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PAPERS ON MALAY SUBJECTS.

[Published by direction of the Government of the Federated Malay States.]

R. J. WILKINSON, *F.M.S. Civil Service,*
General Editor.

HISTORY,

PART III.

COUNCIL MINUTES, PERAK.

1877-1879.

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C. W. HARRISON, *F.M.S. Civil Service.*

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EDITOR'S NOTE.

CONSIDERABLE portions of the Minutes which dealt with matters of no importance or interest have been omitted. A few minor alterations, in the spelling of native names and in the expressions used, have been made.

C. W. H.

COUNCIL MINUTES, 1877-1879.

Monday, 10th September, 1877.

AT H.B.M. RESIDENCY AT KUALA KANGSAR, PERAK.

PRESENT:

H.H. the Raja Muda YUSUF.

H.B.M.'s Resident (Mr. HUGH LOW).

H.B.M.'s Assistant Resident (Capt. SPEEDY).

Raja DRIS.

The Orang Kaya Temenggong.

Capitan AH KWEE.

Capitan AH YAM.

ABSENT:

CHE KARIM of Selama.

1. His Highness the Raja Muda Yusuf having been received at the entrance to the Residency grounds by H.B.M.'s Resident, Assistant Resident and others, and a Guard of Honour, took his seat at half-past one and opened the Council, when a Royal Salute was fired to announce the fact to the country.

2. H.B.M.'s Resident, on the part of the Raja Muda, explained to the members the objects of instituting the Council of State, and stated that it was his intention to submit for their consideration, and in the hope of receiving their advice and assistance, all important subjects concerning the welfare of the State and its inhabitants which might present any peculiar difficulties, involve extensive modifications of existing laws or customs, or be considered of general interest.

3. The Resident then, on the part of the Raja Muda, informed the Council that the points on which he wished on this occasion to invite their deliberations were as follows:

- (a) The necessity of providing an increase of the revenue of the State which he recommended should be done partly by a tax in the nature of "asil kamin," but should be imposed as a head tax of \$1.50 on all males above 15 and under 55, and partly by a rent to be levied from the current year on all

lands used for agricultural purposes and which he proposed to place at 40 cents an orlong for wet padi and 25 cents an orlong for dry padi lands ;

- (b) The tariff of import and export duties ;
- (c) The propriety of granting leases of lands for agricultural and mining purposes and the terms on which this might be done ;
- (d) A modification of the position and emoluments of the Penghulus and Chiefs throughout the country in connection with a proposed reduction in the numbers and expense of the Police Force ;
- (e) The propriety of farming the collection of the customs duties at the ports of Matang, Durian S' Batang (including Bernam) and Selama ;
- (f) The exceptional position of the district of Selama in regard to the customs tariff.

4. A draft proclamation, including to clauses, proposing the establishment of the head tax and the land rent in lieu of all forced labour, forced trade and other irregular imposts heretofore exacted by the Chiefs of Perak, and providing for the collection of these taxes by the Penghulus and for their remuneration and for enforcing payment, was then read and the clauses considered *seriatim*, with a view to their being fully understood, the decision upon them being deferred to a future meeting of the Council.

5. The tariff of import and export duties at present in force was taken into consideration.

6. The Raja Muda said that he should like, if he could see his way to it without running too much risk, to abolish the duties at present collected on rice, salt, gambier, manufactured goods, tea, sugar, coffee and other articles and raise the import revenue from three articles only—namely, spirits, opium and tobacco.

The rates at present charged on these three articles were :

Spirits, per dozen, case ...	...	\$1
Opium, per ball ...	...	4
Tobacco, per kati, various ...	...	1 to \$5 in different ports

He thought that the duty on spirits and tobacco might remain as at present at Matang where tobacco is \$1 per pikul, but that on opium he should like to reduce to one half its present rate to bring it into uniformity with a neighbouring State, and so modify

the present loss of revenue which took place from smuggling and prevent injurious competition.

7. The proposition was favourably received by the Council, decision upon it agreed to be taken at the next meeting.

8. The Resident then proposed to the Council that export duties should in future be collected only on tin and gutta, all jungle produce paying a royalty of 10 per cent. *ad valorem*.

The duty on tin at present is \$10 a bhara, which is the lowest rate at which duty is collected in the neighbouring State of Selangor to which it is considered desirable to approximate the duties charged in Perak, while in one district of Klang the rate, including royalty and internal impost, is as high as \$13.50 per bhara.

The present proposition for Perak is that all mines on the public lands should pay a royalty of \$2 a bhara on the tin raised from them, this being obviously preferable to an increase of duty at the port of shipment, as the latter course would place tin worked from mines on private property at a disadvantage as compared with those belonging to the State, were the proprietors of the one to charge a royalty which on tin from the State's mines would be included in the duty.

Such an arrangement would raise the duty paid by the tin to \$12 a bhara or \$4 a pikul, but the State it is calculated would be thus enabled to bear the loss of revenue on the opium which would be at first about \$25,000 per annum and would have the great advantage of bringing our duties into a near equality with those of Selangor.

9. That part of the proposition relating to the tin duties was much discussed and the decision deferred to the next meeting of the Council.

10. The question of the terms on which lands are to be granted was then introduced.

The Resident explained on the part of the Government that the provision contained in the proclamation previously considered was only a temporary expedient proposed in order to secure the collection of revenue on lands cultivated during this year, and that the Government would not be ready to submit land rules of general application for all classes of land in the State until perhaps well on in the following year.

In the meantime, a letter which had been written by the Resident to Mr. Gray of Penang in answer to an application for

land, and a copy of a grant of reserve which had been made in favour of the Manila Yengarie Company, were laid on the Council table in order to prove that the tendencies of the Government were to offer very liberal terms to capitalists with *bona fide* intentions of cultivation, but to discourage the purchase and sale of land for merely speculative purposes. The opinions of members of the Council were invited.

11. The Chinese members immediately demanded the concession of leases for mining property, saying that the possession of such would enable them to raise capital and be a guarantee for the security of money which might be expended in plant and machinery.

The Raja Muda said he had no objection to grant leases provided he knew exactly what would be acceptable and suitable provisions to be included in them, the subject presented difficulties which although they had received the anxious attention of the Government had not yet been quite cleared up. He was willing to grant leases for 21 years on condition that a royalty of \$2 a bhara should be paid to Government and that the mine should revert if it remained unworked for one year.

The Chinese members said that the royalty question was a difficulty and had been before discussed, they also wished to be able to obtain grants of 100 orlongs.

The Raja Muda said he had no objection to give grants for 100 orlongs under proper arrangements for securing the working of the mines—the \$2 a bhara was only a question of whether it should be collected as a duty or a royalty, he preferred a royalty secured on the lease of the mines, the duty might at any time be increased or lowered. Some mines belonging to the State at Chemor and Batang Padang, worked by Chinese, had before, up to a few weeks, been paying a royalty of \$5 a bhara in addition to the duty at the export port.

12. Capitans Ah Yam and Ah Kwee said they would consider the subject and discuss it further to-morrow.

13. The next subject introduced was as to the propriety of attempting by securing the services of the best men possible as Penghulus, to pay salaries to the most influential of them, and by supporting their authority make them in a great measure responsible for the peace of the country, and so enable the Government to reduce the Police Force from its present strength of 600 by perhaps 150 men during next year. Opinions of the Council were requested as to whether this would be a safe policy

in the present state of the country and desirable from other points of view.

14. The Council unanimously approved of the suggestion as likely to be more efficient and more economical than the maintenance of the present large Police Force, the organisation and qualifications of which leave at present much to be desired.

15. The Raja Muda said there was at present a great and increasing falling off in the collection of the customs revenue at the mouth of the Perak river, part of which was believed to be attributable to the facilities afforded to smugglers by the numerous creeks and rivers of the coast, the establishment for the collection of customs is very costly, and it was thought that the State might be relieved of a considerable expenditure on this account, both at the Kuala Perak and at Matang, and the preventive service be more efficiently performed by a Chinese Farmer; opinions of the Council were requested on the principle and also as to whether it should be extended to the revenues of all imports and exports or whether it would be desirable to except "tin" from the farm.

16. The Council unanimously affirmed the principle, but did not decide as to the question of excluding the collection of the customs duty on tin from the farm.

17. The claims of Che Karim to be treated exceptionally in the matter of duties leviable at Selama were discussed, copies of grants under which he claims being laid on the table. The Council is of opinion that it is impolitic to permit such a wide departure as that claimed by Che Karim under the letter of Ex-Sultan Abdullah, dated the 15th May, 1874, and that a new and equitable arrangement with Che Karim should be sought. Captain Speedy suggested that the concession of Ex-Sultan Abdullah might be liable to the objection that it was granted for territories which were included in the grants of former Sultans to the Mentri at Larut, and that Che Karim originally opened the country for the Mentri and as his Agent, and that the Mentri assented to these claims, Ex-Sultan Abdullah also wrote a subsequent letter inconsistent with that above referred to, and the whole thing was complicated by the action of Sir Andrew Clarke, who (under the impression that the territory would pass to the British Government) had altogether abrogated the concession of Ex-Sultan Abdullah and had contemplated and given instructions for another to be entered into, under which a considerable sum had been paid into the treasury of

the Straits Settlements as duty on tin raised during the three years for which Sultan Abdullah's agreement provided that it should be exported free of charge.

It was explained that this money had been since credited to the Government of Perak, but that no record was available of the reasons which had induced Sir Andrew Clarke to take this view nor of those which had brought Krani Karim to accept it, the business having been conducted in personal interviews.

(Sd.) J. T. KEYT,
Clerk of Council.

Tuesday, 11th September, 1877.

PRESENT :

H.B.M.'s Resident (Mr. HUGH LOW).
Assistant Resident (Captain SPEEDY).
Raja DRIS.
Orang Kaya Temenggong.
Capitan AH KWEE.
Capitan AH YAM.

ABSENT :

H.H. Raja Muda YUSUF.
CHE KARIM of Selama.

2. The first point in the Raja Muda's proposals was considered. Capitan Ah Yam explains that it would be very unpopular with the Chinese, who at present pay the principal revenues of the country, and proposes to substitute a Pork Farm which would be more productive, and if properly regulated unobjectionable. A proposition was lately made to the Resident in this direction, the speculators offering to supply good pork at a cheaper rate than it is at present sold; it would bear a rate of 20 cents a kati, it is at present for the best pork 22 cents per lb. Capitan Ah Kwee strongly recommended the same course and advised that buffaloes and other cattle should be included; the farm would probably produce \$500 a month.

3. The Council are in favour of this proposition and all agree to it in principle, but the Resident states that having recently taken off the tax on pork it will require full consideration before

re-establishing it, though the fact of its having been recently relieved of the duty without any corresponding reduction in price having taken place, and consequently without any advantage to the coolies, is in favour of the creation of the farm. The Resident agrees with the Council and will support before the Government the policy of exempting the Chinese from the head tax.

The proclamation modified so as to exclude the collection of the tax from the Chinese residents was then agreed to.

4. Customs duties on imports were then discussed.

It was agreed unanimously to recommend from the 1st January, 1878, the abolition of all duties on imports except on the articles as under:

Spirits of all kinds	...	...	\$1 per dozen bottles
Tobacco of all kinds	...	...	1.50 per pikul
Opium	...	...	2 each ball or \$80 per chest

5. The customs duties to be charged on exports for 1878, it was unanimously agreed should be as follows:

Gutta...	...	...	...	\$ 3 per pikul
Tin	...	...	...	10 per bhara

Perak tin exported from Matang \$8.20, all jungle produce or metals other than tin and ores of tin to pay a royalty of 10 per cent.

Tin-ore it is recommended should be forbidden to be exported, but should be ordered to be smelted in the country.

6. The subject of leases for agricultural and mining purposes was then considered.

The Council agreed to recommend the adoption of leases on a liberal scale to capitalists desirous of making extensive *bona fide* investments in agricultural operations, and approved of the suggestions contained in the Resident's letter to Mr. Gray.

With regard to padi lands it was agreed that the permanent regulations for these could stand over for the present, the rent for the current year being collected under the Raja Muda's proclamation.

With regard to mines it was recommended to grant leases for 21 years, subject to a royalty of \$2 a bhara "asil tanah," and subject to a proviso that Government has the right of re-entry on failure for one year to work, or to continue to work, the mines. All mines to be worked under such leases.

It was unanimously agreed to recommend the adoption of a rule by which notice should be given to the persons who claimed

to be interested in abandoned mines, to the effect that they must re-open them within six months from the date of notice or the rights under which they had held them would be forfeited to Government, which might then grant the mines to other applicants free of all claims from former adventurers or advancers.

7. The decision of yesterday in reference to the principle of introducing a system of partly paid Penghulus with a view to the reduction of the Police Force was re-affirmed.

8. The principle of farming the collection of the revenues was unanimously re-affirmed and the Chinese members of the Council strongly recommended that the export revenue on tin should be included, stating that it would probably conduce to the advent of large capitalists who would in all probability invest in other enterprises in the country.

9. The Council had nothing to add on the Selama business to what was agreed upon yesterday, that in principle it was impolitic to permit the variation of duties at present existing in favour of that district, and that an equitable arrangement should be endeavoured to be arrived at which would permit of the introduction of the general Perak tariff into the province of Selama.

4th February, 1878.

The meeting of Council was summoned on the 3rd of January for the 1st Saffar (4th February), all the principal men of the villages on the Perak river as far as Bota having been requested to attend in order that proper persons might be selected for appointment as Penghulus over the different districts.

PRESENT:

The Resident (Mr. HUGH LOW).

Raja DRIS.

The Orang Kaya Temenggong.

H.H. the Raja Muda sent word by Raja Dris to say he was indisposed and could not attend.

The Chinese members were not summoned as it is their New Year and as the proceedings concerned only the Malay population.

The Commission proposed to be used in the appointment of the Penghulus by the Raja Muda, with the advice of the Resident, is then read and explained to them.

They were then asked if they agreed to the powers and penalties enumerated in these.

They were then invited to state anything relating to the proposed measure which might be in their minds.

They asked if they were to be charged "asil klamin" and were told that it was not intended, at all events at present, to collect this tax.

They were asked if their people would pay a land tax or rent of 40 cents per acre for bendang and 25 cents for ladang, or whether they would prefer the system of "Krah" hitherto in force.

