appeals from the provincial courts. There were also International Courts which tried cases in which a subject of a foreign Power was plaintiff and a Siamese subject a defendant.(1) When the Courts were remodelled in 1892, the first laws needed were naturally those of procedure and evidence in civil and criminal matters. The law of evidence was introduced in 1895 followed by the enactment of a series of other laws. But a comprehensive penal code was promulgated only in April 1908.(2)

The Siamese Government had made free use of the services of foreigners in the administration of justice for a number of years. With the reorganisation of the Ministry of Justice in 1892 Mr. J.S. Black formerly of the British Consular service was appointed as its judicial Adviser. Mr. R.J. Kirkpatrick, docteur endroit, appeared in the Bangkok Directory for 1895 as Legal Adviser to the Ministry of Justice. The Directory for 1899 gave the names of five Europeans as Assistant Legal Advisers and Mr. Kirkpatrick was stated to be a member of the Supreme Court of Siam. In 1900 there were

(1) W.A.G. Tilleke, "The Administration of Justice", Twentieth Century Impressions of Siam, p.94.
(2) T. Masao, "Siamese Law Old and New", Twentieth Century Impressions of Siam, p.91.

nine foreigners employed as Legal Advisers or Assistant Legal Advisers by the Ministry of Justice. A distinguished Belgia Jurist, M. Rolin Jaequemyns, held the post of General Adviser to the Government of Siam from 1892 to 1902. He was succeeded by Professor Edward H. Strobel, then Bennis Professor of International Law in the Harvard Law School.(1)

The progress shown in the judicial system of Siam and the reform of courts mostly with the help of European Advisers, had its effect on the question of extra-territorial jurisdiction. The Convention of 1904 between Siam and France modified very considerably the jurisdictional régime established by the earlier treaties. The French Convention provided that, in the provinces of Chiengmai, Lakhon, Lampoonchi and Nan, all criminal and civil cases involving French ressortissants, including quite clearly French citizens, should be tried in the Siamese International Courts. The Consul was given the right to be present at hearings and to make such observations as might seem to him desirable in the interests of justice. In addition, if the defendant was French or a French protégé, the Consul might evoke the case for trial before him. In all the other provinces of Siam, French ressortissants remained, as before, as to all those civil and criminal matters in which they might be concerned

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(1) Eldon R. James, op. cit.

as defendants, under the jurisdiction of the French Consul. It was, however, provided that in civil cases in which the defendant was Siamese, the action should be brought in the Siamese Court for Foreign Causes. Appeals from both the International Courts and the Court for Foreign Causes were to be brought to the Siamese Court of Appeal for Bangkok appeals

In Lower Siam the British Court was, until 1903, preside over by Consular officers; in that year by an Order-in-Council "His Britannic Majesty's Court for Siam" was created with a judge and an assistant judge who were to be barristers with an ultimate appeal to the Privy Council in London. Apart from this Court every Consular officer was authorised to hold his own court in his own district. The appellate jurisdiction of the Supreme Court was vested in the full Supreme Court at Singapore in the Straits Settlements.(1)

The French treaty of 1907 and the British treaty of 1909 with Siam are beyond the scope of our study, but it is interesting to note the provisions of these treaties in order to get a clearer picture of the extra-territorial jurisdiction by the end of 1908. On March 23, 1907, a treaty with Protocol was signed between France and Siam by which Siamese juris-

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(1) "The Siam Order in Council", 16th February, 1903. The London Gazette, February 17, 1903. Mr. W. Archer was appointed the first judge.

diction over French subjects was still further extended. All French Asiatic subjects and protégés throughout Siam registered at the French consulates after the date of the treaty, were placed under the jurisdiction of the ordinary Siamese Courts, except those in two provinces, Udorn and Isar All such subjects and protégés, registered at the French Consulate at the date of the treaty, and those in Udorn and Isarn provisionally and without reference to the date of thei registration, were placed under the jurisdiction of the Siamese International Courts subject to the exercise by the Consul of the privilege of evocation under the terms of the Convention of 1904. The significant part of the 1907 treaty was the understanding that the régime of the International Courts was to come to an end and their jurisdiction transferred to the ordinary Siamese Courts as soon as the new Siamese codes came into force; even the privilege of evocation.[1] French citizens and French subjects of non-Asiatic origin, except in the five northern provinces, where they wer subject to the jurisdiction of the International Courts, were withdrawn from Siamese jurisdiction, and for them full consular jurisdiction existed in the remainder of the country.

The British treaty signed on March 10 1909, went far beyond the French in that it placed all British subjects in

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(1) State Papers, Vol.100, p.1028.

Siam, whether of European or Asiatic origin, under the jurisdiction of the Siamese Courts. This retrocession of jurisdiction was regulated in a Protocol to the treaty. Jurisdiction over British subjects of whatever origin, registered before the date of the treaty, was transferred to the Siamese International Courts established by the treaty of 1883, the powers of which were extended so as to include the whole of the kingdom. It was also provided that these Court should come to an end and their jurisdiction be transferred to the ordinary Siamese Courts after the promulgation and coming into force of the Siamese Codes.(1) The British, French Italian and Danish Consuls exercised the right to be present at trials in International Courts of first instance when thei nationals, subjects or protégés respectively were parties, and to make observations in the interests of justice, and when appeals were taken, the British, French and Danish Consuls had the right to file written opinions to be annexed to the record.(2)

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(1) State Papers, Vol.102, p.126.
(2) Eldon R. James, op. cit.
In 1922 full consular jurisdiction existed as to the subjects and nationals of Portugal, The Netherlands, Belgium, Spain, Japan and Russia.

APPENDIX I.

