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No. 5.

No. 5

14285

INDIAN PAPERS.

Correspondence relating to Affghanistañ.

India Board,
26 March 1839.]

JOHN HOBHOUSE.

(PRESENTED BY HER MAJESTY'S COMMAND.)

Ordered, by The House of Commons, to be Printed,
27 March 1839.

L I S T.

No. 5.

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Majesty's Government have also been much gratified by learning that one of the first acts of Colonel Duhamel, on entering upon his functions at Tehran, was to recall Captain Vicovich from Affghanistan.

With respect to the relations between Great Britain and Persia, I beg again to assure your Excellency, that Her Majesty's Government are waiting with great anxiety for the moment when Great Britain may be enabled to re-establish those relations upon their former footing of friendship; but it rests with the Shah, and not with Her Majesty's Government, to take the steps which are necessary for bringing about that result.

I have, &c.

His Excellency Count Pozzo di Borgo. (Signed) PALMERSTON.
&c. &c. &c.

APPENDIX.

Viscount Palmerston to Mr. Mc Neill.

Sir,

Foreign Office, March 20, 1838.

I INCLOSE, for your information, a copy of a despatch which I have addressed to Her Majesty's Ambassadors at Paris and at Vienna, directing them to apprise Hoosein Khan, if he should arrive at either of those Capitals, that, under existing circumstances, he will not be received at this Court.

I am, &c.

John Mc Neill, Esq. (Signed) PALMERSTON.
&c. &c. &c.

Inclosure.

Viscount Palmerston to Earl Granville and Sir Frederick Lamb.

*My Lord,
Sir,*

Foreign Office, March 20, 1838.

BY intelligence recently received from Her Majesty's Envoy at the Court of Persia, it appears that certain Persian authorities, acting, there is too much reason to suppose, under the immediate orders of the Shah, intercepted one of the messengers of the British Mission on his return from Herat to Tehran; and having brought him back by force to the Royal Camp, took from him his despatches, and otherwise maltreated him. For so outrageous a violation of the law of nations, Her Majesty's Minister in Persia has demanded redress; and it will depend upon the course which the Shah may take in this matter, whether Her Majesty's Minister will remain in Persia or not.

Meanwhile, Her Majesty's Government have been apprised that Hoosein Khan, who was some time ago appointed by the Court of Persia to proceed to England, as Ambassador from the Shah, to congratulate Her Majesty on Her accession to the throne, has actually set out, and has probably by this time made considerable progress on his journey.

Her Majesty's Government, fully concurring in the view taken by Mr. Mc Neill of the unjustifiable conduct of the Persian authorities, have entirely approved of the course which Mr. Mc Neill has adopted in this transaction; and under these circumstances it is obvious that the Queen cannot receive at Her Majesty's Court any Ambassador from the Shah, neither can Her Majesty's Secretary of State hold any communication with such Ambassador on any matter of business whatever, until information shall have been received that the Shah has made full reparation for the outrage committed upon the British Messenger.

I have therefore to instruct your Excellency to take measures for obtaining early intelligence of the arrival of Hoosein Khan at ^{Paris} _{Vienna}; and upon being informed of his arrival, you will immediately apprise him of the deter-

mination of Her Majesty's Government, not to receive him nor to hold any communication with him under existing circumstances : and you will point out to him the mortifying position in which he would be placed, if, instead of waiting where he is, to learn the result of this affair in Persia, he should persist, notwithstanding this intimation, in continuing his journey to England.

I am, &c.

(Signed)

PALMERSTON.

His Excellency The Earl Granville, G.C.B.

&c. &c. &c.

His Excellency Sir Frederick Lamb, G.C.B.

&c. &c. &c.

TREATIES

WITH

P E R S I A.

Presented to both Houses of Parliament by Her Majesty's Command.

TO BE SUBSTITUTED FOR THE COPIES OF THE TREATIES WITH PERSIA CONTAINED IN
THE INDIA PAPERS, PART II, PRESENTED MARCH 8, 1839.]