They all answered that they would pay the land tax, but wished the present crop to be free as part of it was already cut; this was agreed to by the Council.

They asked if they were to collect the tax of one-tenth on gutta, rattans, etc., and were told that this would be collected at the Kuala.

They asked if they were to pay for gardens of tobacco and fruit and other gardens, and were told that they will have to pay but the rates were not yet fixed; these will subsequently be made known to them.

Note.—Here follows a record of various appointments of Penghulus, some of whom were asked for by the villagers and others confirmed in their existing authority.

6th February, 1878.

PRESENT:

H.H. the Raja Muda YUSUF.

H.B.M's. Resident.

Raja DRIS.

*Note.—This Meeting is entirely concerned with the appointment of Penghulus and arrangement of Mukims.**

* It is noteworthy that the wishes of the people of the villages were largely consulted and that hereditary claims were generally recognised. Some of the Penghulus then appointed are in their places to-day (February, 1907). A very famous old lady, still alive, Haji Wan Teh Sepiah, was made Penghulu of Ulu Kurau. The large mukim of Salong, opposite to Kuala Kangsar, was confirmed to the family of the Dato Sri Maharaja Lela.—E. W. B.

4th May, 1878.

PRESENT :

The Raja Muda YUSUF.
 The Resident (Mr. HUGH LOW).
 Raja DRIS.
 The Orang Kaya Temenggong.
 Capitan CHANG AH KWEE.
 Capitan CHAN AH YAM.

ABSENT :

The Assistant Resident (on duty at Krian).

The Resident laid upon the Council table two petitions from certain Chinese, including Capitan Ah Yam, to His Excellency the Governor (Sir W. F. C. Robinson), praying for consideration of a claim for \$190,000, being half an amount expended by them at the request of the Raja Muda Abdullah in Larut during the troubles, under an agreement for repayment out of the revenues of Larut.

The above-named petitions were minuted for consideration by the Council of State by the Governor on the 22nd April last.

The Resident, at the desire of the Raja Muda Yusuf, then read the whole correspondence in Malay.

After a full discussion of the matter referred for the opinion of the Council, the members, Raja Dris and Chan Ah Yam, having special knowledge of the circumstances, the opinion of each member, beginning with the youngest, is taken down in writing and signed.

Chan Ah Yam says: that the Raja Abdullah not being Sultan at the time this debt was contracted could not bind the rulers of the country, and it ought not to be paid from its finances, but that the petitioners may justly claim repayment from any private property of Sultan Abdullah.

Capitan Ah Kwee is of the same opinion.

The Orang Kaya Temenggong says: I think that as the Towkay Chin Ah Yam is one of the petitioners, and was present and knows all the circumstances, we cannot do better than accept his opinion in which I concur.

Raja Dris says: this claim is founded on an agreement made while the country was convulsed by civil war, neither the Sultan nor the Raja Muda were fully acknowledged, and the

Chinese were fighting against each other, and both the Raja Abdullah and the Chinese who were parties to the agreement were in the wrong: the Sultan himself, if there were a fully acknowledged one, could not have bound the country to such an agreement except with the consent of his principal Chiefs, there is no case for enquiry, though much can be said against the claim if necessary.

The Resident: there is very little before the Council on which to form an opinion, but the allegations in the petition seem to be sufficient to support the view that there is no case for enquiry. At the time the advances are stated to have been made, the Mentri of Perak, Che Ngah Ibrahim bin Jaffar, was the Governor of Larut, under the fullest powers from former and undoubted Sultans, and it was not competent, in view of the concessions he held, for the Raja Muda Abdullah legally to disturb his authority.

The Raja Muda Yusuf says it would not be proper to hold any enquiry, both parties to the agreement were acting illegally and against all Malay notions of right.

The above opinions were written and signed at the Council Board.

The opinion of the Council is then declared to be that the revenues of Perak cannot be rendered liable under such an agreement as is described in the petition, the agreement having been made by both parties to it without any authority of the State and that there is no case for enquiry.

Wednesday, 26th June, 1878.

PRESENT:

H.H. the Raja Muda YUSUF.

The Resident (Mr. HUGH LOW).

The Assistant Resident (Mr. W. E. MAXWELL).

Raja DRIS.

The Orang Kaya Temenggong.

Capitan CHAN AH KWEE.

Capitan CHAN AH YAM.

The Governor's Letters Nos. 2135/78 of 3rd May and 2978/78 of 14th June were laid upon the table and read to the Council.

The Resident explained that he had not previously been able to submit these directions in consequence of his absence from Kuala Kangsar.

The Council had some hesitation as to the extent to which its opinion was desired, whether only as to the appointments of the Assistant Resident and Raja Dris to sit on the Commission, or as to the points for enquiry before the Commissioners.

The Council discussed the first point and unanimously approved of the appointment of the two gentlemen named to sit in the proposed Commission to enquire into and report upon the debts of the Ex-Mentri of Larut.

The Raja Muda Yusuf said that the Mentri's conduct had been ruinous to the country, and he professed himself unable to understand on what principle his creditors could claim to have their debts paid by the State.

The point was fully discussed, and the Resident gave the three following reasons, which in his opinion combine in favour of the enquiry into, and settlement of, such claims as may be found to have been contracted by the Mentri in his capacity as Governor of Larut:

- (i) The Mentri was justified by his "Kuasas" in incurring liabilities on account of the district;
- (ii) The Pangkor engagement supports the principle on which the Chinese claims are based;
- (iii) Government has recognised the principle by the appointment of a previous Commission.

The Raja Muda asks how the first of these rules would be affected if claims against other Rajas should be brought forward, or if one Raja should be found to have granted conflicting privileges. The difficulty suggested, the Resident said, could not arise under regular Governments, and the Assistant Resident added that this cannot lead to any difficulty as the enquiry now under consideration was one which had been guaranteed by the British authorities.

The Raja Muda, Raja Dris and the Orang Kaya Temeng-gong state that the Governor's letter defining the duty of the Commission as "to enquire and to report," they are of opinion that the Commission may be appointed. The other members consider that the Commission should proceed in the enquiry and report with as little delay as possible.

The Resident laid before the Council and read the letter of His Excellency the Governor directing the question of the Kedah boundary to be submitted to the Council.

The Resident reminded the Raja Muda and informed the Council that information had been collected towards the end of last year on this subject, which was embodied in the Resident's report to His Excellency of the 31st December, 1877.

The Raja Muda says that there is no doubt that the territory between the Selama and Ulu Krian rivers belongs to Perak and has been acknowledged as such by Kedah. In all documents the boundary is stated to be the Krian river, which means the Krian from its source to its mouth, and cannot be made to mean the Selama.

The Assistant Resident produces a letter which he has lately received from Krani Karim at Selama, with a native map of the district, in this letter Inche Karim re-asserts that the boundary of Perak is the Krian to its source.

The Raja Muda explains that on a former occasion an officer of the Raja of Kedah said to a Penghulu of Perak that the Krian only bore that name to its junction with Selama, and that the continuation of the Krian was what Perak calls Selama, and that what the Perak people call the Krian is the Dingin, but the Panglima Besar knows the country and its history and he can be introduced if the Council wish it.

Panglima Besar and Krani Abdullah, a former officer resident in Krian, to be ordered to attend to-morrow.

The Assistant Resident refers to correspondence in the Blue Book, C. 1505, pp. 2 and 4, where this question is referred to, Governor Sir William Jervois not supporting the claim of Kedah. The Assistant Resident also informs the Council that in 1876 he questioned Sultan Abdullah at Kuala Kangsar on the subject of this boundary, and that the letter declared the Krian to be the boundary, disposing of the Kedah argument (that the Selama river is so called because it has been the boundary "dari salama-lama," from time immemorial) by saying that Selama ought properly to be spelt "*Salamar*."

The Resident read to the Council the paragraph of the Governor's letter No. 2595, relating to the permission to grant a pension to the widow of Dato Sagor.

The Raja Muda says he has never been able to understand why rebels or their wives should be pensioned, their crimes against the State having been proved.

The Resident explains that although he has no information of the circumstances under which such payments were ordered he thinks it possible that it was considered that the interference of Europeans in the affairs of Perak may have been somewhat misunderstood by the people, and that it was not the custom of civilised nations to visit the sins of the husbands and fathers upon their wives and children.

The Raja Muda said that if it was the opinion of the Government that something ought to be done he would not object.

Raja Dris proposes \$15 a month, assented to by the Dato Temenggong, Raja Muda says give her \$20, agreed to.

A letter from Raja Perempuan, the mother of the late Sultan Ali and the late Raja Tipah, dated 6th May, 1878, asks that part of the monthly allowance of \$25 formerly paid to Raja Tipah may be granted for the support of her infant granddaughter.

The Council agrees to increase the Raja Perempuan's allowance of \$25 to \$30 in consideration of her taking care of the child of Raja Tipah.

The Resident then placed before the Council the minute of the Colonial Secretary, dated the 2nd May, 1878, desiring the Resident to authenticate the signature of the Raja Muda to the concession of land to Mr. Tooth.

The Resident explains that the Raja Muda never having previous to this occasion been called upon to sign his name to any document within the Resident's knowledge, the latter is unfamiliar with the signature.

The Raja Muda says it is not usual with him to sign his name, all documents according to the law of the country being sufficiently authenticated if stamped by his chop, but as he was told that a signature was required to this document he touched the pen while the Raja Dris wrote the name as it now appears on the document and he can do no more.

27th June, 1878.

PRESENT:

H.B.M.'s Resident (Mr. HUGH LOW).

The Assistant Resident (Mr. W. E. MAXWELL).

Raja DRIS.

The Orang Kaya Temenggong.

ABSENT:

H.H. the Raja MUDA.

Capitan CHAN AH KWEE.

Capitan CHAN AH YAM and CHE KARIM.

2. The Council met to take the evidence of the Datoh Panglima Besar in reference to the claims of the Raja of Kedah to the land lying between the rivers Ulu Krian and Selama.

3. The Datoh is called in and his statement taken down by Mr. Maxwell.

4. Krani Abdullah, who was also in attendance, was called in and the statement he formerly made to the Resident read over in his presence, he said that the information contained in it was correct and that he had nothing to add to it; this statement the Resident said had been forwarded to His Excellency the Governor in his report on the subject of the claims of the Rajas of Kedah, dated the 31st December, 1877.

Evidence of the Panglima Besar (Mahomed Kas-Asi)—
In the time of Sultan Jafar I lived in Krian by his order. That was about 17 years ago, more or less. Wan Yed came from Kedah in those days. He had many followers and a large boat. At Bagan Samah he despatched Penghulu Yen and Kwi Dorahman to Teloh Ipil (where I then resided) to call me. I went up the river with Penghulu Budi, Ngah Gunny, Penghulu Ahab and others; at Bagan Samah we went to the "balai" of Penghulu Yen and had there an interview with Wan Yed. He said that he was commanded by the Yang Di Per Tuan of Kedah to ascertain the boundary at Ulu Krian. I then replied, "As to ascending the river, Wan Yed, it is difficult for me to do so, as I have no command from the Yang Di Per Tuan of Perak." He replied, "Well, if you cannot go, I must go alone," and I said, "Pray do so, Wan," I returned to my place and he went up the river. Six days afterwards he came down the river in the same large boat in which he had come from Kedah. There was then an English guard-boat lying off "Kapala Datas" (the end of the old road which used to come down to the river-bank below Victoria Estate). She had two masts and eight or nine oars on each side. She was called "Fire." Wan Yed's boat went alongside and moored there. He then sent two men in a small boat to summon me, saying that he was on his return to Kedah. I went across the river and found him on board the "Fire." Mr. Robertson was there and so were Inspectors

Phillip Jeremiah and Magness. I sat there and conversed. Wan Yed pulled out a paper and said, "I have been up the river and have measured the rivers at the place where they divide. One is called 'Selama' and the other is called 'Dingin.'" He pointed them out on the paper, which was a plan that he had made up the river. I said, "How is it, Wan, that this river is called by three names? On the lower part of it it is called Krian: why should the Krian be known by another name?" He answered, "Selama is a Semang not a Malay word and it signifies 'boundary.'" I said, "If that is so, Wan, why does not the name extend to the sea seeing that the river is the boundary in its whole length?" Mr. Robertson said, "What the Panglima Besar says is extremely just." After that we returned to Kedah.

Before this I had been in charge of the Krian district by Sultan Jaffar's orders, and both before and after Wan Yed's visit received from a Penang Chinaman called Koon Chee and his son, Choo Ah Soo, who lived in a street called "Pintu Sapuloh," near the Malay mosque, sums of money amounting in all to \$800 or thereabouts. This I remitted from time to time to Sultan Jaffar as the revenue of the country lying between the Krian and Selama. The Chinese paid it on account of timber for sawing into planks, I collected the duty at Teloh Ipil and charged 40 or 50 cents per log if squared. If not squared the duty was 25 cents. There was a certain Haji Dutam, a Kedah raiat, who came to the Panglima Bukit Gantang at Sungei Limau about 20 years ago and asked permission to settle at Selama to establish mines, etc. The Datoh gave the required permission. He gave a written paper. Haji Dutam settled at Selama, and it was never said by people that he lived in a Kedah district or was under Kedah authority.

Thursday, 5th September, 1878.

PRESENT:

H.H. the Regent (Raja YUSUF).
The Resident (Mr. HUGH LOW).
Raja DRIS.
The Orang Kaya Temenggong.

ABSENT:

The Assistant Resident (on duty in Province Wellesley).
Capitan CHANG AH KWEE } not yet arrived.
CHAN AH YAM }

1. The Resident laid upon the table and read a letter from the Colonial Secretary, enclosing by direction of H.E. the Governor a letter from Mr. A. G. Studer, United States Consul at Singapore, containing information relative to the cultivation and preparation as food of indian corn.

The thanks of the Council were ordered to be returned to His Excellency the Governor and to Mr. Studer for this interesting and valuable communication.

The Council unanimously formed a resolution that His Excellency should be requested further to aid the State by asking Mr. Studer to order for it from America an iron mill for grinding indian corn of such a size as could be worked by a buffalo, together with sieves, corn sheller, etc., quite complete, and 2 or 3 pikuls of the seeds of each kind of corn, etc., recommended by him for cultivation in this State.

