

HISTORY

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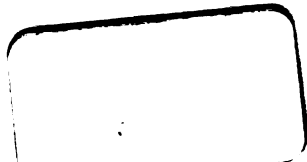
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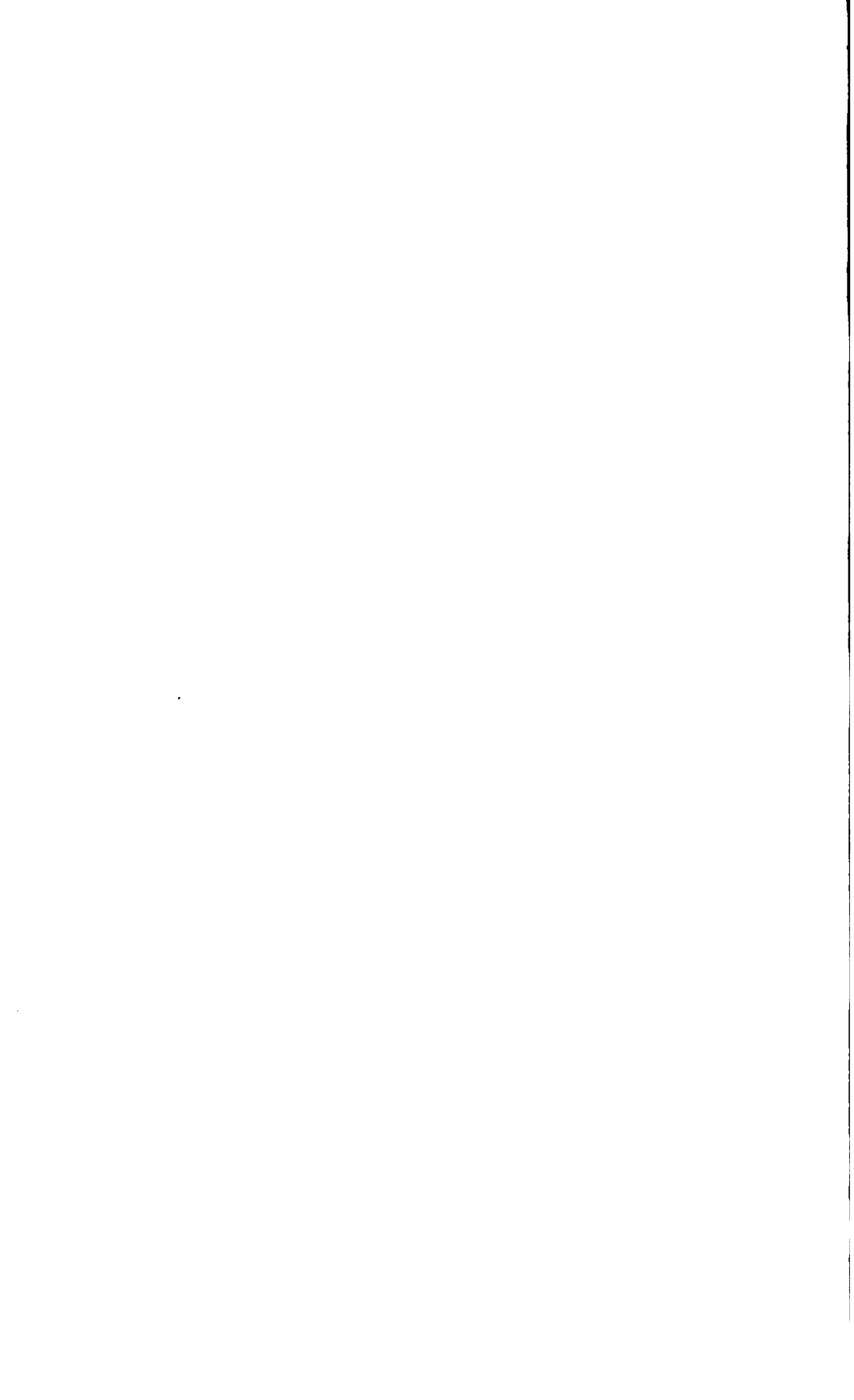
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PAPERS ON MALAY SUBJECTS.

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General Editor.

HISTORY,
PART I.
EVENTS PRIOR
TO BRITISH ASCENDANCY.

PART II.
NOTES ON PERAK HISTORY.

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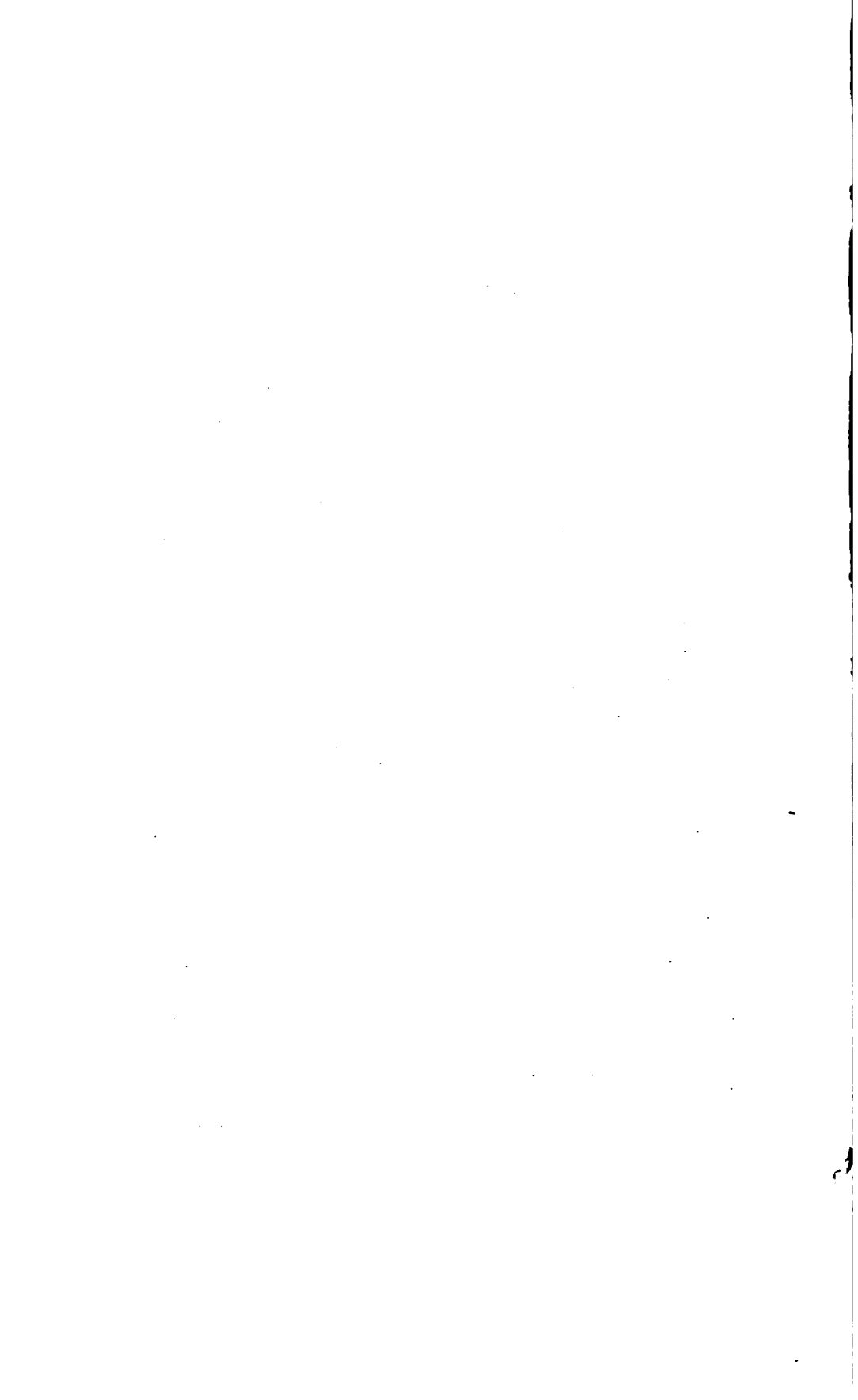
PREFACE.

AS explained in the preface to the "Minutes of the Perak State Council, 1877-1879," it was my original intention to give in the first pamphlet of this "History" series some account of events in Malaya prior to British ascendancy, and in the second pamphlet to deal with the coming of the English to Perak. This intention has been abandoned. The story of British intervention in Perak has been the subject of bitter controversy. A narrative giving the whole truth might terminate the controversy, but it would arouse further bitterness; and, in any case, this little series of educational pamphlets is not the place for the publication of matter to which any exception might reasonably be taken.

Under the circumstances I am only publishing those portions of Part II which deal with the condition of Perak at the time of British intervention—the legendary history of the country, the government by chiefs, the position of the *Mantri* in Larut, and the Chinese disturbances that forced the hand of the Colonial Office. I have used these fragments of Part II as a sort of appendix to the first part—Early History—which is being published in full.

Part I was placed at the disposal of the Editors of "Twentieth Century Impressions of the Straits Settlements and Federated Malay States." It is being published by them with the advantage of illustrations, but students may prefer to have it in a smaller, handier and cheaper form.

R. J. W.



HISTORY.

PART I.

EVENTS PRIOR TO BRITISH ASCENDANCY.

WILD ABORIGINAL TRIBES IN THE PENINSULA.

IT is a matter of common knowledge that the Malays were not the first inhabitants of the Peninsula. Although they intermarried with the aborigines, and although they show many traces of mixed blood, they failed to absorb completely the races that they supplanted. The new settlers kept to the rivers; the older races lived on the mountains or among the swamps. Some of the old tribes died out, some adopted the ways of the Malays, but others retained their own language and their primitive culture, and are still to be found in many parts of British Malaya.

The Negrito aborigines, collectively known as Semang, are usually believed to have been the first race to occupy the Peninsula. As they are closely akin to the Aetas of the Philippines and the Mincopies of the Andamans they must at one time have covered large tracts of country from which they have since completely disappeared, but at the present day they are mere survivals and play no part whatever in civilised life. Slowly but surely they are dying out. Even within the last century they occupied the swampy coast-districts from Trang in the north to the borders of Larut in the south, but at the census of 1891 only one Negrito—who, as the enumerator said, “twittered like a bird,”—was recorded from Province Wellesley, and in 1901 not one single survivor was found. Although present-day students, who naturally prefer the evidence of their own eyes to the records of past observers, are inclined to regard the Semang as a mountain-people it is quite possible that their more natural haunt was the swamp-country from which they have been expelled. Whether this be so or not, the Negritoes of British Malaya are usually divided up by the Malays into three: the Semang Paya or swamp-Semang (now almost extinct); the Semang Bukit or mountain-Semang who inhabit

the mountains of Upper Perak, and the Pangan who are occasionally found in some of the hills between Pahang and Kelantan.

The culture of some of these Negrito tribes is very primitive. The wilder Semang are extremely nomadic; they are not acquainted with any form of agriculture; they use bows and arrows; they live in mere leaf-shelters with floors that are not raised above the ground; their quivers and other bamboo utensils are very roughly made and adorned. Such statements would not, however, be true of the whole Semang race: a few tribes have learnt to plant; others to use the blowpipe; others have quivers of very beautiful workmanship; some go so far (if Mr. Skeat is to be relied upon) as to include the "theft of a blunderbuss" in their little catalogues of crime—but, unless we are prepared to believe that they invented such things as blunderbusses, we are forced to the conclusion that they must have borrowed some of their neighbours' culture.

A few Semang are still to be found in the mountains between Selama and the Perak valleys; others doubtless exist in the little-known country that lies between Temengor and the river Plus; but south of the Plus we come to a fairer race, the northern division of the numerous tribes that are often grouped together as "Sakai."

If identity of language is any criterion of common origin the northern Sakai racial division includes the tribes known as the "Sakai of Korbu," the "Sakai of the Plus," the "Sakai of Tanjong Rambutan" and the "Tembe" who inhabit the Pahang side of the great Kinta mountains. As these northern Sakai are rather darker than the Sakai of Batang Padang and not quite as dark as the Semang, they have sometimes been classed as a mere mixed race, a cross between their northern and southern neighbours. This is not necessarily the case. Their rather serious appearance, for one thing, does not suggest an admixture of the infantile physiognomy of the Semang and the gay boyish looks of the Sakai of Slim and Bidor. Moreover, their industrial art (to judge by blowpipes and quivers) is higher than that of their neighbours either to the north or to the south. They practise agriculture and live in small houses raised above the ground—the commonest type of house throughout Indo-China.

The expression "Central Sakai" has been used to cover a group of tribes who live in the Batang Padang mountains and

speak what is practically a common language, though there are a few dialectic differences in the different parts of this district. Mr. Hugh Clifford was the first to point out the curiously abrupt linguistic and racial frontier between the "Tembe" to the north and the "Senoi" (his name for the Central Sakai) to the south. But all the secrets of this racial frontier have not yet been revealed. Although the Sakai who live in the valleys above Gopeng speak a language that very closely resembles the language of the Sakai of Bidor, Sungkai and Slim, they seem still closer akin—racially—to their neighbours in the north. Moreover, if we look up from Gopeng to the far mountains lying just to the north of Gunong Berembun we can see clearings made by another tribe—the *Mai Luk*, or men of the mountains—of whom the Central Sakai stand in deadly fear. These mysterious *Mai Luk* have long communal houses like the Borneo Dyaks, they plant vegetables, they paint their foreheads, they are credited with great ferocity, and they speak a language of which the only thing known is that it is not Central Sakai.

As we proceed further south the racial type slowly alters until—in the mountains behind Tapah, Bidor, Sungkai and Slim—we come to a distinct and unmistakable race that is comparatively well known to European students.¹ These *Mai Darat*, or hill men, are slightly lower in culture than the northern Sakai; they live in shelters rather than huts; their quivers and blowpipes are very much more simply made than those of their northern and southern neighbours. Linguistically we are still in the "Central Sakai" region.

Near Tanjong Malim on the boundary between Perak and Selangor the type suddenly changes. We come upon fresh tribes differing in appearance from the Central Sakai, living (in some cases) in lofty tree huts, and speaking varieties of the great "Besisi" group of Sakai dialects. The men who speak these Besisi dialects seem to be a very mixed race. Some dwelling in the Selangor mountains are singularly well-built men. Others, who live in the swamps and in the coast districts, are a more miserable people of slighter build, and with a certain suggestion of Negrito admixture. Their culture is comparatively high. They have a more elaborate social system, with triple headmen instead of a solitary village elder to rule the small community. This form of tribal organisation—under a *batin*, *jěnanng* and *jěkra* (or *juru kěrah*)—is common to a very large

¹ This is the type illustrated in Mr. Cerruti's photographs.

number of tribes in the south of the Peninsula and is also found among the *Orang Laut*, or sea-gypsies. The Besisi tribes cultivate the soil, build fair houses, have some artistic sense, are fond of music, possess a few primitive songs, and know something of the art of navigation. They are found all over Selangor, Negri Sembilan and Malacca.

In the mountains of Jelevu, near the head waters of the Kongkoi and Kenaboi rivers, are found the Kenaboi, a shy and mysterious people, who speak a language totally unlike either Central Sakai, Besisi or Malay. So little is known about the Kenaboi that it would be dangerous to commit oneself to any conjecture regarding their position in the ethnography of the Peninsula, but it is at least probable that they represent a distinct and very interesting racial element.

In the flat country on the border between Negri Sembilan and Pahang, we meet the Serting Sakai, an important and rather large tribe that seems at one time to have been in contact with some early Mon-Annam civilisation. Moreover, it is said that there are traces of ancient canal cuttings in the country that this tribe occupies.

By the upper waters of the Rompin river there live many Sakai of whom very little is known. They may possibly be either "Besisi," "Serting Sakai," "Jakun" or "Sakai of Kuantan."

The term "Jakun" is applied to a large number of remnants of old Malacca and Johor tribes that have now been so much affected by Malay civilisation as to make it impossible to hope ever to clear up the mystery of their origin. A few brief Jakun vocabularies have been collected in the past; a few customs noted. It is perhaps too much to expect that anything more will be done.

The aborigines who inhabit the country near Kuantan (and perhaps near Pekan and even further south) speak a language of their own, of which no vocabulary has ever been collected, and use curious wooden blowpipes of a very unusual type. They may be a distinct race, for they seem to have a primitive culture that is quite peculiar to themselves.

In the mountainous region lying between this Kuantan district and the Tembeling river there is found another tribe of Sakai who wear strange rattan girdles like the Borneo Dyaks, and speak a language of which one observer, though acquainted with Malay, Central Sakai and Northern Sakai, could make nothing.