LONDON:
PRINTED BY J. HARRISON AND SON.

P A P E R

RELATING TO

C H I N A.

*Presented to the House of Commons, by the Queen's Command, in pursuance
of an Address to Her Majesty of the 3rd April, 1840.*

LONDON:
PRINTED BY T. R. HARRISON.

PAPER

RELATING TO

C H I N A.

HOUSE OF COMMONS.

Veneris 3° die Aprilis 1840.

RESOLVED.

That an humble Address be presented to Her Majesty, that She will be graciously pleased to give directions that there be laid before this House, a copy of any despatch or memorandum from Sir George Robinson, relating to the proceedings of Lord Napier from the middle of August, 1834, to the time of Lord Napier's death.

ORDERED.

That the said Address be presented to Her Majesty by such Members of this House as are of Her Majesty's Most Honourable Privy Council.

J. H. LEY,
Cl. Dom. Com.

The following is a Copy of the only Document in the Foreign Office, received from Sir George Robinson, relating to the proceedings of Lord Napier from the middle of August, 1834, to the time of Lord Napier's death.

Extract from the "Records of Proceedings" of the Superintendents in China.—(Received March 12, 1835.)

September 27, 1834.—IN reference to the proceedings of His Majesty's Superintendents from the 4th to the 25th of September, 1834, Sir George Robinson records the following Minute:—

On Thursday afternoon, September 4th, while sitting at dinner with the Right Honourable the Chief Superintendent, the room was suddenly crowded by the Chinese, of different classes, in our service, and those connected with the Establishment of the East India Company—Compradores, cooks, Coolies, &c.,—who ran up stairs in great alarm, saying the Mandarin soldiers had surrounded, and were about to enter, the Factory. On going to the principal entrance, we found a line of them drawn up in

front, and a great number assembling in the public square, part of whom were landed from boats, which were then moored in front of the garden and stairs, in such a manner as to prevent all egress. These vessels were furnished with spears, lances, swords, &c.; and, in some of the largest, both chains and iron manacles were displayed. The doors were closely beset, and I considered we were about to be made prisoners. All the Chinese having left the Hong, there only remained His Majesty's Superintendents, and the Europeans attached to the Establishment—eight or nine persons. It was intimated to me by many Chinese, that threats were uttered on the part of the Mandarins, of unroofing our houses, preventing all supplies of provisions, and seizing, or at least closely confining to the Hong, the Chief Superintendent and suite, they said, "to prevent his escape." Under these circumstances, Lord Napier communicated to me his determination to apply to Captain Blackwood for a small party of marines to be sent up without delay, and also to request him to proceed to Whampoa with both His Majesty's ships.

A letter to that effect was dispatched by the schooner *Hawk*, belonging to Messrs. Jardine, Matheson, and Co., but about midnight, his Lordship feeling anxious that pilots should be procured, if possible, for the ships, and that the safety of the cutter *Louisa*, returning from Macao with the Second Superintendent, should be provided for, by one or both the frigates waiting her arrival, as Captain Blackwood might deem most expedient, requested me to ascertain the possibility of forwarding a letter to Whampoa, and from thence to Chuénpee, in furtherance of these objects.

Totally failing in all my endeavours to accomplish this; unable to procure either a boat or any person willing to undertake the charge; and being most anxious to forward his views; I proposed to Lord Napier, with whom I most fully and entirely concurred throughout and in all respects, that I should myself be the bearer of his letter to Captain Blackwood. Accordingly, by the assistance of Mr. C. Markwick, I succeeded in getting on board the cutter *St. George* without observation; and on arriving on board the *Fort William* at Whampoa, was much gratified to find Mr. Wilson, second officer of that ship, volunteer his services to pilot the frigates. I was well aware of this gentleman's experience and knowledge of the river, as well of his obliging disposition and goodwill, but must leave to Captain Blackwood the care of pointing out the services he rendered, as being better qualified than myself so to do. On reaching His Majesty's ship *Imogene* late in the evening, and finding the marines had already started for Canton by the advice of Captain Blackwood, I dispatched the cutter *St. George* to Macao to hasten the movements of the *Louisa*, and forward notices of the intended measures to the merchant shipping at Capsingmoon and in Macao Roads. The cutter *Louisa* joined us on Saturday, and Captain Chads was enabled to secure the services of Mr. James, late master of that vessel, as pilot to His Majesty's ship *Andromache*.

