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A
A BRIEF EXPOSITION
OF THE
BRITISH FOREIGN POLICY

TOWARDS
HOLLAND,
CONSIDERED WITH REGARD BOTH TO ITS
INJUSTICE AND INEXPEDIENCY,
IN REPLY TO THE RECENT (UNCALLED FOR)
"JUSTIFICATION."

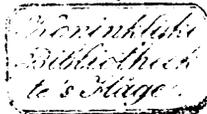
By T. O. S.

FIRST PART.
THE INJUSTICE.

LONDON:

W. MOLINEUX, ROLLS PRINTING OFFICE, ROLLS BUILDINGS,
FETTER LANE.

1833.



A BRIEF EXPOSITION, &c.

PART I.

AMIDST the momentous discussions that have arisen on the subject of the separation of Belgium and Holland, an attempt has been made in a recent publication,* to cast the blame on the course pursued by the government of the Netherlands.

Yet, in order to show the fallaciousness of the mode of argument, adopted in the pamphlet alluded to, it will suffice simply to refer to the solemn engagements entered into by the Five Powers with the King of the Netherlands, subsequently to the disturbances that led to the meeting of the Conference of London.

By placing the question upon the plain, but self-evident basis of the reciprocal rights, resulting from a synallagmatic contract, we can avoid animadverting upon the sundry aberrations the Conference has since been induced to, in consequence of the powerful influence of the British ministry having become servilely instrumental to the designs of France. All our inquiry is thus reduced to the

* *A Justification of the Foreign Policy of Great Britain towards Holland.* London—Ridgway.

simple questions, what were the engagements contracted between the King of the Netherlands and the Five Powers, with respect to the separation? Have these engagements been performed? And if not, by whom have they been violated?

To destroy, to reduce to atoms the whole of the delusive structure, artfully drawn up by the advocate of the new British policy, we shall have to show that the contracted engagements, religiously fulfilled by the King of the Netherlands, have been overtly violated by those members of the Conference, who, by their sympathising affections, were disposed to promote the triumph of the revolutionary principle at the expence of the legitimate throne.

In order to accomplish this important, though easy task, we must beg to direct the attention of the candid reader, to the two decisive documents that emanated from the labours of the Conference, under the dates of the 27th of January and 18th of February 1830, viz., Protocol No. 12, containing the bases of the separation, and Protocol No. 18, stating, by the signature of the Plenipotentiaries of the King of the Netherlands and those of the Five Powers, the entire and unreserved acceptance of the aforesaid bases by the Dutch government, in full concordance with the Five Powers. It was then admitted by all statesmen in Europe, and so it is at present if we except the ministers of France and England, that this decision was of the highest importance, all coinciding in the opinion that the only means for a speedy consolidation of the general

peace, were the entering into an equitable and fair settlement with the King of the Netherlands, whose assent would bring the system of legitimacy, adhered to by the northern Courts and the Germanic Diet, in harmony with the necessities that had arisen from the revolution of the three glorious days in France, and the ascendancy of the Whigs in the British cabinet.

Three or four months had hardly elapsed since the Belgic insurrection, when this great aim had been attained. The Five Powers, called upon by the King of the Netherlands "to deliberate, in concert with His Majesty, upon the best means of putting an end to the disturbances that had broken out in his states,"* communicated the result of their deliberations by the Protocol of the 27th of January, and the King having manifested his unreserved acceptance of the terms proposed, the members of the Conference unanimously acknowledged by the Protocol of the 18th of February, that they were happy to receive the declaration to that effect from the Dutch Plenipotentiaries.†

Now, let it be asked even to those that are the most prepossessed against the Dutch cause, could the King give a more striking proof of his sincere and fervent wish to co-operate by all means in his

* See *Recueil de Pièces Diplomatique relatives aux affaires de la Hollande et de la Belgique*, Protocol No. 1.

† See *Recueil, &c.* protocol No. 18. "Les plenipotentiaries des cinq cours, en se félicitant de recevoir cette communication de la part de S. M. le Roi du Pays Bas," etc.

power to the consolidation of the general peace, then endangered by the wanton insurrection of a turbulent party ?

We will not stop to enumerate the immense sacrifices the King submitted to in accepting these bases, or the weighty objections that were made in His Majesty's council. One feeling predominated over all these considerations, and this was the unbounded reliance of the King and Nation upon the fair and faithful execution the Five Powers were now bound to give to an enactment, which they had themselves devised, and which the King, bereft of more than the half of his dominions, and the Nation, injured in her most important interests, had accepted without any reservation. Not the least doubt was or could be entertained on this subject, as the same Protocol of the 27th of January, 1831, stating the motives of the present and future conduct of the Five Powers, seemed to give the most explicit and most unquestionable pledges of the fair and complete execution of the terms of the separation.

By the annex A to the aforesaid Protocol the Conference had divided these terms into two separate series of articles. The first nine articles, referring to the division of the territory and the neutrality of Belgium, were declared *fundamental* and *irrevocable*. The following nine articles, chiefly treating of matters of finance and navigation, were called *proposals*. But upon an attentive examination of the Protocol of the 27th of January, it will appear evident that the latter denomination (of

proposals) was a mere form, adopted on account of the still unsettled and turbulent state of the council that had taken the title of the Provisional Government of Belgium, and the wavering existence of which it was deemed expedient to sustain by a form that left them an appearance of a free discretion. In fact, the real intention of the Conference is explicitly expressed in the conclusion of the Protocol, which stipulates that the arrangements recorded in this Document *must be accepted* by the Sovereign of Belgium.