In the mountain-mass known as Gunong Běnom (in Pahang) there are found other tribes of Sakai speaking a language that has some kinship with Bেসি and Serting Sakai. Very little else is known about them.

We possess fairly good specimen vocabularies of the languages of all the better-known Sakai and Semang tribes. With the single exception of Kenaboi they possess a very marked common element, and may be classed as divisions of the same language although the peoples that speak them show such differences of race and culture. This language is complicated and inflected, and has an elaborate grammar, but so little is known of the details of its structure that we dare not generalise or point to any one dialect as being probably the purest form of Sakai. It is impossible also to say which race first brought this form of speech to the Peninsula. It would, however, be rash to assume that Sakai and Kenaboi are the only two distinctive types of language used by these wild tribes. Nothing sufficient is yet known of the speech of the *Mai Luk*, of the dialects of Kuantan, and of the old Jakun languages. Far too much has been inferred from the customs of what one may term the "stock" tribes of Sakai, the tribes that are readily accessible and therefore easy to study. These Sakai have been visited again and again by casual observers, to the neglect of the remoter and lesser-known tribes who may prove to be far more interesting in the end. When we consider the physical differences between tribe and tribe, the differences of language, the differences of culture evinced in types of dwellings, in tribal organisation, in weapons, and in mode of life, we may perhaps be excused for thinking that the racial elements in the Peninsula will prove to be more numerous and important than scientists are apt to believe.

Meanwhile the Peninsula presents us with a curious historical museum showing every grade of primitive culture. It gives us the humble Negrito, who has not learnt to till the ground but wanders over the country and lives from hand to mouth on the products of the jungle. It gives us the same Negrito after he has learnt the rudiments of art and agriculture from his Sakai neighbours. It gives us the Sakai who grows certain simple fruits and vegetables and is nomadic in a far slighter degree than the primitive Semang, for a man who plants is a man who lives some time in one place and therefore may find it worth his while to build a more substantial dwelling than

a mere shelter for a night. Here, however, primitive culture stops. Even the man who has learnt to plant a crop in a clearing must abandon his home when the soil begins to be exhausted. The boundary between primitive culture and civilisation cannot be said to be reached until habitations become really permanent and until a comparatively small area can support a large population. That boundary is crossed when a people learn to renew the fertility of land by irrigation, by manuring, or by a proper system of rotation of crops. The Malays with their system of rice-planting—the irrigated rice, not hill rice,—have crossed that boundary. But no Sakai tribe outside the Negri Sembilan has ever done so.

EARLY CIVILISATION.

Although the British possessions in Malaya are not absolutely destitute of archæological remains they are singularly poor in relics of antiquity when contrasted with Java and Cambodia, or even with the northern part of the Peninsula itself.

Ancient inscriptions have been found in Kedah, in the northern district of Province Wellesley, in the central district of Province Wellesley, and in the island of Singapore. That in Kedah has been completely deciphered; it is a Buddhist formula such as might have been written up in the cell or cave of an ascetic. That in the north of Province Wellesley was carved on a pillar that seemed to form part of a little temple; it has not been completely deciphered, but from the form of the written character it is believed to date back to the year 400 A.D., and to be the oldest inscription in this part of the world—unless, indeed, the Kedah writing is slightly more ancient. The rock carvings at Cheroh Tokun near Bukit Mertajam belong to various ages and are too worn away to be read in connected sentences; the oldest seems to go back to the fifth century and another to the sixth century A.D. As the monument in Singapore was blown up by the Public Works Department in order to make room for some town improvements it is no longer available for study, but from a rough copy made before its destruction it appears to have been in the ancient Kawi character of Java or Sumatra. It probably dates back to the thirteenth or fourteenth century A.D. Another inscription, presumably of the same class, is to be seen at Pulau Karimun, near Singapore.

Near Pangkalan Kēmpas, on the Linggi river, there are a number of broken monuments which, though they seem to be of comparatively recent date, are of considerable interest. On a curious four-sided pillar there are four inscriptions, two in clear-cut Arabic and two in the fainter lettering of an unknown script. Below these inscriptions there is a circular hole cut right through the pillar, and just large enough to permit of the passage of a man's arm—it is indeed believed that this pillar (which has been much used for oaths and ordeals) will tighten round the arm of any man who is rash enough to swear falsely when in its power. Near this pillar is another cut stone on which the lettering of some old non-Arabic inscription can be dimly seen. As there are many other fragments of carved stone that go to make up the *kēramat* or holy place of which the inscriptions form part, the Malays have invented a legend that these monuments represent the petrified property of an ancient saint—his spoon, his sword and his buckler. Muhammadan zeal seems also to have carved the holy name of Allah on the sword of the saint, and to have converted the first line of the inscriptions into the well-known formula, "In the Name of God, the Merciful, the Compassionate." Fragments of other monuments may be seen lying low in the swamp near which this Linggi *kēramat* is built up.

Besides these inscriptions traces of ancient non-Malayan civilisations have been found: (1) in some curious old bronzes, resembling bells, that have been dug up at Klang in Selangor; (2) in a little bronze image of a walking Buddha that was discovered in a Tanjong Rambutan mine at a depth of some sixty feet below the surface; (3) in an old Bernam tomb beautifully constructed of thin slabs of stone and containing some broken pottery and three cornelian beads, and (4) in pottery and iron tools that are continually being met with in old mining workings. More impressive, however, than any of these small relics are the galleries, stopes and shafts of the old mines at Selinsing in Pahang—the work of a race that must have possessed no small degree of mechanical skill. Who were the men who left these remains? If it be true (as the condition of the Selinsing workings seems to suggest) that the mines were suddenly abandoned in the very midst of the work that was being done, such a fact would lend further support to the natural conjecture that the miners were foreign adventurers who exploited the wealth of the Peninsula and did not make the country their per-

manent home. The Malays say that these alien miners were "men of Siam." Is this true? Students are apt to forget that "men of Siam," seven or eight centuries ago, would refer to the great and highly civilised Cambodian race who occupied the valley of the Menam before the coming of the "Thai" from whom the present Siamese are descended. It is therefore probable enough that the Malays are right, and that the mining shafts of Selinsing are due to the people who built the magnificent temples of Angkor. Further evidence, if such evidence is needed, may be found in the fact that the Sakai of certain parts of Pahang use numerals that are neither Siamese nor Malay nor true Sakai, but Mon-Khmer.

The general conclusion to be drawn from the traces of ancient culture in the Peninsula is that the southern portions of the country were often visited but never really occupied by any civilised race until the Malays came in A.D. 1400. Such a conclusion would not, however, be true of the Northern States, of Kedah, Kelantan, Trang and Singgora. There we find undoubted evidence of the existence of powerful Buddhist States like that of Langkasuka, the kingdom of *alang-kah suka* or of the Golden Age of Kedah, still remembered as a fairyland of Malay romance. This Langkasuka was a very ancient State indeed. It is mentioned in Chinese records as Langgasu as far back as A.D. 500, and was then reputed to be four centuries old; it appears (in Javanese literature) as one of the kingdoms overcome by Majapahit in A.D. 1377; its name probably survives to this day in the "Langkawi" islands off the Kedah coast. But the ancient States of Northern Malaya lie outside the scope of this pamphlet; they are interesting to us because they probably sent small mining colonies to the south and thus claimed some sort of dominion over the rest of the Peninsula. The great Siamese invasion changed all that. By crushing the northern States during the fourteenth and fifteenth centuries A.D. it ruined their little southern colonies and left the territories of Perak, Johor, Malacca and Pahang a mere no-man's-land that the Malays from Sumatra could occupy without resistance.

THE COMING OF THE MALAYS.

According to a tradition that is accepted in almost every portion of Malaya the founder of the most famous native dynasties was a prince named Sang Sapurba, son of Raja Suran, the "Ruler of the East and of the West," by his marriage with a mermaid, the daughter of the Kings of the Sea. This prince first revealed himself upon the hill of Siguntang, near Mount Mahameru, in the hinterland of Palembang. Two young girls who dwelt upon the hill are said to have seen a great light shining through the darkness of night. On ascending the hill in the morning they found that their rice-crops had been transformed—the grain into gold, the leaves into silver, the stalks into golden brass. Proceeding further they came across three young men, the eldest of whom was mounted on a silver-white bull and was dressed as a king, while the two younger, his brothers, bore the State sword and spear that indicated sovereign power. "Who then are you—spirits or fairies?" said the astonished girls. "Neither spirits nor fairies, but men," said one of the brothers; "we are princes of the race of the Great Alexander; we have his seal, his sword and his spear; we seek his inheritance on earth." "And what proof have you of this?" said the girls. "Let the crown I wear bear me witness if necessary," replied the eldest prince; "but what of that? is it for naught that my coming has been marked by this crop of golden grain?" Then out of the mouth of the bull there issued a sweet-voiced herald who at once proclaimed the prince to be a king bearing the title of Sang Sapurba Trimurti Tribuana. The newly installed sovereign afterwards descended from the hill of Siguntang into the great plain watered by the Palembang river, where he married the daughter of the local Chief, Dēmang Lebar Daun, and was everywhere accepted as ruler of the country. At a later date he is said to have crossed the great central range of Sumatra into the mountains of Menangkabau, where he slew the great dragon Si-Katimuna and was made the king of a grateful people and the founder of the long line of princes of Menangkabau, the noblest dynasty of Malaya. Meanwhile, however, his relatives in Palembang had crossed the sea, first to the island of Bintang, and afterwards from Bintang to the island of Tamasak, on which they founded the city of Singapore. "And the city of Singapore became mighty, and its fame filled all the earth." Such, at least, is the story that is told us in the "Malay Annals."

It is very easy to criticise this story, to point out that the tale of the Macedonian origin of Malay kings is too absurd for acceptance, and that the miraculous incidents do not commend themselves to the sceptical historians of the present day. It is also possible to show that there are two entirely different versions of the story in the very manuscripts of the "Malay Annals," and that both these versions differ from a third version given by the annalist himself to his contemporary, the author of the Malay book known as the "Bustanu's-Salatin." But no one need treat this legend of Sang Sapurba as actual history. The ancient kingdoms of Singapore and Palembang are no myth; the latter, at least, must have played a great part in history. Nor is the legend in any way an invention of the author of the "Malay Annals"; it occurs in still earlier books and is folklore throughout Perak at the present day. The Sultan of Perak claims direct descent from Sang Sapurba; one of his chiefs, the Dato' Sri Nara Diraja, is the lineal representative of the herald who came out of the mouth of the bull. As late as February, 1907, the Raja Bendahara was installed (in the High Commissioner's presence) by the Dato' Sri Nara Diraja reciting over him the mystic words—in a forgotten tongue—that the latter chief's ancestor is said to have used at the proclamation of Sang Sapurba himself. The origin of these ancient legends and old-world ceremonies is lost in the dimness of past centuries, but it may, to some extent, be explained by the light that Chinese records throw upon Malay history.

We know with absolute certainty from the accounts of Chinese trade with Sumatra that the kingdom of Palembang was a powerful State, certainly as far back as the year 900 A.D., perhaps even as far back as the year 450 A.D. We even possess the names (often mutilated beyond recognition by Chinese transcribers) of a large number of the old kings of Palembang. We can see that these ancient rulers bore high-sounding Sanskrit titles, almost invariably beginning with the royal honorific *sēri* that is still used by great Malay dignitaries. But while the Malay annalist allows a single generation to cover the whole period from the founding of the State of Palembang by Sang Sapurba down to the establishment of the city of Singapore, we are in a position to see that the period in question must have covered many centuries, and that even a millennium may have elapsed between the days of the founder of Palembang and those of the coloniser of Tamasak or Singapore. Although

Sang Sapurba may be nothing more than a name the ancient legend is historical in so far that there must have been a time when an Indian or Javanese dynasty with a very high conception of kingly power supplanted the unambitious Palembang headmen who bore homely titles like Dēmang Lebar Daun and claimed no social superiority over their fellow-villagers. The story given us in the "Malay Annals" is only an idealised version of what must have really occurred. The most mysterious feature in the legend is the reference to Mount Siguntang. Although this famous hill (which is believed by all Malays to be the cradle of their race) is located with curious definiteness on the slopes of the great volcano, Mount Dempo, in the hinterland of Palembang, there is no local tradition to guide us to the exact spot or to suggest to us why that locality, above all others, should be singled out for special honour. The culture of the Malay States that accepted the Hinduised Palembang tradition differs completely from that of the primitive Sumatran communities who have not been affected by foreign influence. Such differences could not have been brought about in any brief period of time. The history of the State of Palembang must go back extremely far into the past; and if only we could unearth some real records they might explain why the proud rulers of the country thought it an honour to claim descent from some still more ancient dynasty associated with the name of a hill-district from which all traces of imperial power have long since passed away.

PALEMBANG, A.D. 450—A.D. 1375.

In the reign of the Chinese Emperor Hsiao Wu (A.D. 454-464), a kingdom of "Kandali" sent articles of gold and silver to China. In A.D. 502 a king of this same Kandali sent an envoy to China with other valuable gifts. In A.D. 519 and again in A.D. 520 similar missions were sent. After this date "Kandali" disappears from history.

Although Chinese records positively identify this country with San-bo-tsai or Palembang, all that contemporary Chinese notices tell us about Kandali is that it was a Buddhist kingdom on an island in the Southern Sea, that its customs were those of Cambodia and Siam, that it produced flowered cloth, cotton and

excellent areca-nuts, and that its kings sent letters to the Chinese Emperor congratulating him on his fervent faith in Buddha. Still, as one of these kings is reported to have compared the Chinese Emperor to a mountain covered with snow, we may take it that the accuracy of even this meagre account of Kandali is not above suspicion. We can perhaps see traces of Javanese influence in the reference to "flowered cloth," as the expression suggests the painted floral designs of Java rather than the woven plaid-patterns of the Malays.

In A.D. 905 Palembang reappears in Chinese records under the name of San-bo-tsai. In that year the ruler of San-bo-tsai "sent tribute" to China, and received from the Emperor the proud title of "the General who pacifies distant Countries." In A.D. 960 "tribute" was again sent—twice. In A.D. 962 the same thing occurred. From A.D. 962 onwards we have a continuous record of similar tribute-bearing missions until the year 1178 when the Chinese Emperor found that this "tribute" was too expensive a luxury to be kept up, so he "issued an edict that they should not come to court any more but make an establishment in the Fukien province." After this date the Palembang merchants ceased to be tribute-bearers and became ordinary traders—a change which caused them to disappear temporarily from official records. "Tribute" was, of course, merely a gift made to the Emperor in order to secure his permission to trade; it flattered his pride and was invariably returned to the giver in the form of titles and presents of very high value. So much was this the case that Chinese statesmen, when economically inclined, were in the habit of protesting against the extravagance of accepting tribute. None the less the Emperor encouraged these men of Palembang, for in A.D. 1156 he declared that "when distant people feel themselves attracted by our civilising influence their discernment must be praised." One Malay envoy received the title of "the General who is attracted by Virtue," a second was called "the General who cherishes Civilising Influence," a third was named "the General who supports Obedience and cherishes Renovation." The manners of the men of San-bo-tsai must have been as ingratiating as those of their successors, the Malays of the present day.

The kings of San-bo-tsai are said to have used the Sanskrit character in their writings, and to have sealed documents with their signets instead of signing them with their names. One

king is mentioned (A.D. 1017) as having sent among his presents "Sanskrit books folded between boards." Their capital was a fortified city with a wall of piled bricks several miles in circumference, but the people are said to have lived in scattered villages outside the town and to have been exempt from direct taxation. In case of war "they at once select a chief to lead them, every man providing his own arms and provisions." From these Chinese records we also learn that in A.D. 1003 the Emperor sent a gift of bells to a Buddhist temple in San-bo-tsai. As regards trade, the country is recorded as producing rattans, lignum-aloes, areca-nuts, coconuts, rice, poultry, ivory, rhinoceros-horns, camphor and cotton-cloth. In the matter of luxuries we are told that the people made intoxicating drinks out of coconut, areca-nut, and honey, that they used musical instruments (a small guitar and small drums), and that they possessed imported slaves who made music for them by stamping on the ground and singing. In A.D. 992 we hear of a war between the Javanese and the people of Palembang.

It seems therefore quite certain that Palembang—between the years 900 and 1360 A.D.—was a country of considerable civilisation and importance, owing its culture to Indian sources, and perhaps possessing very close affinities to the powerful States of Java. What then were the events that brought about the downfall of this great Malayan kingdom?