On Sunday, the 7th ultimo, we passed the Bogue, and from that time until the frigates left the river, all communication with Canton was cut off except by notes inclosed to English residents, and concealed about the persons of Chinese boatmen, &c. This, however, proved a very precarious conveyance, as of several letters I wrote to Lord Napier only one reached him; the others have all of them been returned to me by those Chinese to whom they were entrusted.

(Signed) GEORGE BEST ROBINSON.

TREATIES WITH PERSIA.

Preliminary Treaty with Persia, concluded by Sir Harford Jones
on the 12th March, 1809.

In the Name of Him who is ever necessary, who is all-sufficient, who is everlasting, and who is the only Protector.

In these Times distinguished by Felicity the excellent Ambassador, Sir Harford Jones, Baronet, Member of the Honourable Imperial Ottoman Order of the Crescent, has arrived at the Royal City of Tehran, in Quality of Ambassador from His Majesty the King of England (Titles), bearing His Majesty's Credential Letter, and charged with Full Powers munited with the Great Seal of England, empowering him to strengthen the Friendship and consolidate the strict Union subsisting between the high States of England and Persia. His Majesty the King of Persia (Titles) therefore, by a special Firmaun delivered to the said Ambassador, has appointed the most excellent and noble Lords Meerza Mahomed Sheffeeh, qualified with the Title of Moatumed-ed-Dowlah, his First Vizier, and Hajee Mahomed Hoossein Khan, qualified with the Title of Ameen-ed-Dowlah, One of the Ministers of Record, to be His Plenipotentiaries to confer and discuss with the aforesaid Ambassador of His Britannic Majesty all Matters and Affairs touching the Formation and Consolidation of Friendship, Alliance, and strict Union between the Two high States, and to arrange and finally conclude the same for the Benefit and Advantage of both Kingdoms. In consequence whereof, after divers Meetings and Discussions, the aforesaid Plenipotentiaries have resolved that the following Articles are for the Benefit and Advantage of both the high States, and are hereafter to be accordingly for ever observed.

ARTICLE I.—That as some Time will be required to arrange and form a Definitive Treaty of Alliance and Friendship between the Two high States, and as the Circumstances of the World make it necessary for something to be done without Loss of Time, it is agreed these Articles, which are to be regarded as preliminary, shall become a Basis for establishing a sincere and everlasting Definitive Treaty of strict Friendship and Union; and it is agreed that the said Definitive Treaty, precisely expressing the Wishes and Obligations of each Party, shall be signed and sealed by the said Plenipotentiaries, and afterwards become binding on both the High Contracting Parties.

ARTICLE II.—It is agreed that the Preliminary Articles, formed with the Hand of Truth and Sincerity; shall not be changed or altered, but there shall arise from them a daily Increase of Friendship which shall last for ever between the Two most serene Kings, their Heirs, Successors, their subjects, and their respective Kingdoms, Dominions, Provinces, and Countries.

ARTICLE III.—His Majesty the King of Persia judges it necessary to declare that from the Date of these Preliminary Articles every Treaty or Agreement he

may have made with any one of the Powers of Europe, becomes null and void, and that he will not permit any European Force whatever to pass through Persia, either towards India, or towards the Ports of that Country.