List of Treaties between Siam and Foreign Powers, containing Most Favoured Nation Clause

Country	Date	Reference to British and Foreign State Papers	
		Volume	Page
Austria	May 17, 1869	61	1308
"	January 17, 1885	76	261
Belgium	August 29, 1868	59	405
"	August 4, 1883	74	677
Denmark	May 21, 1858	50	1073
"	July 25, 1883	74	741
France	August 15, 1856	47	993
"	August 7, 1867	57	772
"	May 23, 1883	74	718
"			
Germany	March 12, 1884	75	1111
Great Britain	April 18, 1855	46	138
"	April 6, 1883	74	55
			[illegible]
Italy	October 3, 1868	60	773
"	July 5, 1884	76	289
Japan	February 25, 1898	90	66,72
Netherlands	December 17, 1860	58	262
"	April 1, 1867	58	274
"	November 10, 1883	74	914
Portugal	February 10, 1859	72	109,119
"	May 14, 1883	74	880
Russia	June 23, 1899	-	-
Spain	February 23, 1870	61	483
Sweden & Norway	May 18, 1868	69	1135
"	July 16, 1883	74	878
United States	May 29, 1856	46	383
"	May 14, 1884	75	378

APPENDIX II.

Text of the Anglo-Siamese Declaration of 1902 regarding Trengganu and Kelantan

The Undersigned, duly authorised by the respective Governments, after careful examination of the present condition of the States of Kelantan and Trengganu, and of the arrangements which it is expedient to make with regard to their administration have agreed upon the terms of a draft Agreement, of which a copy is annexed to this Declaration, to be concluded between His Siamese Majesty and the Rajahs of those States.

It is agreed that this draft shall at once be communicated to the Rajahs for the purpose of procuring their adhesion to it.

As the common object of both Governments throughout the negotiations has been to maintain the security and stability of the Kingdom of Siam and its Dependencies, and to promote the good Government of those Dependencies, and the contentment and prosperity of their people, His Britannic Majesty's Government undertake to instruct their Representatives and Officers in the Malay Peninsula to cooperate cordially for the successful working of the Agreement. His Siamese Majesty's Government on their part undertaking that its provisions shall be faithfully observed by their Officers, and that there shall be no interference in the affairs of the States otherwise than as provided for in the Agreement.

Done at London on the 6th day of October, 1902.

Signed. LANSDOWNE, PHYA SRI SAHADEB.

Draft Agreement

Whereas the State of Kelantan / Trengganu has been recognised to be a Dependency of Siam, and whereas it is desirable to define the principles under which the Government of the State is in future to be conducted, it is hereby agreed between ----- representing His Majesty the King of Siam and ----- the Rajah of Kelantan / Trengganu as follows:-

Article 1. The Rajah should have no political relations with any foreign Power or Chief except through the Government of Siam.

Article 2. His Siamese Majesty has the right to nominate officers to be Adviser and Assistant Adviser in the States to act as Representatives of His Majesty. The Rajah agrees to pay the salaries.

Article 3. The Rajah engages not to enter into any agreement with, or to give any concession to, or to allow any transfer to or by any individual or Company other than a native of the State, and not to employ in an official position, with a fixed salary of more than 400 l. per annum any individual other than a native of the State.

Article 4. Whenever the gross revenue of the State amounts to 100,000 dollars, one-tenth of the gross revenue shall be annually paid into His Siamese Majesty's Treasury. Maximum amount payable shall not exceed 100,000 dollars. If the gross income is less than 100,000 dollars the usual Bunga Mas shall continue to be sent.

Article 5. His Siamese Majesty's Government undertakes not to interfere with the internal administration of the State otherwise than as provided for in this Agreement.

Article 6. The Departments of Posts, Telegraphs and Railways will be under the control of the Rajah, but he engages to cooperate at any time with the Siamese Government in the construction and management of any section.

Article 7. Nothing in this Agreement is intended to curtail any of the Powers or authority now held by the Rajah nor does it alter otherwise than as provided for in this Agreement, the relations now existing between the Rajah and His Siamese Majesty's Government.

Annex No.2. Notes exchanged between Lansdowne and Phya Sri Sahadeb:-

The undersigned thinks it right, however, to observe that, in order to insure the successful working of the Agreements, and having in view the immediate propinquity of the Malay States under British protection to the two States in question, it will be essential that the officials appointed to be the Advisers and Assistant Advisers of the Rajahs, as mentioned in Article 2. of the Agreement, shall be of British Nationality, and that the concurrence of His Britannic Majesty's Government should be confidentially obtained for their selection, removal and renewal of their appointments.

(Sd.) LANSDOWNE.

Foreign Office,
October 6, 1902.

APPENDIX III.

Texts of Protocols signed between the British and French Representatives relative to the Agreement between Britain and France for constituting a Neutral State between their possessions in Indo-China:-

Protocol signed by the Marquis of Dufferin and Ava and M. Develle

With a view of obviating the difficulties which might arise from a direct contact between them, the two Powers are agreed to recognise the necessity of constituting, by means of mutual sacrifices and concessions, a neutral zone between their possessions.

The limits of this neutral zone shall be subsequently determined.

(Signed) JULES DEVELLE
DUFFERIN and AVA.

July 31, 1893.

[The above is only the translation of the French original].

Protocol signed by the French and English Delegates for the discussion of the Buffer State on the Upper Mekong

The Undersigned, named by their respective Governments in order to examine in what manner, by means of reciprocal contributions, an intermediary zone might be constituted between the British and French possessions in the region of the Upper Mekong;

Being arrested in the course of their labours by the difficulty of determining, according to positive data, the limits and the geographical configuration of the different provinces situated in that region;

Have recognized, by common agreement, that in order to establish, under normal geographical conditions and without causing

disintegration, a zone of sufficient extent, it would be desirable to proceed to an inquiry on the spot by Technical Agents of the two countries.

(Signed) E.C.H. PHIPPS
H. AUSTIN LEE
JUSSERAUD
PAUL RÉVOIL

Paris, November 25, 1893.

Protocol signed by the Marquis of Dufferin and Ava and M. Develle

The Undersigned, having taken cognizance of the Protocol signed by the English and French Commissioners on this day, and having approved it, have recognized, by common agreement, that the Technical Agents designated to proceed to the Upper Mekong should not lose sight of the following points:-

(1) The geographical examination which they will have to undertake will deal with the course of the Mekong from its entry into Kyaing Chaing until its entry into Luang Prabang, with the limits of the Province of Kyaing Chaing, and with those of that portion of Muang Nan which lies to the north of the river.

(2) The breadth which the two Contracting Powers propose to give to the intermediary zone between the British and French possessions is, in so far as the geographical and political configuration of the country will allow, to be about 80 superficial kilometres. The Technical Agents shall note carefully what geographical and political limits would best attain this object.