The close of the thirteenth century in China saw the Mongol invasion that ended in making Kublai Khan the undisputed overlord of the whole country. That restless conqueror was not, however, satisfied with his continental dominions; he fitted out great fleets to extend his power over the Japanese islands in the north and over the island of Java in the south. He began a period of war during which we hear nothing of the trade with the States in the Southern Seas, but the advent of the Ming dynasty (A.D. 1368) commenced a new era of peace and commerce in which we again find mention of the State of Palembang. Great changes had taken place since the last reference to the country in A.D. 1178. San-bo-tsai had been split up into three States. We hear (A.D. 1373) of a King Tan-ma-sa-na-ho—probably the King of Tamasak or Singapore. We hear also (A.D. 1374) of a King Ma-na-ha-pau-lin-pang—probably the King of Palembang. The King Tan-ma-sa-na-ho died in A.D. 1376, and his successor, Ma-la-cha-wu-li, ordered the usual

envoys to go to China, and was sent in return a seal and commission as King of San-bo-tsai. The Chinese annalist goes on to say :

"At that time, however, San-bo-tsai had already been conquered by Java, and the king of this country hearing that the Emperor had appointed a king over San-bo-tsai became very angry and sent men who waylaid and killed the imperial envoys. The Emperor did not think it right to punish him on this account. After this occurrence San-bo-tsai became gradually poorer and no tribute was brought from this country any more."

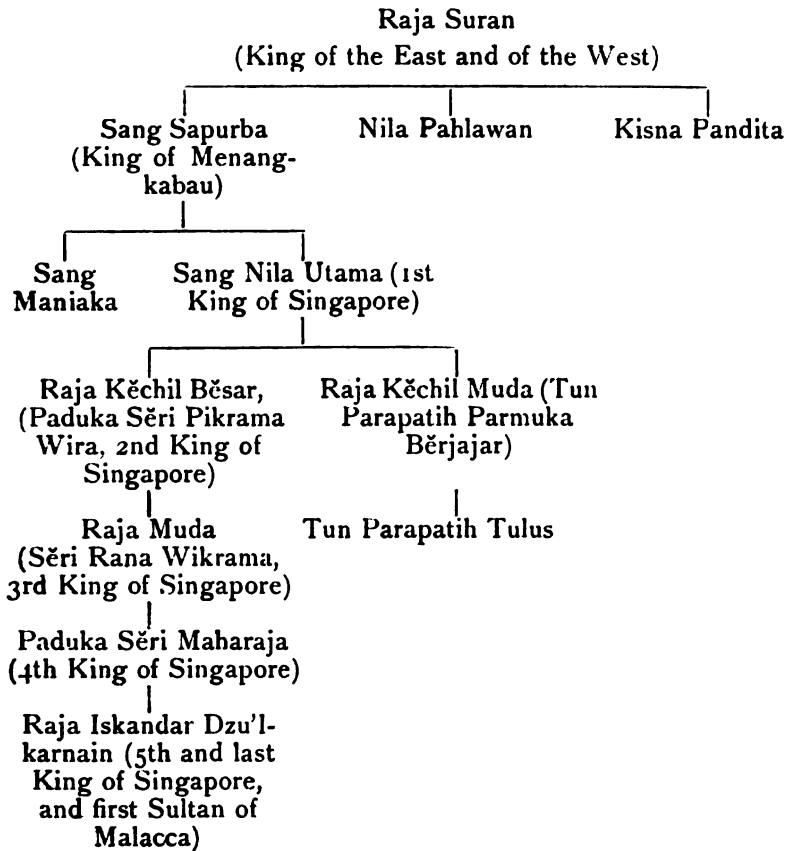
Chinese, Malay and Javanese historical records all agree in referring to a great war of conquest carried on by the Javanese Empire of Majapahit and ending in the destruction of Singapore and Palembang as well as in the temporary subjugation of many other Malay States, such as Pasai, Samudra and even Kedah, Kelantan, Trengganu and Pahang. The Chinese records enable us to definitely fix the date—A.D. 1377. It is a great landmark in Malay history, for the fugitives driven by the Javanese from Palembang and Singapore settled down in the Peninsula and founded the famous city of Malacca.

SINGAPORE: A.D. 1360 (?) TO A.D. 1377.

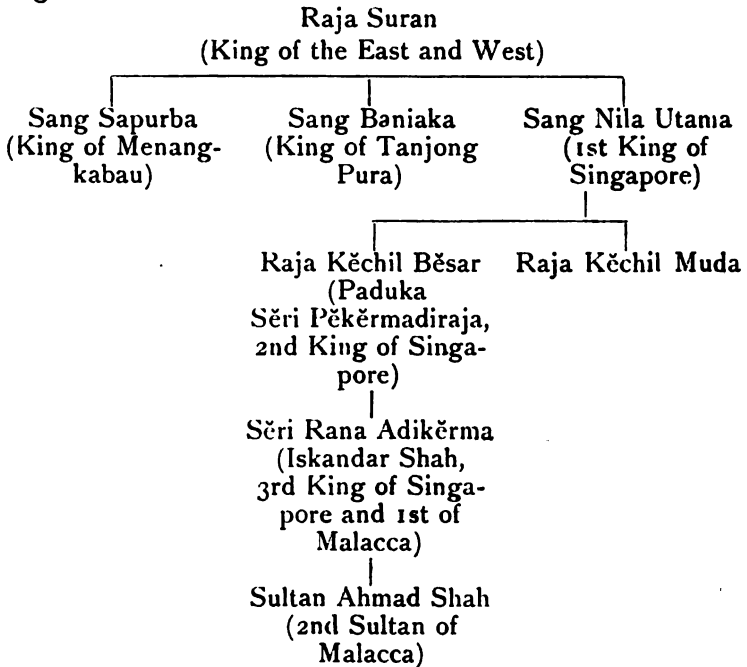
Writing in A.D. 1819 from his newly-founded settlement of Singapore, Sir Stamford Raffles spoke of it as having been the seat of ancient empire, and said that the very lines of the old fortifications could be traced. Sir Stamford referred, of course, to the legends of the "Malay Annals," according to which "the city of Singapore became mighty and its fame filled all the earth."

The name of *Singapura* was only an honorific title given to an island that was known, and continued to be known, as Tamasak. Of the existence of this old Malay State of Singapore or Tamasak there can be no doubt whatever, as Chinese, Siamese, Malay and Javanese records agree upon the point. Of the fact that Singapore was a colony from Palembang there can also be no doubt, since both the Chinese and the Malay records bear out this version of the origin of the city. An inscription in the Kawi character was found by Raffles at Singapore, but it was blown up at a later date by a discreditable act of vandalism, and from the fragments left it is impossible to say definitely whether it was carved by the Palembang colonists or by the Javanese

conquerors who destroyed the city in A.D. 1377. The "Malay Annals" tell us a good deal about the place, but give us nothing that is really reliable. They say that Sang Nila Utama, the founder of the State, was driven to the island by a storm of wind in the course of which he lost his royal crown—a story suggesting that the founder was not a reigning prince when he came to settle in the island, and that his followers had to invent a story to explain away his lack of the usual insignia of royalty. He was, however, probably of royal blood, since the Chinese envoys were afterwards willing to recognise his descendants as rulers of Palembang. The Annals also tell us that five kings reigned in Singapore, as shown in the following table:



If this pedigree is to be accepted, the old State of Singapore must have lasted for several generations, but the annalist who drew it up gave another pedigree to his friend, Nuru'ddin Raniri al-Hasanji, the author of the "Bustanu's-Salatin." The other pedigree is as follows :



This second pedigree gives a much shorter life to the old State of Singapore and (since it came from the same source as the first pedigree) shows that neither account can be considered at all reliable. It also suggests its own inaccuracy, since "Iskandar Shah" is not a name that any non-Muhammadan prince of Singapore would have borne at that period. The probability is that the ancient kingdom of Tamasak was a mere offshoot of the State of Palembang, that it did not last for any length of time, and that it came to a sudden and terrible end in the year of the great Javanese invasion, A.D. 1377.

The account of Singapore in the "Malay Annals" is entirely mythical—from the opening tale about the lion that Sang Nila Utama discovered on the island, down to the concluding stories

about the attack made by the sword-fish upon the city, and about the fate of Sang Ranjuna Tapa, the traitor who betrayed the city to the Javanese and was turned into stone as a punishment for his sin. Yet in all this mythical account there is a suggestion of infinite tragedy. The story of the sword-fish ends with the ominous words that the blood of the boy—who saved the city and was put to death lest his cleverness should prove a public danger—rested upon the island as a curse to be wiped out in days to come. The story of Tun Jana Khatib is the tale of another awful deed of wrong. The last tale in the narrative is that of the injury which maddened Sang Ranjuna Tapa into treason—the cruel fate of his daughter who was publicly impaled on a mere suspicion of infidelity to her lover the king. More than once does the annalist seem to suggest the Nemesis that waits upon deeds of oppression. In the end the Javanese came; the city was betrayed; “blood flowed like water in full inundation, and the plain of Singapore is red as with blood to this day.” A curse rested on the place. In A.D. 1819, more than four centuries later, Colonel Farquhar found that not one of the people of the Settlement dared ascend Fort Canning Hill, the “forbidden hill,” that was haunted by the ghosts of long forgotten kings and queens. The alien Chinese who now inhabit the town believe to this day that—for some reason unknown to them—a curse laid on the island in times long past makes it impossible to grow rice on it; rice being the staple food of the Malays. All these legends seem to suggest that the fate of the ancient city must have been one of appalling horror. Many Malay towns have at different times been captured, many were doubtless captured by the Javanese in that very war of A.D. 1377, but in no other case has the fall of a city left such awful memories as to cause men, four centuries later, to refuse even to face the angry spectres that were believed to haunt so cruelly stricken a site.

MALACCA, A.D. 1400—A.D. 1511.

The fall of Singapore led to the rise of Malacca. A number of fugitives, headed (if the Annals are to be believed) by their king himself, established themselves at the mouth of the Malacca river and founded a city that was destined to play a much

greater part in history than the old unhappy Settlement of Singapore from which they came. The Annals, however, are not a safe guide. Although it is indeed probable that a party of refugees did do something to found the town of Malacca, it is extremely doubtful whether they were headed by the fabulous "Iskandar Shah." Be the facts as they may, the new town did not delay its rise very long. In A.D. 1403, as Chinese records tell us, the ruler or *paramisura* of Malacca sent envoys to China; in A.D. 1405 he was recognised as king and received a seal, a suit of silk clothes and a yellow umbrella from the Emperor; in A.D. 1411 he travelled himself to China and was most hospitably entertained. In the year 1414 the son of this *paramisura* came to China to report his father's death and to apply for recognition as his father's successor. This son's name is given in Chinese records as Mu-kan-sa-u-tir-sha. He died about the year 1424, and was succeeded by his son, who is described in Chinese as Sri Mahala.

At this point it is advisable to say something about Malay chronology. The dates given in Sir Frank Swettenham's "British Malaya," in the Colonial Office List, in Valentijn's "History of Malacca," and in many other works, are all deduced from the "Malay Annals" by the simple process of adding together the reputed lengths of the reigns of the various kings. Such a system is usually unreliable. In the case of the "Malay Annals" the unreliability of the method can be proved by taking the history of ministers who served under several kings, and who must have attained to impossible ages if the reign-lengths are really accurate. The point was brought out clearly for the first time by Mr. C. O. Blagden in a paper read before an Oriental Congress in Paris. Mr. Blagden began by showing that the Malay dates were inaccurate, and then went on to prove that the Chinese records, though meagre and unreliable in many details, gave us a real key to the chronology of the period. From these records it is quite clear that Singapore fell in A.D. 1377, and not in A.D. 1252 as the "Malay Annals" would suggest. From the same source it may be shown that the various Kings of Malacca reigned between the year 1400 and the year 1511. But we are not in a position to prove conclusively who all these kings were. The royal names, as given to us by different authorities, are here shown in parallel columns:

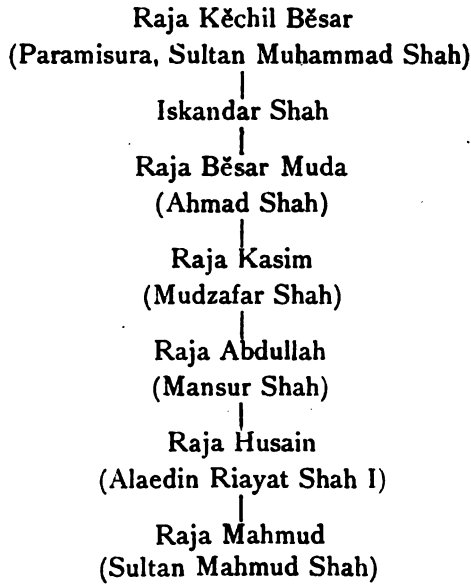
CHINESE RECORDS.	ALBUQUERQUE'S LIST.	"MALAY ANNALS."
Palisura (1403-1414)	Parmisura	
Mukansautirsha (1414-1424)	Xaquendarsa	Iskandar Shah
Sĕri Mahala (1424)		Raja Bĕsar Muda
Sĕri Mahala (1433)		Raja Tĕngah
Sĕri Pamisiwartiupasha (1445)		Muhammad Shah
Sultan Wutafunasha (1456)	Modafaixa	Abu Shahid
Sultan Wangsusha (1459)	Marsusa	Mudzafar Shah
Mahamusa (undated)	Alaodin	Alaedin Riayat Shah
Sultan Mamat (who fled from the Franks)	Mahamat	Mahmud Shah

The great names of Malacca history are common to all three lists, but the minor names differ considerably. Those in the "Malay Annals" would naturally have been considered the most reliable, were it not that Muhammadan names like Iskandar Shah occurring before the Mussulman period show the certainty of serious error. If also we take Iskandar Shah to be identical with Xaquendarsa and to have come to the throne in A.D. 1414, it will be fairly obvious that the Malay version allows too many generations between him and Mudzafar Shah, who seems to have been reigning in A.D. 1445.

It is quite impossible to reconcile the lists, but the truth may be inferred from what we know for certain. A Chinese work, the "Ying Yai Sheng Lan," dated A.D. 1416, speaks of the Malacca Malays as devoted Muhammadans, so that it would seem that the conversion to Islam took place as early as the reign of the Paramisura and not in the time of his grandson or great-grandson, Muhammad Shah. But the explanation that seems to clear up the difficulties most readily is the probability that the author of the pedigree in the "Malay Annals" confused two princes who bore the name of Raja Kechil Besar,¹ and also confused Sultan Ahmad with Sultan Muhammad. If the title Muhammad Shah and the conversion to Islam are ascribed to the first Raja Kechil Besar instead of to the second, the difficulty of explaining the Moslem names of Iskandar Shah and Ahmad

¹ Muhammad Shah was known as Raja Kechil Besar before he came to the throne.

Shah disappears at once and the pedigree is shortened to a reasonable length. The amended version would read as follows :



We can now pass to the reigns of these different kings.

The Chinese account of Malacca, written in A.D. 1416, gives us a very convincing picture of the Settlement. It tells us that the inhabitants paid very little attention to agriculture, that they were good fishermen, that they used dug-outs, that they possessed a currency of block tin, that they lived in very simple huts raised some four feet above the ground, that they traded in resins, tin and jungle produce, that they made very good mats, and that "their language, their books and their marriage ceremonies are nearly the same as those of Java." The town of Malacca was surrounded by a wall with four gates, and within this fortified area there was a second wall or stockade surrounding a store for money and provisions.

This description bears out Albuquerque's statement that the town was created by the fusion of fugitives from Singapore with a local population of "Cellates" or *Orang Laut*. The men from Singapore brought their old Indo-Javanese civilisation, the language, the books and the marriage ceremonies that were so closely akin to those of Java; the *Orang Laut* were simply

fishermen, living by the sea and using the rude dug-outs that impressed the Chinese historian. But there was a third element. The Chinese account tells us that the tin industry, both in trade and actual mining, was important. As this industry would be quite unknown to the *Orang Laut* and could hardly have been introduced from Singapore we are left to infer that traders in tin had visited the country before the advent of the Malays and had taught the aborigines the value of the metal and the proper means of procuring it. These early traders were, in all probability, the Cambodian colonists whose homes in the north had just been conquered by the Siamese, but who—up to the fourteenth century—appear to have exercised some sort of dominion over the southern half of the Peninsula.