Thence the future Sovereign of Belgium, who could not be called to the throne but with the concurrence of the Five Powers, was to become the living and personified pledge for Holland of the execution of the bases of the separation. His accession to the throne was made subordinate to these bases! Moreover, by the 18th Article, another most important pledge was given to Holland; all the difficulties arising about the settlement of the financial questions, in which Holland was so eminently interested, were subjected to the *mediation* of the Five Powers. We entreat the impartial reader, any man who appreciates truth and righteousness, to peruse and ponderate the contents of this Protocol of the 27th of January, a copy of which will be here subjoined.* Then will be seen what were the sacred engagements contracted by the Five Powers towards a King of the illustrious house of Nassau, insulted by a mob of reckless partizans,

* See the subjoined *Documents*, No. I.

and dethroned by the Powers with whom he was in alliance. This monarch only claimed, in behalf of that part of his people that remained faithful to him, the execution of the terms of separation to which he had submitted. This is the claim which he is still incessantly reiterating. But then is this demand *unreasonable*? is he on that account the *obstinate* disturber of the peace of Europe, as hired scribblers have wickedly styled him?

That peace would have been assured on the 18th of February 1831, had the bases of the separation been effectuated. But they were ere long perfidiously set aside and departed from, the engagements thus contracted were violated, to the disgrace of Great Britain, with the concurrence, if not upon the instigation, of the British minister that presided the Conference.

We must here explain. The author of the above-quoted "*Justification*" unfairly avails himself of the numerical majority in the Conference, consisting of Austria, Prussia, and Russia, in distinction of France and England, pretending that all the just rights of the King of Holland must have been properly attended to and maintained by the former, whilst he admits that the latter took the side of the Belgic insurrection. The inference, however, which he draws from this supposed favourable propension of the three first named Courts, does not apply to the case. The Conference was not a

bench of judges deciding by the majority of votes.* That portion of the public alone, therefore, who are entirely unversed in the present state of general politics, can be induced in error by the author's inference. The better informed, who know how to appreciate the weight with which France and England pressed upon the Conference in 1831 and 1832, will impute all the evil to these two governments, and acquit, not of weakness and want of energy, but of intentional violation of the engagements, the statesmen that represented the three other Courts at the Conference. This being fully understood, it will be easily conceived that it is not in reality upon the Three Powers, but upon France and England, nay, principally upon England, that rests the responsibility for the enormous injustice committed against the Dutch King and the Dutch Nation by the audacious and criminal violation of the compact, that alone and exclusively was obligatory both for the King of the Netherlands and the Five Powers, as having been signed and agreed to both by the King and the Five Powers, namely, that which was signed on the 18th of February, 1831, by His Majesty's Plenipotentiaries and those of the Five Powers. But let us continue our statement of the facts.

It is not to be denied that, by the acceptance of

* Whatever indifference might have been displayed by the three Powers, the influence of Great Britain alone, would have been sufficient to secure the rights of Holland, and Great Britain, her natural ally, has avowedly deserted her!

the bases of separation, *irrevocably* laid down by the Conference, the Dutch government had entirely, and to all intents and purposes accomplished all what, at that period, was aimed at or wished for by the Five Powers. They had framed the eighteen Articles, containing the bases of the separation, and had offered them to the acceptance of the King of the Netherlands, of their own accord. The Articles had been accepted by the King. Now where or when did ever exist a treaty more sacred than that concluded between a monarch, who for the sake of the general peace abandoned the greater half of his continental possessions, and Five Powers, his allies, who now deprived him of these possessions, that had been virtually guaranteed to him when committed to his care.

The line of conduct of the Dutch government now was become easy ; every motive of dispute and acrimony between that government and the Five Courts had disappeared. The assent of the King of the Netherlands had set the principle of legitimacy at ease, and had completely satisfied the views of the French and British ministers, interested or at least interesting themselves at the triumph of the Belgic rebellion. So, when we look back to the diplomatic transactions of that period, we shall find that Holland confined herself to the claim, a most reasonable claim, indeed, of the speedy execution of the concluded stipulations, and especially of that which had been provided by the 17th Article.*

* See the subjoined *Documents*, No. I.

The Conference, pressed by these just remonstrances, and not then plunged into the abyss of the subsequent errors and wrongs, was induced to fix a peremptory term for the acceptance of the bases by the turbulent chieftains that had grasped the power in Belgium. This term being to expire on the 1st of June, the Dutch Plenipotentiaries failed not to enquire whether at last the award of the Conference would be attended to. The Conference, then still impressed with that respect which it was natural to feel for the sacredness of engagements contracted with a Sovereign who was become a victim of the basest treason, tendered a most appropriate answer, very justly termed "*dignified and decisive*" by the advocate of the British ministerial policy.* "The Belgians, (it stated) have not placed themselves, by accepting the conditions of separation, in the same relation to the Five Powers in which His Majesty the King of the Netherlands is now placed." It declared in conclusion, (as has been faithfully quoted in the "*Justification*,"") "*that the Conference were employed in concerting the measures which their engagements contracted with the King of the Netherlands might require.*"

Still on the 7th of June 1831 therefore, it was acknowledged by the Conference, that the stipulations of the Protocol of the 27th of January, constituted *engagements* contracted between the Five Powers and the King of the Netherlands. This

* See *A Justification*, &c. page 18.

eternal truth it has ever since been the object to disguise.