ARTICLE IV.—In case any European Forces have invaded, or shall invade, the Territories of His Majesty the King of Persia, His Britannic Majesty will afford to His Majesty the King of Persia a Force, or, in lieu of it, a Subsidy with warlike Ammunition, such as Guns, Muskets, &c., and Officers, to the Amount that may be to the Advantage of both Parties, for the Expulsion of the Force so invading; and, the Number of these Forces, or the Amount of the Subsidy, Ammunition, &c., shall be hereafter regulated in the Definitive Treaty. In case His Majesty the King of England should make Peace with such European Power, His Britannic Majesty shall use His utmost Endeavours to negotiate and procure a Peace between His Persian Majesty and such Power. But if (which God forbid) His Britannic Majesty's Efforts for this Purpose should fail of Success, then the Forces or Subsidy, according to the Amount mentioned in the Definitive Treaty, shall still continue in the Service of the King of Persia as long as the said European Forces shall remain in the Territories of His Persian Majesty, or until Peace is concluded between His Persian Majesty and the said European Power. And it is further agreed, that in case the Dominions of His Britannic Majesty in India are attacked or invaded by the Affghans or any other Power, His Majesty the King of Persia shall afford a Force for the Protection of the said Dominions, according to the Stipulations contained in the Definitive Treaty.

ARTICLE V.—If a Detachment of British Troops has arrived from India in the Gulf of Persia, and by the Consent of His Persian Majesty landed on the Island of Karrak, or at any of the Persian Ports, they shall not in any Manner possess themselves of such Places; and, from the Date of these Preliminary Articles, the said Detachment shall be at the Disposal of His Majesty the King of Persia, except his Excellency the Governor-General of India judges such detachment necessary for the defence of India, in which case they shall be returned to India, and a Subsidy in lieu of the personal services of these Troops shall be paid to His Majesty the King of Persia, the Amount of which shall be settled in the Definitive Treaty.

ARTICLE VI.—But if the said Troops remain, by the Desire of His Majesty the King of Persia, either at Karrak, or any other Port in the Gulf of Persia, they shall be treated by the Governor there in the most friendly Manner, and Orders shall be given to all the Governors of Farsistan, that whatever Quantity of Provisions, &c. may be necessary shall, on being paid for, be furnished to the said Troops at the fair Prices of the Day.

ARTICLE VII.—In case War takes place between His Persian Majesty and the Affghans, His Majesty the King of Great Britain shall not take any Part therein, unless it be at the Desire of both Parties, to afford his Mediation for Peace.

ARTICLE VIII.—It is acknowledged the Intent and Meaning of these Preliminary Articles are defensive. And it is likewise agreed, that as long as these Preliminary Articles remain in force, His Majesty the King of Persia shall not enter into any Engagements inimical to His Britannic Majesty, or pregnant with Injury or Disadvantage to the British Territories in India.

This Treaty is concluded by both Parties in the Hope of its being everlasting, and that it may be productive of the most beautiful Fruits of Friendship between the Two most serene Kings.

In witness whereof we the said Plenipotentiaries have hereunto set our Hands and Seals in the Royal City of Tehran, this Twelfth Day of March, in the Year of our Lord One thousand eight hundred and nine, answering to the Twenty-fifth of Mohurrum el Haram, in the Year of the Hegira One thousand two hundred and twenty-four.

(L. S.) HARFORD JONES.

(L. S.) MAHOMMED SHEFFEEH.

(L. S.) MAHOMMED HOOSSEIN.

Definitive Treaty with Persia, concluded at Tehran, by Messrs.
Morier and Ellis, on the 25th November, 1814.

Praise be to God, the all-perfect and all-sufficient.

THESE happy Leaves are a Nosegay plucked from the thornless Garden of Concord, and tied by the Hands of the Plenipotentiaries of the Two great States in the Form of a Definitive Treaty, in which the Articles of Friendship and Amity are blended.

Previously to this Period, the high in Station, Sir Harford Jones, Baronet, Envoy Extraordinary from the English Government, came to this Court, to form an amicable Alliance, and in conjunction with the Plenipotentiaries of Persia, their Excellencies (Titles) Meerza Mahomed Shefseeah and Hajee Mahammed Hoossein Khan, concluded a Preliminary Treaty, the Particulars of which were to be detailed and arranged in a Definitive Treaty; and the above-mentioned Treaty, according to its Articles, was ratified by the British Government.