According to both Chinese and Portuguese records the first ruler of Malacca was a certain "Palisura" or "Paramisura," but unfortunately this word only means king and gives us no clue either to the Hindu or to the Muhammadan name of the prince in question. It would seem waste of time to discuss points relating to mere names were it not that these issues help us to unravel the complex chronology of the period. Every king—at this time of conversion—must have had a Hindu title before taking an Arabic name, so that serious errors may have been imported into genealogies by kings being counted twice over. Omitting the mythical elements let us collate the first names of the four lists that we possess:

"MALAY ANNALS."	"BUSTANU'S- SALATIN."	CHINESE.	PORTUGUESE.
(1)	(1)	(1)	(1)
Raja Kěchil Běsar, Paduka Sěri Pěkěrma Wiraja	Raja Kěchil Běsar, Paduka Sěri Pěkěrma Diraja	Palisura	Paramisura
(2)	(2)	(2)	(2)
Raja Muda, Sěri Rana Wikrama	Sěri Rana Adik- ěrma, Sultan Iskandar Shah	Mukansautirsha	Xaquendarsa
(3)	(3)	(3)	
Paduka Sěri Maharaja	Raja Běsar Muda, Sultan Ahmad Shah	Sěri Mahala	

The only point that we have to suggest is that these lists refer to the same men in the same order. If this is admitted,

there is no difficulty in giving the pedigree of the Kings of Malacca; but the acceptance of this view disposes at once of the theory that the line of the Malacca Kings covers the earlier dynasty of Singapore. The truth seems to be that the author of the "Malay Annals" had only the Malacca pedigree to work upon, but by attaching Singapore legends to the names of Malacca Kings he represented the genealogy as one which descended from the mythical Sang Sapurba of Palembang through the Kings of Singapore (whose very names he did not know) down to the family with which he was really acquainted.

As Malay tradition seems to insist that the first Moslem sovereign took the name of Muhammad Shah, and as the Paramisura of Albuquerque was undoubtedly the first Moslem sovereign, we are justified in believing that the King Paduka Sri Pëkërma Diraja took the name Sultan Muhammad Shah on his conversion. He ascended the throne before the year A.D. 1403, but was first recognised by the Chinese Emperor in A.D. 1405. He visited China in A.D. 1411. The following is the account given of this visit in the records of the Ming Dynasty:

"In 1411 the King came with his wife, son and ministers—540 persons in all. On his arrival the Emperor sent officers to receive him. He was lodged in the building of the Board of Rites; and was received in audience by the Emperor who entertained him in person whilst his wife and the others were entertained in another place. Every day, bullocks, goats and wine were sent him from the imperial buttery. The Emperor gave the King two suits of clothes embroidered with golden dragons and one suit with unicorns; furthermore, gold and silver articles, curtains, coverlets, mattresses—everything complete. His wife and his suite also got presents.

"When they were going away the King was presented with a girdle adorned with precious stones and with horses and saddles. His wife got a cap and dresses.

"At the moment of starting he was entertained by the Emperor and again got a girdle with precious stones, saddled horses, 100 ounces of gold, 40,000 dollars (*kwan*) in paper money, 2,600 strings of cash, 300 pieces of silk gauze, 1,000 pieces of plain silk, and two pieces of silk with golden flowers."

It is not surprising that kings were willing to "pay tribute" to China.

The policy of Muhammad Shah seems to have been to ally himself with the Muhammadan States and with the Chinese, and to resist the Siamese who were at that time laying claim to the southern part of the Peninsula. As the Siamese had conquered the Cambodian principalities that had sent mining colonies to the Southern States the King of Siam had a certain claim to consider himself the suzerain of Malacca. But the claim was a

very shadowy one. The fall of the Cambodian kingdoms in the north seems to have killed the Cambodian colonies in the south. The Siamese themselves had never exercised any authority over Malacca. The very title afterwards assumed by the Siamese King—"Ruler of Singapore, Malacca and Malayu"—shows how very little he knew about the countries that he claimed to own. Nevertheless, Siam was a powerful State, and its fleets and armies were a constant menace to the prosperity of the growing Settlement of Malacca.¹

The Paramisura Muhammad Shah died about A.D. 1414. He was succeeded by his son, Sri Rana Adikërma, who took the title of Sultan Iskandar Shah—the Xaquendarsa of the Portuguese and the Mukansaursha of the Chinese records. This prince, who reigned ten years, paid two visits to China during his reign, one visit in A.D. 1414 and the other in A.D. 1419. He pursued his father's defensive policy of alliances against the Siamese.

Sultan Iskandar Shah died in A.D. 1424. He was succeeded by his son, Raja Besar Muda, who bore the Hindu title of Paduka Sri Maharaja and assumed the Moslem name of Sultan Ahmad Shah. This ruler is not mentioned by the Portuguese, but he appears in Chinese records as Sri Mahala. He seems to appear twice—perhaps three times—in the "Malay Annals": first as Paduka Sri Maharaja, son of Sri Rakna Adikërma (Iskandar Shah's Hindu title), and secondly as Raja Besar Muda, son of Iskandar Shah. He is also confused with Muhammad Shah, whose place he ought to be given in the pedigree. It is therefore difficult to say whether he or the first King of Malacca ought to be credited with the numerous rules and regulations drawn up for the guidance of Malay countries and given at great length in the "Malay Annals" as the work of "Muhammad Shah." In any case, from this time forward the use of yellow was confined to men of royal birth, the most rigid etiquette was enforced at all court ceremonies, the relative precedence of officers was fixed, and other rules were made regarding the

¹ The Siamese occupied inland territories about Chieng-mai till the fourteenth century when they advanced to the coast, founded Ayuthia (A.D. 1350) and overthrew the Cambodian empire by capturing Angkor (A.D. 1373). Col. Gerini's belief that the Siamese had penetrated "far into the Malay Peninsula" before A.D. 1141 seems to be based (see "In Lotus Land," p. 11) upon the "Malay Annals" and not on Siamese sources. But, as we have seen, the chronology of the "Malay Annals" is hopelessly at fault; and the revised chronology which brings the Siamese to the Peninsula at about 1400 A.D. is far more reconcilable with events in Siam proper.

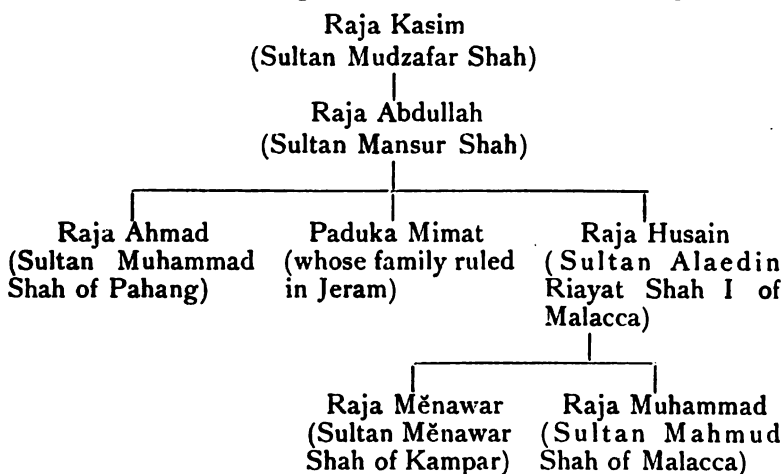
proper attire and privileges of courtiers. The author of the "Malay Annals" discusses all these points at great length, but European students are not likely to take much interest in them. Happy is the country that has no more serious troubles than disputes about etiquette! The first three Sultans of Malacca must have governed well to bring about such a result as this.

Sultan Ahmad Shah (Paduka Sri Maharaja) died about the year 1444 A.D. His death was followed by a sort of interregnum, during which the reins of power were nominally held by his son, Raja Ibrahim or Raja Itam, afterwards known as Abu Shahid, because of his unhappy death. This interregnum ended in a sudden revolution in which Raja Ibrahim lost his life and Raja Kasim, his brother, came to the throne under the name of Sultan Mudzafar Shah—the Modafaixa of the Portuguese and the Sultan Wu-ta-fu-na-sha of Chinese records. The new ruler began his reign in the usual manner by sending envoys to China, but he did not go himself to pay his respects to the Emperor. He had to wage war against the Siamese, who seem at last to have made some sort of effort to enforce their claim to suzerainty over the south of the Peninsula. Malay records are not very trustworthy and we need not believe all that they tell us about victories over the Siamese, but we can see from the change in the policy of the State of Malacca that it must have been successful in its campaigns against its northern foes, since the Malays, suddenly becoming aggressive, carried the war into the enemy's country. From this time onwards the town of Malacca became a capital instead of being an entire State in itself.

Mudzafar Shah died about the year 1459 A.D. According to Portuguese authorities he conquered Pahang, Kampar and Indragiri; but, if the "Malay Annals" are to be believed, the honour of these conquests rests with his son and successor, Mansur Shah. Sultan Mansur Shah, we are told, began his reign by sending an expedition to attack Pahang. After giving a good descriptive account of this country, with its broad and shallow river, its splendid sandy beaches, its alluvial gold workings, and its huge wild cattle, the "Malay Annals" go on to say that the ruler of Pahang was a certain Maharaja Dewa Sura, a relative of the King of Siam. Chinese records also say that the country was ruled by princes who bore Sanskrit titles and who must have been either Buddhist or Hindu by religion, but they add that the people were in the habit—otherwise unknown in Malaya—of offering up human sacrifices to their idols of fragrant

wood. Their language also does not seem to have been Malayan. Pahang was conquered after very little resistance, and its prince, Maharaja Dewa Sura, was brought captive to Malacca. Of the expeditions against Kampar and Indragiri we know nothing except that they were successful.

Sultan Mansur Shah married five wives. By a daughter of the conquered Maharaja Dewa Sura he had two sons, one of whom he designated as heir to the throne, but a murder committed by the prince in a moment of passion led to his being banished from the court and sent to rule over Pahang under the title of Sultan Muhammad Shah. By a Javanese wife the Sultan had one son, Radin Geglang, who succeeded his step-brother as heir to the throne and was afterwards killed while trying to stop a man who ran amuck. By a daughter of his chief minister, the Bendahara, the Sultan left a son, Raja Husain, who ultimately succeeded him. By a Chinese wife the Sultan left descendants who established themselves as independent princes at Jeram in Selangor. By his fifth wife, the daughter of a chief (Sri Nara Diraja), the Sultan only had two daughters. The following table shows how the kingdom of Malacca was divided up :



The policy of war and conquest initiated by Mudzafar Shah and Mansur Shah was a fatal one to a trading port like Malacca; it turned the Malays into a sort of military aristocracy living on the trade of the foreign settlers in their city. Trade is not, however, killed in a day. The foreign

merchants from India and China, though they continued to frequent the harbour of Malacca, began to look upon the Sultan and his people as a mere burden on the town—as indeed they were. The Sultan needed money for his pleasures, his followers, and his wars; he increased his exactions from year to year. But for the coming of the Portuguese the fate of Malacca would ultimately have been the same as that of Pasai, Samudra, Perlak and the other trading ports that enjoyed at various times a temporary spell of prosperity as emporia in the eastern seas. Even as it was, Albuquerque found the foreign settlers in the city perfectly willing to rise in revolt against their Malay masters.

Mansur Shah was succeeded by his son, Raja Husain, who took the name of Alaedin Riayat Shah. This prince is said by the Portuguese to have been poisoned at the instigation of the rulers of Pahang and Indragiri. He was succeeded by his son, Sultan Mahmud Shah, the last of the Kings of Malacca. Sultan Mahmud Shah seems to have been a weak ruler, who gave himself up to his pleasures and ultimately delegated all his powers to his son, the Prince Alaedin, whom he raised to sovereign rank under the name of Ahmad Shah. The most important event in his reign—apart from the Portuguese conquest—was the mysterious revolution of A.D. 1510, in which the most powerful chief in Malacca, the Bendahara Sri Maharaja, lost his life. This event is mentioned by Albuquerque and is described with great vividness by the author of the "Malay Annals," who, being a member of the Bendahara's family, was extremely anxious to represent his great ancestor's case in the best possible light. According to his story,¹ one of the great ministers of State was induced by a very heavy bribe to bring a false charge of treason against the Bendahara—"for there is truth in the saying 'Gold, thou art not God, yet art thou the Almighty.'"—and the Sultan was tempted by an illicit passion for the Bendahara's daughter into consenting to his minister's death: "Love knows no limitations and Passion no considerations." It is probable that the great minister was only overthrown after a severe conflict in which most of his relatives were slain. But that is not the account given us in the "Malay Annals." The proud chief is said to have consented to die rather than lift a finger in opposition to the king: "It is the glory of the Malay that he is ever faithful to his ruler." The

¹ See "Malay Literature, I," pp. 35-36.

Sultan's messenger approached and presented him with a silver platter on which rested the sword of execution. "God calls you to his presence," said the messenger. "I bow to the Divine Will," said the Bendahara. Such was said to have been his end, but there is a curious epilogue to this tale of loyalty. In A.D. 1699 the last prince of the royal line of Malacca was slain by his Bendahara, the lineal representative of the murdered minister of A.D. 1510, and of his successor and champion, the courtly author of the "Malay Annals." It is therefore quite possible that the Bendahara of A.D. 1510 was only conspiring to do what the Bendahara of A.D. 1699 eventually succeeded in doing.

THE PORTUGUESE ASCENDANCY.

The celebrated expedition of Vasco da Gama, the first European navigator to appear in the eastern seas, took place in 1498. Within ten years Da Gama had been followed to the East by many other famous adventurers: Francisco de Albuquerque, Alfonso de Albuquerque, Francisco de Almeida, Tristano d'Acunha, Jorge de Mello and Jorge de Aguyar. In 1508 the whole of the Portuguese "empire" in the East was divided into two viceroyalties, one stretching from Mozambique to Diu in India, the other from Diu to Cape Comorin. Francisco de Almeida was appointed Viceroy of Africa, Arabia and Persia; Alfonso de Albuquerque was Viceroy of India. Two other admirals were also sent out in that year to carve out viceroyalties for themselves. Of these two, one—Diego Lopez de Sequeira—was destined for Malaya. He left the Tagus with four ships on the 5th April, 1508, sailed to Cochin (the head-quarters of the Indian viceroy), borrowed a ship from the Portuguese fleet at that port, and finally in August, 1509, sailed to Malacca.

As soon as Sequeira cast anchor in the harbour a boat put off from the shore to ask him, in the name of the Bendahara, who he was and why he came. The Portuguese admiral answered that he was an envoy from the King of Portugal with gifts for the Sultan of Malacca. Messages then seem to have been interchanged for several days, and ultimately a Portuguese of good position, one Teixeira, was sent ashore and conducted to the palace on an elephant. He handed the Sultan an Arabic letter signed by Dom Manuel, King of Portugal; he also gave

the Malay ruler some presents. This interview was followed by the usual interchange of compliments and friendly assurances; permission to trade was given, and, finally, Teixeira was conducted in honour back to his ship.

But in the town of Malacca all was excitement. The wealthy Indian merchants could hardly have viewed with equanimity the presence of strangers who threatened them with the loss of their trade. The suspicious rulers of the city feared the powerful fleet of Sequeira. The Bendahara wished to attack the Portuguese at once; the Laksamana and the Temenggong hesitated. The Sultan invited the strangers to a feast—perhaps with the intention of murdering them; Sequeira, with a rudeness that may have been wise, refused the dangerous invitation. Meanwhile the Bendahara's party had begun to collect a small flotilla behind Cape Rachado so as to be ready for all emergencies. The position was one of great tension. The Portuguese who landed at Malacca do not seem to have been molested, but they could hardly have failed to notice the nervous hostility of the populace. The "Malay Annals"—written a century later—contain echoes of this old feeling of fear and dislike of the strangers, the popular wonder at these "white-skinned Bengalis," the astonishment at the blunt bullet that pierced so sharply, the horror at the blunders in etiquette committed by the well-meaning Portuguese. "Let them alone, they know no manners," said the Sultan, when his followers wished to cut down a Portuguese who had laid hands on the sacred person of the king in placing a collar round his neck. At such a time very little provocation would have started a conflict, and a misunderstanding probably brought it about. A sentry suspected the crews of the Malay boats of wishing to board the Portuguese vessels. He gave an alarm. A panic at once arose: the Malays on deck sprang overboard; the Portuguese fired their guns. Sequeira avoided any further action in the hope of saving those of his men who were on shore at the time, but the sudden appearance of the Malay flotilla from behind Cape Rachado forced his hand. The Portuguese sailed out to meet this new enemy and so lost the chance of rescuing the stragglers. When they returned it was too late. The city was now openly hostile; the Europeans on shore had been taken; the fleet was not strong enough to capture the town unaided. After wasting some days in useless negotiations, Sequeira had to sail away. His expedition had been an utter failure. After plundering a few

native ships he sent two of his own fleet to Cochin and returned to Portugal without making any attempt to redeem his mistakes.