But at the same date, 7th of June, the Conference addressed to the Plenipotentiaries of the Netherlands another note, not less important, as reiterating the declaration already made by the Protocol No. 24, "That the Five Powers should not make any propositions to the parties for the exchange (of Luxemburg) to the interested parties, but AFTER *the adhesion of the Belgians to the bases of separation* fixed by the Conference, and already adopted "by the King of the Netherlands."*

This is the last act of the Conference which we can quote with satisfaction. During four months the reciprocal obligations resulting from the mutually contracted engagements, had been acknowledged and maintained. Not a doubt had been suggested but the Five Powers considered themselves bound to effectuate the stipulations proposed by themselves and accepted by the King of the Netherlands. But the righteous course hitherto pursued was reversed by the influence of France. French agents were heard insinuating every where, "that the bases of separation were too much in favour of Holland; that they must necessarily be departed from, as it was the *uncontrollable* intent of the Belgians never to submit to them; that something *new* was wanted; that the main object was not the assent of the Dutch, as these would be easily satisfied if offered a few millions

* See the subjoined *Documents*, No. II.

more, but that the important end to be attained was to obtain the improvement of the Belgians." Ministers of William IV., tell us in conscience whether this miserable sophistry has not been of a predominant influence in your councils, and of a determinative effect upon your decisions ?

However, the intrigues then carried on at the Foreign Office in order to induce the Conference to depart from the principle of justice hitherto acted upon, could not remain unperceived by the Dutch Plenipotentiaries. There were besides some manifest circumstances of a most evil-boding aspect. In consequence, as it appeared, of a letter confidentially written by the British agent, Lord Ponsonby, to Monsieur Lebeau, then acting as minister for the Foreign Affairs at Brussels, the revolutionary Congress of Belgium, although still constantly refusing their adherence to the bases of separation, had proceeded to the election of Prince Leopold of Saxe Cobourg as their King, in open defiance of the reiterated declarations of the Conference, by which the acceptance of the bases had been laid down as a most indispensable obligation for the future Sovereign,* nay as the peremptory condition of the acknowledgement of the Belgian independence,† and even of the continuance of their friendly relations with the Five Powers.‡ Meanwhile a certain number of Belgians were arrived in London, and had been admitted to interviews at

* Protocols Nos. 12, 19, 21, 24. † Protocols Nos. 19, 22.

‡ Protocols Nos. 22, 23.

Marlborough House, with the avowed object of offering the Belgian crown upon terms not consistent with the fundamental bases of the separation, and therefore not only subversive of the engagements contracted between the Five Powers and the King of the Netherlands, but in direct contradiction with a recent declaration of the Conference, stating, "the respect for treaties to be the fundamental principle of the policy of the Five Courts." *

In this conjuncture, the Dutch Plenipotentiaries, though perhaps not aware of the full extent of the iniquity then in contemplation, namely the distilling, by means of an entirely new process of diplomatic chemistry, the eighteen *bases of separation* into the same number of *preliminary articles of peace*, thought it right to state their apprehensions in a note to the Conference, dated June 22nd, 1831, and here subjoined, † but not mentioned among the series of papers lately printed and laid before the two Houses of Parliament, which, from the note already quoted, dated June 7th, 1831, immediately proceed to the recital of the preliminary act of iniquity, there recorded under the head of the *Preliminary Articles of Peace between Holland and Belgium*, dated June 27th, 1831.

The representatives of the three Powers who seemed to consider themselves as less directly interested in the Belgian question, had bowed assent to these new bases of separation, previously agreed upon in secret, between Prince Leopold and the

* Protocol No. 21. † See *Documents*, No. IV.

Belgian Deputies on one side, and the Plenipotentiaries of France and England on the other. They were shortly after, though with apparent reluctance, accepted by the legislative body assembled in Brussels. But they were objected to by the King, not only on account of their deviating from the fundamental bases, but because moreover all the alterations now proposed were tending solely to the advantage of Belgium, and materially injurious to the most vital interests of Holland. The decision of the Dutch government on this occasion was so completely borne out by the general feeling of the nation, that the total disregard it has met with from that side, where an entire devotion is affected for the sovereignty of the popular will, affords a most conclusive commentary upon the sincerity of their professions.

Still, however, the violation of the sacred engagements contracted with the King of the Netherlands was not consummated. It had been distinctly declared that the new Articles were merely *proposals* from the Conference, *to be considered as non-existent unless agreed to by both parties.** Therefore, as it has since justly been observed by the Dutch cabinet, not a vestige of the Preliminary Articles ought to have remained, after the refusal of the King of the Netherlands. It might certainly be expected that even when the pledged faith of Great Britain were powerless to induce her to compel, jointly with the allies, the Belgians to accept the fundamental bases,

* See the note of the Conference hereafter subjoined, No. III.

at least the original award would not be arbitrarily revoked and retracted without the assent of the cabinet of the Hague.

But such was not the political creed of the leading members of the Conference. Prince Leopold, who once so resolutely declined the offer of a distant kingdom, had been prevailed upon, not without some difficulty as was rumoured, to abandon the domestic comforts of Claremont, for the brilliancy and cares of the Belgian royalty. No acceptance of the bases of separation had been required from him by the Powers that had suggested and promoted his elevation to that throne; they even suffered him to bind himself by his royal oath to maintain the integrity of a territory, such as the Belgian revolutionists had been pleased to circumscribe it on their own authority, and outpassing the limits awarded by the Conference. The Plenipotentiaries of the Three Powers were too far entangled in the nets of the French and British machiavelism to recede, and having once lent their aid to the substitution of the 18 preliminaries in lieu of the 18 fundamental bases, they could hardly help subscribing likewise to a still more flagrant act of injustice, the *ex-parte* treaty of the 15th of November 1831, consisting of *two dozen* of Articles, the produce of a repeated distillation of the former 36.

The negotiation had been brought to an end on the 18th of February 1831, by the notification of the King's entire and unreserved adherence to the Protocol of January 27th, No. 12.