(3) It is agreed that the navigation, transit, and means of communication in the zone thus constituted shall be free from every impediment, each of the Contracting Parties undertaking not to seek any advantage which is not equally secured to the other.

(Signed) DUFFERIN and AVA
JULES DEVELLE

Paris, November 25, 1893.

APPENDIX IV.

Letter from the Myoza of Keng Cheng to the French Agent at Chieng Khong, November 6, 1894:

"Thirty nine letters (the proclamations) have arrived from the British Government addressed to every district (of Keng Cheng) - not in consequence of any request (from Keng Cheng). A further letter has now come, saying that we must present gold and silver flowers and go and wait at Keng Tung. If we do not obey this order we fear we shall offend the British Government. If, on the other hand, we make our submission we fear to offend the French. Whichever side we may turn to we beg for pity and consideration. I, the Sawbwa, write this letter to you to beg that the two Powers will settle the question between them, so that the State of Keng Cheng may enjoy peace and prosperity in the future."

(Signed) CHAO MOM RACHOWONG

[F.O. 17/1269: Scott's Report on the Mekong Commission, July 25, 1895].

APPENDIX V.

Declaration between Great Britain and France with Regard to the Kingdom of Siam and other Matters, Signed at London, January 15, 1896

The Undersigned, duly authorised by their respective Governments have signed the following Declaration:-

I. The Government of Great Britain and France engage to one another thatneither of them will, without the consent of the other, in any case, or under any pretext, advance their armed forces into the region which is comprised in the basins of the Petcha Bouri, Meiklong, Menam and Bang Pa Kong (Petriou) Rivers and their respective tributaries, together with the extent of coast from Muong Bang Tapan to Muong Pase, the basins of the rivers on which those two places are situated, and the basins of the other rivers, the estuaries of which are included in that coast; and including also the territory lying to the north of the basin of the Menam, and situated between the Anglo-Siamese frontier, the Mekong River, and the eastern watershed of the Me Ing. They further engage not to acquire within this region any special privilege or advantage which shall not be enjoyed in common, or equally open to, Great Britain and France and their nationals and dependents. These stipulations, however, shall not be interpreted as derogating from the special clauses which, in virtue of the Treaty concluded on the 3rd October, 1893, between France and Siam, apply to a zone of 25 Kilom. on the right bank of the Mekong and to the navigation of that river.

II. Nothing in the foregoing clause shall hinder any action on which the two Powers may agree, and which they shall think

necessary in order to uphold the independence of the Kingdom of Siam. But they engage not to enter into any separate Agreement permitting a third Power to take any action from which they are bound by the present Declaration themselves to abstain.

III. From the mouth of the Nam Huok northwards as far as the Chinese frontier the thalweg of the Mekong shall form the limit of the possessions or spheres of influence of Great Britain and France. It is agreed that the nationals and dependents of each of the two countries shall not exercise any jurisdiction or authority within the possessions or spheres of influence of the other.

The police of the islands in this part of the river which are separated from the British shore by a branch of the river shall, so long as they are thus separated, be intrusted to the French authorities. The fishery shall be open to the inhabitants of both banks.

IV. Commercial and other privileges in the Chinese Provinces of Yunnan and Szechuen.

V. Lower Niger.

VI. Tunis.

Done at London, the 15th January, 1896.

(L.S.) SALISBURY
(L.S.) ALPH de COURCEL.

APPENDIX VI.

Agreement between Great Britain and Siam, relative to the Registration of British subjects in Siam. Signed at Bangkok, November 29, 1899.

The Governments of Her Majesty the Queen of the United Kingdom of Great Britain and Ireland, Empress of India, and of His Majesty the King of Siam, recognizing the necessity of having a satisfactory arrangement for the registration of British subjects in Siam, the Undersigned, Her Britannic Majesty's Minister Resident and His Siamese Majesty's Minister for Foreign Affairs, duly authorised to that effect, have agreed as follows:-

I. The registration according to Article V of the Treaty of the 18th April, 1855,[1] of British subjects residing in Siam, shall comprise the following categories:

1. All British natural born or naturalized subjects, other than those of Asiatic descent.

2. All children and grand-children born in Siam of persons entitled to be registered under the first category, who are entitled to the status of British subjects in contemplation of English law.

Neither great grand-children nor illegitimate children born in Siam of persons mentioned in the first category are entitled to be registered.

3. All persons of Asiatic descent, born within the Queen's dominions, or naturalized within the United Kingdom, or born within the territory of any Prince or State in India under the suzerainty of, or in alliance with, the Queen.

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(1) See British and Foreign State Papers, Vol. XLVI, p.138.

Except natives of Upper Burmah or the British Shan States who became domiciled in Siam before the 1st January, 1886.

4. All children born in Siam of persons entitled to be registered under the third category.

5. The wives and widows of any persons who are entitled to be registered under the foregoing categories.

II. The lists of such registration shall be open to the inspection of a properly authorized Representative of the Siamese Government on proper notice being given.

III. If any question arises as to the right of any person to hold a British certificate of registration, or as to the validity of the certificate itself, a joint inquiry shall be held by the British and Siamese authorities and decided according to the conditions laid down in this Agreement, upon evidence to be adduced by the holder of the certificate in the usual way.

IV. Should any action, civil or criminal, be pending while such inquiry is going on, it shall be determined conjointly in what Court the case shall be heard.

V. If the person in respect of whom the inquiry is held comes within the conditions for registration laid down in Article I, he may, if not yet registered, forthwith be registered as a British subject and provided with a certificate of registration at Her Britannic Majesty's jurisdiction, and, if already on the lists of Her Britannic Majesty's Consulate, his name shall be erased.

In witness whereof the Undersigned have signed the same in duplicate, and have affixed thereto their seals at Bangkok, on the 29th day of November, 1899, of the Christian era, corresponding to the 118th year of Ratunakosindr.

(L.S.) GEORGE GREVILLE
(L.S.) DEVAWONGSE VARAPRAKAR.

APPENDIX VII.

Declaration between the United Kingdom and France concerning Siam, Madagascar and the New Hebrides. Signed at London, April 8, 1904.