King Emmanuel of Portugal was not the man to submit tamely to a disaster of this sort. Fitting out three more ships under Diego Mendez de Vasconcellos he sent them—in March, 1510—to organise a fresh attack on Malacca. This fleet was diverted by Albuquerque to assist him in his Indian wars, but in May, 1511, the great Viceroy himself set out to attack Malacca, taking nineteen ships, 800 European troops and 600 Malabar sepoys. He first sailed to Pedir in Sumatra. There he found a Portuguese named Viegas, one of Sequeira's men, who had escaped from captivity in Malacca and who reported that there were other Portuguese fugitives at Pasai. The Viceroy sailed to Pasai and picked them up. He was well received by the people of Pasai, but he sailed on at once in order to overtake a native ship that was bearing the news of his approach to Malacca. He caught this vessel and slew its captain. Still sailing on, he captured a large Indian trading ship from which he learnt that the rest of Sequeira's men were still alive and in bondage to the Malays, the leading man among them being one Ruy d'Aranjo, a personal friend of the Viceroy. On the 1st July, 1511, Albuquerque and his fleet of nineteen ships sailed into the roadstead at Malacca with trumpets sounding, banners waving, guns firing, and with every demonstration that might be expected to overawe the junks in the harbour and the warriors in the town.

At the sight of the powerful Portuguese fleet the native vessels in the roadstead attempted to flee, but the Viceroy who feared that any precipitate action on his part might lead to the murder of his fellow-countrymen in the town ordered the ships to stay where they were and assured them that he had no piratical intentions. The captains of three large Chinese junks in the harbour then visited the Portuguese admiral and offered to assist him in attacking the town; they, too, had grievances against the port authorities. The captain of a Gujerat trading ship also brought a similar tale. Early on the following day, there came envoys from the Sultan to say that the Malay ruler had always been friendly to the King of Portugal, and that his wicked Bendahara—who had recently been put to death—was entirely responsible for the attack on Sequeira. Albuquerque made every effort to impress the envoys with a sense of his power, but he replied with the simple answer that no arrange-

ment was possible until the prisoners had been released. The prisoners were, indeed, the key of the situation. The admiral was sure that any attack on the town would be the signal for their massacre; the Sultan vaguely felt that to give them up would be to surrender a powerful weapon of defence. So the days passed; the Malays were arming, the Portuguese were examining the roadstead with a view to devising a good plan of attack, but neither side was guilty of any overt act of hostility. At the Malacca court itself the usual divided counsels prevailed, the war party being led by the Sultan's eldest son and by the Sultan's son-in-law, the Prince of Pahang. After seven days of futile negotiations a man from the town slipped on board the admiral's ship with a letter from Ruy d'Aranjo, the most important of the prisoners, strongly advising Albuquerque to abandon all idea of rescuing them and to begin the attack without further delay. Although the Viceroy was not prepared to take advantage of this heroic offer of self-sacrifice on the prisoners' part, he felt that his present policy could lead to nothing. By way of a demonstration he burnt some of the Malay shipping in the harbour and bombarded a few of the finer residences on the seaside. The demonstration produced an unexpected result: Ruy d'Aranjo was at once released. He brought with him the news that many of the townspeople were hostile to the Sultan and would be prepared to turn against the Malays should the opportunity present itself. This information probably settled the fate of the city.

More negotiations followed. Albuquerque asked for permission to build a fortified factory in the town of Malacca so that Portuguese merchants might be able to trade there in peace and safety; he also asked for the return of the booty taken from Sequeira and for an indemnity of 300,000 cruzados (about £33,500). He found that the Sultan was not indisposed to make concessions, but that the younger chiefs were clamorous for war. Ultimately, as often happens in Malay councils, the Sultan decided to stand aside and to let the opposing parties—the Portuguese and the princes—fight it out. He himself kept to the defensive and refused either to make concessions or to lead an attack. As soon as this decision was arrived at, the Prince Alaedin and the Sultan of Pahang set about the defence of the town, while the Javanese chiefs seem to have assured the admiral that the coming conflict was no concern of theirs and that they were, if anything, well disposed to the Portuguese.

In order to understand the plan of attack it is necessary to appreciate the difference between the Malacca of 1511 and the Malacca of the present time. It is often supposed that the harbour has silted up and that the conditions cannot be reproduced, but it should be remembered that the Portuguese ships were small vessels of light draught and could lie much closer to the shore than the deep-draughted steamers of to-day. The great change that has come over the harbour is due to the shifting of the river-channel after it enters the sea. The old maps of Malacca show that the Malacca river on reaching its mouth turned sharply to the right and had scooped out a comparatively deep channel very close to the northern shore where the houses—then as now—were thickly clustered. This channel was the old harbour of Malacca; it enabled light-draughted ships to anchor very near the land, and it explains how the Portuguese with their guns of little range could succeed in bombarding the houses on the shore. Landing was, however, another matter. The deep mud-banks made it extremely difficult to land under cover of the guns of the fleet; the true landing place—then as now—lay just inside the river itself. Above the landing place—then as now—there was a bridge, though the old Malay bridge was a little further up the river than the present structure. This bridge, since it commanded the landing place and maintained communications between the two sections of the town, was the key of the whole situation. Both sides realised how matters stood. The Malays strongly fortified the bridge and stationed upon it a force of picked men under an Indian mercenary named Tuan Bandam. The high ground immediately to the south of the river—St. Paul's Hill, as it is now called—was the true Malay citadel. It was covered with the houses of the principal adherents of the Sultan and was the site of the Sultan's palace itself. It protected the bridge and was garrisoned by the followers of the war-party, the Prince Alaedin and the Sultan of Pahang. It was felt by all that the landing places and the bridge would be the centre of the coming struggle.

Behind all this show of Malay strength there was, however, very little true power. The Malays themselves were nothing more than a military garrison living on the resources of an alien community. The trading town of Malacca was divided up into quarters under foreign headmen. The Javanese of Gersek held Bandar Hilir to the south of the river; the Javanese and

Sundanese from Japara and Tuban held Kampong Upeh to the north of the river. The Indian merchants also possessed a quarter of their own. These alien merchants did not love the Malays. All they wanted was to trade in peace; at the first sign of a struggle they began to remove their goods to places of safety and had to be forcibly prevented from fleeing inland. The Sultan of Pahang with his fire-eating followers was not a very reliable ally; he had no real interest in the war. The conflict ultimately resolved itself into a trial of strength between the personal retainers of the Sultan and the 1,400 soldiers of Albuquerque, but the advantage of position was all on the side of the Malays.

The Viceroy's preparations for attack lasted several days. He spent that time in tampering with the loyalty of the Javanese and other foreign communities, and in constructing a floating battery of very light draught to enter the river and bombard the bridge. The battery was not altogether a success. It grounded at the very mouth of the river and was exposed for nine days and nights to incessant bombardment from both banks. Its commander, Antonio d'Abreu, had his teeth shot away at the very first attack, but he stuck doggedly to his post and saved the battery from capture. At last Albuquerque landed a strong force, obtained temporary possession of both banks and forced the floating battery up to a more commanding position whence it made short work of the bridge itself. The battery had now served its purpose and had made communication between the two banks of the river less ready than it had previously been, but the fight was by no means over. The Prince Alaedin and his men furiously attacked the landing party and were only beaten off after the Portuguese had lost 80 men in killed and wounded. The Viceroy tried to follow up his success by attacking the mosques and palace on what is now St. Paul's Hill. Bewildered in a maze of buildings the Portuguese again suffered heavy loss and had to beat a confused retreat to their landing place. There they entrenched themselves and were able to hold their own. Their only substantial success had been the capture of the outworks built by the Malays to protect the landing places; the fortifications of the bridge itself were still uncaptured.

The next attack took place on St. James' Day, the 24th July, 1511. The Viceroy landed bodies of men on both banks of the river and advanced again upon the bridge. The Portuguese

on the south bank were furiously attacked by a Malay force of about 700 men headed by the Sultan in person. The battle seems to have been a very terrible one and to have raged principally about the south end of the bridge where the high ground of the hill approaches nearest to the river. From their place of vantage on the slopes and under cover of their buildings the Malays poured an incessant stream of poisoned darts upon the Portuguese who replied by burning the houses and endeavouring to drive the Malays out of their cover. Encumbered with armour and weapons the Portuguese found that the heat of the fire was more than they could resist. To add to their troubles, the Laksamana Hang Tuah brought down a flotilla of boats and fireships that harassed the flanks and threatened the communications of the Viceroy's forces. Albuquerque decided to retreat. He retired to his ships, taking with him seventy of his men who had been struck down with poisoned darts. Of these seventy men, twelve afterwards died and the rest suffered from constantly recurring pains for a long period of time.¹ The Malay losses will never be known. The Sultan of Pahang, whose houses had been burnt and whose property had been plundered, left his father-in-law in the lurch and returned to his own country. The fire-eating youths of Malacca, who had egged on their Sultan to war, had now had enough of the fighting. The foreign merchants had learnt that their Malay masters were not omnipotent. Although the Viceroy had been consistently repulsed, his very pertinacity had practically secured the victory. When he landed again on the following day all organised resistance was over. The foreign subjects of the Sultan refused to expose their lives in a hopeless cause that was not their own. The Sultan's retainers found that the profit of war was not worth its risks. The Sultan himself fled. A few untameable spirits like the Laksamana continued to carry on a guerilla warfare against the Portuguese, but with no real hope of success. The foreigners all submitted—first the Peguans, then the various sections of the Javanese community. They even joined the Portuguese under the brothers Andrade in an expedition to destroy the stockades of the Prince Alaedin. After this defection the Malay prince saw the futility of further resistance; he followed his father in his flight to the interior. A few scattered bands of outlaws represented all that was left of the famous Malay Kingdom of Malacca.

¹ One account says that they all died except one man who cauterised his wound.

The spoils taken by the Portuguese are not exactly known. According to some authorities, the value of the plunder was 50,000 cruzados, or about £6,000; others say that this only represented the King's share of the spoil. It was also said that several thousand cannon—either 3,000 or 8,000—were captured. This expression may refer to mere firearms, but it must be enormously exaggerated even with this limitation. The Malay forces were very small and they inflicted most damage with poisoned darts. Moreover, we are specially told that Albuquerque sent home as his only important trophies one or two cannon of Indian make and some Chinese images of lions. Had it not been for the foreign elements in the population of the town of Malacca the capture of the city would have been an act of useless folly; as it was, the victory was a valuable one. It substituted a Portuguese for a Malay ruling class without destroying the trade-tradition of the place, and it gave the Portuguese a naval base, a trading centre and a citadel that they could easily hold against any attacks that the Malays might organise.

The Viceroy could not afford to garrison Malacca with the force that had sufficed to take it. He had captured it with the whole of the available forces of Portuguese India—19 ships, 800 European soldiers, and 600 sepoy; he left a small company under a captain. If anything were needed to show the unreality of the wealth and power ascribed by some imaginative writers to these old Malayan "empires" or "kingdoms" it would be the insignificance of the Portuguese garrisons that held their own against all attacks and even organised small punitive expeditions in reply. The loss of ten or twelve Portuguese was a disaster of the first magnitude to the captain in charge of the town and fort of Malacca. A small Portuguese reverse on the Muar river—when the gallant Ruy d'Aranjo was killed—enabled the Laksamana Hang Tuah to entrench himself on the Malacca river and to "besiege" the town. This famous Malay chief, whose name still lives in the memory of his countrymen, was a man of extraordinary energy and resource. He fought the Portuguese by sea in the narrows of the Singapore Straits; he surprised them off Cape Rachado; he harassed the town of Malacca from the upper reaches of its own river; he intrigued with the allies of the Portuguese; he even induced a Javanese fleet to threaten Malacca. This indefatigable fighter died as he had lived, desperately warring

against the enemies of his race. With his death and with the destruction in 1526 of the Sultan's new stronghold on the island of Bintang, the Malay power was utterly destroyed. From 1511 to 1605 the Portuguese were the real masters of the Straits.

The history of Malacca from the date of Sequeira's expedition (A.D. 1509) to the time when it was captured by the Dutch (A.D. 1641) reads like a romance. It is associated with great names like those of Camoens and St. Francis Xavier; it is the story of desperate sieges and of the most gallant feats of arms. Tradition has it that once when the garrison had fired away their last ounce of powder in the course of a desperate battle against the Achehnese the suspicious-seeming silence of the grim fortress was enough to terrify the enemy into flight. We are not, however, concerned with the romance of its history so much as with its political aspect. There is something significant in the very titles of the officials of Malacca. The Portuguese Governor of Malacca was its "captain," the heads of the native communities were "captains" too. Indeed, Albuquerque went so far as to appoint the Javanese headman, Utimuti Raja, his Bendahara. The officials of the Dutch bore trading names such as "supercargoes," "merchants" or "storekeepers"; the civil servants of our own East India Company were "writers." There is no arrogance about any of these descriptions; they only showed what their bearers really were. What, then, are we to make of titles such as those of the "Viceroy of Africa, Arabia and Persia" and the "Viceroy of India"? They hardly represented realities; did they symbolise any national policy or ambition?

The aim of all the European powers in the Far East—whether Portuguese or Dutch or English—was to capture the rich trade of these countries. Sequeira asked for permission to trade; Albuquerque asked for permission to build a fortified factory at Malacca; the East India Companies of the Dutch and English were merely trading concerns. Yet there was this difference. The imperial idea—which in the case of the Dutch and English took centuries to develop—seems to have existed from the very first in the minds of the Portuguese. It was not the imperialism of the present day. Albuquerque did not seek to administer even when he claimed suzerainty; he allowed his Asiatic subjects a wide measure of self-government under their own "captains" in the very town of Malacca itself. Although

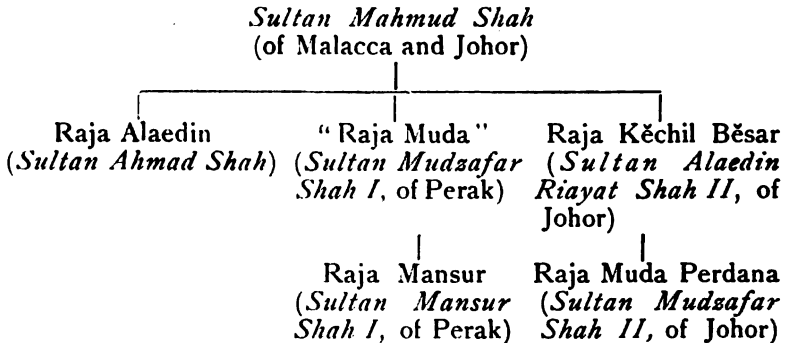
he did not indeed try to administer, he tried to dominate. The Portuguese power would brook no rival. The garrisons were small—they were not sufficient to hold any tract of country—but the striking force of the Viceroyalty was sufficient to destroy any trading port that refused to bow to the wishes of the Portuguese or that set itself in irreconcilable hostility against them. Again and again, at *Kampar*, in the island of *Bintang*, and on the shores of the *Johor* river, did the Portuguese expeditions harry the fugitives of the old Malay kingdom and destroy the chance of any native community rising to menace their fortified base at *Malacca*. What they did in these Straits they also did on the shores of *India* and *Africa*. The titles of the old Portuguese Viceroys were not misnomers, though they did not bear the administrative significance that we should now attach to them. The Portuguese fleet did really dominate the East. The weakness of this old Portuguese "empire" lay in the fact that it could not possibly survive the loss of sea-power. It consisted—territorially—of a few naval bases that became a useless burden when the command of the sea passed into the hands of the English and Dutch. The fall of *Malacca* may be truly said to date from A.D. 1606, when the Dutch Admiral *Cornelis Matelief* gained a decisive victory over the Portuguese fleet in the Straits of *Malacca*. From that time forward the doom of the town was sealed. Trade went with the command of the sea; apart from its trade, *Malacca* had no sufficient revenue and became a useless burden to the Viceroys of *Goa*. Portuguese pride did indeed induce the Viceroys at first to send expeditions to the relief of their beleaguered countrymen in the famous fortress, but as siege succeeded siege it became obvious that the fate of the city was only a question of time. It fell in 1641.