With regard to Belgium, the very first *conditio sine qua non* of her existence as an independent state, namely, the fixation of her *territory*, had then been determined upon. The principle of non-interference, as to her internal and domestic arrangements, was then still held in great repute, but it had very naturally been considered, that no new state could possibly be established without a fixation of its territory, and that it would have been absurd to leave this fixation to the party, who till then never had, and now was only to acquire an existence as an independent State. This was the argument held forth in the House of Commons, on that very 18th of February 1831, by the noble Secretary of State at the head of the Foreign Department, then not yet converted to another system.

But the rulers in Belgium, characteristically devoid of all respect for whatsoever in the universe, scornfully refused to submit to the award, and evinced what has been termed in various documents *a spirit of conquest*.

The Conference then repeatedly declared the intention of enforcing upon the Belgian rulers the execution of the engagements contracted with the King of the Netherlands.

Yet these threats remained without any effect. The coercive measures, that would have secured the fulfillment of the engagements contracted with the legitimate King, were left unemployed against the insurgents. At last coercive measures have been resorted to, but it was against the legitimate King in behalf of the Usurper!

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However, it would be incorrect to say that these measures have been resorted to by *the Conference*. France and Great Britain alone betook themselves to enforce the execution of a (so called) treaty, which in fact was *no* treaty, as no treaty can be said to exist in spite of the constant refusal of the concurrence of the party most essentially interested.* But the three other Powers protested and expressly declared their disapproval of the coercion by the force of arms.

And nevertheless, if we believe the author of the "*Justification*," it was for the sake of *preserving the Union of the Five Powers* that a French army of 80,000 men marched into Belgium to accomplish the glorious feat of subduing a small Citadel defended by 5000 Dutchmen; that after a bloody warfare of 23 days (not disturbing the state of peace, as it was pretended), the remainder of the Dutch garrison were carried off as prisoners of war into friendly France, that peaceful and harmless Dutch merchantmen and their cargoes were detained in the British ports, and British cruizers were sent to seize the unarmed vessels on the open sea.

"It only remained for the Allied Powers," (says the author of the "*Justification*," page 45,) "*either to withdraw from their Union and prepare for hostilities, or enforce the acceptance of terms on which the remaining hope of preserving peace depended.*" Now we are not prepared to say

* Quod non valet ab initio, tractu temporis convallescere non potest.

whether some of the Allied Powers have or have not “withdrawn from the *Union*,” or whether they do or do not “prepare for *hostilities* ; ” but all the world knows that three of the Allied Powers *have withdrawn from the Conference* in consequence of their protest against the coercive measures of France and Great Britain being disregarded. Whether this be a token of the intimacy of the Union having been preserved, we know not ; but it is generally admitted that, in politics, the best *justification* is the having succeeded in the proposed aim ; and it does not appear, we believe, that the aim, the *professed* aim at least, the preservation of the Union of the Five Powers, and the consolidation, of course, of the general Peace of Europe, *has been attained or is likely to be attained* by that “*Foreign Policy of Great Britain towards Holland*,” the *Justification* of which has been deemed needful even before any public accusation had been laid.

The state of the question is simply this :—

The Conference having concluded the (so called) treaty of the 15th of November, 1831, with the Usurper of Belgium, without the concurrence of the King of the Netherlands, the 24 Articles were imperatively imposed upon the latter as containing the *now finally determined bases of separation*.

The King’s answer was : “ I recognise in this Project a certain portion of the bases of separation which I have already accepted, and which, consequently, I do not object to at present. But I see some other articles in the Project, which you were

not warranted to conclude in conformity with the fundamental bases, or to which you have given an extension or an application, which I cannot adopt without betraying the vital interests of my faithful Dutch people.’*’

These observations met with due consideration on the side of *three* of the Five Powers. France and her new ally, Great Britain, were the only Cabinets that unreservedly ratified the 24 Articles drawn up by the Conference. The three other Powers did not join in the ratification but under the express reservation of ulterior modifications, and one of these Powers, Prussia, (the decision of which has been since considered as expressive of the views of the Three Courts), distinctly declared that these modifications were to be “*in favour of Holland.*”

It needs no illustration, we believe, that a diplomatic Act, not at all agreed to on one side, and not agreed to but under the express reservation of ulterior modifications by the majority of the parties on another side, is not *a treaty* in such a state of perfection as should warrant its execution to be required by the force of arms.

Yet France and Great Britain, tired of hammering the 70 Protocols during two years, betook themselves to *the hammering of the Citadel*;†—or rather

* See *Recueil*, &c. Note of the Dutch Plenipotentiaries of December 14, 1831.

† Expression of the Noble Secretary of State at the head of the Foreign Department, in the House of Commons, on the 15th of February this year.

it was France alone to which devolved that part of the task that might at all events afford to some one or other an opportunity of displaying either military talent or valour ; to Great Britain was allotted the less perilous part of sending her royal navy under a French flag to contend with the unpropitious season, and by the bye to capture the property of a nation to whom not the slightest offence or injury was or is imputed.

The King of the Netherlands demanded no more than the maintenance of those rights that had been assured to him with the concurrence of these two self same Powers. Nay, he manifested his readiness to conciliate those rights with the exigencies of the general peace, by the means of a further amicable negotiation : but he wishes this negotiation to be carried on fairly and freely, not at the point of the sword and by dint of brutal force.

We confess the prospect seems considerably darkened since the measures, intended *to preserve the Union of the Five Powers*, as is pretended in the "*Justification*," have caused the withdrawal of three of the members of the Conference, and thereby interposed an obstacle, insuperable perhaps, to any amicable adjustment. The perseverance of France and Great Britain in their hostile policy towards Holland does not seem to be the most likely means to bring about a renewal of the united labours of the Five Powers for the preservation of the general peace, and indeed the public channels of information already show us the two governments left by them-

selves in their present diplomatic endeavours still to extort from the King of the Netherlands an acceptance of the oppressive terms they wish to impose upon him.