2. The attention of the Council having been directed to the frequency of night robberies in the various kampongs and to the recent desecration of a grave at Bandar Bahru, and to the fact that many Penghulus had asked that a measure might be passed ordering all persons out at night to carry a light after nine o'clock, the following notice, which is in accordance with Malay law, is unanimously adopted :

"It is hereby notified that any person who may have occasion to move about in villages or kampongs at night after nine o'clock must carry a torch or other light, failing to do so they may be arrested and taken before the Penghulu or chief of the village or district, and be fined any amount not exceeding \$6.25.

"A gun will be fired at nine o'clock at such stations as are provided with artillery, and the Penghulus of villages are directed at nine o'clock to make known the time by beat of gong or taboh.

"Persons attempting to enter houses at night for unlawful purposes should, if possible, be arrested, and should they be wounded, or even killed in default of arrest being possible, the persons defending their houses will be held blameless, but a report of the attempt and its consequences must immediately be made to the Chief Officer of the district, who will cause an enquiry into the circumstances to be made."

3. The Resident brought to the notice of the Council an application which had been made by Che Karim of Selama for

money to purchase an engine to help him to drain his mines, his water-course having been destroyed by the heavy rains.

As Mr. Maxwell is expected to visit Selama before he returns from the duty on which he is now engaged, this matter is ordered to stand over till he is able to be present in Council.

4. The question of secret societies, and the course it will be proper to take in regard to them, is also ordered to stand over, the letter of his Excellency the Governor having been sent to Krian for Mr. Denison's information and not yet returned.

5. The conduct of Raja Mahomed Ali, in oppressing the Sakais of his district at Chendariang, is brought before the Council by the Resident.

The Raja Muda says his son Raja Mahomed Jam has just returned from there and says the chief people of the place have some difficulties amongst themselves which they are coming to Kuala Kangsar to have settled, and the treatment of the Sakais can then be regulated and a notice published.

Friday, 6th September, 1878.

PRESENT:

The Regent (Raja YUSUF).
 The Resident (Mr. HUGH LOW).
 Raja DRIS.
 The Orang Kaya Temenggong.
 Capitan CHANG AH KWEE.
 Capitan CHAN AH YAM.

ABSENT:

The Assistant Resident (on duty in Trans-Krian, Province Wellesley).

The Resident laid upon the table a letter lately received from the Colonial Secretary containing remarks by the Attorney-General of the Straits Settlements on the "Kuasa" in use for the guidance of Penghulus.

The "Kuasa" is read over by the Resident in Malay, paragraph by paragraph, as also the learned Attorney-General's remarks, and the Council are of opinion that the state of society in Perak has not yet reached the point at which it would be advisable to define more particularly the offences which may

arise under the "Kuasa" as recommended by the Attorney-General, and that the form of "Kuasa" be continued for the present.

The chief court of Kuala Kangsar administers, as far as it will go, the law of the country, and this law, though unwritten, is very generally understood and appears to differ little from the Code of Laws formerly in force in great Malay Kingdoms.

The Raja Muda Yusuf suggests that it will be a good plan to appoint one or two Chief Officers whose duty it will be to visit the different districts of the country and ascertain and report to Government the manner in which the Penghulus are performing their duties, which view is unanimously concurred in by the Council.

A good deal must, in the opinion of the Council, for the next few years, be left to the Judges of the High Court which has power to revise all sentences and judgments.

A memorandum for the guidance of Penghulus, drawn up by the Resident and dated 5th September, 1878, is adopted by the Council and ordered to be brought into use.

"REGULATIONS BY H.H. THE REGENT IN COUNCIL FOR THE GUIDANCE OF PENGHULUS AND OFFICERS IN CHARGE OF THE COLLECTION OF CUSTOMS AND OTHERS AS TO THE MANNER IN WHICH THE PERCENTAGE DUE TO THE CHIEFS OF DISTRICTS ON REVENUES DERIVED THEREFROM MAY BE COLLECTED AND RECOVERED.

"1. Tin produced from all lands belonging to the Government will pay duty in accordance with the rates in force at the customs house of the district.

"2. Owners of mines which are private property shall be entitled to a drawback of \$2 per bhara as 'asil tanah' or royalty on the tin produced from such mines, but the tin must pay at the customs house the full export duty and royalty chargeable at the time.

"3. The Penghulus will be entitled to receive from the custom house or treasury of the district 10 per cent. on the amount of duty collected on tin from their district, except that which being derived from private property is charged with \$2 as 'asil tanah' to the owners; on the tin from such mines the Penghulu will derive no profit except in cases where he is also the owner, when he will be entitled to his \$2 a bhara royalty.

"4. In order to enable the Penghulus' percentage and the 'asil tanah' of owners to be easily recovered from the custom house collecting it, it will be necessary for every consignment sent down the river to be accompanied by a certificate of its origin and of the quantity sent down, and the name of the person to whom the royalty or percentage may be due.

"5. This certificate must be signed and chopped by the Penghulu of the district, who must keep a copy of it, and when it arrives at the port of shipment the same particulars must be entered in a Book of Account to be kept there, and the certificates retained as vouchers. The account may be adjusted in any way or at any time that may be most convenient to the Penghulu or exporter by the officer of customs, under the written order of the Chief Officer of the district paying over the amount to which either may be entitled.

"6. Any responsible person may open a new mine after having got the permission of the Chief Officer of his district by whom the particulars must be registered in a book to be kept for the purpose, and a lease or license will be granted, the Penghulu's written notice being kept as a supporting voucher.

"7. Salaried Penghulus will also be entitled to recover 10 per cent. on all other revenue produced by their districts, and unsalaried Penghulus will be allowed 20 per cent. on all revenue collected by their means, but the gross collections must in all cases be paid into the treasury of the district from which the commission due to the Penghulus will be afterwards issued.

"8. Any person attempting to commit fraud upon the revenue by passing, or attempting to pass, tin or other articles under a chop other than that of the mine or district from which the tin or other articles have been produced, or under a false certificate of origin, shall be subject to a penalty not exceeding \$1,000, and all articles so attempted to be fraudulently passed shall be forfeited, and in default of payment of the penalty the person convicted may be sentenced to three years' imprisonment with hard labour.

"9. Any portion of fines recovered under this Regulation not exceeding one half may be given to the informer."

In reference to the letter from the Colonial Secretary of the 21st June, 3174/78, enclosing correspondence between the Colonial

Office and some gentlemen in London relative to a proposed mission by Mr. T. N. Christie to proceed to Perak with a view to ascertain the capability of the country for agricultural industry, and to the two letters from Mr. T. N. Christie of the 31st August, 1878, now laid on the table by the Resident, asking for a grant of 10,000 acres of forest land for the purposes of coffee and other cultivation on certain terms, and the second asking for a grant of 1,000 acres of similar land for Mr. Christie himself, H.H. the Raja Muda and the Council unanimously are of opinion that the terms offered may be accepted and the concession granted on the proposed terms, with the additional proviso that all expenses of survey and demarcation be defrayed by Mr. Christie.

(Sd.) J. T. KEYT,
Clerk of Council.

24th October, 1878.

PRESENT :

Raja DRIS, *President.*
The Resident (Mr. HUGH LOW).
The Orang Kaya Temenggong.
Capitan China CHANG AH KWEE.
Capitan China CHAN AH YAM.

ABSENT :

The Raja Muda YUSUF, Regent, from sickness in his family.

1. The Resident states that His Highness the Regent and himself having been engaged for several days in the trial of six Malays for the murder of two Chinese charcoal burners at Sungei Cheh, on Gunong Bubu, on the 1st June last, and having considered the three persons named Che Mat, Ubah and Mahasih to have been guilty with others in the murder, sentenced them to death in the Court at Taiping on the 14th day of October, 1878, but have suspended the execution of the sentence in order that the evidence might be submitted to the Council for confirmation.

2. The voluminous evidence taken in the Court is then laid on the table, and chief points in the statement of each witness is considered and explained where necessary by the Resident.

3. The judgment of the Court is confirmed and ordered to be carried out.

4. The execution to take place in the neighbourhood of Bukit Gantang.

(Sd.) J. T. KEYT,
Clerk of Council.

25th October, 1878.

PRESENT :

Raja DRIS. *President.*

The Resident (Mr. HUGH LOW).

The Assistant Resident (Mr. W. E. MAXWELL).

The Orang Kaya Temenggong.

Capitan China CHANG AH KWEE.

Capitan China CHAN AH YAM.

ABSENT :

The Raja Muda YUSUF, Regent, from sickness in his family.

3. The Resident laid on the table the letter of the Colonial Secretary, dated the 4th September, 1878, No. 4,979/78, containing the opinions and advice of His Excellency the Governor and the Council of the Straits Settlements as to the propriety of re-considering whether some limit of time ought not to be insisted on even in "pioneer" grants of land within which a *bond fide* commencement of operations should take place.

4. The Resident laid on the table an application dated 18th September, from William Handyside, Jr., Esq., for 5,000 acres of waste land in the Kinta coffee districts to be granted on the same terms as contained in the application of Mr. Christie.

5. The Resident also laid on the table an application dated 24th October for 10,000 acres of land in three blocks suitable for the cultivation of sugar, tea, coffee and other products, from Leonard Wray, Esq., as attorney for the Penang Plantations Company, also an application from the son of the same gentleman, Mr. Cecil Wray, for 10,000 acres for similar purposes.

6. The Council are unanimously of opinion that the reply to the applicants for waste land should include a proviso that the *bond fide* commencement of cultivation should take place within 18 months from the date of notification to the applicants that the concession will be granted.

7. The Council are of opinion that 4,000 acres of land may be granted to Mr. Handyside; 6,000 acres to the Penang Plantations Company and 6,000 acres to Mr. Cecil Wray, and that the question of the reserve of half a mile round expensive sugar factories and machinery must be considered by the Government when the position of the lands selected is decided upon, and will be granted for such term as the machinery may be in use when such selection is not known to contain metalliferous deposits.

(Sd.) J. T. KEYT,
Clerk of Council.

Wednesday, 18th December, 1878.

PRESENT :

H.H. the Regent (Raja YUSUF).
The Resident (Mr. HUGH LOW).
The Assistant Resident (Mr. W. E. MAXWELL).
Raja DRIS.
The Orang Kaya Temenggong.
Capitan CHANG AH KWEE.

ABSENT :

Capitan AH YAM, detained by business.

2. The Resident laid on the table the statements of the witnesses and record of the trial before Raja Dris, the Assistant Resident and the Orang Kaya Temenggong of (1) Megat Hitam, (2) Ismail, (3) Alang Adam and (4) Khatib Ali, for the murder of one Alang Sahat at Kuala Dal, on the night of the 15th October, 1878.

3. The Council carefully considered the evidence against Alang Adam, who had been sentenced to death by the Court, and the members of the Council gave their opinions as follows :

Capitan Ah Kwee and the Orang Kaya Temenggong for confirmation of the sentence.

Raja Dris said that though there was no doubt in his mind that the convict was guilty of instigating the murder, he should be glad if imprisonment for life should be thought appropriate, as in that case the whole truth might subsequently come out.

The Assistant Resident said that the conviction was in his opinion justified by the evidence, but as this was not of a direct character, though he was prepared to sanction the punishment of death, he should be glad if the Council would adopt some punishment which came short of it. The Assistant Resident mentioned, which does not appear in the evidence, that the hands of the convict are maimed, which may further account for his having procured others to commit the crime.

The Resident said he thought that there being no witnesses to the fact of the convict having ordered the murder was of little consequence. The prisoner must be either guilty or not guilty, and no one doubted that Alang Adam had instigated the crime. The case was strong, and he thought in the present circumstances of Perak that the sentence against Alang Adam should be carried out.

The Raja Muda agreed with the Resident, but he thinks that proceedings ought to be taken against Toh Lenggang as an accessory before the fact.

The sentence of the Court is then confirmed and ordered to be carried out.

The Resident submitted to the Council a letter from Mr. Handyside remonstrating against his application for 5,000 acres of land being reduced to 4,000 acres. H.H. the President and Council agreed to let Mr. Handyside as a first explorer have the full quantity of 5,000 acres for which he had applied.

A letter was read, dated the 15th Shawal, from Wan Hitam, the Governor of Tarum and Bitong, under Raja Reman of Petani, asking if the duties on tin and opium could be somewhat reduced from what they were in former times under the Malay Raja and below those charged on exports through Kedah, as in that case he would send all his tin and other produce down the Perak river.

The Regent and Council agree that an answer shall be sent to the letter offering to let Petani tin pass at \$4 a bhara duty, the charge on opium remaining as at present. It is thought that although it may not be quite true that the former charge under the Malay Rajas in Perak, namely \$6 a bhara, is heavier than by the Kuala Muda route, it will be good policy by liberality to foster intercourse with Petani.

The Resident lays upon the table a letter from the Resident of Selangor, in which that officer notifies the seizure in the Ulu

Bernam of 20 balls of opium from Perak, which were about to be smuggled by one Haji Majid into Pahang, and asks the support of the Government of Perak to prevent smuggling into Pahang. The Resident asks for the opinion of Council in this matter.

H.H. the Regent says that a trade in opium has always existed between Perak and Ulu Pahang, and the Council are of opinion that it is highly proper by all reasonable means to cultivate friendly relations with H.H. the Raja Bendahara of Pahang, but as the Government of Perak has had no communication from the Raja Bendahara of Pahang on the subject, and are quite unaware of any restrictions being desired to be placed on the trade between the Ulu Pahang and Perak, they do not see that at present they can take any steps in the matter.

The Resident of Selangor has not stated by what route the opium confiscated passed through Perak, nor whether it bore the stamp certifying that duty had been paid in Perak.

(Sd.) J. T. KEYT,

Clerk of Council.

Thursday, 19th December, 1878.

PRESENT:

H.H. the Regent (Raja YUSUF).

The Resident (Mr. HUGH LOW).

The Assistant Resident (Mr. W. E. MAXWELL).

Raja DRIS.

The Orang Kaya Temenggong.

Capitan CHANG AH KWEE.



ABSENT:

Capitan AH YAM, detained by business.