After Sultan *Mahmud* had been driven out of *Malacca* he fled to *Batu Hampar*, while his son, the Prince *Alaedin*, built a stockade at *Pagoh*. *Pagoh* was soon taken by the Portuguese. The Malay princes then took refuge for a time in *Pahang*, after which they established themselves far up the *Johor* river where they were relatively safe from attack. Settlements far up a river are, however, of very little use either for trade or piracy, so—as the Malays regained confidence—they moved southwards and established themselves on the island of *Bintang*, Sultan *Mahmud* at *Tebing Tinggi* and the Prince *Alaedin* at *Batu Pelabohan*. This Prince *Alaedin* had been raised to sovereign rank and bore

the title of Sultan Ahmad Shah, to the great confusion of historical records, which confuse him both with his father, Sultan Mahmud, and with his brother who afterwards bore the name of Sultan Alaedin. In any case, this Sultan Ahmad died at Batu Pelabohan and was buried at Bukit Batu at Bintang; if Malay rumour is to be believed, he was poisoned by his father. Sultan Mahmud then installed his younger son as Raja Muda, but did not confer on him the sovereign dignity borne by the murdered Ahmad Shah. After this the Sultan moved his head-quarters to Kopak. There another son was born to him—this time by his favourite wife, Tun Fatimah, the daughter of the famous Bendahara who had so bitterly opposed Sequeira. The child was given the title of Raja Kechil Besar and was afterwards allowed (through his mother's influence) to take precedence of his elder brother the Raja Muda and to be raised to sovereign rank as the Sultan Muda or Sultan Alaedin Riayat Shah II. Meanwhile the Malay settlement of Kopak had increased sufficiently in importance to attract the notice of the Portuguese. In 1526 it was surprised by the Viceroy Mascarenhas, who utterly destroyed it. Sultan Mahmud, again a fugitive, took refuge at Kampar in Sumatra. As the Portuguese had just abducted the ruler of Kampar and had incurred the deadly hostility of the inhabitants of that Sumatran port, the aged Sultan Mahmud was welcomed and was recognised as sovereign in the absence of the lost chief. He died shortly afterwards, leaving the throne to his son Alaedin Riayat Shah II. The new Sultan was not left in peace by the Portuguese. Driven by them out of Kampar he ultimately settled at a place on the Johor river where he died and was succeeded by his son, the Raja Muda Perdana, who took the title of Sultan Mudzafar Shah II. This Mudzafar Shah established his capital at Seluyut (Johor Lama), but he had outlying stations on the trade routes. At a later date these stations were destined to become important.

The Sultans of Perak claim descent from a "Sultan Mudzafar Shah," an elder son of the Sultan Mahmud who was driven from Malacca by the Portuguese. The present Sultan of Perak has himself said that this Sultan Mudzafar Shah went to Perak because he had been passed over for the succession by his younger brother. If this tradition is correct the "Sultan Mudzafar Shah" of Perak would not be the poisoned Alaedin (Sultan Ahmad Shah) but the young Raja Muda, who was set aside by his father in favour of the Raja Kechil Besar, after-

wards Alaedin Riayat Shah II. All that we know about this disinherited member of the royal line is that he married Tun Trang, a daughter of Tun Fatimah by her first husband, Tun Ali, and that he had a son, Raja Mansur. This accords with the Perak story that Sultan Mudzafar Shah was succeeded by his son, a Sultan Mansur Shah. The following table shows the line of descent :



This pedigree would go to prove not only that the Sultan of Perak represents the senior line of the oldest Malay dynasty, but also that he is directly descended from the famous line of Bendaharas whose glories are the subject of the "Sējarah Mēlayu."

Sultan Mudzafar Shah II seems to have reigned in comparative peace at Johor. The only incident of any importance recorded about him was his secret marriage under rather suspicious circumstances to a Pahang lady, the divorced or abducted wife of one Raja Omar of Pahang. Sultan Mudzafar Shah did not live long. When he died the chiefs placed his son Abdul Jalil on the throne. The new sovereign, Abdul Jalil Shah, suffered great tribulations at the hands of the Portuguese, who burnt Johor Lama and drove him to the upper reaches of the river where no ships could follow him. He settled ultimately at Batu Sawar, which he named Makam Tauhid. He died at this place, leaving two sons (Raja Mansur and Raja Abdullah) by his principal wife, and three sons (Raja Hasan, Raja Husain and Raja Mahmud) by secondary wives. It is said that the last three became rulers of Siak, Kelantan and Kampar, respectively, while Raja Mansur succeeded to the throne of Johor under the title of Alaedin Riayat Shah III. It was in the reign of this Alaedin Riayat Shah that the Dutch and English first came to Johor.

EARLY BRITISH TRADE WITH EASTERN ASIA.

In October, A.D. 1589, less than one year after the defeat of the Armada, a body of English merchants memorialised Queen Elizabeth for permission to send ships to trade with India. The memorialists, after discussing the Portuguese settlements in the East and the occupation of Malacca and the Moluccas, drew attention to the many places that might still be profitably visited. The Queen gave the desired permission. In A.D. 1591 an expedition of three ships was sent out by the merchants, but only one ship, under Captain James Lancaster, succeeded in reaching the East Indies. A second expedition under Captain Wood in A.D. 1596 proved a failure. Three years later an association was formed with a capital of £30,133 6s. 8d.; and a charter was petitioned for on the ground that "the trade of the Indies being so far remote from hence cannot be traded but in a joint and united stock." This resulted in the grant, on the 31st December, A.D. 1600, of a "Charter of Incorporation of the East India Company by the name of the Governor and Company of Merchants of London trading in the East Indies." The charter was to run for fifteen years.

The first expedition sent out by the newly created Company was commanded by Captain Sir James Lancaster, who had visited the Eastern seas in the previous expedition of A.D. 1591, and who now received from the Queen a circular letter to "the Kings of Sumatra and other places in the East Indies." Sir James Lancaster established trading stations at Acheen and Bantam. He brought back merchandise on which £1,000 was paid in customs duties and he was also the bearer of a letter and gifts from the Sultan of Acheen to Queen Elizabeth. The gifts consisted of a ruby ring and two "gold embroidered vestures" in a china casket; the letter assented to an alliance against the Spaniards and Portuguese of Malacca "whose king and his subjects are our enemies in this world and the world to come." Invaluable experience of the conditions of trade was also gained, with the result that the East India Company's second expedition (under Sir Henry Middleton) paid 95 per cent. profit on the capital subscribed, and the third expedition paid 234 per cent. profit and £4,500 in customs dues. Sir Henry Middleton also brought back friendly letters from Acheen and Bantam, the latter going so far as to say that "England and Bantam are now one." The fourth expedition was a disastrous failure; one ship never returned to Europe and the other,

when near safety, was lured to its destruction by wreckers on the Breton coast. The loss of ship and cargo was estimated at £70,000, and £7,000 more was wasted in seeking redress from the French Government. Other ships continued, however, to be sent out. In A.D. 1613 the customs dues paid by the East India Company amounted to £13,000. In A.D. 1615 two ships actually paid £14,000 between them; in A.D. 1616 the cargo of a single ship was valued at £140,000.

In order to appreciate the significance of these figures, it is necessary to bear in mind the fact that the entire customs revenue of England was being farmed out in the last years of Queen Elizabeth's reign for £12,000 annually. The results of this Eastern trade were quite sensational; they practically doubled the value of the country's imports and held out the prospect of extraordinary wealth to the merchants who took part in it. The Government of James I., delighted at this new source of profit, confirmed the East India Company's charter in perpetuity and even extended its scope. There were, however, unpromising features in the situation. The English had no monopoly; the Portuguese and the Dutch were already established in the Eastern islands. Any competition between rival purchasers would inevitably force up prices and reduce the profits of the European trader. Any attempt to secure a monopoly by force of arms would dissipate in the cost of armaments the profits that the trade could bring in. Accordingly, in A.D. 1615, the Dutch East India Company proposed an amalgamation with the English, the two associations to subscribe £1,200,000 between them. At that time the Dutch had invested £900,000 in the trade.

The position in the Indian Archipelago at that time was a peculiar one. The Dutch had, at their own expense, broken down the Portuguese monopoly of commerce in the Far East. In A.D. 1606 Admiral Cornelis Matelief de Jonge, with eleven ships, some slight help from Johor and four Sumatran junks, had attacked Malacca and nearly captured it. The town was relieved, after heavy fighting, by a Portuguese fleet of twenty-six sail under Don Louis de Lobato; but the undaunted Dutch Admiral, after replenishing his supply of ammunition at Johor, returned to the attack and succeeded in defeating the Portuguese fleet and capturing its leader. The Dutch in the meanwhile had lost heavily, two of their ships had been sunk and 600 of their European soldiers and

sailors had been killed. They were not in a position to renew the attack on the town and had to continue to maintain a large fleet and army to secure their trade against molestation by the Portuguese. In A.D. 1618 the British East India Company was informed by its agents that the Dutch maintained 22 forts, 4,000 troops, and 30 large ships in the Indies, and that the cost of this establishment (which would be shared by the British in the event of the amalgamation of the Companies) caused a most serious reduction of their profits. The London Company temporised; it had profited by the Dutch armaments without contributing to their cost, and it desired so satisfactory a state of affairs to continue as long as possible. The Dutch became exasperated; those in Europe pressed for a speedy decision, while those in the Indies did not hesitate to attack the British ships that interfered with their trade. The agents of the London Company then wrote to their employers that although a refusal to amalgamate would probably end in the English being ousted from the Indian Archipelago, the English factories on the mainland of India were strong enough to drive out the Dutch and secure a monopoly of the profitable trade of Hindustan. These counsels against amalgamation prevailed. In A.D. 1624 the exasperated Dutch attacked the British factory at Amboyna and massacred its occupants. This massacre naturally roused great indignation among the people of England, but it is evident from the correspondence of the British East India Company that the Company deliberately imperilled the safety of its factors rather than come to a fair agreement with the Dutch. In any case, the results of the Company's policy were exactly what had been anticipated: the British flag began to disappear from the waters of the Eastern Archipelago while the factories in Hindustan ultimately made England the predominant power in India.

The system followed by the East India Companies seems to have been that of stationing one or more European "factors" or agents at the principal ports to buy and sell goods on behalf of their employers. A great deal turned upon the character of these men. The London Company impressed upon its representatives in India that "the glory of a factor is the gain of his employers and the contrary his discredit"; it supplied them with profitable reading, "books of divinity for the soul and of history to instruct the mind"; it admonished them "to be the more

respective and shun all sin and evil behaviour that the heathen may take no advantage to blaspheme our religion by the abuses and ungodly behaviour of our men." In spite of all this good advice many of the factors turned out to be unprofitable servants. They made up for their insufficient pay by trading on their own behalf; in fact, to use the forcible language of the contemporary comments on their behaviour, they "sheared sheep" and only allowed the parent Company to "shear hogs." The moral lessons seem to have been equally wasted. At Acheen twenty-four men from one expedition are reported to have died through drinking arrack; others died through "the inordinate drinking of a wine called tadie distilled from the palmetto-trees"; others were severely censured for immorality; one "very dissolute scapethrift" went so far as to "capitulate his soul to the devil by turning accursed Mahometan."

We know a good deal about the nature of the old East Indian trade. Sumatra sold pepper, gold, camphor, wax and benzoin; it bought Cambaya and Masulipatam commodities. The Java factories at Bantam, Gersek, Jacatra and Japara did a great trade in pepper; Bantam produced from 60,000 to 150,000 sacks of pepper a year. The Borneo factories at Sukadana, Landak, Sambas and Banjarmasin did business in diamonds, bezoars, gold and wax. Patani was a profitable market for the sale of Coromandel and Surat cloths. India exported pearls, rubies, emeralds, rich velvets, cloth of gold, tapestry, satins and damasks. The trading-ships also purchased cloves, mace, nutmegs, gumlac, diamonds, and ambergris wherever they could get them. Only the more precious spices and commodities were worth the cost of transport to Europe, so that the nature of the cargoes of the East Indiamen gave an entirely false impression of the Indies as a place

"Where the gorgeous East with richest hand
Showers on her kings barbaric pearl and gold."

Locally, however, the ships did a profitable trade by buying "coast-cloths" in India and selling them in the Eastern Archipelago. The cargoes from Europe included gloves, embroidered caps, purses, mirrors, glass-ware, knives, pictures, striking-clocks, coloured beaver hats and silk stockings. The London merchants even went so far as to send the Great Mogul a portrait of himself, painted from imagination by an artist in England, but "it was nothing like him and served no use at all." In some places trade was impossible. At Macassar no business

could be done because the Hollanders had "murdered the king's most dearly loved nephew, more like cannibals than Christians," and in Cochin-China all strangers were upset into the water and harpooned "like fishes" because Dutch traders had palmed off false dollars on the king.

Of the social and political conditions prevailing in the islands we learn very little from the Company's records. Neither the London merchants nor their agents in the East were at all interested in the peoples with whom they had trade relations, unless, perhaps, we have to except the "dissolute scapethrift" who seems to have made some enquiries into the religion of the country. We have also a severe criticism of a factor for arrogance; the Company is advised to employ men of "good carriage with a humble spirit" for "these men (the Achehnese) are desirous of honour and to have good words." Incidentally we also learn that customs duties were levied in Java— $5\frac{1}{2}$ per cent. *ad valorem* at Bantam, and $3\frac{1}{2}$ per cent. *ad valorem* at Jacatra. At Achehnese ports no trade could be done without the Sultan's letter of authority, for which the factors had to pay heavily; but the Sultan must have also made money in other ways for he closed Tiku to foreign commerce in order to make all business pass through his own port at Bandar Acheh. This incident goes to show that the central government was powerful enough to enforce its authority at an out-port, and it also goes to show that the local authorities could not be trusted to collect revenue on behalf of the sovereign. Of the Sultan of Acheen, the great Iskandar Muda or "Mahkota Alam," we have a very gloomy picture; he is described as very cruel, very grasping, base, covetous, delighting in drinking and making men drunk. He was boastful and unreliable; a report that he was about to set out with a great fleet of galleys to attack Malacca is dismissed by the Company's agent with the sharp criticism, "but their words and deeds seldom agree." Of the Sultan of Johor we are told: "The King of Johor is now [A.D. 1613] at Acheen, having married that king's sister; they often *drink drunk* together." At Patani, the English were, at first, "honourably received by the Queen and country people"; later on they were driven away "in respect of great charges, taxations and other unkind usage imposed on strangers." The letters of the English factors say much that is evil about the native chiefs, but make no complaints whatever about the people. Even the worst that is said about the Sultan of Acheen

falls short of the criminality imputed by the Company's agents to their Dutch rivals; the "charges, taxations and other unkind usage" which the traders had to put up with from the local Sultans compare very favourably with the massacre of Amboyna and with the treatment generally meted out by the Dutch to the English and by the English to the Dutch.

It is usual to look upon the time of these early voyages as an age of romance. In reality it is a sordid record of unprofitable servants who defrauded their employers and disgraced their country, and of a sanctimonious Company that supplied its employees with devotional literature, underpaid them and sacrificed their lives rather than reduce its dividends. The story of the beginnings of British trade with the Far East is instructive rather than romantic. It explains the "mildness" of our subsequent rule. The Dutch and English were essentially traders and were quite content to respect the religious ideas and racial customs of the people with whom they came in contact; the Portuguese and Spaniards, who were missionaries, colonisers and conquerors, forced their own creed and their own institutions upon their subjects. The politic spirit of tolerance which grew up along with our Indian Empire was due originally to commercial greed and not to any innate spirit of kindliness to the "accursed Mahometan," as the Company agents described him. Trade paid handsomely; territorial acquisitions did not pay. Rather than contribute to the cost of the Dutch Company's troops and fleets, the British Company deliberately sacrificed its share of the trade of the Archipelago. Nevertheless, the Dutch, with a wider experience of the Eastern trade than the English then possessed, slowly recognised the necessity of territorial acquisitions. They saw (as the English in India afterwards saw) that the cheap "factory" was too dependent for its prosperity, and even for its security, upon the goodwill of greedy native despots to be permanently successful, so they turned it first into an extraterritorial concession, then into a fort, and then into a fortified settlement. These steps were not taken in any spirit of imperialism or of land-hunger. In the Peninsula the Dutch held the port of Malacca as well as forts at Kuala Linggi, Kuala Selangor and the Dindings, but they never attempted to govern the hinterland of their possessions. They recognised that administration did not pay, and were content, even in the town of Malacca itself, to leave the natives a large measure of self-government under their own "captains." In these days of scientific

warfare it is hard to realise how difficult and costly it was to defend large stretches of territory in days when European troops were hard to obtain and had to be highly paid, and when matchlocks and flintlocks, slow to load and limited in range to about a hundred yards, gave very little advantage over the primitive weapons of an uncivilised foe. Wars in those days were not wars of conquest; they were punitive expeditions. By degrees, as the Dutch and English became stronger both in war and administrative knowledge, they began to consider that the best defence against a harassing native enemy was a vigorous offensive, and that complete subjugation alone led to permanent peace; then, when the discoveries of modern science made conquest easier still, wars were undertaken simply to prevent native misrule interfering with trade. All these changes, however, belong to a later period. The early British and Dutch navigators, though they laid the foundations of great empires, were themselves averse to territorial rule. Professor Seeley, in his famous book on "The Expansion of England," has paradoxically pointed out that the British Empire was acquired "in a fit of absence of mind." He might have gone further and proved that the best feature in the theory of British Government—the kindly treatment of Asiatic races—was actually due to the absence of the imperial spirit. The Spaniards and the Portuguese—not the English and the Dutch—were the real imperialists of the sixteenth century. The trader treated the natives with a wise considerateness, while the conqueror, conscious of his strength and higher civilisation, behaved to his subjects with a contemptuous arrogance which ultimately demoralised both him and them.¹

THE DUTCH ASCENDANCY.