But here ends our task for the present. Our object was, in the first place, to point out to the generous mind of the British reader the plain question of *right* and *wrong*; and having thus briefly and calmly laid the case before the public at large, we confidently call upon every honest man to decide between the King of the Netherlands, and the men who commenced the summer of 1831 with a perfidious violation of their contracted engagements, and the winter of 1832 with a culpable misuse of the power they are invested with. Let every honest man in the United Kingdom of Great Britain and Ireland lay his hand on his heart, and say what *unreasonableness* there is in the claims of the Dutch King,—what *obstinacy* there has been in any part of the line of conduct invariably pursued by that magnanimous and supereminently popular monarch,—unless indeed it be obstinacy in a man, who, for the sake of avoiding bloodshed, has yielded his purse to the robber, but refuses, at what peril soever, to surrender 'still likewise his pocket-book, that contains all his and his children's fortune!



DOCUMENTS.

No. I.

No. 12.

PROTOCOL OF A CONFERENCE,

Held at the Foreign Office, on the 27th of January, 1831.

Present—

The Plenipotentiaries of
Austria,
France,
Great Britain,
Prussia, and
Russia.

The Plenipotentiaries of Austria, France, Great Britain, Prussia and Russia, having assembled to consider the arrangements of finance, of commerce, and others, which the separation of Belgium from Holland requires, observed that the Five Courts are obliged to interpose their friendly offices in this circumstance, for two reasons equally cogent. In the first place, the very experience of the negotiations in which the Powers are engaged, has but too clearly proved to them the utter inability of the parties directly interested to come to any agreement upon such points, if the benevolent anxiety of the Five Courts did not facilitate an agreement, and this first consideration is so much the more important, since upon it depends the maintenance of the general peace. But further, the questions which are now at issue, have already given rise to decisions of which the principles, so far from being new, are those which have at all times governed the mutual relations of States, and which special conventions concluded between the Five Powers have revived and recorded. Those conventions could not, therefore,

under any circumstances, be altered without the participation of the contracting parties.

The motives which have just been declared, and of which the importance is evident, determined the Plenipotentiaries, with reference to those financial arrangements which must necessarily be applied to the division of the debts of the kingdom of the Netherlands, which more or less interest all the nations of Europe, to discuss the stipulations of the treaties in virtue of which the debts of Holland and those of Belgium were declared common debts of the kingdom of the Netherlands. These stipulations, recorded in a Protocol of the 21st of July, 1814, annexed to the General Act of the Congress in Vienna, of the 9th of June 1815, and considered as forming an integral part of that act, are as follows.—

Article six of the Protocol of July 21, 1814.

“As the charges ought to be common, as well as the advantages, the debts contracted up to the time of the union, by the Dutch provinces on the one hand, and by the Belgian provinces on the other, shall be at the charge of the General Treasury of the Netherlands.”

According to this Article, it is evidently on the union of the Dutch provinces to those of Belgium, that is founded the community of charges, of debts, and of advantages, of which this same Article establishes the principle. Thus, from the moment when the union ceases, it would seem that the community in question should also cease, and by another necessary consequence of that principle, the debts, which in the system of union had been blended, might, in the system of separation, be again divided.

According to this basis, each country should begin by taking back exclusively to itself, the debts with which it was charged before the union. The Dutch provinces would therefore have to provide for two debts, which they had contracted up to the period when the Belgian provinces were added to them, and the Belgian provinces for two debts which were borne by them

at the same period. The debt of the latter should thus in the first instance consist :—

Of the Austro-Belgian debt, contracted at the time when Belgium belonged to the House of Austria.

Of all the ancient debts of the Belgian provinces.

Of all the debts with which the territories which are now to be included within the limits of Belgium are encumbered.

Independently of the debts above enumerated, and which are exclusively Belgian, Belgium would have to take upon herself *entirely*,—first, the debts which have only fallen to the charge of Holland in consequence of the union,—then the value of the sacrifices which Holland has made to effect that union,—Belgium would also have to share *in a just proportion*, the debts contracted since the period of that union, and during its existence, by the Treasury of the kingdom of the Netherlands, such as they appear in the budgets of that kingdom. The same proportion would be applicable to the division of the expenses incurred by the Treasury of the Netherlands, in conformity with the 7th article of the Protocol of July 21, 1811, which states, that :

“ The expense required for the establishment and preservation of the fortifications on the frontiers of the new state, shall be borne by the general Treasury, as resulting from an object which interests the safety and independence of all the provinces, and of the whole nation.”

Finally, Belgium must necessarily be bound to provide for the service of the redeemable annuities, having special mortgages on the public property comprised within the limits of the Belgian territory.

But, separated from Holland, Belgium would have no right to the trade with the Dutch colonies,—a commerce which has so powerfully contributed to her prosperity since the union, and His Majesty the King of the Netherlands would possess a legitimate right utterly to refuse that commerce to the inhabitants of Belgium, or to grant it upon such terms and conditions as he might think proper to impose.

Considering that the present moment favours the arrangements which might fix those conditions without further delay, and inasmuch as is just that such advantages should only be granted by His Majesty the King of the Netherlands to the inhabitants of Belgium in consideration of some compensation, it is on the other hand important to the preservation of the balance of Europe, and to the accomplishment of the objects which influence the Five Powers, that Belgium, flourishing and prosperous, should find in her new political existence the resources which she may need in order to sustain it,—the Plenipotentiaries agreed that the following propositions would completely fulfil a desire so consonant with the general welfare of Europe and of those two countries, the reconciliation and the mutual interest of which occupy the attention of the Courts of Austria, France, Great Britain, Prussia, and Russia.