I. Siam

The Government of His Britannic Majesty and the Government of the French Republic confirm Articles 1 and 2 of the Declaration signed in London on the 15th January, 1896, by the Marquess of Salisbury, then Her Britannic Majesty's Principal Secretary of State for Foreign Affairs, and Baron de Courcel, then Ambassador of the French Republic at the Court of Her Britannic Majesty.

In order, however, to complete these arrangements, they declare by mutual agreement that the influence of Great Britain shall be recognized by France in the territories situated to the west of the basin of the River Menam, and that the influence of France shall be recognized by Great Britain in the territories situated to the east of the same region, all the Siamese possessions on the east and south-east of the zone above described and the adjacent islands coming thus henceforth under French influence, and, on the other hand, all Siamese possessions on the west of this zone and of the Gulf of Siam, including the Malay Peninsula and the adjacent islands, coming under English influence.

The two Contracting Parties, disdaiming all idea of annexing any Siamese territory, and determined to abstain from any act which might contravene the provisions of existing Treaties, agree that, with this reservation, and so far as either of them is concerned, the two Governments shall each have respectively liberty of influence as above defined.

II. Madagascar.

III. The New Hebrides.

Done at London in duplicate, the 8th day of April, 1904.

(L.S.) LANSDOWNE
(L.S.) PAUL CAMBON.

APPENDIX VIII.

Treaty between Her Majesty the Queen of England and His Majesty the King of Siam for the Prevention of Crime in the Provinces of Chiengmai, Lakon, and Lampoonchi, and for the Promotion of Commerce between Burma and the Territories aforesaid. Signed at Bangkok, September 3, 1883.

* * * * * *

Article VIII

His Majesty the King of Siam will appoint a proper person or proper persons to be a Commissioner and Judge, or Commissioners and Judges, in Chiengmai for the purposes hereinafter mentioned. Such Judge or Judges shall, subject to the limitations and provisions contained in the present Treaty, exercise civil and criminal jurisdiction in all cases arising in Chiengmai, Lakon, and Lampoonchi, between British subjects, or in which British subjects may be parties as complainants, accused, plaintiffs or defendants according to Siamese law; provided always, that in all such cases the Consul or Vice-Consul shall be entitled to be present at the trial, and to be furnished with copies of the proceedings, which, when the defendant or accused is a British subject, shall be supplied free of charge, and to make any suggestions to the Judge or Judges which he may think proper in the interests of justice: provided also, that the Consul or Vice-Consul shall have power at any time, before Judgement, if he shall think proper in the interests of justice, by a written requisition under his hand, directed to the Judge or Judges, to signify his desire that any case in which both parties are British subjects, or in which the accused or defendant is a British subject, be transferred for adjudication to the British Consular Court at

Chiengmai; and the case shall thereupon be transferred to such last-mentioned Court accordingly, and be disposed of by the Consul or Vice-Consul, as provided by Article II of the supplementary Agreement of 13th May, 1856.

The Consul or Vice-Consul shall have access, at all reasonable times, to any British subject who may be imprisoned under a sentence or order of the said Judge or Judges, and, if he shall think fit, may require that the prisoner be removed to the Consular prison, there to undergo the residue to his term of imprisonment.

The Tariff of Court fees shall be published, and shall be equally binding on all parties concerned, whether British or Siamese.

Article IX.

In civil and criminal cases in which British subjects may be parties, and which shall be tried before the said Judge or Judges, either party shall be entitled to appeal to Bangkok; if a British subject, with the sanction and consent of the British Consul or Vice-Consul, and in other cases by leave of the presiding Judge or Judges.

In all such cases a transcript of the evidence, together with a Report from the presiding Judge or Judges, shall be forwarded to Bangkok, and the appeal shall be disposed of there by the Siamese authorities and Her Britannic Majesty's Consul-General in consultation.

Provided always that in all cases where the defendants or accused are Siamese subjects the final decision on appeal rest with the Siamese authorities; and that in all other cases in which

British subjects are parties the final decision on appeal shall rest with Her Britannic Majesty's Consul-General.

Pending the result of the appeal, the Judgement of the Court at Chiengmai shall be suspended on such terms and conditions (if any) as shall be agreed upon between the said Judge or Judges and the Consul or Vice-Consul.

In such cases of appeal, as above set forth, the appeal must be entered in the Court of Chiengmai within a month of the original verdict, and must be presented at Bangkok within a reasonable time, to be determined by the Court at Chiengmai, failing which the appeal will be thrown out of Court.

* * * * * *

(L.S.) W.H. NEWMAN
(L.S.) Signatures of the
SIAMESE PLENIPOTENTIARIES.

APPENDIX IX.

List of Foreign Officials in the Siamese service drawing Ticals 1,000 per month and over

Name	Post	Amount
	English	
C. Rivett-Carnac	Financial Adviser and Comptroller-General	£3,000 Per Annum
A.J. Jardine	Inspector-General of Police	£1,200 " "
W.J.L. Tottenham	Conservator of Forests	Rs.1,750 Per Month
R.W. Giblin	Director of Surveys	Ts.1,200 P.M.
W.J.F. Williamson	Director of Paper Currency	£1,250 P.A.
F.H. Giles	Director of Land Revenue	Ts.1,600 P.M.
W.A. Graham	Assistant to Minister of Agriculture	Ts.1,350 P.M.
E. Ambrose	Deputy Director General of Customs	£1,200 P.A.
A.C. Carter	Head Master, Kings College	Ts.1,000 P.M.
W.G. Johnson	Chief Inspector of Schools	Ts.1,000 P.M.
W.A.G. Tilleke	Attorney-General	Ts.1,000 P.M.
H. Campbell Highet	Health Officer	Ts.1,000 P.M.
F.W. Verney	Councillor of Legation	£1,200 P.A.
E. St. J. Lawson	Superintendent of Police	Ts.1,000 P.M.
H.G. Scott	Director of Mines and Geology	Ts.1,200 P.M.
	Danes	
Admiral de Richelieu	Superintendent of the Navy	Ts.2,000 P.M.
Colonel Schau	Inspector General of Gendarmerie	Ts.1,200 P.M.
Capt. de Richelieu	Director of Hydrographic Dept., Royal Navy.	Ts.1,000 P.M.