A petition is read from the inhabitants of Bandar and that neighbourhood to have the acting Penghulu, Mahomed Yassim, removed. The Raja Muda strongly supports him, and says that the petitioners do not allege that he has done any wrong and that the petition is got up by a party, at the head of which is a stranger named Haji Ismail, that is dividing villages on a religious question of the number of times for public prayer in the mosque, and wishes to introduce customs unknown formerly in Perak against the will of the principal head and religious men in the

State. The matter was ordered to be forwarded to the Superintendent of Lower Perak for report.

Thursday, 27th February, 1879.

PRESENT:

H.H. the Raja Muda YUSUF, Regent.

H.B.M.'s, Resident.

The Assistant Resident.

Raja DRIS.

The Orang Kaya Temenggong.

Capitan CHANG AH KWEE.

Capitan CHAN AH YAM.

1. The Council met pursuant to notice.
2. The Regent opened the sessions with the following remarks:

"The Council has been called together on this occasion to consider and advise on important business of the State.

"The first subject for consideration will be the report of the Commissioners who in accordance with a resolution of the Council lately enquired into the liabilities of the State incurred by the former Mentri of Perak in connection with the disturbances in Larut in 1872 and 1873.

"The Council is invited to deliberate upon, and advise as to the best methods of dealing with the awards made by the Commissioners.

"The lands of the State have lately attracted considerable attention amongst European capitalists and planters, and competent opinions have been given as to the suitability of various parts of Perak for the cultivation of every description of tropical agricultural products; coffee, cinchona and tea it is confidently believed may be successfully planted on the higher ranges of mountains, rice, sugar, tapioca and other valuable products on the plains.

"Many applications for the terms on which land will be granted to persons willing to introduce these industries have been received, and it is highly desirable that no further delay in publishing them should take place.

"Special regulations having the encouragement of such undertakings in view have been prepared by the Government and will be submitted to the Council.

"General regulations for the grant of State lands and for the registration of titles and security of property in land are also much needed, and such will be submitted for the consideration and advice of the Council.

"The accounts of revenue and expenditure of the State during the past year have now been made up and an abstract of them will be laid upon the table for the information of the Council.

"It has been considered advisable that in accordance with the usual practice in other countries a flag for the State should be decided upon and the Council will be asked to decide upon and sanction the adoption of a suitable one.

"The circumstances of the district of Selama have on former occasions been under the consideration of the Council of State, and the Resident having lately in Krian had interviews on the subject with Che Karim, with my sanction an arrangement has been come to which it is hoped will encourage the development of the resources of the province, and this will be submitted for the approval of the Council.

"Several other points of business of interest and importance will be submitted for your consideration and advice.

"The arrangements for paying salaries to the Chiefs of districts and villages, sanctioned by the Council in its session on the 5th September last, have been completely carried out, and have given rise to feelings of great satisfaction throughout the country and to hopes of important results.

"The harvest now being gathered in is generally of a favourable character, and in some districts the yield is exceptionally abundant.

"The peace of the country has remained undisturbed during the whole of last year and the prospects for the future are encouraging."

3. The Resident, by desire of the Regent, laid upon the table the following papers:

- (a) Report of the Commissioners appointed to enquire into the liabilities of the State of Perak in connection with the troubles in Larut;
- (b) Report by H.B.M.'s Asst. Resident of Perak of two criminal prosecutions undertaken in Penang at the instance of the Government in pursuance of the recommendations of the Commissioners;

- (c) Proposed "Special Regulations" for leasing waste land; and correspondence with the Government of the Straits Settlements on the subject;
- (d) Proposed "General Regulations" for demising and registering lands in Perak;
- (e) Abstract of revenue and expenditure of the State for the year 1878;
- (f) Letter of the Honorable the Colonial Secretary of the Straits Settlements, No. 790/79, containing the directions of His Excellency the Governor as to the flags of Native States, and as to the distinguishing flags to be used by Residents when afloat.

4. The report of the Commissioners was then taken into consideration and the various awards examined *seriatim*.

5. The resolution, as follows, is then put to the Council by the Resident, on the part of His Highness the President, and is unanimously agreed to:

"The Regent in Council is of opinion that the examination of the claims has been conducted by the Commissioners in a very able, careful and exhaustive manner, that the conclusions arrived at amount to a fair and just decision on the difficult points referred to their consideration, and adopts the awards made by the Commissioners in each instance, except that of Claim XVII which His Highness in Council is of opinion should be thrown out.

"The Regent in Council also agrees with the conclusion of the Commissioners that the payment of interest cannot be allowed on any of the claims.

"The Regent in Council also adopts the suggestion of the Commissioners that the awards to certain persons for arrears of wages—namely, Mr. James Irving, \$868; Haji Abdul Mutali, \$482; and Kulup Wahab, \$550, should be speedily settled. The Regent in Council also authorises the payment of the amount awarded to Messrs. Lorrain, Gillespie & Co., \$76.50, as being a small amount.

"The Regent in Council authorises the payment by instalments from surplus revenues of the balance remaining of the sum awarded, in such proportions as may be convenient, and directs that after the payments mentioned above, amounting to \$1,976.50, are disbursed, that an instalment equal to 20 per cent. of the remainder be paid during the current year, either

one time or in two equal payments, as in the opinion of the Resident the state of the public finances may justify.

"The Regent in Council entrusts the Resident with the execution of this duty, who will present an account in Council showing the amounts which may be paid and the balance which may remain due at the end of the year 1879.

"The duty of determining the amounts to be paid under the recommendation contained in the remarks on Claim No. VI and of paying the same is also put upon the Resident or such person as he may think proper to appoint.

"A written acknowledgment of the amount awarded and due to each individual under the hand and seal of the Raja Muda, countersigned by the Resident, will be given to each of the State creditors, who will only receive payments on account of the amount due on production of the document, and payments made must be accompanied by an endorsement by the financial officer making them."

6. The Resident remarked that the total amount awarded, as stated in the schedule of the report, is \$166,753.88½, but \$4,000 were paid to Chang Ah Kwee (Claim XXI), before the award was known, by the Treasury in addition to the \$10,000 for which the Commissioners have given credit, the total of the schedule must therefore be reduced by the amount of \$1,969.05 disallowed on Claim XVII, when the total due on the whole of the claims will be \$160,784.83½, so that to carry out the resolution a sum of \$32,738.16½ will be required as under:

Claims for wages and small claims	...	\$1,976.50
Twenty per cent. on \$158,808.33½, being the balance after deducting small claims as above, payment of \$4,000 to claim XXI and the disallowed amount on Claim XVII of \$1,969.05	... ..	30,761.66½
		<hr/>
		\$32,738.16½
		<hr/>

Exclusive of any payments which may be made under the recommendations in the cases under Claim VI.

(Sd.) J. T. KEYT,
Clerk of Council.

Friday, 28th February, 1879.

PRESENT:

H.H. the Raja Muda YUSUF, Regent.

H.B.M.'s Resident.

The Assistant Resident.

Raja DRIS.

The Orang Kaya Temenggong.

Capitan CHANG AH KWEE.

Capitan CHAN AH YAM.

2. The Resident lays on the table a letter from the Colonial Secretary, S.S., recommending the payment of \$500 to Mr. Logan, Solicitor-General, S.S., for his services on the Mentri's Debts Commission—agreed to.

3. The Resident calls attention to the report of the Assistant Resident upon the prosecution recently undertaken against one Ho Ghi Siew, in the Penang Police Court, and to a letter from the Assistant Resident reporting that actions have been commenced against him in the Supreme Court, Penang, at the suit of Ho Ghi Siew, to recover \$15,000 damages for malicious prosecution, etc.

The voluminous documents and evidence bearing upon this subject having been carefully considered, the Resident made the following remarks:

"The prosecution was undertaken in pursuance of the recommendation in Claim II of the Mentri's Debts Commission, and after consultation between the Resident and the Solicitor-General of the Straits Settlements, who expressed the opinion that Ho Ghi Siew could not escape conviction.

"Under these circumstances, and being of opinion that the prosecution of some of the principal persons who had attempted by false and forged documents to defraud the State, was a just and politic act, I, when at Matang, authorised the Assistant Resident to go on with two prosecutions, and on my return to Kuala Kangsar reported what I had done to H.H. the Regent, who concurred in the propriety of the measures taken.

"Having since read the report of Mr. Maxwell and the evidence adduced before the Magistrate I am forced to the conclusion that the latter ought to have sent up the case for trial.

"Mr. Maxwell could not secure the services of any Barrister of consideration. The onus of conducting the whole case, examining witnesses and arguing points of law fell entirely upon him, and it was fortunate that, being a member of the Straits Settlements Bar, he was in a position to conduct the case.

"It was ably managed by the Assistant Resident, and to the last moment it was believed, even by the Counsel for the prisoner, that Ho Ghi Siew would be committed for trial.

"The Government of Perak is under great obligations to the Assistant Resident for the zealous, fearless and able manner in which he exposed this attempt at criminal fraud."

4. H.H. the Regent and Council unanimously resolved that the prosecution of Ho Ghi Siew and others was highly expedient, that the thanks of the Government are due to Mr. Maxwell for undertaking it, and that the defence of the actions shall be carried on at the expense of the State.

5. The Resident submits for the consideration of H.H. the Regent and Council the conditions on which it is proposed that State lands in Perak shall be demised to persons desirous of commencing agriculture on an extensive scale in the State. Also certain correspondence which has passed between H.E. the Governor and himself on the subject.

6. The following Regulations are discussed *seriatim* and unanimously.*

7. A General Code of Regulations regarding land is then read and discussed by the Council and passed with amendments.

GENERAL REGULATIONS.

PERAK.

The lands of the State are divided into four classes :

I.—Waste land (*i.e.*, uncleared or abandoned land) available for agricultural purposes ;

II.—Land in the occupation of natives under Malay tenure ;

III.—Building allotments in towns or villages or on the sides of roads, rivers or canals ;

IV.—Mining reserves.

* These Regulations are published in the "Land Laws of Perak" (Maxwell).

CLASS I.

WASTE LAND AVAILABLE FOR AGRICULTURAL PURPOSES.

1. The tenure on which lands in Class I may be held is a lease for 999 years.
2. Premium will be payable on the issue of such a lease and a quit-rent will be reserved in it, according to the rates in operation at the time of issue, which rates will be settled from time to time by the Council of State and duly notified to the public.
3. In all such leases there will be covenants reserving to Government:
 - (a) The right to all minerals contained within the land demised and all necessary facilities for working such right;
 - (b) The right to resume for public purposes, such as roads, canals, telegraphs, bridges, police and revenue stations, etc., such portions of the land as may be necessary, on payment of compensation for actual damage, the amount of which shall be fixed by the Chief Officer in charge of the district, subject to appeal to the Council of State;
 - (c) The right to dispose of all timber and other natural produce standing on the land;
 - (d) The right to take earth, sand, or stone, or other materials for road-making or other public purposes on the same terms as in (b);
 - (e) The right to control all water-courses for irrigation, navigation and mining purposes, and for all purposes of general utility;
 - (f) The right to resume the whole or any part of any land held under lease should one-quarter of the total area be allowed to remain uncultivated for six consecutive years or should the whole of it be abandoned for three consecutive years.
4. Application for a lease of land must be made personally at the Land Office or else in writing addressed to the Chief Officer in charge of the district.
5. As soon as the land is allotted, good and permanent landmarks, to the satisfaction of the Chief Officer of the district, shall be put up and shall be kept in repair at the expense of the lessee.

6. The applicant must pay the fees and charges (according to the scale annexed) incidental to the survey of the lands demised to or applied for by him; he must also pay the expenses of marking the boundaries and cutting lines and clearing for survey.

7. The quit-rent reserved in such a lease shall be payable annually in advance at the Land Office without demand.

8. In cases where, in consequence of the land not having been surveyed or for other reasons, it may be inadvisable to issue at once a lease for lands in Class I, a permit for the clearing and occupation of such land for one year may issue (to be renewed from year to year) on the understanding that the permit holder will hold the land subject to the terms and conditions of the covenants above set out and which will ultimately be included in his lease.

9. Quit-rent at the rate prescribed for the district shall be payable by the holder of such permit as if the land were held under a lease, but in special cases where it may seem desirable to offer peculiar inducements to cultivators, the Chief Officer of the district, on the approval of the Government having first been obtained, may direct that no quit-rent shall be payable on such permit for the first three years.

10. The foregoing rules are subject to modifications in the cases of the first *bonâ fide* introducers of agricultural industries into Perak who may obtain special terms from the Government.

CLASS II.

LAND IN THE OCCUPATION OF NATIVES UNDER MALAY TENURE.

11. Every holder of land must take out from the Land Office of his district a certificate of his title (Form No. VI.)

12. All land already occupied must be registered in the Land Office where all particulars required in Form No. IX (Register of Occupied Lands) must be correctly entered.

13. Upon the registration of any such holding should the claim of the occupant be undisputed, a certificate will be issued to him confirmatory of his title to the same. (Form No. VI.)

Disputes will be dealt with as laid down in Rule No. 27.

14. The certificate must state the annual payment to be made to Government in respect of quit-rent.

15. The certificate shall be in force until the land described in it has been surveyed, when a lease for 999 years will be issued (Form No. I) in exchange for the certificate, the quit-rent reserved therein being the same as that provided by the certificate. The lease will be subject to a registration fee of \$2.

CLASS III.

BUILDING ALLOTMENTS IN TOWNS, ETC.

16. The Chief Officer of a district will be empowered from time to time to sell building lots in towns or villages or on foreshores or on the sides of roads, rivers, or canals or other lots which it may be expedient to reserve from the operation of the rules relating to waste lands.

17. Building lots will be laid out as far as may be practicable in lots of 20 feet frontage and 120 feet depth, and the roadway reserved will be not less than 40 feet in width, such allotments and other reserved lots will be sold at auction, the purchaser on payment of the premium bid receiving a lease for 999 years subject to annual quit-rent.

18. As the value of land varies in different districts the upset premium and the rate of quit-rent will be fixed by the Council of State for each district, from time to time, and will be duly notified to the public.

19. The lease shall be in the annexed form (Form No. II) for payment of quit-rent and for recovery of arrears of rent by seizure and sale of the demised premises after notice.

CLASS IV.

MINING RESERVES.

20. Tracts known to contain metalliferous deposits for which no lease or other sufficient title shall have been issued at the date on which these rules shall come into operation shall be considered as Government reserves and shall be so defined on the maps of the country in the Survey Office.