They were of opinion that instead of entirely resuming her former debts, and of being subject to the integral and proportional charges mentioned above, Belgium ought to share the debts of the kingdom of the Netherlands, such as they exist at the charge of the Royal Treasury; and that those debts ought to be divided between the two countries, according to the mean proportion of the direct and indirect taxes, and of the excise duties paid by each of them during the years 1827-8-9; that that basis, being essentially analogous to the respective financial resources of the Dutch and the Belgians, would be equitable and moderate; since, notwithstanding the numerical disparity of population it would throw about $\frac{1}{3}$ of the whole charge of the debt upon Belgium, and would leave $\frac{2}{3}$ to Holland; and further, that if there should result from this mode of proceeding an increase of burthen to the Belgians, it should be understood on the other hand, that the Belgians should enjoy on the same footing as the Dutch, the trade of all the colonies belonging to His Majesty the King of the Netherlands. The Plenipotentiaries in consequence agreed upon the following propositions:—

ARTICLE I.

The debts of the kingdom of the Netherlands, such as they

at present stand at the charge of the Royal Treasury, namely, 1st, the actual debt with interest; 2nd, the deferred debt; 3rd, the different engagements of the *Syndicat d'Amortissement*; 4th, the redeemable annuities secured on the public lands by special mortgages, shall be divided between Holland and Belgium according to the mean proportion of the taxes, direct and indirect, and of the excise of the kingdom paid by each of the two countries during the years 1827-8-9.

II.

The mean proportions in question throwing on Holland about $\frac{1}{4}$, and on Belgium $\frac{3}{4}$ of the debts above-mentioned, it is understood that Belgium shall remain charged with a corresponding rate of interest.

III.

In consideration of this division of the debts of the kingdom of the Netherlands, the inhabitants of Belgium shall enjoy the navigation and trade with the colonies belonging to Holland, on the same footing with the same rights, and the same advantages as the inhabitants of Holland.

IV.

Works of public or private utility, such as canals, roads, or others of a like nature, constructed entirely or in part at the expense of the kingdom of the Netherlands, shall belong with the advantages and charges thereunto attached, to the country in which they are situated. It is understood, that the capitals borrowed for the construction of those works, and which were specifically charged thereupon, shall be included in the said charges, in so far as they may not yet have been repaid, and without giving rise to any claim on account of repayments already made.

V.

The sequestrations imposed in Belgium, during the troubles, on the property and hereditary estates of the house of Orange, Nassau, or any others whatsoever, shall be taken off without delay, and the enjoyment of the above mentioned property and estates, shall be immediately restored to the lawful owners thereof.

VI.

Belgium shall not be burthened with any other charges, on account of the division of the debts of the kingdom of the Netherlands, beyond those which are specified in the Articles 1, 2, and 4 of the present Protocol.

VII.

The liquidation of the charges mentioned in the said Articles, shall be effected according to the principles which are established by those Articles, by means of Dutch and Belgian Commissioners who shall meet with as little delay as possible, at the Hague, where all the documents and titles required for such liquidation are to be found.

IX.

If in the labour of the said Commissioners, and in the general application of the bases established above, there should arise dissensions which cannot be amicably terminated, the Five Courts will interpose their mediation, in order to adjust such differences, in the manner most conformable with these bases.

The Plenipotentiaries, in order to complete the clauses of their Protocol, No. 11, of the 20th January, 1831, have further agreed upon the following Articles :

X.

Belgian and Dutch Commissioners of Demarcation shall meet together with as little delay as possible, to establish and trace the limits which shall henceforth separate Belgium from Holland, in conformity with the principles established in the Articles 1, 2, and 4 of the Protocol No. 11, of the 20th of January, 1831. If, in this work, there should arise any differences which cannot be amicably adjusted, the Five Courts will interpose their mediation, in order to settle the dispute in the manner the most consistent with these principles.

XI.

The port of Antwerp, in conformity with the 15th Article of the treaty of Paris, of May the 30th, 1814, shall continue to be solely a port of commerce.

After having then provided for the principal stipulations

which the work of peace, on which they are employed, appeared to them to require, the Plenipotentiaries, determined that the Articles of the present Protocol should be added to those of the former Protocol, No. 11, of the 20th January, arranged in the most suitable order, and annexed here altogether (A), with the title of *Bases destined to establish the independence and future existence of Belgium.*

It has been, besides, determined, that the Five Courts, having unanimously agreed upon these bases, shall communicate them to the parties directly interested, and that they shall come to an understanding with regard to the best means of providing for their adoption and execution, as well as of obtaining, at a proper time, the accession of the other Courts of Europe, who signed, or who acceded to the Acts of the Congress of Vienna, and of Paris.

Engaged in maintaining the general peace, persuaded that their mutual concord is the best guarantee of that peace, and acting with perfect disinterestedness in the affairs of Belgium, the Five Powers have only had in view to assign to her an inoffensive situation in the European system, and to offer to her an existence which at once guarantees her own happiness, and the security due to other States.

They do not hesitate to recognize in themselves the right of establishing these principles, and, without prejudging other important questions, without in any way deciding on that of the Sovereignty of Belgium, they are called upon to declare, that in their opinion, it is necessary that the Sovereign of that country should conform to the principles of the existence of the country itself; that he should, by his personal position, ensure the safety of the neighbouring states: that he should, in that view, accept the arrangements recorded in this Protocol; and be in a situation to secure the peaceable enjoyment of them to his Belgian subjects.

(Signed)

ESTERHAZY.

WESSENERG.

TALLEYRAND.

PALMERSTON.

BULOW.

LIEVEN.

MATUSCEWIC.

Annex A. to Protocol No. 12.