Afterwards, when His Excellency Sir Gore Ouseley, Ambassador Extraordinary from His Britannic Majesty, arrived at this exalted and illustrious Court, for the Purpose of completing the Relations of Amity between the Two States, and was invested with Full Powers by his own Government to arrange all the important Affairs of Friendship, the Ministers of this victorious State, with the Advice and Approbation of the above-mentioned Ambassador, concluded a, Definitive Treaty, consisting of fixed Articles and Stipulations.

That Treaty having been submitted to the British Government, certain Changes in its Articles and Provisions, consistent with friendship, appeared necessary, and Henry Ellis, Esquire, was accordingly dispatched to this Court, in charge of a Letter explanatory of the above-mentioned Alterations. Therefore their Excellencies Meerza Mahomed Shefseeah, Prime Minister, Meerza Bozoork, Caimakan (Titles), and Meerza Abdul Wahab, Principal Secretary of State, (Titles), were duly appointed, and invested with Full Powers to negotiate with the Plenipotentiaries of His Britannic Majesty, James Morier, Esquire, recently appointed Minister at this Court, and the above-mentioned Henry Ellis, Esquire. These Plenipotentiaries having consulted on the Terms most advisable for this Alliance, have comprised them in Eleven Articles. What relates to Commerce, Trade, and other Affairs, will be drawn up and concluded in a separate Commercial Treaty.

ARTICLE I.—The Persian Government judge it incumbent on them, after the Conclusion of this Definitive Treaty, to declare all Alliances contracted with European Nations in a State of Hostility with Great Britain, null and void, and hold themselves bound not to allow any European Army to enter the Persian Territory, nor to proceed towards India, nor to any of the Ports of that Country; and also engage not to allow any Individuals of such European Nations, entertaining a Design of invading India, or being at Enmity with Great Britain, whatever, to enter Persia. Should any European Powers wish to invade India by the Road of Khazarm, Tartaristan, Bokhara, Samarcand, or other Routes, His Persian Majesty engages to induce the Kings and Governors of those Countries to oppose such Invasion, as much as is in His Power, either by the Fear of His Arms, or by conciliatory Measures.

ARTICLE II.—It is agreed that these Articles, formed with the Hand of Truth and Sincerity, shall not be changed or altered; but there shall arise from them a daily Increase of Friendship which shall last for ever between the Two most serene Kings, their Heirs, Successors, their Subjects, and their respective Kingdoms, Dominions, Provinces, and Countries. And His Britannic Majesty further engages not to interfere in any Dispute which may hereafter arise between the Princes, Noblemen, and great Chiefs of Persia; and if one of the contending Parties should even offer a Province of Persia, with view of obtaining Assistance, the English Government shall not agree to such a Proposal, nor, by adopting it, possess themselves of such Part of Persia.

ARTICLE III.—The Purpose of this Treaty is strictly defensive, and the Object is that from their mutual Assistance both States should derive Stability and Strength; and this Treaty has only been concluded for the Purpose of repelling the Aggressions of Enemies; and the Purport of the Word Aggression in this Treaty is, an Attack upon the Territories of another State. The Limits of the Territory of the Two States of Russia and Persia shall be determined according to the Admission of Great Britain, Persia, and Russia.

ARTICLE IV.—It having been agreed by an Article in the Preliminary Treaty concluded between the High Contracting Parties, that in case of any European Nation invading Persia, should the Persian Government require the Assistance of the English, the Governor-General of India, on the Part of Great Britain, shall comply with the Wish of the Persian Government, by sending from India the Force required, with Officers, Ammunition, and Warlike Stores, or, in lieu thereof, the English Government shall pay an annual Subsidy, the Amount of which shall be regulated in a Definitive Treaty to be concluded between the High Contracting Parties; it is hereby provided, that the Amount of the said Subsidy shall be Two hundred thousand (200,000) Tomauns annually. It is further agreed, that the said Subsidy shall not be paid in case the War with such European Nation shall have been produced by an Aggression on the Part of Persia; and since the Payment of the above Subsidy will be made solely for the Purpose of raising and disciplining an Army, it is agreed that the English Minister shall be satisfied of its being duly applied to the Purpose for which it is assigned.