Name	Post	Amount
	Italians	
O. Allegri	Chief Engineer	Ts.1,200 P.M.
Colonel E. Genini	Director of Military Education	Ts.1,000 P.M.
	Swiss	
C.C. d'Orelli	Councillor of Legation	£1,200 P.A.
	Germans	
H. Gehrts	Director General of Railways	Ts.2,000 P.M.
C. Sundresszki	Chief Architect	£1,200 P.A.
E. Kloke	Superintending Engineer, Royal Railway Department	Ts.1,200 P.M.
Th. Collmann	Adviser, Posts & Telegraphs	Ts.1,000 P.M.
	Belgians	
C. Schlesser	Acting Legal Adviser	£1,000 P.A.
C. Robyns	Legal Adviser to the Ministry of Interior	Ts.1,000 P.M.
	Austrian	
E. Florio	Deputy Comptroller-General	Ts.1,200 P.M.
	Dutch	
A. Kenchanius	Councillor of Legation	£1,000 P.A.

[Prepared by Mr. Rivett-Carnac, the Financial Adviser to the Siamese Government on 13th February, 1902. F.O.69/236]

APPENDIX X.

Secret Malay Convention between England and Siam. Signed at Bangkok on April 6, 1897

Her Britannic Majesty having communicated to His Majesty the King of Siam the two first Articles of the Declaration signed between the Governments of Great Britain and France on the 15th day of January, 1896, as giving evidence of England and France's joint solicitude for the security and stability of the Kingdom of Siam, His Majesty the King of Siam and Her Britannic Majesty, being desirous of making further provisions for securing the mutual interests of Siam and Great Britain, have agreed to conclude a Convention for this purpose, and have, therefore, named as their respective Plenipotentiaries, that is to say: Her Majesty the Queen of the United Kingdom of Great Britain and Ireland, Empress of India: William John Archer, Esquire, Her Majesty's Chargé d'Affaires at Bangkok;

His Majesty the King of Siam: Kromaluang Devawongse Varoprakar, His Majesty's Minister for Foreign Affairs;

Who, after having communicated to each other their respective full powers, and found them to be in good and due form, have agreed upon and concluded the following Articles:-

Art. I. His Majesty the King of Siam engages not to cede or alienate to any other Power any of his rights over any portion of the territories or islands lying to the south of Muong Bang Tapan.

Art. II. Her Britannic Majesty engages on her part to support His Majesty the King of Siam in resisting any attempt by a third Power to acquire dominion or to establish its influence or protectorate in the territories or islands above mentioned.

Art. III. Her Britannic Majesty having engaged by the preceding Article to support His Majesty the King of Siam in resisting any attempt by any third Power to acquire dominion or to establish influence or protectorate in any of the territories or islands above mentioned, His Majesty the King of Siam engages not to grant, cede,or let any special privilege or advantage, whether as regards land or trade, within the above specified limits, either to the Government or to the subjects of a third Power without the written consent of the British Government, and Her Britannic Majesty engages to support His Majesty the King of Siam in the execution of this Article.

In witness whereof the above-named Plenipotentiaries have signed and sealed the present Convention, in duplicate, at Bangkok, on the 6th day of April, in the year 1897 of the Christian era.

(L.S.) W.J. ARCHER
(L.S.) DEVAWONGSE.

[This Convention was cancelled by Agreement of March 10, 1909. British and Foreign State Papers, Vol. 102. pp.124-125.]

APPENDIX XI.

Text of the Franco-Siamese Convention. Signed at Paris on October 7,1902

This Convention was not ratified by the French Chamber of Deputies.

His Majesty the King of Siam and the President of the French Republic desirous of strengthening the relations of friendship and murual confidence which exist between their respective countries, and of arranging certain difficulties which have arisen regarding the interpretation of the Treaty and of the Convention of October 3rd, 1893, have decided to conclude a new Convention. For this purpose they have appointed as their plenipotentiaries as follows:-

His Majesty the King of Siam, Phya Suriya Nuvatr, His Envoy Extraordinary and Minister Plenipotentiary, accredited to the President of the French Republic, Grand Cross of the most honourable order of the Crown of Siam, Grand Officer of the Legion of Honour,etc.,

and the President of the French Republic, M. Théophile Delcassé, deputy, Minister for Foreign Affairs, etc.

Who having communicated to each other their full powers, which were found to be in due and proper form, have agreed on the following provisions:-

Article 1.

(1) The frontier between Siam and Cambodia leaves the left bank of the Great Lake at the mouth of the river Stung Rolnos and follows the parallel from this point in an easterly direction until it meets the river Prac Campong Thiam; thence, running northward, it unites with the Meridian of the point of the above mentioned meeting as far

as the mountain range of Pnom Dang Rak. Thence it follows the ridge of the watershed between the Basins of the Nam Sen and of the Mekong on one side, and of the Nam Moun on the other side, and joins the Pnom Padang range, following its ridge eastward to the Mekong, upwards from this point the Mekong remains the frontier of the Kingdom of Siam, in conformity with Article I of the Treaty of October 3, 1893.

(2) With regard to the frontier between Luang Prabang on the right bank, and the Provinces of Muang Phichai and Muang Nan, this frontier leaves the Mekong at its junction with the Nam Huong, and following the mountain ridge which separates the valleys of the Lam Huong and of the Mekong, runs westward until it meets the watershed between the basin of the Mekong and that of the Menam. Turning northward from this point the frontier follows the ridge between these two basins, to the source of the river which, coming from the S.E., flows into the Nam Ngoum, then along the course of this river, and along the Nam Ngoum itself, to the junction of the latter with the river Ban Luak. The frontier then returns along the course of the Ban Luak to the ridge between the basins of the Menam and of the Mekong, and follows this line westward to the river Nam Kop, whose course it follows to the Mekong.

(3) It is, however, well understood that neither the present Convention nor the Treaty and Convention of 1893 make any change in the traditional relations between His Majesty the King of Siam and the part of Luang Prabang situated on the right bank of the Mekong.

Article 2.

At the same time that the Provinces of Meloupray and of Bassac (and generally the territory situated east of the frontier indicated in Article 1, Clause (1)) will be handed over by the Siamese Government to the French Authorities, the French troops will leave the city of Chantaboon which they provisionally occupy in virtue of the Article 6. of the Convention of October 3, 1893.