*Bases destined to establish the separation of Belgium from Holland.**I. Fundamental Arrangements.***ARTICLE I.**

The limits of Holland shall comprise all the territories, towns, and places which belonged to the ancient Republic of the United Provinces of the Netherlands, in the year 1790.

II.

Belgium shall consist of all the remainder of the territories which received the denomination of the kingdom of the Netherlands, in the treaties of the year 1315, except the Grand Duchy of Luxemburg, which, being possessed by the Princes of the House of Nassau under a different title, forms, and shall continue to form part of the Germanic Confederation.

III.

It is understood that the arrangements of the Articles from 108 to 117 inclusive, of the general Act of the Congress of Vienna, relative to the free navigation of navigable rivers, shall be applied to the rivers and streams which traverse the Dutch and Belgian territories.

IV.

As it would, nevertheless, result from the bases established and laid down in Articles 1 and 2, that Holland and Belgium would possess detached portions of land within their respective territories, such exchange and arrangements, shall, through the care of the Five Powers, be effected between the two countries, as shall ensure to them reciprocally the advantage of an entire contiguity of possession, and of a free communication between the towns and fortresses comprised within their frontiers.

V.

For the execution of the preceding Articles, 1, 2 and 4, Dutch and Belgian Commissioners of Demarcation shall meet with as little delay as possible, in the town of Maestricht, and shall proceed to mark out the boundaries which are to separate Holland from Belgium, in conformity to the principles established to that effect in the above mentioned Articles 1, 2 and 4.

The same Commissioners shall be authorized to discuss the exchanges and arrangements mentioned in the Article 4, and should there arise between the said Commissioners any disagreement, either upon the subject of those indispensable arrangements, or, in general, in the course of the work of the demarcation, which cannot be satisfactorily settled, the Five Courts will interpose their mediation, and will adjust the differences in the manner most consistent with the principles established in those Articles 1, 2 and 4.

VI.

Belgium, within those limits which shall be traced in conformity with these same principles, shall form a perpetual neutral state. The Five Powers guarantee to it that perpetual neutrality, as well as the integrity and inviolability of its territory within the above-mentioned limits.

VII.

By a just reciprocity, Belgium shall be bound to observe the same neutrality towards all other states, and not to make any attempt against their internal or external tranquillity.

VIII.

The port of Antwerp, in conformity with the 15th Article of the Treaty of Paris, of the 30th May 1814, shall continue to be solely a port of commerce.

IX.

When the arrangements relative to Belgium shall be complete, the Five Courts reserve to themselves the power of examining without prejudice to the rights of third parties, the question whether it would be possible to extend to the neighbouring countries the benefit of the neutrality guaranteed to Belgium.

II. *Arrangements proposed for the division of the debts and commercial advantages which would be the consequence of it.*

X.

The debts of the kingdom of the Netherlands, such as they at present stand at the charge of the Royal Treasury, namely, 1st. the actual debt with interest; 2nd. the deferred debt; 3rd. the different engagements of the *Syndicat d'Amortissement*; 4th. the redeemable annuities secured on the public lands by special mortgages: shall be divided between Holland and Belgium, according to the mean proportion of the taxes, direct or indirect, and of the excise of the kingdom, paid by each of the two countries during the years 1827, 1828, and 1829.

XI.

The mean proportion in question, throwing on Holland about $\frac{1}{4}$, and on Belgium $\frac{3}{4}$ of the debts above-mentioned, it is understood that Belgium shall continue charged with a corresponding rate of interest.

XII.

In consideration of this division of the debts of the kingdom of the Netherlands, the inhabitants of Belgium shall enjoy the navigation and trade with the colonies belonging to Holland, on the same footing, with the same rights and the same advantages, as the inhabitants of Holland.

XIII.

Works of public or private utility, such as canals, roads, or others of the like nature, constructed entirely or in part at the expense of the kingdom of the Netherlands, shall belong, with the advantages and charges thereunto attached, to the country in which they are situated. It is understood that the capitals borrowed for the construction of those works, and charged specifically thereupon, shall be included in the said charges, as far as they may not yet have been repaid, and without giving rise to any claim on account of repayments already made.

XIV.

The sequestrations imposed in Belgium during the troubles,

on the property and hereditary estates of the House of Orange, Nassau, or on any other part whatsoever, shall be taken off without delay, and the enjoyment of the above-mentioned property and estates shall be immediately restored to the lawful owners thereof.

XV.

Belgium shall not be burthened with any other charges on account of the division of the debts of the kingdom of the Netherlands, beyond those which are specified in the preceding Articles 10, 11, and 13.

XVI.

The liquidation of the charges mentioned in the said Articles, shall take place according to the principles which are established by those Articles, by means of Dutch and Belgian Commissioners who shall meet, with as little delay as possible, at the Hague, where all the documents and titles required for such liquidation are to be found.

XVII.

Until the labours of those Commissioners are completed, Belgium shall be bound to furnish provisionally, and subject to ultimate settlement, her proportion for the service of the funds, and of the redemption of the debts of the kingdom of the Netherlands according to the rate laid down by Articles 10 and 11.

XVIII.

If in the labours of the Commissioners of liquidation, and in the general application of the arrangements for the division of the debts, there should arise dissensions which cannot be amicably terminated, the Five Courts will interpose their mediation, in order to adjust such differences in the manner most conformable to those arrangements.

(Signed) **ESTERHAZY.** **WESSENBURG.**
 TALLEYRAND.
 PALMERSTON.
 BULOW.
 LIEVEN. **MATUSCEWIC.**

No. II.

Annex E to Protocol No. 25.

Answer of the Conference to the Note of the Plenipotentiary of His Majesty the King of the Netherlands, dated June 6, 1831.