About the end of the year 1602 A.D. a Dutch navigator of the name of Jacob van Heemskerck visited Johor and left a factor behind, after satisfying himself that the factor's life was not likely to be endangered by any peace between the Malays and the Portuguese. By doing this he attracted to Johor the unwelcome attentions of the Governor of Malacca, who at once sent a few small vessels to blockade the river. However, in

¹ The quotations in this chapter are taken from the "Calendar of State Papers relating to the East India Company," vols. I and II.

A.D. 1603 two Dutch ships that came to visit the factor drove away the Portuguese flotilla and obtained great honour in the sight of the Malays. From this time onwards the Dutch came constantly to Johor. Their factor, Jacob Buijsen, resided continuously at his station and seems to have done a good deal to turn an insignificant fishing village into an important centre of trade and political influence. In this work of development he received every assistance from the Sultan's brother, Raja Abdullah, who was anxious to make a definite alliance with Holland and to obtain some permanent protection against Portuguese attack. A Malay envoy was sent to Holland but died on the journey, so that no treaty was actually made till A.D. 1606 when Admiral Cornelis Matelief with a powerful fleet arrived in the Straits of Malacca.

The Dutch account of this expedition tells us that the old Sultan Abdul Jalil Shah had been a great fighter and had waged a long war against the Portuguese. At his death he left four sons. The eldest, the "King Yang-di-pertuan" (Alaedin Riayat Shah III), was in the habit of getting up at noon and having a meal, after which he drank himself drunk and transacted no further business. A second son, the King of Siak, was a man of weak character who rarely visited Johor. A third, Raja Abdullah, is described as a man of about thirty-five years of age, fairly intelligent, far-sighted, quiet in disposition and a great hand at driving hard bargains. The fourth brother, Raja Laut, is depicted as "the greatest drunkard, murderer and scoundrel of the whole family..... All the brothers drink except Raja Abdullah; and, as the rulers are, so are the nobles in their train." Such then were the men whom Admiral Cornelis Matelief had come to succour. But we must not condemn these men too hastily. The Bendahara or prime minister of these princes was the author of the Annals, our great source of information on Malay history. The royal drunkard, Alaedin Riayat Shah, was the man who ordered the Annals to be written. The "great hand at driving hard bargains"—Raja Abdullah—is the patron of the history: "Sultan Abdullah Maayat Shah, the glory of his land and of his time, the chief of the assembly of true believers, the ornament of the abodes of the Faithful—may God enhance his generosity and his dignities, and perpetuate his just government over all his estates." These men must have been something more than mere drunkards; and the historian has reason to be grateful to them.

On the 14th May, 1606, Admiral Matelief arrived off the Johor river and received a friendly letter of greeting from Raja Abdullah; on the 17th May he entertained the prince on board his flagship. The interview must have been amusing, for it is quite clear that the Dutch had come to the Straits with the most exaggerated ideas about the greatness of Johor. On boarding the Dutch ship Raja Abdullah greeted his host most cordially and presented him with a "golden kris studded with stones of little value." In welcoming the sailors to Malay waters, the Raja prolonged the compliments to such an extent that the impatient admiral tried to lead him up to business by a pointed enquiry regarding the nature and extent of the help that might be expected from Johor if the Dutch attacked Malacca. In this matter, however, the prince was anxious not to commit himself. He explained that he was an *orang miskin*, a person of little wealth and importance, subordinate in all things to the will of his royal brother. "In short," says our angry Dutch chronicler, "all the information that we could obtain from this prince was that he was a very poor man indeed; had he been able to fight the Portuguese by himself, would he have sent to Holland for assistance?" This was unanswerable. The admiral gave up all hope of obtaining any real armed assistance from Johor.

Nevertheless, a treaty was signed. It is the first Dutch treaty with Johor and is dated the 17th May, 1606. Its terms are interesting.

The new allies began by agreeing to capture Malacca. After capturing it, they were to divide up the spoil—the city was to go to the Dutch and the adjoining territories to the Malays, but the Dutch were to possess the right to take timber from the nearest Malay jungles for the needs of the town and its shipping. The permission of the future Dutch Governor of Malacca was to be obtained before any European could be permitted to land on Johor territory.

As this treaty seemed a little premature until the capture of Malacca had been effected, Admiral Matelief set out at once to carry out that portion of the arrangement. He gained a decisive victory over the Portuguese fleet but failed to take the town, and ultimately gave up the enterprise as impracticable. On the 23rd September, 1606, he made an amended treaty under which a small portion of Johor territory was ceded to the Dutch as a trading station in lieu of the town and fort of Malacca, the rest of the treaty remaining

the same as before. After concluding this agreement he sailed away and only returned to the Malay Peninsula in October, 1607, when he visited the factory at Patani. He then found that a complete change had come over the position of affairs at Johor. The Portuguese—having lost the command of the sea—had reversed their policy of unceasing hostility to native powers, and were now prepared to make an alliance with the Sultan. The Dutch factor had fled to Java, and the admiral summed up the situation in a letter dated the 4th January, 1608: "the chief king drinks more than ever; the chiefs are on the side of the Portuguese; Raja Abdullah has no power." The Dutch East India Company had invested \$10,000 at Johor and \$63,000 at Patani.

Admiral Matelief could do very little. As he had sent most of his ships home in anticipation of the arrival of a fleet under Admiral van Caerden he tried to induce Admiral van Caerden to change his course and threaten Johor, but he was too late as the admiral had sailed already from Java on his way to the Moluccas and was too far away to give any assistance. Nothing could be done till the autumn. In the end, a Dutch fleet arrived under Admiral Verhoeff to bring the Sultan to reason. Sultan Alaedin Riayat Shah seems to have defended himself by the very logical argument that he wished to be at peace with everybody, and that Dutch friendship, to be of value, should accord him permanent protection. This permanent protection was promised him by a new treaty under which the Dutch agreed to build a fort at Johor and to station two guardships there to defend the place against Portuguese attack. Having made this arrangement the admiral sailed from Johor with a letter from the Sultan begging for Dutch aid to prosecute a personal quarrel between himself and the Raja of Patani. In fact, nothing could have been more fatuous than the policy of this Alaedin Riayat Shah. Surrounded by powerful enemies he was content to think only of the pleasures and passions of the moment, leaving all graver matters to the care of his cautious brother Raja Abdullah.

In A.D. 1610 the marriage of the Sultan's eldest son to his cousin, the daughter of the Raja of Siak, led to a complete change in the attitude of the fickle Alaedin Riayat Shah towards Raja Abdullah and the Dutch. The Raja of Siak, a friend of the Portuguese, became the real power behind the throne of Johor. Again, as in 1608, the Dutch might well have written:

"the king drinks more than ever; the chiefs are on the side of the Portuguese; the Raja Abdullah has no power." But vengeance overtook the treacherous Alaedin from a most unexpected quarter. On the 6th June, 1613, the Achehnese, who were at war with Malacca, suddenly made a raid on Johor, captured the capital and carried the Sultan off into captivity along with his brother Abdullah, the chief Malay court dignitaries and the Dutch residents in the factory. The Achehnese did not treat their prisoners very harshly. The Sultan of Acheen—the famous Iskandar Muda or Mahkota Alam—gave his sister in marriage to Raja Abdullah and even joined Alaedin in the convivial bouts that were so dear to the Johor princes. A reconciliation was effected. On the 25th August, 1614, Alaedin Riayat Shah was back in his own capital, but he does not seem to have learnt much wisdom from his stay in Acheen. Accused of lukewarmness in helping the Achehnese in their siege of Malacca, he brought upon himself for the second time the vengeance of the great Mahkota Alam. Johor was again attacked—this time by a force which an eye-witness, Admiral Steven van der Haghen, estimated at 300 ships and from 30,000 to 40,000 men. Johor was taken, but the Sultan himself escaped to Bintang. Bintang was next attacked. The unfortunate Sultan received some help from Malacca, but only just enough to seal his destruction. He was now unable either to repel the attack of his enemies or to clear himself of the charge of allying himself with the Portuguese infidel against whom Mahkota Alam was waging religious war. Alaedin Riayat Shah was taken prisoner and died very shortly afterwards; tradition has it that he was put to death by his captors.

Incidentally it may be observed that the "Malay Annals," though dated A.D. 1612, refer to "the late Sultan Alaedin Riayat Shah who died in Acheen." This reference shows that the book though begun in A.D. 1612 was not actually completed till some years later. It is very much to be regretted that the Malay historian should have confined his work to the records of the past and should have given us no account whatever of the stirring incidents in which he personally, as Bendahara, must have played a most prominent part.

Sultan Alaedin Riayat Shah III was succeeded by his brother Raja Abdullah, who took the title of Sultan Abdullah Maayat Shah. The new ruler possessed many good qualities and enjoyed the advantage of being married to a sister of Mahkota

Alam, but he was extremely unfortunate in being forced to contend against so jealous a potentate as his brother-in-law. He seems to have led the wandering existence of a pretender-king. In A.D. 1623 he was certainly driven out of the island of Lingga by an Achehnese force. In A.D. 1634 the Dutch records speak of Pahang and Johor as being incorporated in the kingdom of Acheen. No Dutch ships ever visited Abdullah during his sultanate; no Dutch factors were ever stationed at his court. He was deserving but unfortunate—a mere claimant to a throne that the Achehnese would not permit him to fill. He died in A.D. 1637.

He was succeeded—if indeed we can speak of succession to so barren a title—by his nephew, Sultan Abdul Jalil Shah II, son of the Sultan Alaedin Riayat Shah III who died in Acheen. The new ruler was more fortunate than his predecessor in that the Achehnese power was now on the wane. The mighty Iskandar Muda or Mahkota Alam, the most powerful and most ambitious of the rulers of Acheen, was dead; his sceptre had passed into the hands of women. These years—from 1637 onwards—may be considered years of revival among the Malay States that had been reduced to vassalage by Acheen, for they gave a new lease of life to the kingdoms of Johor, Pahang and Perak. In A.D. 1639 the Dutch, who were anxious to procure native assistance for the siege of Malacca, made overtures to the Sultan. Possessing the command of the sea they wanted Malay auxiliaries to assist them with supplies and transport, and to help in hemming in the Portuguese by land. The Dutch Admiral van de Veer accordingly entered into an agreement with Abdul Jalil Shah and definitely secured him as an ally in the war against Malacca. This time the Portuguese stronghold was captured (A.D. 1641).

In spite of the fact that the military commanders at Malacca were not altogether satisfied with the help given them by their Malay allies, the Dutch civil authorities did their best to show gratitude to Johor and to restore it as much as possible to its old position. They arranged a peace between Johor and Acheen, and gave various other assurances of their goodwill to the Sultan Abdul Jalil Shah. We hear of various complimentary missions being exchanged between Johor and Batavia without much practical result. What else, indeed, could we have expected? Johor became useless to Holland as soon as the capture of Malacca gave the Dutch a better station in the

Straits than the old trading factory of Batu Sawar had ever been. Johor had no industries, no trade, no productive hinterland. It was bound to decline. Sultan Abdul Jalil lived long enough to see a great calamity overwhelm his country. A quarrel with the Sultan of Jambi led in A.D. 1673 to a war in which Johor was plundered and burnt and its aged ruler driven into exile. The death of the old Sultan—who did not long survive the shock of the destruction of his capital—brought to an end the direct line of the Johor dynasty.

He was succeeded by a cousin, a Pahang prince, who took the name of Sultan Ibrahim Shah. The new ruler's energy infused fresh life into the State; he established himself at Riau in order to carry on the war against Jambi more effectively than from Johor Lama, he allied himself with the Dutch, and in time succeeded in regaining what his predecessor had lost. But he did not live long. On the 16th February, 1685, he died, leaving an only son who was at once placed on the throne under the title of Sultan Mahmud Shah. As the new Sultan was a mere boy his mother became regent, but she allowed all real power to be vested in the Bendahara Paduka Raja, the loyal and able minister of her late husband the victorious Sultan Ibrahim. She was wisely advised in so doing. Peace was assured; the traditional friendship with Holland was loyally kept up by the Bendahara; internal troubles of all kinds were avoided. Unfortunately the Bendahara died, and his headstrong ward took the government of the State into his own hands. In A.D. 1691 we hear of him as ruling from Johor. This young Sultan, Mahmud Shah II, the last prince of his race—ruler of Pahang and Riau as well as of Johor—is the most mysterious and tragic figure in Malay history. He was said to be the victim of one of those terrible ghostly visitants, a Malay vampire, the spirit of a woman dead in childbirth and full of vengeance against the cause of her death. He is accused—by Malay traditions from all parts of the Peninsula—of having slain in the most fiendish manner those of his wives who had the misfortune to become pregnant. Probably he was mad; but no form of madness could have been more dangerous to a prince in his position. The frail life of this insane and hated Sultan was the only thing that stood between any bold conspirator and the thrones of Johor, Pahang and Lingga. The end came in A.D. 1699. As the young ruler was being carried to mosque at Kota Tinggi on the shoulders of one of his retainers he was stabbed to death.

All Malay accounts ascribe this assassination to the Sultan's minister, the Bendahara Sri Maharaja, head of the great family that is described in the "Malay Annals" as glorying in the tradition of fidelity to its princes. With the death of the Sultan Mahmud Shah II the dynasty of Malacca, Johor and Pahang disappears from the page of history.

In the records of this long line of kings the point that most impresses the student is the curiously personal character of Malay sovereignty. In Europe, where all the continent is divided up under different rulers, there is no place for a fallen king except as a subject; in the thinly populated Malay world the position was entirely different. So long as a fugitive prince could induce a few followers to share his lot he could always find some unoccupied valley or river in which to set up his miniature court. The wandering fugitive Raja Abdullah (A.D. 1615-1637), whose movements cannot be traced and the date of whose death is uncertain, was nevertheless a king—"Sultan Abdullah Maayat Shah, the glory of his land and of his time." He was born in the purple. But to less highly-born adventurers the acquisition of royal rank (as distinct from mere power) was a very difficult matter. All Malay popular feeling is against the "worm" that aspires to become a "dragon." Should a bad harvest or a murrain or any other misfortune overtake the subjects of an upstart ruler all Malaya would have explained it as the Nemesis that waits on sacrilege, the result of outraging the divine majesty of kings. Royalty was a mere matter of caste, but a great Sultan might create minor Sultans just as the Emperor of China made a Sultan of the Paramisura Muhammad Shah, or as Sultan Mansur Shah divided his dominions between his sons, or as Sultan Mahmud Shah gave sovereign rank to his son Ahmad Shah, or as the Queen may be said to have created the Sultanates of Johore and Pahang. Titular dignity was one thing; real authority was another. Powerful *de facto* rulers such as, in recent times, the Bendahara of Pahang, the Temenggong of Johor and the Dato of Rembau, and great territorial magnates like the Maharaja Perba of Jelai were kings in all except the name. The glamour of titles and of royal descent is so great that it often obscures realities. The Dutch when they negotiated their treaty with the Sultan of Acheen found, when too late, that he was Sultan in rank only, not in power. The sympathy that has been lavished upon the dispossessed princely

house of Singapore is based upon a misconception of the meaning of Malay "royalty." Royal rank meant prestige, position, influence—the things that lead to power. Royal rank was a great thing in Malay eyes and justified the attention that they devoted to pedigrees and to the discussion of the relative importance of the articles that made up a king's regalia. But the student of Malay things who mistakes mere rank for power will constantly be surprised to find—as Admiral Matelief was astonished to discover—that a Malay prince is often an *orang miskin*, a very poor person indeed.