Article 3.

The various restrictions which form the object of Articles three and four of the Treaty of October 3, 1893, are abolished.

H.M. the King of Siam, however, assumes the obligation that the troops which he will send or maintain in the whole of the Siamese Basin of the Mekong will always be troops of Siamese nationality, commanded by officers of this nationality. There is only one exception to this rule in favour of the Siamese Gendarmerie at present commanded by Danish Officers. In case the Siamese Government should wish to replace these officers by foreign officers, belonging to another nationality, they should previously come to an understanding with the French Government.

Article 4.

If in future, in the Siamese part of the basin of the Mekong, the Royal Government desire to undertake the execution of Ports, Canals, Railways (particularly railways designed to connect the Capital with any point whatever in this Basin), they will come to an understanding with the French Government in case these works cannot be executed exclusively by a Siamese Personnel and with Siamese capital.

With regard to the use of Ports, Canals, Railways in the Siamese part of the Basin of Mekong, as well as in the remainder of the Kingdom, it is understood that no deferential dues shall be established contrary to the principle of commercial equality stipulated in the Treaties signed by Siam.

Article 5.

Persons of Asiatic origin born on territory subject to the direct domination, or placed under the Protectorate of France, except those who have established their residence in Siam before the time when the territory of their origin was placed under such domination or such Protectorate, are entitled to French protection and can be registered as French Ressortissants in the Legation or the Consulates and Vice-Consulates of the Republic in the Kingdom of Siam.

French protection will be granted to the children of such persons, but will not be extended to their grand-children.

Cambodians in Siam, will continue to be subject to the provisions of Article 5. of the Treaty of the 15th July, 1867.

Article 6.

The list of protégés at present existing will be revised by the French Consular authorities in conformity with the rules laid down in the preceding Article, and will be communicated to the Siamese Government who will have the right to make observations against the registrations which in their opinion may be unjustifiable. The French Agents will then submit to a further examination those cases

to which their attention may be thus called.

(2) The Chinese at present registered in the Legation or in the French Consulates in Siam, on the above mentioned lists will continue to enjoy a French protection.

With regard to jurisdiction, they will be subject to Siamese law, and judged by Siamese Tribunals. However, a representative of the Legation or of a French Consulate will have a right to have access to all documents relating to the charges and depositions, and to attend the sittings of the Tribunal trying the case

Article 7.

With regard to the admission to French protection of Asiatics who were not born on territory subject to the direct authority or to the Protectorate of France, the Government of the Republic will enjoy rights equal to those which Siam may grant in future to any other Power.

Article 8.

The provisions of the former treaties, agreements and conventions between Siam and France not modified by the present Convention, remain in force.

Article 9.

Should any difficulty arise in the interpretation of the present Convention, which is drawn up in French and Siamese, the French text shall govern.

Article 10.

The present Convention shall be ratified within a period of 4 months, beginning from the day of signature or sooner if possible.

In witness whereof the respective Plenipotentiaries have signed the present Convention and have affixed their seals.

Done at Paris, in duplicate, October 7, 1902.

(Signed) (L.S.) PHYA SURIYA
(L.S.) DELCASSÉ

[F.O.69/234: Phya Sri Sahadeb to the Marquess of Lansdowne, October 14, 1902. Enclosure 1.]

TABLE I.

British Foreign Secretaries	French Foreign Ministers
Appointed	Appointed
1874 February, Earl of Derby	1876 March, Duc Decazes
1878 April, Marquis of Salisbury	1877 November, de Banneville
1880 April, Earl Grenville	1877 December, Waddington
1885 June, Marquis of Salisbury	1879 December, de Freycinet
1886 Feb., Earl of Rosebery	1880 Sept., Barthélemy-Saint-Hilair
1886 August, Earl of Iddesleigh	1881 November, Léon Gambetta
1887 Jan., Marquis of Salisbury	1882 January, de Freycinet
1892 August, Earl of Rosebery	1882 August, Duclere
1894 March, Earl of Kimberley	1883 January, Falliéres
1895 June, Marquis of Salisbury	1883 February, Challmel-Lacour
1900 November to, Marquess of	1883 November Jules Ferry
1905 December , Lansdowne	1885 April, de Freycinet
	1886 December, Flourens
	1888 April, Rene Goblet
	1889 February, Spuller
	1890 March, Ribot
	1893 January, Develle
	1893 December, Casimir Périer
	1894 May, Hanotaux
	1895 November, Berthelot
	1896 March, Bourgeois
	1896 April, Hanotaux
	1898 June to, Delcassé
	1905 June

[For the list of the Siamese Foreign Ministers see Footnote 4, p.23]

TABLE II.

British Ambassadors to Paris	French Ambassadors to London
1871 February, Lord Lyons	1875 May, Marquis d'Harcourt
1887 November, Lord Lytton	*1879 Feb., Vice-amiral Pothuau
1891 December, Lord Dufferin	1880 June, Challemel-Lacour
1896 October to, Sir Edmond	1882 February, Tissot
1905 January Monson	1883 July, Waddington
	1893 July, Decrais
	1894 Oct., Baron de Courcel
	1898 September to, Paul Cambon
	1920
	*1880 April Léon Say

TABLE III.

British Representative in Bangkok	Siamese Representative in London
1875 Political Agent and Consul-General Thomas George Knox	1878 Consul-General D.K. Mason
1880 " W.G. Palgrave	1882 Minister Resident Prince Prisdang
1884 " E.M. Satow	1883 " Prince Naresr Varariddhi
1885 Minister Resident E.M. Satow	1887 " Phya Montri Suriyawongse
1889 " Captain H.M. Jones	1888 " The Marquis de Montri
1893 Chargé d'Affaires J.G. Scott	1892 " The Marquis Maha Yotha
1894 Minister Resident J.G. Scott	1896 Envoy Extraordinary and Minister Plenipotentiary The Marquis Maha Yotha
1894 Chargé d'Affaires and Consul General M.E.W. de Bunsen	1898 " The Marquis Visuddha
1897 Minister Resident George Greville	1899 " Phya Prasiddhi Salakar
1901 Envoy Extraordinary and Minister Plenipotentiary Reginald Tower	1903 " Phya Visutr Kosa
1903 Envoy Extraordinary and Minister Plenipotentiary Ralph Spencer Paget	

[Compiled from the volumes of Whitaker's Almanack in the London University Library].