21. A license to dig for tin or other metals on land so reserved will be granted to any applicant on payment of a fee of \$2. This license is not transferable and must be renewed annually.

22. Such license will convey no property in the land, but merely permission to remove the metal on payment of a royalty of \$2 per bhara for tin, or, in the case of any other metal, one-tenth of the produce.

If the land to which the license is applicable should remain unworked for six months in succession it will revert to the State.

23. Works such as dams, water-courses, conduits, etc., undertaken for the purpose of supplying a mine with water power will not give the person at whose expense they are constructed any right of ownership inconsistent with the foregoing rule.

24. Such works can be undertaken only with the permission of the Government of the country, and the right to the use of water so brought down at the miner's expense ceases with the abandonment of his mine or mines.

25. Lots included in mining reserves may be leased under the direction of the Council of State for a term of 21 years, subject to the conditions stated in the mining lease (Form No. XIV) annexed.

26. Special leases on exceptionally favourable terms may also be granted, under the direction of the Council, to persons or companies who may undertake to introduce improved systems of working mines by the agency of European machinery under skilled European superintendence.

GENERAL REGULATIONS.

27. A complaint book shall be kept at the office of every Collector of Land Revenue, in which, in case of any dispute as to the ownership of land, the clerk appointed for the purpose will enter the names of the parties and the nature of the complaint. The Chief Officer of the district will then hear and decide the dispute and his decision shall be final. This is applicable to agricultural districts only and shall not affect the right of any one to proceed in the local Courts instead of by complaint in the Land Office.

28. No assignment, deed of transfer, bill of sale, or other document purporting to transfer the property in any land held under a title issued by the authority of the Government of the State shall have any effect unless it shall have been prepared and registered in the manner hereinafter specified.

29. The party claiming the right of transfer or succession shall attend at the Collector's office either in person or by his constituted agent and shall make application for registering the mutation, producing the original lease, certificate, or permit; a deed of transfer shall then be made out in the Collector's office in the prescribed form (Form No X), or, if the party making the application shall prefer it, the original lease, certificate, or permit

shall be surrendered to Government. The Collector shall be authorised to accept such surrender on the part of the Government of the country and to re-lease the land to the person or persons in whose favour the transfer is to be made.

30. When any rent due to Government has become due and is unpaid the Collector may demand payment of it by a notice in writing (Form No. III), and if the same be not paid within 15 days thereafter he may issue an attachment (Form No. IV) and seize and sell by virtue thereof any property or effects of the occupier which may be found upon the land in respect of which rent is due, or the land itself.

31. When application is made for the sub-division of a grant the Collector may accept the surrender of the original grant and issue new leases for the required sub-divisions, provided that proper landmarks, showing the boundaries of them, shall have been first put up, that all fees of survey and registration shall have been paid, all arrears of quit-rent paid up, and that the quit-rent to be collected on each sub-division shall in no case be less than 40 cents.

32. No instrument of transfer shall be entitled to any official recognition of its validity or received in evidence as a legal instrument in the Courts of the State unless it has been registered.

33. For registering any lease, transfer, mutation of title, or sub-division of land, inspection of register, copy of last title, the fees mentioned in the Appendix shall be chargeable by the Collector and paid into the treasury to the credit of the State.

Passed the Council of State this 28th day of February 1879.

(Sd.) J. T. KEYT,
Clerk of Council.

Saturday, 1st March, 1879.

PRESENT :

H.H. the Regent (Raja YUSUF), *President.*
H.B.M's. Resident (Mr. HUGH LOW).
The Assitant Resident (Mr. W. E. MAXWELL).
Raja DRIS.
The Orang Kaya Temenggong.
Capitan CHANG AH KWEE.
Capitan CHAN AH YAM.

2. The question of a flag for the State was then taken into consideration in connection with His Excellency the Governor's letter No. 790, dated 31st January, 1879. After discussion, it was resolved that the flag of the State should be formed of three horizontal bands of equal size, of the colours white, yellow and black; white being the uppermost and black the lowest; these three colours being those of the three great officers of State: the Yang Di Per Tuan, the Raja Muda and the Bandahara, respectively.

The presence of the Yang Di Per Tuan on board any Government vessel will be denoted by a white flag at the main, that of the Raja Muda by a yellow flag at the main, and that of the Raja Bandahara by a black (or dark blue) flag at the main.

The presence of H.B.M's. Resident on board any Government vessel will be denoted by a burgee at the main in imitation of the flag of the State, with a small "Union" in the upper canton—that of the Assistant Resident by a similar flag flown at the fore.

3. The Resident referring to a matter which was before the Council on the 5th September, 1878, addresses the Council on the subject of the Selama mines, the rights of Che Karim, the steps proposed to be taken to encourage mining enterprise, and the assistance to be given to Che Abdul Karim towards the purchase of an engine as arranged under an agreement dated the 12th February, 1879, which was read to the Council.

The measures taken by the Resident are approved and confirmed by the Council.

4. The Resident then lays on the table a set of regulations for the more effectual control of the Chinese on the coast south of Larut, and for the repression of crime and violence in that district, several instances of which have lately been reported.

"1. No Chinese shall live in the district between the Larut and Bruas rivers who has not complied with the following regulations:

"2. Every woodcutter's, sawyer's or fisherman's 'Kongsi' or other establishment of any kind shall be registered.

"3. A register book shall be kept at the office of the Commissioner of Police and the following particulars shall be recorded in it: name of owner, name of advancer, name of surety, number and names of coolies, nationality of all persons living in the house, number of boats employed, nature of work carried on, and any other particulars of interest.

"4. The headman of every house, 'Kongsi' house or other establishment in the said district must register all the above particulars annually, and must also report from time to time any changes that take place.

"5. A license will be issued to every person whose name is entered in the register book.

"6. A fee of \$1 will be charged for every such license.

"7. Any Chinese found living in the said district whose name is not entered in the register book, and who cannot produce his license, may be summarily arrested by the authority of any Penghulu or by any Police Officer and shall be liable, on conviction before a Magistrate, to a fine not exceeding \$100 or to imprisonment with hard labour not exceeding six months.

"8. No license will be granted to any Chinese who cannot, or whose employer cannot for him, give security for his good and peaceable behaviour during his residence in the district.

"9. No Chinese will be permitted to reside at any place which cannot be easily reached either by land or else by water at all states of the tide.

"10. Existing houses, the situation of which is not in conformity with the preceding rule, must be removed, and no new building shall be erected in the district by Chinese except on the approval of the Commissioner of Police being first obtained.

"11. If any buildings shall be erected in breach of the two preceding rules, the same may be destroyed by the police, and the owners or occupiers thereof shall be liable, on conviction before a Magistrate, to a fine not exceeding \$100 or to imprisonment with hard labour for a period not exceeding six months.

"12. These regulations shall come into force on the 1st July, 1879, and in the meantime shall be published in the native languages throughout the district.

"13. Returns will be called for from the district in question and the number of houses and persons affected by them will be ascertained."

Passed unanimously.

The Resident lays on the table a letter from H.E. the Governor, dated 6th February, notifying that the names of Tuan Sheik Mohamed Taib and Datoh Panglima Besar, proposed as Members of the State Council of Perak, have been forwarded to the Secretary of State for the Colonies for his approval.

5. The Resident lays on the table a letter from the Colonial Secretary dated the 19th November, enclosing a letter from Major Studer relative to the measures taken to procure a supply of corn-seed and a corn mill for the Government of Perak.

6. On the subject of a certain letter from the Resident of Selangor, laid on the Council table at a meeting held on the 18th December, regarding the seizure of opium in the Bernam river, the Resident now lays on the table and reads a letter from the Colonial Secretary, No. 477, dated the 4th February, 1879.

7. The Resident submits for the consideration of the Council a letter received from Mr. P. L. Smith, of Kinta, dated the 16th February, 1879, on the subject of the rates payable for land. Resolved that for the present there shall be no difference between the rates payable for mountain land and for land at a lower elevation; and that if at any future time a distinction be made it will probably take the form of an advance in the price of mountain land, the price of land on the plains not being decreased.

(Sd.) J. T. KEYT,
Clerk of Council.

Monday, 3rd March, 1879.

PRESENT:

H.H. the Regent, *President.*

H.B.M's. Resident.

H.B.M's. Assistant Resident.

Raja DRIS.

The Dato Temenggong.

Capitan CHANG AH KWEE.

Capitan CHAN AH YAM.

2. The Council resumes consideration of the disputes relating to mines in the Kinta district, the subject of which was introduced yesterday but not fully discussed.

3. The Resident says that when he first visited Kinta in 1877 he saw that there was likely to be great difficulty in reference to the claims of individuals for tin-bearing lands.

Very few of these claimants can show any grants or documentary evidence of title, yet the right to the land is generally acknowledged by the Penghulus and the people of the district, and in some cases the boundaries are very well known.

A similar state of things exists in Kampar.

Several cases have been brought before the Courts in which private claims clashed and were decided on the principles applicable to private property.

At an assembly of the principal people in Kinta, in the house of Che Anda Tejah, in 1877, the Resident informed the owners of mines, many of whom were present, that no person the owner of a mine would be entitled to prevent another person from working it on his agreeing to pay a fair royalty to the proprietor unless the owner preferred to work it himself, this royalty has subsequently been fixed by the Council at \$2 a bhara.

The Resident on the same occasion gave orders to the officer of the district, Mr. Bruce, to endeavour to get a list of all the mines in Kinta considered to be private property, and the people were told that the claims to them would be strictly investigated before royalty could be charged.

Nothing was done in this direction by Mr. Bruce, but Mr. Lecch is endeavouring to make out a register.

When this register is made the lands ought to be laid down on a map on a large scale, the claims investigated, and the register of ascertained claims established and correctly kept.

Surveying is so expensive, and there is so much of it to be done, and there are so many charges upon the public purse that it is impossible to say when such a survey can be carried out.

It was then resolved by the Council that the principle on which all claims to mining land must be decided was all that could be settled in Council.

The measures passed in the present session of Council provide that all lands of this description are State reserves subject of course to any *bonâ fide* rights which may be capable of reasonable proof.

It is also the opinion of the Council that it is expedient as far as possible to keep the ownership of the mines in the hands of Government.

In cases of dispute each must stand upon its own merits and be decided by the Government after careful enquiry.

In such a case as that of "Klian Piah" it might be advisable to resume the land, Government paying as compensation the amount for which the present claimants say their father bought it.

In "Toh Along," which His Highness the President remembers as the property of the State, the Chinese might either pay the

chabut for which they have given an acknowledgment or it might be bought up by Government making a monthly payment to the claimant and charging royalty to the Chinese.

4. The Council considers that these claims can only be settled by either the Resident or Assistant Resident, properly authorised, visiting, enquiring and deciding on the spot.

(Sd.) J. T. KEYT,
Clerk of Council.

Tuesday, 4th March, 1879.

PRESENT:

H.H. the Regent, *President.*

H.B.M.'s Resident.

H.B.M.'s Assistant Resident.

Raja DRIS.

The Dato Temenggong.

ABSENT:

The two Chinese Members, having returned to Larut.

4. The Resident states to the Council that repeated applications have been made to him by Toh Puan Halima to declare the Mentri's house at Permatang to be her property; also that Chan Ah Yam applied to Government for satisfaction of a claim which he has for repairs done to the house in question.

The Resident reads the following minute by Mr. Maxwell reporting the result of enquiries he has made on the subject by direction of Government:

"MEMO: ON THE APPLICATION OF TOH PUAN HALIMA FOR A TITLE FOR THE HOUSE AT PERMATANG, FORMERLY OCCUPIED BY THE MENTRI.

"The Resident requested Raja Dris and the Assistant Resident to report on this subject some time ago, but this could not be done at the time as no evidence of any kind was forthcoming at Larut to show that there is any ground for supposing that the house in question is other than private property.

"It is customary among Malays of rank or position for a husband to appropriate a particular house to the use of his wife at the time of the marriage. She is entitled to live there during

coverture, and if she is divorced by the husband the house is regarded as hers and is assigned to her for her use during her life.

"The Mentri, it is stated, built the large brick house at Permatang in view of his approaching marriage with the daughter of the Laksamana, and after the marriage took her to live there.

"According to Che Long Jaffar's disposition of his property, the Kampong at Bukit Gantang went, not to the Mentri, but to his sister, Che Allang Sepiah, the mother of Che Puteh Hawiah. The principal house was Allang Sepiah's, a smaller one belonged to Inche Ngah Pura and the Mentri had a third. The latter, however, was not regarded as the residence of his principal wife, Toh Puan Halima, who always regarded Permatang as her special place of residence.

"The brick house at Permatang was rendered uninhabitable during the Chinese disturbances, but when peace was restored Sir A. Clarke authorised the expenditure of money for its repair. It is noteworthy that these repairs were not to be performed under the orders of the Assistant Resident, as would probably have been the case had the building been regarded as State property, but money for the purpose was to be handed to the Mentri (out of revenues which had hitherto been his own) who was to repair the house himself.

"Captain Speedy does not seem to have been able to spare from the Public Treasury the funds necessary for the completion of the repairs, for they were never finished.

"In 1876 the building was temporarily used as a barrack for soldiers and a court for the trial of Maharaja Lela and others. On this occasion it was hired from the Mentri with the authority of Mr. Davidson, then Resident of Perak, and \$100 was paid monthly for the use of it. The private nature of the Mentri's title to it was therefore again acknowledged.

"As far as I can ascertain the allegation that the house is State property rests only on the statements (unsupported by any documentary evidence) of two or three persons, who say that the Mentri assured Sultan Jafar and Sultan Ali that he had built the house for the Sultan and not for himself.

"Against these statements there are others which do not agree with them. It has been stated to me that what the Mentri promised Sultan Ali was not that the house at Permatang was the Sultan's, but that he would build another for the Sultan, equally good, at Sayong.

"One well-known fact seems inconsistent with the idea that the house at Permatang was the Sultan's. Sultan Ali visited the Mentri there on one occasion and was lodged in a side room instead of having the best apartment (Toh Puan Halima's) assigned to him. The Sultan did not think that sufficient respect was paid to him and the arrangement had to be altered.