Foreign Office, June 7, 1831.

The undersigned Plenipotentiaries of the Courts of Austria, France, Great Britain, Prussia, and Russia, have given their full attention to the note which the Plenipotentiary of His Majesty the King of the Netherlands addressed to the Conference on the 6th instant, through the medium of Lord Palmerston, relative to a confidential letter from Lord Ponsonby, which has appeared in the Belgian Newspapers.

The Conference, ignorant of Lord Ponsonby's letter, can only refer to the Protocol, No 24, of the 21st of May last, a Protocol already known to the Plenipotentiary of His Majesty the King of the Netherlands.

That Act lays down three principles,—the *first*, that the arrangements, which should have for their object to secure to Belgium the possession of the Grand Duchy of Luxemburg, should be arrangements made by *mutual consent*; the *second*, that that possession could only be acquired by means of *just compensation*; the *third*, that the Five Powers should not make to the parties any proposition for the exchange *until after* the adhesion of the Belgians to the bases of separation fixed by the Conference, and already adopted by the King of the Netherlands.

These are, *and always will be*, the principles of the Five Powers; they in no way interfere with the determinations of His Majesty the King of the Netherlands. Those principles, so far from invading his rights, attest their respect for them, and only tend to bring about, if possible, in compensation of

such equivalents as His Majesty might think himself justified in accepting, and upon the basis of mutual advantage, arrangements, the only object would be to secure those interests which the King has so much at heart, and the consolidation of that peace, to which his wishes, and those of the Five Powers, are equally directed.

The undersigned, &c.
 (Signed) ESTERHAZY. WESSENBERG.
 TALLEYRAND.
 PALMERSTON.
 BULOW.
 LIEVEN. MATUSCEWIC.

No. III.

Annex B to Protocol No. 26.

*Letter addressed by the Plenipotentiaries of the Five Courts,
 to M. Lebean.*

London, June 26th, 1831.

We have had the honour to receive the letter dated 5th of June, which M. M. Devoux and Nothumb have transmitted to us from you, and we think it our duty to address to you, in reply, the accompanying Articles which the Conference of London has just decided upon, in order to be communicated to the two parties interested.

The Conference will consider these Articles as non-existent, if the Belgian Congress rejects them, either entirely or in part.

(Signed) ESTERHAZY. WESSENBERG.
 TALLEYRAND.
 PALMERSTON.
 BULOW.
 MATUSCEWIC.

No. IV.

*Note of Plenipotentiaries of His Majesty the King
of the Netherlands to the Conference, dated
June 22, 1831.*

Since the undersigned Plenipotentiaries of His Majesty the King of the Netherlands, have been officially informed that the Conference were employed in concerting the measures which might be required for the execution of the engagements, contracted by the Five Courts with His Majesty, a sufficient time has elapsed for their being justified to inquire after these measures.

They would be inclined to fear new delays, on account of the negotiations that may have been occasioned by the arrival in London of a certain number of Belgians, deputed by the Congress of Brussels, in consequence of the election of a Sovereign of Belgium by that assembly ; but they feel satisfied upon the consideration that the offer of such Sovereignty, or the refusal of the elected prince, or his acceptance, either simple and unreserved, or conditional, are all matters beyond the limits of the Protocols, that have only determined the conditions for the recognizance of the Sovereign. It is no less certain that the King is entirely a stranger to these matters, and cannot be concerned in any arrangements between the Belgians and a third party, besides that, even if the other conditions, determined upon by the Conference, were all fulfilled, the personage who would accept the Sovereignty of Belgium without having previously accepted signed the Act of Separation, would thereby

alone place himself in a hostile position against His Majesty, and consequently must be considered as his enemy. Since four months all the wishes of Holland and her government tend to see the prompt effects of this Act, and the King, firmly resolved not to give up any of the rights that he has acquired by his adhesion, must persist in the reservations already known to the Conference, respecting his co-operation in the measures the Conference should think fit to adopt.* Indeed when the Conference caused the wish to be expressed by the representatives of the Five Courts at the Hague, that His Majesty might not immediately avail himself of that reservation, the Minister for the Foreign Affairs had been ordered to give a satisfactory answer, but the undersigned have recently received the express commands, to declare that this answer rested upon the supposition that the Conference would, on their part, proceed without delay to the execution of the Annex A of the Protocol No. 12. If this supposition, the only one possible after so many express and formal engagements, should not be realized, no alternative would be left to the King but to make use of his own means, and to abandon a system of condescension, which would be no longer compatible either with the exterior and interior safety of the State, or with the interests of his faithful subjects, already so grievously injured, and whose entire ruin would be the result of a prolongation of the present crisis.

Nevertheless the undersigned still foster the persuasion that their urgent representations will not be ineffectual with the Plenipotentiaries of the Five Courts, and that they will speedily be enabled to transmit to their Government a report of the

* [The Dutch Plenipotentiaries had already declared by their note of the 21st of May, that his Majesty could not subject his dominions to an indefinite prolongation of the provisional state of things, and that from the 1st of June next he would consider himself at liberty either to co-operate in the measures to be adopted by the Five Powers in order to realize the separation according to the Annex A of the 12th Protocol, or to act on his own accord, and in the manner which circumstances would seem to require, *but always for the purpose only of arriving at the state of things which the Act of Separation had acknowledged to be just and convenient.*]

measures, concerted by their Excellencies, in order to give a full and entire effect to the arrangements, which the Act of Separation, emanated from the Conference, has consecrated as equitable and convenient.

In these hopes, so congenial with the wish of the Five Powers for the maintenance of the general peace, they have the honour, &c.

London, June 22, 1831.

(Signed)

FALCK.

H. VAN ZUYLEN VAN NYEVELT.