TABLE IV.

French Representative in Bangkok	Siamese Representative in Paris
1875 Consul et Commissaire du gouvernement, Garnier	1875 Consul Amédée Gréhan
1878 " de Vienne	1879 Consul-General "
1880 " Blancheton	1881 " Albert Gréhan
1883 " Harmand	1883 Envoy Extraordinary and Minister Plenipotentiary Prince Prisdang
1883 " de Kergaradec	1888 " Phya Krai Kosa
1885 Consul, Chargé du Consulate général, de Kergaradec	1891 " Prince Vadhana
1887 Consul-Général de Kergaradec	1898 " Phya Suriya
1890 Consul-Général et Chargé d'Affaires de Kergaradec	
1891 "~ Pavie	
1892 Consul-Général, Chargé des fonctions de Ministre Résident Pavie	
1896 Secrétaire de 1re Classe, Chargé du fonction de Ministre Résident Defrance	
1898 Ministre Plénipotentiaire de 2e classe, Chargé des fonctions de Ministre Résident Defrance	
1901 " Klobukowski	

[Compiled from the volumes of (Didot-Bottin) Annuaire - Almanack du Commerce et de l'Industrie in the British Museum]

TABLE V.

British Under-Secretaries of State for Foreign Affairs whose names are referred to in the text

Sir Julian (afterwards Lord) Ponsefote, July 1876 Assistant; September 1882, Permanent.

Sir Phillip (afterwards Lord) Currie, October 1882, Assistant; April 1889, Permanent.

Sir Thomas H. (afterwards Lord) Sanderson, April 1889, Assistant; January 1894, Permanent.

Sir Edward Grey (afterwards Viscount Grey of Fallodon), August 1892, Parliamentary.

Hon. Francis L. Bertie (afterwards Viscount Bertie of Thame), January 1894, Assistant.

Right Hon. George N. Curzon (afterwards Earl Curzon of Kedleston), June 1895, Parliamentary.

Hon. Francis H. (afterwards Sir F.H.) Villiers, July 1896, Assistant.

Sir Martin Le M.H. Gosselin, July 1898, Assistant.

[From Cambridge History of British Foreign Policy, Vol. 3]

TABLE VI.

Consular Officers in the British Consulate-General at Bangkok and Vice-Consulate at Chiengmai whose names are referred to in the text.

W.H. Newman, Interpreter 1875, Vice-Consul 1876, Consul 1884-5.

D.J. Edwards, First Assistant 1875.

E.B. Gould, Second Assistant 1875, First Assistant 1880, Vice-Consul at Chiengmai 1885, Consul at Bangkok 1885-1892.

E.H. French, Student Interpreter 1875, Second Assistant 1879, First Assistant 1884, Vice-Consul at Chiengmai 1885, Consul at Bangkok 1892-1896.

W.J. Archer, Student Interpreter 1882, First Assistant 1886, Vice-Consul at Chiengmai 1892, Consul at Bangkok 1897, Judge of the British Court for Siam 1903.

W.R.D. Beckett, Student Interpreter 1886, Second Assistant 1888, First Assistant 1891, Vice-Consul 1893, Vice-Consul at Chiengmai 1897, Consul at Chiengmai 1901, Consul at Bangkok 1903.

C.E.W. Stringer, Student Interpreter 1886, Acting Assistant 1889, Second Assistant 1892, Vice-Consul 1896, Consul at Chiengmai 1903.

J.S. Black, Student Interpreter 1888, Acting Assistant 1892, Second Assistant 1895, Vice-Consul 1897-1901, Judicial Adviser at the Siamese Ministry of Justice 1902.

[Compiled from Whitaker's Almanacks]

BIBLIOGRAPHY.

I. Original Sources.

(A) Unpublished: F.O.69.

The main source of my study are the official British Foreign Office papers in the Public Record Office. As recently as 1935 the Foreign Office Records were available for researchers only up to the year 1878. In 1946 they were opened up to 1885, and in 1950 up to 1902. I have therefore been the first researcher to see the original documents relating to Siam during the period 1885-1902 and had the rare opportunity of using a mass of completely new material.

The Foreign Office records are divided mainly into two divisions as Embassy and Consular Correspondence, and General Correspondence. As the name itself suggests, the Embassy and Consular Correspondence contains records kept in British Embassies and Consulates in foreign countries. As far as records relating to Siam are concerned, there are no volumes in the Public Record Office under this head. Presumably the records from Bangkok were not sent to London. The lack of these, however, was made up for by the fact that the final drafts of outgoing despatches or telegrams with the signature of the Foreign Secretary himself, were in every case available.

The volumes classified under General Correspondence contain diplomatic despatches and telegrams; correspondence concerning treaties, consular and commercial matters and private individuals. Within the first category there are volumes of outgoing and incoming despatches, outgoing and incoming telegrams, communications with the Foreign Ambassador ("Domestic") and with other Government Departments (various).

General Correspondence concerning Siam is classified in the Public Record Office as F.O.69. This series starts from 1849 with Sir J. Brook's Special Mission to Siam. There are 250 volumes concerning the whole period and I have consulted all of them, irrespective of the fact that 50 of them cover the period from 1849 to 1870. These earlier volumes provided much useful material for my purpose.

In addition to the two way correspondence between the Foreign Office and its representative in Bangkok, the volumes on Siam contain originals of letters from the Kings and Foreign Ministers of Siam (written in broken English) and communications from various individuals, mostly English, to the Foreign Office. It is very revealing to find voluminous papers sent by the Siamese Minister in Paris to his counterpart in London for communication to the British Foreign Office, and containing apparently the full record of

current negotiations between the French Foreign Minister and the Siamese Minister in Paris. All the correspondence concerning Anglo-French negotiations over Siam is to be found in volumes under F.O.69.

As far as the inter-departmental correspondence (variou is concerned, we can find in the above volumes correspondenc over Siamese affairs between the following departments:- (i) From the Chief Commissioner of British Burma to the Government of India; from the Government of India to the India Office, and from the India Office to the Foreign Office and vice versa. (ii) From the Government of the Straits Settlements to the Colonial Office and from the Colonial Office to the Foreign Office and vice versa. (iii) From the Commander-in-Chief, China Station to the Admiralty and from the Admiralty to the Foreign Office and vice versa.