"The transportation of the Chiefs to the Seychelles has not been held in any case to operate as a forfeiture of any private rights, and there is probably as little reason for appropriating for State purposes the Mentri's house at Permatang as for taking the Laksamana's house at Durian Sabatang or the Shahbandar's at Tanjong Maidan.

"I regard the house at Permatang as the Mentri's private property and the natural house of his wife, Toh Puan Halima, and her children, during their lives.

"(Sd.) W. E. MAXWELL,

4th March, 1879.

"Assistant Resident."

H.H. the Raja Muda agrees with Mr. Maxwell that it is usual for a Malay of position to build a house for his wife on the occasion of his marriage, but says that such a house as the one in question, which is surrounded by extensive fortifications, would not have been built for such a purpose, and that whether he meant it or not evidence can be produced to show that the Mentri stated more than once that he built the house for the Yang Di Per Tuan.

Raja Dris says that having made enquiries from Sayid Lahidin at the Resident's request the latter has stated that he is ready to swear that the Mentri stated that he built the house for the Yang Di Per Tuan. This was said on an occasion when Sayid Lahidin was sent to the Mentri by Sultan Ali, and this special point was under discussion.

The Resident states that he would be afraid to take the house for Government, both on account of the cost of repairing it, the cost of keeping it up and the fact that the Government at present has little use for it. He is of opinion that the justice of the case, looking to the powers granted to the Mentri by Sultans of Perak, would give the house to the Mentri and his family.

The Raja Muda repeats that in his view the house is the property of the State, but that he has no objection to making over

the house to the wife and family of the Mentri for their lives as a compassionate arrangement.

Raja Dris agrees with the Raja Muda, and adds that it is right and proper to make over the house to the family of the Mentri in consideration of his former services to the State of Perak.

The Dato Temenggong concurs with the Rajas.

The Resident remembers, but cannot now put his hand on, an entry in Mr. Birch's journal which has left the impression on his mind that there was an intention of repairing the house at the expense of Government for the Mentri, and suggests that His Excellency the Administrator, Straits Settlements, may know something of this.

H.H. the Regent adds that Mr. Swettenham, who was always with Mr. Birch, should be applied to for information on the subject, and is likely to know.

Raja Dris then submitted a notice drawn up by him in Malay at the request of the Raja Muda and the Resident, having for its object the revival of an old custom by which all persons cultivating padi or other crops were bound to clear and prepare their land and plant and reap their crops at specified times simultaneously, thus preventing to a great extent the loss which now takes place in consequence of the ravages of insects, birds, rats, etc. :

“NOTICE.

“All persons in Perak must simultaneously undertake all kinds of cultivation and field work and must cultivate land to the utmost extent of their ability, whether it be dry or wet rice land.

“They are to do this simultaneously at one period and season. As the seasons for clearing, burning, planting and transplanting severally arrive, the Penghulu and the elders of kampongs must order all the inhabitants of their districts to set to work at one and the same time upon the occupations enumerated in this notice.

“Should any one be disobedient or oppose this regulation assuredly that person will be guilty of an offence, and may be fined a sum not exceeding \$5 according to the custom of the country.”

5. The Council unanimously agree that this notice shall be adopted and published.

6. Raja Dris having at the request of the Regent and the Resident drawn up a scale of fees to be charged by Penghulus

in cases within their jurisdiction now submits it to the Council as follows :

[*Translation.*]

“ GOVERNMENT OF PERAK.

“ NOTICE.

“ We give to the Penghulus of Perak the power of settling complaints of people in the country, provided the amount in dispute does not exceed \$25, and when people of a mukim come to enter their complaints to the Penghulu, if the Penghulu thinks proper he may grant a summons to call the defendant before him, for which a fee of 20 cents must be paid, and a subpoena to call witnesses will be subject to a fee of 10 cents, and the service of the summons to be paid to the person serving it will be 20 cents, and all the expenses must be paid at once by the person laying complaint, but when the judgment is given, the side which loses the action must repay all the expenses to him who has gained the cause.

“ And from anyone wishing to take a summons the Penghulu may take a commission in addition to the foregoing charges of 2 cents in each dollar, and when a person has been called three times by summons and he fails to appear the Penghulu may go into the case and decide as if the defendant had appeared before him.”

Passed the Council of State this 4th day of March, 1879.

7. The Resident informs the Council of an application made by Wan Teh Sepiah that the Government will take over and pay her for a house at Bukit Gantang which she claims as hers, but as to the ownership of which there is considerable doubt.

A similar letter has been sent by this lady to H.H. the Regent, Raja Dris, and the Assistant Resident.

The Raja Muda, willing to help Wan Teh Sepiah, suggests that the house might be taken over and removed to Sayong and there set up as a residence for himself; provision for the erection of such a building is made in the estimates for the current year.

The Resident advises that as there are several things to be considered before such an arrangement can be concluded, Mr. Maxwell be requested to send Ah Chong, a Chinese contractor, to Bukit Gantang, to examine the house and estimate the

sum for which he will be prepared to remove the house and set it up at Sayong by contract.

H.H. the Regent lays before the Council a draft of a "Kuasa" which he proposes to give to a Kathi to be appointed to discharge judicial and religious functions.

The proposed "Kuasa" is read and discussed.

The Resident says that the advisability of such an appointment has been frequently brought to his notice, but there is great difficulty in his opinion in selecting a proper person to fill it. The Raja Muda mentions a candidate, but the Resident objects that he is a stranger and does not know the country or people and does not possess their confidence. The Resident suggests that Sheik Mahomed Taib is the proper person to perform these duties.

The Raja Muda states that he has questioned Sheik Mahomed Taib on the subject and he has refused to act.

The Resident thinks that little difficulty would be experienced in arranging this, and says that he would probably have no objection to the appointment of the Raja Muda's candidate as an Assistant Kathi.

Resolved that the whole subject stand over for further consideration until after the return of Sheik Mahomed Taib.

(Sd.) J. T. KEYT,
Clerk of Council.

4th May, 1879.

PRESENT:

H.H. the Raja Muda YUSUF, *President.*

H.B.M's. Resident.

H.B.M's. Assistant Resident.

Raja DRIS.

The Dato Temenggong.

Capitan CHANG AH KWEE.

Capitan CHAN AH YAM.

The Resident reads to the Council a memorandum by H.E. the Administrator, dated the 11th April, 1879, on the subject of the special terms on which it is proposed to alienate land in Perak for plantation purposes.

The Raja Muda repeats what he said on a former occasion that having no experience of land matters himself he places himself in the hands of the Governor, the Acting Governor and the Resident, and that as H.E. the Administrator has expressed an opinion in favour of leases for 99 years, he thinks that in deference to that opinion that term should be adopted by the Council.

Raja Dris states that in his opinion the Perak Government should be guided by the practice followed in the Queen's Colonies, and that if it is the practice there to give Government leases for 99 years for agricultural lands the same might be done in Perak.

The Dato Temenggong states that he agrees with the Raja Muda in admitting the inexperience of himself and others in Perak in arrangements concerning land, and in thinking that the opinions of the Governor should be followed. But he expresses a doubt whether a lease of 99 years will induce any one to take up land in Perak.

Capitan Ah Kwee says that he is in favour of leases for 999 years, and when the General Land Rules were under consideration objected to the term of 99 years even for building lots.

Capitan Ah Yam says the same.

The Resident: I quite concur with H.H. the Regent that we should be guided by the advice of H.E. the Administrator, but I should have myself preferred the term of lease of land for agricultural purposes to have been for 999 years as more nearly approaching the practice in Her Majesty's Colonies and which may be presumed to have been adopted as the result of experience. In them land is for the most part sold in fee simple the minerals being reserved. I think, at all events, that the longer term may have been advantageously adopted for a defined limited time or until some progress had been made in settling estates and the State recognised as suitable for the purposes of agriculturists.

It is necessary for me to explain in reference to His Excellency's minute that the 28,000 acres referred to were granted in agreements for leases for 999 years last year under authority of the Council and H.E. Sir W. Robinson, and that to preserve the faith of the Perak Government it will be necessary that such of the other applicants as had lodged their applications before the framing of the "Special Regulations," and who may still wish to take up land in Perak, should receive agreements for a similar term.

The Assistant Resident: I think that in the commencement of planting enterprise, liberal terms should be offered to intending cultivators and that a lease for 99 years for agricultural lands is not sufficiently liberal. Penang would not have risen so rapidly in its early days if the terms on which land was disposed of had not been liberal in the extreme. I am in favour of leases for 99 years for building lots, but not for agricultural holdings.

The following resolution is then put by the Resident:

"That in the regulations for the sale and registration of lands, both 'special' and 'general,' the term of 99 years shall be substituted for 999 years in deference to the opinion expressed by H.E. the Administrator."

The Council divides upon this resolution:

<i>For—</i>	The Dato Temenggong Raja DRIS The Resident H.H. the Raja MUDA, <i>President</i>	<i>Against—</i>	Capitan CHAN AH YAM Capitan CHANG AH KWEE The Assistant Resident
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The resolution is then declared to be carried.

On the question of the terms to be granted to applicants before the framing of the rules, the Council are unanimously of opinion that they should receive grants for the longer term.

5. The Council took into consideration the suggestion of H.E. the Administrator contained in the Colonial Secretary's letter to the Resident of the 18th March, 1879, to reconsider the time allowed under Rule II (*d*) with a view to its reduction.

The Council are unanimously of opinion that 12 years is not too long a period to be fixed as the term to be observed under this rule.

6. His Excellency's suggestion that under Rule II (*i*) compensation for injury to private roads and growing crops, etc., should be granted, the Council unanimously agree to the following addition to the rule:

"Paying compensation for any injury done to private roads, growing crops, etc."

7. His Excellency the Administrator's suggestion No. III in the before-quoted letter is then considered by the Council.

The Council resolve that in its opinion the arrangement in the special regulations should be for the present adhered to.

8. The Resident asks the Council to ratify the nomination by H.H. the Regent of Sheik Mahomed Taib to be Kathi without any additional emolument and Haji Mahomed Salleh to be Assistant Kathi on \$50 a month.

Agreed to.

9. H.H. the President expresses an opinion that a notice should be issued warning persons that anyone who makes a false accusation of a criminal offence against another will be liable to punishment.

The Resident says that he thinks that any case of malicious accusation which arises should be brought before the Court, and that if proved the conviction and punishment of the offender will be sufficient notice to the public.

H.H. the Regent agrees to this view.

10. H.E. the Administrator's recommendations contained in the Colonial Secretary's letter No. 1975/79 of the 1st April, respecting flags for the Regent and the Resident, are ordered to be adopted.

The Council adjourns *sine die*.

(Sd.) J. T. KEYT,
Clerk of Council.

Friday, 16th May, 1879.

PRESENT:

H.H. the Raja MUDA, Regent.

H.B.M's. Resident.

H.B.M's. Assistant Resident.

Raja DRIS.

The Dato Temenggong.

The Council proceed to consider the evidence taken in the High Court at Kuala Kangsar upon which and his own confession one Pandak Dorani was on the 12th day of May, 1879, convicted of the wilful murder of one Mat Ali, at Jumuan, on the 26th April, 1879, and was sentenced to be hanged.

The confession of Pandak Dorani is read and the circumstances of the case fully discussed.

The Council unanimously resolve that H.H. the Regent may be advised to commute the capital sentence to one of imprisonment with hard labour for 24 years.

H.H. the Regent signifies his acceptance of the Council's advice and orders the commutation of the sentence to be carried out.

(Sd.) J. T. KEYT,
Clerk of Council.

14th July, 1879.

PRESENT:

His Highness the Regent.

The Resident.

Raja DRIS.

The Dato Temenggong.

The executive branch of the Council met at 1 p.m. to-day to consider the evidence taken on the trial of Si Dolah and Dualim, two natives of Selangor, charged with the murder of one Sempoh, at Bagan Datu, on the 24th of April, who were condemned to death at Durian Sabatang by a Court composed of the Resident, the Superintendent of Lower Perak, the Dato Raja Makota and the Orang Kaya Mat Arshad.

The whole evidence was read over carefully to the Regent and Council, and carefully considered. Decision deferred till the Council can again meet.

2. The Resident then laid on the table copies of two letters of the 5th July, No. 414/79, and 9th July, No. 419/79, addressed to the Colonial Secretary of Singapore, asking the permission of Government to a plan for leasing as one large farm certain import and export and monopoly revenues of the State for three years from the 1st January, 1880.

The contemplated arrangement was explained to His Highness in Council and the plan proposed unanimously approved of.

4. A letter was read from Mr. Denison reporting his having failed to sell "Tanah Saratus" at the price he had placed on it as a reserve—namely, \$40 per acre.

5. Resolved that it is better to keep the land for the present unless an advance on the reserved price can be obtained.

The Resident laid on the table and read a letter from Major Studer, dated the 4th July, 1879, acknowledging the receipt of a Kris from H.H. the Regent for Mr. Mills, who had so kindly

procured and forwarded at the Council's request the Indian corn seed from America.

(Sd.) J. T. KEYT,
Clerk of Council.

Saturday, 26th July, 1879.

PRESENT:

H.H. the Regent, *President*.
The Resident.
The Assistant Resident.
Raja DRIS.
The Dato Temenggong.
The Dato Panglima Besar.
Capitan CHANG AH KWEE.
Capitan CHAN AH YAM.

ABSENT:

Tuan Kathi SHAIK MAT TAIB, sick.

2. The Dato Panglima Besar took his seat in pursuance of the confirmation of his appointment by the Secretary of State.

4. The Resident reported to the Council that since the last meeting the two prisoners, Dolah and Dualim, have escaped from custody at Durian Sabatang. Final confirmation of the sentence passed upon them is therefore postponed pending their re-capture.

6. The Resident lays before the Council and explains the notice published in Singapore respecting the revenue farms of the State which it is proposed to institute from and after the 1st January, 1880.

The Council unanimously approve of the proposal to farm all the principal heads of revenue in the State for three years from the above date.

7. On the subject of the sale of the "Tanah Saratus" the Council unanimously approve of the conclusion come to by the members present at the last meeting.

8. The proposition made by Penghulu Ngah Toh Seah regarding the arrears of rent due by him for the "Tanah Saratus" leased to him—*i.e.*, that he shall pay to Government the sum of \$300 in satisfaction of all such arrears—is unanimously agreed

10, the difficulties which the Penghulu has experienced in collecting his rents from cultivators being taken into consideration.