ARTICLE V.—Should the Persian Government wish to introduce European Discipline among their Troops, they are at liberty to employ European Officers for that Purpose, provided the said Officers do not belong to Nations in a State of War or Enmity with Great Britain.

ARTICLE VI.—Should any European Power be engaged in War with Persia, when at Peace with England, His Britannic Majesty engages to use his best Endeavours to bring Persia and such European Power to a friendly Understanding. If, however, His Majesty's cordial Interference should fail of Success, England shall still, if required, in conformity with the Stipulations in the preceding Articles, send a Force from India, or, in lieu thereof, pay an annual Subsidy of Two hundred thousand (200,000) Tomauns, for the Support of a Persian Army, so long as a War in the supposed Case shall continue, and until Persia shall make Peace with such Nation.

ARTICLE VII.—Since it is the Custom of Persia to pay the Troops Six Months in advance, the English Minister at that Court shall do all in his Power to pay the Subsidy in as early Instalments as may be convenient.

ARTICLE VIII.—Should the Affghans be at War with the British Nation, His Persian Majesty engages to send an Army against them in such Manner and of such force as may be concerted with the English Government. The Expenses of such an Army shall be defrayed by the British Government, in such Manner as may be agreed upon at the Period of its being required.

ARTICLE IX.—If War should be declared between the Affghans and Persians, the English Government shall not interfere with either Party, unless their Mediation to effect a Peace shall be solicited by both Parties.

ARTICLE X.—Should any Persian Subject of Distinction, showing Signs of Hostility and Rebellion, take refuge in the British Dominions, the English Government shall, on Intimation from the Persian Government, turn him out of their Country, or, if he refuse to leave it, shall seize and send him to Persia.

Previously to the Arrival of such Fugitive in the English Territory, should the Governor of the District to which he may direct his Flight, receive Intelligence of the Wishes of the Persian Government respecting him, he shall refuse him Admission. After such Prohibition, should such Person persist in his Resolution, the said Governor shall cause him to be seized and sent to Persia; it being understood that the aforesaid Obligations are reciprocal between the Contracting Parties.

ARTICLE XI.—Should His Persian Majesty require Assistance from the En-

glish Government in the Persian Gulf, they shall, if convenient and practicable, assist him with Ships of War and Troops. The Expenses of such Expedition shall be accounted for and defrayed by the Persian Government, and the above Ships shall anchor in such Ports as shall be pointed out by the Persian Government, and not enter other Harbours without Permission, except from absolute Necessity.

The Articles are thus auspiciously concluded.

A Definitive Treaty between the Two States having formerly been prepared, consisting of Twelve Articles, and certain Changes, not inconsistent with Friendship, having appeared necessary, we, the Plenipotentiaries of the Two States, comprising the said Treaty in Eleven Articles, have hereunto set our Hands and Seals, in the Royal City of Tehran, this Twenty-fifth Day of November, in the Year of our Lord One thousand eight hundred and fourteen, corresponding with the Twelfth Zeealhajeh in the Year of the Hegira One thousand two hundred and twenty-nine.

(L. S.)	JAMES MORIER.
(L. S.)	HENRY ELLIS.
(L. S.)	MAHOMMED SHEFFEEH.
(L. S.)	ABDUL WAHAB.
(L. S.)	ISAH (MEERZA BOZOORK.)

The Bonds, Ruckum, and Firman annulling the Third and Fourth Articles of the Treaty of November 25, 1814, are contained in the India Papers, Part II, presented March 8, 1839.