In addition to despatches and telegrams these volumes contain a large number of memoranda and notes prepared by the Secretary of State and various Under Secretaries. "Confidential Prints" of a number of despatches, memoranda and reports in the Foreign Office are extremely useful. Notes prepared by the Foreign Office on various important problems and negotiations and printed for circulation to the Cabinet are full of useful material.

In the Official Series F.O.17 dealing with General

Correspondence on China there are some twelve volumes (17/1060-1152) containing despatches and telegrams on the affairs of Burma. These volumes mostly deal with boundary questions between Burma, China and Siam. Volumes 1175-88, 1219-26, 1265-72 and 1293-96 in F.O.17 dealing with French activities in relation to Burma and Siam are invaluable. They contain the full and detailed story of the 1893 Crisis between Siam and France and the work of the Anglo-French Buffer State Commission of 1894-95. For the detailed story of the French blockade of Bangkok, the above volumes are a mine of interesting material.

For the French blockade of Bangkok and its effects on the British ships stationed there I have consulted the original documents from the Admiralty papers kept in the Public Record Office. They are a useful supplement to the F.O. volumes on Siam, which contain only extracts to the Foreign Office.

Private Papers:

It is a fact that the official records of Lord Salisbury's administration are "sadly incomplete" because all the most important business was transacted in the form of "private" correspondence.(1) Salisbury's private papers forme

(1) Gooch and Temperley, British Documents on the Origins of the War, 1898-1914, p.viii. Memo by Sir Eyre Crowe, 1st January 1907.

the basis for a book on his life written by Lady Gwendolen Cecil in 1921-31; but it has little to say on Siam. My application for permission to go through Lord Salisbury's private papers on this subject could not be granted because of the disorganized state of those papers at Hatfield at the present moment.

Only Sir T.H. (afterwards Lord) Sanderson and Lord Lansdowne left their private papers in the Foreign Office. These papers are in the Library there and can be consulted only on personal application to the Librarian. A collection entitl Private Papers of Lord Lansdowne and Sir T. Sanderson, 1898 - 1905 was found in a press in the map room of the Foreign Office in June 1942. They would appear to have been Lord Lansdowne's personal papers, although there are a certain number of letters which would seem personal to Sir T.Sanders These papers are classified as General 277, and presumably this has no connection with the classification of the Public Record Office.

I have consulted Lord Sanderson's Private Papers, 1860 - 1922, classified as General 268, in the Foreign Office Libra They are immensely helpful for my study. There is another set of Lord Lansdowne's Private Papers, 1900 - 1926, (Genera 277) which are specially useful for the study of the Anglo-Siamese Declaration on the Siamese Malay States and the

British reaction to the Franco-Siamese Convention of 1902.

(B) Published.

(i) British and Foreign State Papers: These volumes contain every diplomatic document published in the world.

(ii) House of Commons Papers: Accounts and Papers presented to the House of Commons by command. This series differs from the British and Foreign State Papers in so far as its sphere is restricted to matters of national interest only. Blue Books are the speciality of the Accounts and Papers. As far as treaties and other published diplomatic documents concerning Great Britain go, there is duplication in these two series. In addition to the Treaties and other published diplomatic documents affecting Siam, the Accounts and Papers contain the following documents concerning Siam:-

(1) Affairs: Correspondence, 1894 (Blue Book, Siam 1894) XCVI.399. Most of the authors who wrote on relations between Siam, Britain and France used only this Blue Book.

(2) Commercial Reports from Her Majesty's Consul-Genera in Siam, 1870-1886.

(3) Consular Journeys: (a) Report by W.J. Archer of journey in Vice-Consulate District of Chiengmai, Siam, 1888. XCVIII.719. (b) Report by Mr. C.E.W. Stringer of journey to Laos State of Nan, Siam; ib, 707. (c) Extracts from journa kept by W.J. Archer, of visit to Chieng Tung in May and June

1888, 1889; LXXVII.399. (d) Report on journey in Me-Kong Valley, by W.J. Archer, (with Map) 1893; LXXIX.337.

(iii) Documents Diplomatiques Française, 1871-1914: French Foreign Office Publication, Paris. (In three series). First Series 1871-1900 (Published 1929-1947), Second Series 1901-1911 (Published 1930-1948).

As the French Foreign Office Archives are not open for researchers after 1885, these volumes help one to get some glimpse of French policy. As for Siamese affairs, only volumes IX, X and XI of the first series and the first two volumes of the second series are useful.

(iv) Documents Diplomatiques; affaires du Siam et du Haut Mékong, Paris 1893 and 1896;

These are the French Yellow Books as presented to the Chamber of Deputies and contain only the official Declaratio

(v) State Papers of the Kingdom of Siam, 1664-1886: Compiled by the Siamese Legation in Paris and published in London in 1886. This book is in the Foreign Office Library It contains only the texts of Treaties between Siam and various foreign Powers. Another collection, unofficial and incomplete, was published in Bangkok in 1915 by the Bangkok Times, an English newspaper.

(vi) German Diplomatic Documents, 1871-1914, in four volumes. Selected and translated by E.T.S. Dugdale (based

on Die Grosse Politik der Europaischen Machte, 1871-1914) London, 1929. Second volume contains a number of despatches concerning the Franco-Siamese Crisis of 1893 and the British and German reaction to that.

(vii) British Documents on the Origins of the War, 1898 1914: Edited by G.P. Gooch and Harold Temperley, London, 1927. As most of the documents published in these volumes were taken from the Foreign Office papers in the Public Reco Office, this source is most useful. But there is not much material regarding Siam as it was a selection of documents dealing with the origins of the war. Only the first two volume are helpful for my study, and for the story of the Entente Cordiale of 1904 the second volume is most useful.

(viii) The Letters of Queen Victoria: A selection from Her Majesty's Correspondence and Journal between the years 1862 and 1885: second series, edited by G.E. Buckle, 3 vols London 1926-28. Third series cover the period from 1886 to 1901, edited by G.E. Buckle, 3 vols. London 1930-32.

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