9. A letter from Che Abdul Karim of Selama, dated the 29th June, 1879, setting out several matters connected with that district, is read before the Council, and it is decided that either the Resident or the Assistant Resident shall take an early opportunity of visiting Selama, when a full enquiry will be made into the revenue and establishment of, and the charges upon, that district and a report will be laid before the Council.

10. A report by the Assistant Resident on the ownership of the Tanjong Toh Alang mines in the Kinta district is discussed by the Council.

The findings of the Assistant Resident are approved and confirmed.

With regard to Panglima Prang Wahid, the Resident states that this man was one of the eight shareholders of the revenue of Batang Padang which was taken over by the country under Mr. Birch's arrangements on the understanding that compensation should be made to the original shareholders. This has been done to some extent in a few cases, and it is the Resident's intention to submit to the Regent in Council the claims of Panglima Prang, if he should not be compromised in the Tanjong Toh Alang murder, at the close of the enquiry.

11. The Resident lays on the table Mr. Maxwell's report regarding the death of two women killed by an elephant named "Kulup Gunong," the property of the Panglima Kinta, in March last.

12. The Assistant Resident's finding and order are confirmed, but it is considered advisable to despatch a letter to the Panglima Kinta desiring that the elephant "Kulup Gunong" may be either destroyed or sold into another country.

13. The application of Mr. P. L. Smith for 12,000 acres of land, on specially favourable conditions, in three lots of 4,000 each is then taken into consideration.

It is decided by the Council that in recognition of Mr. Smith's enterprise in opening up the Slim district a block of 4,000 acres in that district, at 50 cents an acre, may at a peppercorn rent for 999 years be offered to him, but that any other quantity required for himself or friends must be taken up under the new regulations with the exception of the rule relating to the term which will be extended in their favour (to the number of eight persons) to 999

years. Payment in every case to follow the rule laid down in the new regulations—*i.e.*, one-third on completion of agreement for lease. The term for selection and for paying up the balance of price may be extended to 18 months. The other requests in Mr. Smith's application cannot be granted. The Resident is authorised to carry out these arrangements should the above terms be accepted.

(Sd.) J. T. KEYT,
Clerk of Council.

20th October, 1879.

PRESENT:

H.H. the Regent (Raja YUSUF).
The Resident (Mr. HUGH LOW).
The Assistant Resident (Mr. W. E. MAXWELL).
Raja DRIS.
The Orang Kaya Temenggong.
The Dato Panglima Besar.
Capitan CHANG AH KWEE.
Capitan CHAN AH YAM.

ABSENT:

The Kali Tuan SHEIKH MUHAMMAD TAIB.

2. The Council took into consideration the minutes of evidence taken by the Judges, Mr. Maxwell and Raja Dris, on the trial of Goh Ah Tong and another for the murder of Lee Ah Chin at Kota, on the 4th September, 1879. The evidence having been carefully read over by the Resident and fully discussed by the Council, it was unanimously agreed that the death of Lee Ah Chin having occurred in the course of a quarrel arising from the trespass of the buffaloes of the deceased upon the garden of the defendant, in which deceased and his companions were the first to break the law, it may be looked upon as a case of man-slaughter, and that the capital sentence recorded against Goh Ah Tong be commuted for twelve years' penal servitude.

3. The notes of evidence taken at Kurau, on the 16th of October, before the Judges, Mr. Maxwell and the Orang Kaya Mat Arshat, at the trial of Mah Hussein and Si Lemau for the murder of a Chinese named Teng Kam at Kurau, were carefully gone over and considered.

The sentence passed by the Court was death by hanging on Mah Hussein and 18 months' imprisonment with hard labour on Si Leman.

The murder was committed for the purpose of robbing the house during the absence of deceased's two partners.

The Council unanimously confirm the sentence of death upon Mah Hussein having full confidence in the Judges.

4. The Resident laid upon the table a report from Lieut. Walker, Commissioner, Perak Armed Police, of the disposition of the Force under his command on the 3rd of October and following days and also returns of the killed and wounded so far as the Police have obtained them.

5. The Resident then gave to the Regent and Council a narrative of the events which took place on the 3rd and following days, during which he was accompanied by the Assistant Resident and the Raja Dris, who are present at the table.

6. The Regent in Council then, at the instance of the Resident, resolved that the thanks of the Government be conveyed to Lieut. Walker, his officers and men for their steady conduct and valuable services on that occasion, which in its opinion prevented the probable destruction of the town at Taiping and ruin of the peace of the district, and the Government especially congratulates Lieut. Walker on his prudence and judgment in preventing unnecessary bloodshed by ceasing to fire the moment it was prudent to do so.

The Chinese members, Capitans Ah Kwee and Ah Yam, eagerly supported this resolution and said that anything less than had been done would have certainly involved the firing and plundering of the town on the 3rd instant.

7. The Resident then said that he desired to submit for the approval of His Highness the Regent in Council that he had informed all the influential Chinese that he regretted extremely the necessity which had arisen for firing into a crowd the greater part of which was composed of people who had been misinformed and misled by wicked and designing persons, and that he proposed to offer large rewards for evidence which would lead to the apprehension and conviction of the ring-leaders.

8. The Regent and Council unanimously approve of and confirm this decision and authorise the Resident to proceed in this matter according to his discretion.

9. The Resident then brought to the notice of the Regent the Red and White Flag Societies which Mr. Denison reports as threatening the peace in the Krian and Kurau districts, and says that he is not prepared to suggest legislation at this moment, but he wishes the members of Council to think over the matter with a view to effective legislation at no remote date, and states that he himself is in favour of repressive measures.

The Regent says he quite agrees with the Resident and that these institutions are quite illegal by the laws of the country, which punish membership with banishment.

10. The Resident brings to the notice of the Regent and Council the great want of a Kathi or Chief Priest for Krian, and says that the Magistrate there is strongly in favour of the appointment of Haji Omar, and asks if the Regent or any member of Council is acquainted with this Haji who is very highly spoken of to the Resident.

The Dato Panglima Besar says Haji Omar is the best and only proper person for the appointment, the Dato knows the country and people well; the Regent suggests that the Haji be sent for and the Resident undertakes to have him called.

(Sd.) J. T. KEYT,
Clerk of Council.

Monday, 3rd November, 1879.

PRESENT:

H.H. the Regent (Raja YUSUF).
The Resident (Mr. HUGH LOW).
The Assistant Resident (Mr. W. E. MAXWELL).
Raja DRIS.
The Dato Temenggong.
The Dato Panglima Besar.
Capitan CHANG AH KWEE.
Capitan CHAN AH YAM.

ABSENT:

The Kathi Tuan SHEIK MUHAMMAD TAIB.

2. The Resident laid before the Council a letter from the Honourable the Colonial Secretary, No. Perak 7,588/79, of the 22nd

October last, directing the question of leave for the Assistant Resident to be submitted for the consideration of the Council.

3. The Resident said that he had advised the Government when passing through Singapore that it would not be possible to let Mr. Maxwell go on leave as the changes in the revenue system then contemplated would render necessary his presence in Taiping as His Excellency the Administrator was not able to afford us the assistance of an experienced officer of the Straits service to act during his absence, and it would be inconvenient and very injurious to the public service in Perak to remove any officer at present in charge of a district from his station.

The Resident further explained that the circumstances were all now changed, the contemplated chandu farm had been exchanged for a duty of \$5 a ball on opium, which could be collected without any difficulty but the protection of the revenue against smuggling, and he now withdrew all his objections to Mr. Maxwell's going away, but His Excellency the Administrator, no doubt in view of the late disturbances in Larut, desired that the measure should not be carried out until the Council had recorded its opinion.

4. The question was fully discussed. H.H. the Regent said that he did not think there was anything in the state of the country to detain Mr. Maxwell, and he thought the arrangements proposed by the Resident that he should himself, at all events for the present, with the assistance of a Secretary, discharge the duties would be quite sufficient.

Capitan Ah Kwee said that Mr. Maxwell's knowledge of affairs was of great value to the State, and he thought that there was nothing in the prospects of Larut to prevent his going home for a few months to restore his health. The late riot had arisen from a misunderstanding, and from the people being misled by a few interested persons and not from any combination of secret societies or other persons wishing to rebel against the Government.

Capitan Ah Yam said there were a few bad characters in Larut, and he thought things would never be perfectly secure till they were found out, convicted and banished; he thought Mr. Maxwell might have the leave under the Resident's arrangements. Raja Dris, the Orang Kaya Temenggong and the Dato Panglima Besar are all of opinion that the leave may be safely granted and ought to be given, but he should remain away as short a time as possible.

5. Leave as applied for ordered to be granted.

6. The Resident then made to the Council the statement as follows relative to the recent sale of some of the revenue farms.

The Resident lays before the Council the statements of the sale of certain farms of revenue which he recommends for adoption by the Regent in Council, and which has been submitted to the Government of the Straits Settlements in his official diary.

Note.—Among others there was a farm of the right to collect \$5 a ball on opium imported. Duty on tobacco imported in to Perak river at \$3 per pikul. Capitan Ah Kwee's tender for the Larut farms was accepted in preference to a higher one.

The Resident said: "In this advice I have been guided by several considerations. Firstly, it is our duty to support by every means in our power the interests and policy of the Straits Government; secondly, the prices to be paid by Capitan Ah Kwee are much in advance of anything hitherto realised, and in my belief as much as the farmers can fairly afford to pay; thirdly, the gentleman to whom it is proposed to lease this is the present farmer and he has a large sum of money invested in the business, he has always been the chief adventurer in the mines of Larut, has lost a large fortune in the business in former times, and he is the most staunch supporter of Government in the district.

"In a country like Perak, which is recovering from a state of anarchy, it will in the future be advantageous to the Government that its farms of revenue should not be let on terms which would necessitate on the part of the farmers a rise in prices which would be severely felt by the people, and it will redound to our advantage when the farms are next sold in 1882 for the three succeeding years if the present purchasers have made a moderate profit by them.

"The price of the chandu to be sold in Khoo Tian Tek's farms is limited by his agreement to \$1.30 a tahil for the best quality."

Speaking of the Perak River Farms the Resident said: "I was induced to advise this liberal measure in my great desire to do something to open our neglected rich deposits of tin ore in that district and to assist in the further development of others. The Perak river has been hitherto much neglected; but by interesting the Penang Opium Farmers in its prosperity I am inclined to hope that they will assist in the introduction of labourers and capital, which while increasing their income from the opium will increase that of the Government from the export

of tin. Many districts of this river contain very valuable deposits of the metal, and the chief difficulty in procuring their development arises from their greater distance from a British port and the inaccessibility of some of them from obstructions in the navigation of the river.

"It is hoped that the distance will be no great obstacle when the value of the deposits is known to capitalists such as the Penang Opium Farmers, and the Government is making and intends to continue efforts for the clearing of the rivers and land communications which so far as they have gone have been attended with good results.

"I confidently anticipate that the result of the liberal measures now reported to the Council will be a continuance and increase of the improving prosperity of Larut, a commencement of a similar state of things on the Perak river and its tributaries, and a largely increased revenue from the same and other sources when the time arrives in 1882 for again considering the best means of raising the revenue necessary for conducting the Government of the State."

7. The Council unanimously approves of these arrangements and of the principles on which they have been conducted and authorises the Resident to conclude the contracts.

8. The Resident submits to the Council a Despatch from the Honourable the Colonial Secretary, S.S., No. 7,253/79, of 16th October, 1879, informing the Government of Perak that the destruction of trees for burning into charcoal is to be prohibited in Penang.

9. The Resident states that the destruction of timber is a subject which has occupied his attention for a long time, and the Government of Singapore has lately sent a series of queries relative to the timber supply in Perak, the quantities and kinds of wood produced, the measures taken, or possible, for the preservation of the forests and for maintaining a succession of trees to replace such as were cut down, which were proposed by Lord Carnarvon when Secretary of State.

"If the general belief can be trusted, the denudation of forest land very much alters the climate of a country, making it hotter, diminishing the rainfall and causing it to rush down the mountains in floods, carrying the surface soil with it instead of by the comparatively steady flow of the water-courses when protected by the jungle.

"Although of opinion that the cutting down of jungle would not in the western range of the mountains in Perak diminish appreciably the quantity of rainfall as it undoubtedly does in many countries, the Government has been advised not to permit coffee planters or cultivators of padi to clear the hills on the western face of the Hijau range from which the water power used by the miners of Larut is derived.

"In a country like Perak there are many considerations which affect the question of the propriety of endeavouring to preserve the timber in the natural forests which are not present in all other States.

"In the first place the population has no scientific system of agriculture and is not much given to physical labour, still they must be fed. In former times a good deal of wet land padi was grown, the cultivation, the preparation of the land excepted, being carried on by the women. Floods, droughts, insects, rats and blights have caused bad harvests from such lands in many of the districts of the State for several successive years, and in 1878 and 1879 a murrain amongst the draught cattle has almost entirely prevented the preparation of such lands. The only resource for the ryots has been to extend the dry padi cultivation which is carried on by clearing jungle land, dibbling seeds into its charred surface and abandoning it after taking from it a single crop. This in forest districts of course causes the total destruction of all timber trees growing within the area brought under cultivation, and I am unable to see how it can possibly be suddenly prevented.

"The next difficulty which is likely to meet the Government in any attempt to preserve its noble timber is likely to arise from gentlemen who may come into the country with the intention of introducing coffee cultivation, that of chinchona, tea and other industries. Here again the forest must come down and very excellent timber be destroyed in enormous quantities.

"Charcoal burning for the reduction of the ores of tin which are found so abundantly all over the State has already destroyed all the best timber within 15 to 20 miles of the mines in Larut, and is doing the same in all the districts in which the ore is worked, this is an increasing cause of destruction as the tin mining industry is spreading and likely to become much more considerable.

"The destruction of the most valuable woods for charcoal has been always forbidden in Larut, but notwithstanding the prohibi-

tion there are none of the trees suitable for the best charcoal now standing within moderately easy access of the mining districts.

"During this year, from the beginning of which Penghulus of districts have been appointed, the Government has more stringently endeavoured to carry out its orders, and several charcoal-burners have been fined, and in some cases large quantities of charcoal confiscated, proceedings which have given rise to very great dissatisfaction.

"On a recent visit I made to a neighbouring mountain I found every tree of the 'Damar laut' which had been growing on the hill up to 1,500 feet elevation lying on the ground ready for the fire or being burnt into charcoal.

"The ground, while shaded by forest, produces abundance of young trees which if properly preserved would yield an unfailing supply of successors to all the timber carried away by the charcoal-burners, or by wood-cutters and sawyers.

"The trees producing gutta-percha and the singgarep variety of India rubber have been entirely destroyed in the search for these articles, but young ones abound in the places where they grew.

"The timber as it stands is for the most part in situations which render it too expensive to get for export, and the trade in it is very inconsiderable, except in firewood which is taken from the mangrove swamps of the coast.

"The question I wish to submit for the consideration of the Council is whether in view of the great probability of our forests being cleared by padi planters and by coffee, or tea, or chinchona cultivators in large masses, when the whole timber is sacrificed, it is worth the while of this Government to embarrass the mining industry, from which its revenues are entirely derived, by carrying out the prohibition against the felling of trees of the most valuable woods by the charcoal-burners, or whether in view of the little likelihood of these trees ever being availed of for timber, it would not be better to remove this restriction, insisting only that the charcoal-burners shall use up the whole tree instead of as now making use of the solid bole only, wasting the branches which would frequently yield as much charcoal as the trunk, because of the additional trouble which would be required to cut them into suitable lengths for charring.

"I would strongly recommend to the Government of Perak, if even a large demand for land arises in the forest districts

for the cultivation of such tropical products as have made Ceylon so prosperous, that large reserves should be made in every district, from which the timber should only be permitted to be cut by license and under proper regulations as to the quantity taken annually and the supply of young trees.

"The preservation of the timber on all mountains in the neighbourhood of valuable deposits of tin is of such obvious necessity, unless cheap and efficient means other than water power of draining the mines be introduced, that it requires no comment."

10. The matter is fully discussed by the members of Council, and it is resolved that charcoal-burners be expected, and, as far as possible, compelled to use the whole of the tree instead of the trunk only as at present.

11. The Resident proposes that the regulations for the registration of the Chinese on the Coast and in outlying districts of Larut, which passed the Council on the 1st March, 1879, be extended to the north side of the Larut river, and include all the rivers and districts up to the northern boundary of the State, the registration to come into force from the 1st April, 1880, and notices to be issued at once. It is the intention of the Government to purchase a small steam pinnace for preserving the peace and for the protection of the revenue in these districts, and the registration taxes will be appropriated as far as they will go to pay for it and its upkeep.

12. Unanimously agreed to.

13. The Resident then informed the Council that the Regent was of opinion that now that the revenues showed a fair prospect of improvement, he was desirous of improving the position of a few persons who had shown themselves faithful to the Government—namely:

The Dato Panglima Besar from \$25 to \$50 a month in consideration of his sitting in the State Council. Orang Kaya Mat Arshad from \$25 to \$50 a month in consideration of the assistance he has afforded to the Government of Lower Perak. Maintenance for Assistant Kathi Haji Omar, recently appointed for Kurau, \$25 per month, he resigning all claims to fiftths as Penghulu. An allowance of \$25 a month to Syed Mahmud for his maintenance.

14. The right of Government to raise a revenue on the ataps at from Government ground and taken into Larut, which pay no

revenue, was then discussed. The right to collect a duty was unanimously declared to exist in the Government, but it appeared from what Capitan Ah Yam and others said that it was exercised in an apparently irregular manner by the Farmer's agents and others, a fact which must be enquired into.

(Sd.) J. T. KEYT,
Clerk of Council.

Monday, 17th November, 1879.

PRESENT :

H.H. the Regent.
The Resident.
Raja DRIS.
The Orang Kaya Temenggong.
Capitan AH KWEE.
Capitan AH YAM.

ABSENT :

The Assistant Resident, on leave.
The Tuan Kathi SHAIK MAT TAIB, at Bandar.
The Dato Panglima Besar.

4. The Resident brought to the notice of the Council that there were strong indications of a disposition on the part of the Chinese importers of opium to defraud the revenue of the succeeding year by bringing in very large quantities during the remainder of the current year at the lower duty.

5. On the motion of Capitan Ah Yam it is unanimously resolved that the Resident be empowered to collect a sum sufficient (with any amount which may have been already paid) to equal a duty of \$5 a ball on all opium or chandu in the country on the 1st January, 1880: 28 tahils of chandu to be considered equivalent to one ball of opium. Penalty for contravening this regulation \$1,000 and confiscation of all opium or chandu on which the payment of the increased duty is attempted to be evaded.

6. The Council then took into consideration, in view of the greatly increased price and diminishing supply of the various kinds of g-tah, the propriety of increasing the export duty on this article from \$3 a pikul at which it now stands.

7. Resolved that, from the 1st January, 1880, the duty chargeable on getah exported from the ports of Perak shall be as under:

Getah of the best quality	...	...	\$10 per pikul
.. of other qualities	...	...	6 ..

8. On the motion of H.H. the President this order is not to extend to getah from Patani in transit through the Perak territories which will remain as regulated by the Order in Council of 1st December, 1878.

Tuesday, 18th November, 1879.

PRESENT:

H.H. the Regent, *President*.
 The Resident.
 Raja DRIS,
 The Orang Kaya Dato Temenggong.
 The Dato Panglima Besar.
 Capitan CHANG AH KWEE.
 Capitan AH YAM.

ABSENT:

The Assistant Resident, on leave.
 The Tuan Kathi SHAIK MAT TAIB, at Bandar, inaccessible.

2. At the instigation of the Resident the propriety of raising a revenue in Larut from the ataps used in the district was taken into consideration.

3. The Council resolved that a farm of the right to levy a tax of one-tenth on all ataps brought into or sold for use in the district should be sold by tender, and the Resident is authorised to make the necessary arrangement and conclude the contract.

4. Toh Puan, the chief wife of the former Tengku Mentri, having applied for this farm at \$120 a month, the Resident takes the opinion of the Council on the propriety of giving it to her without competition.

5. The Regent considers that Toh Puan could not manage such a business advantageously, and there being reason to believe that it would pass into the hands of a Chinaman the Council are of opinion that the lease should be disposed of by tender.

6. The Resident then brings to the notice of the Council that this farm will not protect the trees which produce the leaves from destruction but rather tend to hasten it, and proposed that as for want of a sufficient surveying staff it is quite impossible to lease or otherwise dispose of the lands producing ataps in a regular manner, that he be empowered to make the best possible arrangements through the Penghulus for the preservation of the trees and for collecting a rent from the lands on which they grow, the Penghulus, of course, becoming entitled to a chabut on the rents collected and revenue arising from ataps produced in their districts.

7. Resolution in accordance with the foregoing minute unanimously agreed to.

8. The Regent, by advice of the Resident, proposed to the Council that from the 1st January next an allowance of \$25 a month be made to Panglima Prang Abdul Haid of Teja and Batang Padang. Panglima Prang held one share in the Batang Padang farm, which was abolished by Mr. Birch and promise of compensation made. An allowance would have been made to the Panglima some time since but there was some suspicion that he might have been concerned in an outrage on certain Chinese in the Kinta district. He has not been found to be guilty of participation in that offence, nor has any evidence at all implicating him been produced, it is therefore proper that some allowance from the revenue be made to him for his subsistence.

9. Unanimously agreed to.

10. The Regent, on the advice of the Resident, assents to grant of \$25 a month to Haji Han, she being the widow of Haji Musa, who held two of the eight shares of the Batang Padang duty which was added to the general revenue by Mr. Birch.

11. A letter dated 3rd November, 1879, from the Magistrate and Collector at Krian, reporting that he had considered it necessary to suspend from his duties the Penghulu Haji Suleiman of Sijakah, in the Kurau river, for receiving money on account of Government and not duly accounting for it.

12. The Resident informs the Council that he has very frequently received complaints against this Penghulu, who appears to have been really obstructive to the officer in charge of the district, and also from ignorance of his duty and of accounts to have got the land rent in his mukim into a state of great confusion, but he thinks that as in other instances the man might have a further trial, and the Magistrate be instructed to take

some pains to have him instructed in his duties, and to report further upon him after some time has elapsed, warning him in the meantime that his conduct has been considered in Council and that he must, if he wishes to retain his position, qualify himself for his office.

13. The Regent says that this Penghulu came to see him and told him that he had no difficulty with Mr. Denison, but that all his troubles were with Mr. Jeremiah, the clerk at Kurau.

14. The Council unanimously adopts the advice of the Resident and orders it to be carried out.

15. The Resident then lays upon the table another letter from the Magistrate of the Krian district of the same date as the preceding in which he returns the commissions of the Penghulus who have resigned their appointments, and one of whom he has suspended on a charge of fraud.

15A. The Regent in Council resolves that the resignation of Penghulu Ahmad and of Penghulu Mamat of Telok Rubiah may be accepted on the grounds stated in the Magistrate's letter, but that if this case of fraud should be established against Penghulu Mahasa, he ought not only to be dismissed but punished for the offence and directed to restore the money he has detained from the ryot (830.)

16. The Resident submits to the Regent in Council a letter from the Dato Raja Makota of Sungei Durian, dated the 8th November, 1879, claiming compensation on account of expenditure in opening the mines at Gopeng.

17. The Regent in Council decides that the Resident shall reply to the Dato that there are many others besides himself who were at great expense at Gopeng, and who lost it all before Europeans became the advisers of the Government of Perak; the same was the case at Salak, Batang Padang and Bidor and other places, and especially in Larut. It is impossible for the Government to recognise claims of this kind, which if allowed would disturb the whole settlement of the country, but it considers that in cases where an actual loss of revenue from duties being taken over by the State took place by the change in the manner of collecting them, it is just that the country should do what may fairly be possible to make an allowance to the persons affected by the change and to increase it when the other calls upon the revenue permit. Raja Makota is one of those who have such claims, and an allowance has been made to him which may be increased at some future time.

18. A report by Mr. Leech, dated 25th October, on tin mining in his district, was laid on the table in order that some propositions contained in it might be considered by the Council.

These propositions are contained in the last six paragraphs—the principal one is that affecting the tenure of Malay mines and mining properties which Mr. Leech recommends should not be forfeited to Government after an abandonment of six months, as Chinese mines held under leases or permits are, but should have a grace of two years extended to them.

When the regulations now in force were passed by the Council, Chinese mines only were in question, and it is not now considered necessary to define any time during which ancestral mines belonging to the natives may lie unworked, as it is certain that some native owners of numerous mining properties who are quite willing to have them worked are unable to obtain persons to undertake the enterprise and have not the capital to do it effectually themselves, but it is considered imperative that no land shall be allowed to lie idle if anyone is willing to work it, and the owners of metalliferous land must submit to its being worked, receiving as their royalty \$2 a bhara.

With regard to the possibility of fraud by collusion between the Penghulus and the adventurers in mines on Government property, that difficulty was foreseen by the Council when the regulations were framed and a heavy penalty provided.

19. The Council orders the opinion recorded above to be communicated to Mr. Leech for his guidance.

20. The case of Brahim and Doyup, two prisoners under sentence in the State prison, was then brought before the Council, the friends of the latter having begged his release.

21. The Resident explains to the Council that when he first began to advise the Raja Muda in the Government of Perak, thieving and robbing were very common crimes about Kuala Kangsar, and sentences were inflicted and criminals steadily pursued in the hope that punishment being almost certain to follow crime a better state of things might be brought about. This has most happily been the result of the measures taken, and the people having so completely responded to the teaching given to them, and crime being now so rare in the Malay districts of Upper Perak, the Resident is quite willing to advise the Regent in the exercise of his prerogative to extend a merciful consideration to cases from that district and to diminish the sentences pronounced.

22. The Regent and Council quite concur in this view, and think that the policy having had the desired effect of teaching the people who were before entirely unaccustomed to a regular administration of justice and system of police, the two prisoners referred to, who have undergone about half their sentence, may be released, and the Regent asks the Resident to carry out this decision.

23. A similar case was submitted for the consideration of Council in a petition addressed to the Resident by Abu Bakar, Penghulu of Sayong, in which two men of Kota Lama and one of Sayong were sentenced to imprisonment for three years, about half of which has expired.

The Regent and Council are of opinion that this case is different from that above considered inasmuch as the goods stolen have never been recovered, but the Council advises, on the proposition of the Regent, that they may be released if the friends of the prisoners will pay one-half the value of the goods stolen, the imprisonment already undergone to be taken as equivalent for the robbery of the other half. Petitioners to be informed of decree of the Council by the Resident.

(Sd.) J. T. KEYT,
Clerk of Council.

19th November, 1879.

PRESENT:

The Regent.
The Resident.
Raja DRIS.
The Dato Temenggong.
The Dato Panglima Besar.

ABSENT:

The Assistant Resident.
The Tuan Kathi SHAIK MAT TAIB.
The Chinese Members.

2. The Resident informs the Council that the man Maam, from Teja, who it is believed can give evidence of importance in reference to the statement of Pandak Leman, arrived yesterday evening, so he had thought it right to notify this to the members

22 AUG 1982

of Council who are now present, in order that his statement might be taken before them.

3. The man Maam is then introduced to the Council Chamber and his statement taken down, which confirms the confession of Pandak Leman at the place indicated, and his having taken him at his request across the river as he says to search for his boat which he said had drifted. Maam says he did not see any other person.

About an hour was spent by the Regent and the other members of the Council in questioning the two men, Maam and Pandak Leman, and all points about which there appeared any doubt were cleared up to the satisfaction of the Council.

The Council then orders the execution of the four prisoners under sentence to be proceeded with and carried out at Durian Sabatang.

4. The Resident then brings to the notice of Council that a subject of great importance, which he remembers was discussed and agreed to at the last meeting at Kuala Kangsar, has been inadvertently omitted from record in the minutes—namely, the propriety of inviting tenders for farming the revenue to be raised by the duty on opium imported into Larut.

The Regent and all the other members present say that this matter was discussed and agreed to, and in their opinion tenders ought to be invited, and if a suitable offer should be made that such a farm should be leased.

The Resident informs the Council that feeling sure that he had the authority of the Council he had issued a notice inviting tenders for such a farm.

(Sd.) J. T. KEYT,
Clerk of Council.

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