Immediately after the death of the unhappy Mahmud Shah, his murderer, the Bendahara Sri Maharaja, ascended the throne of Johor and Pahang under the title of Sultan Abdul Jalil Riayat Shah. Like most princes who obtain a crown by violence he found that his position was one of ever-growing danger from malcontents at home and enemies abroad. Two new disturbing forces had entered the arena of Malayan politics. The first was the great Menangkabau immigration; the second was the continued presence of Bugis fleets and colonies on the Peninsular coast. A constant stream of industrious Sumatran Malays had for some time past been pouring into the inland districts now known as the Negri Sembilan. These men, being very tenacious of their own tribal rights and customs, resented any interference from Johor. The Bugis were even more dangerous. They were more warlike and more energetic than the Malays; they built bigger ships; they were ambitious, and they seemed anxious to get firm footing in the country. In A.D. 1713 Sultan Abdul Jalil Riayat Shah tried to strengthen his position by a closer alliance with the Dutch; but such a policy, though it might assist him against foreign foes, was of very little use against the enemies of his own household. In A.D. 1717 (or a little earlier) an incident occurred that may be described as one of the more extraordinary events in Malay history. A Menangkabau adventurer calling himself Raja Kechil appeared in Johor, gave himself out to be a posthumous son of the murdered Mahmud Shah and stirred up a revolution in the capital. But the strangest part of the incident was its termination. The upstart Sultan Abdul Jalil Riayat Shah consented to revert to his old position of Bendahara Sri Maharaja and to serve under the impostor, Raja Kechil, whose claims he must have known to be false. To cement this alliance between murder and fraud the ex-Sultan agreed to give his daughter, Těngku Těngah, in

marriage to the new Sultan, who took the name of Abdul Jalil Rahmat Shah.

It is difficult to trace exactly the course of events after this point because we have two Malay partisan histories written from opposite points of view. One history accepts this Raja Kechil as a true son of the murdered Sultan Mahmud; the other treats him as a scoundrel and an impostor, and makes a martyr of the deposed assassin, Sultan Abdul Jalil Riayat Shah. There can be no doubt that the Bendahara's relatives conspired with the Bugis against their new master, but the details of the plot are not very clear. According to one account a woman's jealousy provoked the trouble. Raja Kechil jilted Těngku Těngah in order to marry her younger sister, Těngku Kamariah. This little substitution of one sister for another did not injure the Bendahara, but it made a great deal of difference to the ambitious Těngku Těngah and caused further dissension in a family that was already divided by personal jealousies, as the children of the Bendahara who were born after his accession to the throne denied that their elder brothers—who were born before their father became a king—had any right to call themselves princes. It is not surprising that intrigues and conspiracies should have been begun. There was at this time in Johor a Bugis adventurer named Daeng Parani. Těngku Sulaiman, eldest son of the Bendahara, went to this man and appealed to him for help in overthrowing the upstart Raja Kechil. Daeng Parani hesitated; the odds against him were too great. Těngku Sulaiman then tried to win over the Bugis adventurer by promising him the hand of his sister, Těngku Těngah, in marriage. Daeng Parani again refused. At this juncture Těngku Těngah herself came forward and made a personal appeal to the love and chivalry of the Bugis chief. Daeng Parani now consented to act. With great boldness—for he had only a handful of men in the heart of a hostile capital—he surrounded the Sultan's residence and endeavoured to slay Raja Kechil and to abduct Těngku Kamariah. He was only partially successful; the Sultan escaped. Daeng Parani fled to Selangor, leaving his fellow-conspirators behind. Těngku Sulaiman and Těngku Těngah fled to Pahang. The aged Bendahara, father of Těngku Sulaiman and Těngku Těngah, feeling that he would be suspected of having taken a part in the conspiracy, followed his children in their flight but was overtaken and murdered at Kuala Pahang. He is the Sultan known as *Marhum Kuala Pahang*.

Těngku Sulaiman managed, however, to make good his escape and ultimately joined his Bugis friends.

After these incidents Raja Kechil—or Abdul Jalil Rahmat Shah as he styled himself—abandoned Johor Lama, the scene of so many misfortunes to Malay kings, and made a new capital for himself at Riau. He carried on with great courage and success a desultory war against the Bugis, but was ultimately outmanœuvred and lost his position as Sultan of Johor because the Bugis ships, having enticed the Malay fleet to Kuala Linggi, doubled back during the night and suddenly appeared before Riau. In the absence of its king and his followers, Riau could offer no resistance. The Bugis proclaimed Těngku Sulaiman Sultan of Johor under the title of Sultan Sulaiman Badru'l-Alam Shah. The principal Bugis chief, Daeng Merewah (or Klana Jaya Putra) became “Yang-di-pertuan Muda” of Riau with the title of Sultan Alaedin Shah, while another Bugis chief, Daeng Manompo, became “Raja Tua” under the title of Sultan Ibrahim Shah. This seems to have occurred on the 22nd October, A.D. 1721; but the formal investiture only took place on the 4th October, 1722. To strengthen their position, the Bugis chiefs allied themselves in marriage with the Malays. Daeng Manompo married Tun Tepati, aunt of Sultan Sulaiman; Daeng Merewah married Inche' Ayu, daughter of the ex-Temenggong Abdul Jalil and widow of the murdered Sultan Mahmud; Daeng Parani had married Těngku Těngah; and Daeng Chelak sought to marry Těngku Kamariah the captured wife of Raja Kechil. Other Bugis chiefs—Daeng Sasuru and Daeng Mengato—married nieces of Sultan Sulaiman.

As the Bugis accounts of the Raja Kechil incident differ very materially from the Malay version, we can hardly hope to get a thoroughly reliable history of the events that led to the establishment of Bugis kingdoms in the Straits of Malacca. We may, however, consider it certain that Raja Kechil was not a posthumous son of Sultan Mahmud Shah. Dutch records prove that Raja Kechil was an extremely old man in A.D. 1745; they even provide strong evidence that he was 53 years of age when he seized the throne of Johor; he must, therefore, have been an older man than the prince whom he claimed as his father. In all probability Raja Kechil won his kingdom by mere right of conquest, supplanting a murderer who was quite ready to give up an untenable throne and to take a secure position as

Bendahara under a strong ruler. In later years, when the Malays became savagely hostile to their Bugis master, they were doubtless ready to accept any tale and to follow a Menangkabau ruler, who was at least a Malay, in preference to the Bugis pirates and their miserable tool, Sultan Sulaiman Shah. But when Raja Kechil died the Malays rallied to the side of his younger son (who had a royal Malay mother) and treated the elder son as a mere alien without any claim to the throne. The murder at Kota Tinggi in A.D. 1699 had divided the allegiance of the Malay world and contributed greatly to the success of the Bugis; it was only at the close of the eighteenth century that the old Johor communities again recognised a common ruler.

The Bugis chiefs at Riau paid very little attention to the puppet Sultans that they set up. They so exasperated Sultan Sulaiman that he soon left his sultanate and fled to Kampar (A.D. 1723). After this incident the Bugis felt that they had gone too far and they made a new treaty with their titular sovereign and induced him to return to Riau. It should be understood that even with Sultan Sulaiman's help the Bugis position at Riau was very insecure. Raja Kechil, who had established himself at Siak, gained many victories and repeatedly attacked his enemies in their very capital. In A.D. 1727 he even rescued his wife, Têngku Kamariah, who was held captive at Riau itself. In A.D. 1728, with the aid of Palembang troops, he laid siege to Riau and was repulsed. In A.D. 1729 the Bugis blockaded Siak and were repulsed in their turn. The history of the whole of this period of Bugis activity (1721 to 1785) is extremely involved, but is fully discussed in Dutch works, especially in the 35th volume of the Transactions of the Batavian Society. We can only briefly refer to it.

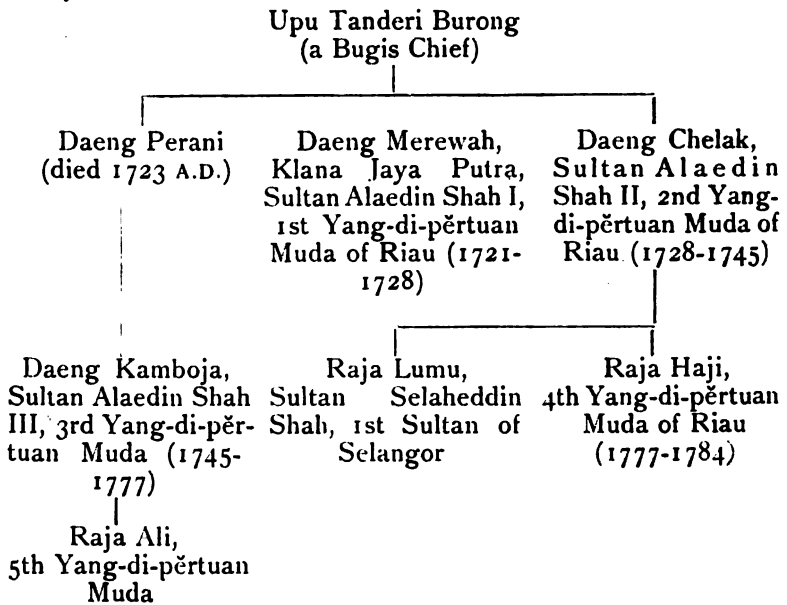
The policy of the Dutch—so far as their general unwillingness to interfere allowed of any policy—was that of supporting the Malays against the restless and piratical Bugis. It was a difficult policy, this assistance of the weak against the strong, but it proved successful in the end. Looking at it in the light of ultimate results we can compare two exactly similar situations—one in 1756 and the other in 1784—and notice the difference in treatment. On both occasions Malacca was attacked.

On the first occasion the Dutch, after repelling the attack

on their fortress, allied themselves with the Malays (Sultan Sulaiman, his son the Těngku Běsar, and his son-in-law the Sultan of Trengganu) and forced the Bugis to come to terms (A.D. 1757) and to acknowledge the Sultan of Johor as their lawful sovereign. This plan did not work well. Sultan Sulaiman had great difficulty in enforcing his authority. To make matters worse, his death (20th August, 1760) occurred at a time when his eldest son, the Těngku Běsar, was on a mission to the Bugis princes of Linggi and Selangor. If Malay records are to be believed, the Bugis chief Daeng Kamboja was not a man to waste an opportunity. He poisoned the Těngku Běsar and then took his body, with every possible manifestation of grief, back to Riau to be buried. At the burial he proclaimed the Těngku Běsar's young son Sultan of Johor under the title of Sultan Ahmad Riayat Shah, but he also nominated himself to be regent. When the unhappy boy-king was a little older and seemed likely to take the Government into his own hands he, too, was poisoned so as to allow a mere child, his brother, to be made Sultan and to prolong the duration of the regency. The Dutch plan of securing Malay ascendancy had completely failed; the Bugis were stronger than ever.

On the second occasion (when Raja Haji attacked Malacca in 1784) the Dutch, after repelling the attack and killing the Bugis chief, followed up their success by driving the Bugis out of Riau and recognising the young Malay Sultan Mahmud Riayat Shah as the ruler of Johor. But on this occasion they felt that they could not trust any native dynasty to maintain permanent peace. They accordingly made a treaty with the Sultan and stationed a Resident with a small Dutch garrison at Riau. This plan did not work very well at first; it pleased neither the Bugis nor the Malay chiefs. The fifth Bugis "Yamtuan Muda" attacked Riau; the Malay Sultan fled from his capital to get up a coalition against the Dutch; even the Ilanun pirates made an attack upon the place. In time, however, when the various chiefs came to recognise that the glories of independence were not sufficient compensation for losing the creature-comforts of security and peace, both the Malay Mahmud Shah and the Bugis Yamtuan Muda settled down definitely at Riau and accepted the part of dependent princes.

The following pedigree shows the branches of the Bugis family that ruled in the Straits :

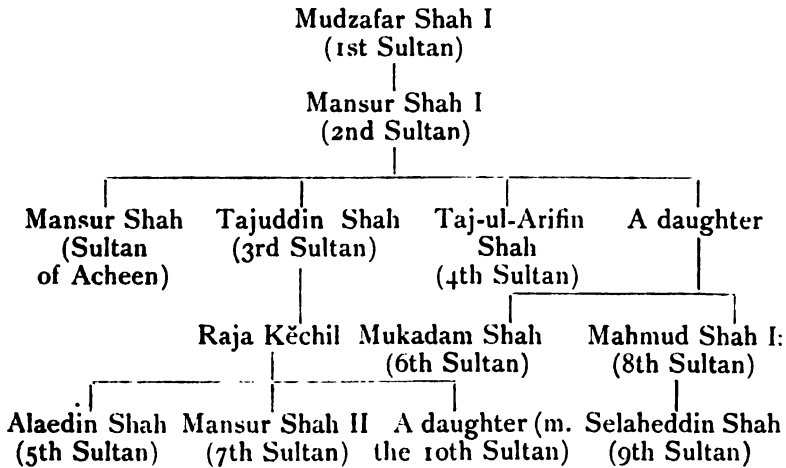


Sultan Mahmud Riayat Shah of Johor died in the year 1812 A.D., leaving two sons, Těngku Husain and Těngku Abdurrahman. The latter was at once proclaimed Sultan by the Bugis Yang-di-pertuan Muda of Riau. The elder son, Těngku Husain, who was absent in Pahang at the time of his father's death, returned to Riau, but appears to have made no effective protest against his younger brother's accession. Sultan Abdurrahman was recognised as Sultan of Johor and Pahang by both the Dutch and the English until January, 1819, when it suited Sir Stamford Raffles to repudiate that recognition and to accord to Těngku Husain the title of Sultan of Johor. From this time the line of Sultans divides into two, one branch reigning under Dutch protection in the island of Lingga, the other living under British protection in the town of Singapore itself.

THE PENINSULAR STATES.

PERAK.—The history of Perak may be divided into four periods. Of the first period (during which the seat of Government was at Bruas in the Dindings) we know next to nothing. A few carved tombstones represent all that is left of this very ancient capital—and even these are of late Achehnese make and throw no light whatever on the early history of the country. If Malay tradition is right in saying that the great arm of the sea at the Dindings was once an outlet of the Perak river we can easily understand the importance of Bruas, combining as it did the advantages of a perfect landlocked harbour with a commanding situation at the mouth of the greatest waterway in the western half of the Peninsula. Although Bruas was powerful, the “Malay Annals” tell us, before even the mythical ancestors of the Malacca dynasty appeared on the famous hill of Siguntang, it had begun to decline as the river silted up. In the days of Sultan Mahmud (A.D. 1500) Bruas had so far fallen that its king did homage to Malacca in mere gratitude for assistance against a petty rival village. After the Achehnese invasion the place entirely disappears from history.

The second period of Perak history stretches from the coming of Mudzafar Shah I, the reputed founder of the long line of Perak kings, down to the extinction of his direct male line in the wars with Acheen. This period covers a century—from A.D. 1530 to 1630—and is marked by the reigns of nine Sultans

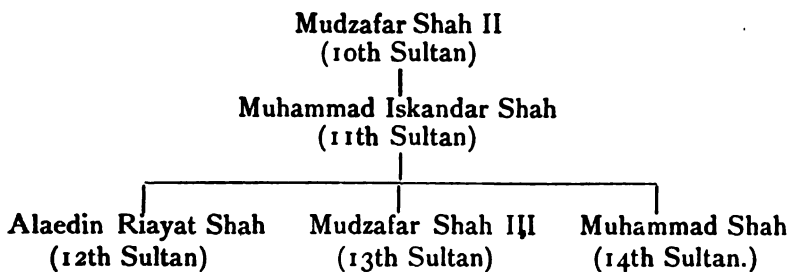


Perak tradition (as we have seen) identifies its first Sultan, Mudzafar Shah, with a son of Sultan Mahmud I of Malacca, who was born about A.D. 1505 and was at one time heir to the throne of Johor but was passed over in favour of his younger brother, Alaedin Riayat Shah II. It goes on to tell us that this disinherited prince after having first settled in Selangor was invited to fill the throne of Perak, and that he reached his new kingdom after various adventures, such as the slaughter of the great serpent Si Katimuna with the sword Chura Si Manjakini. In the story of this prince the Perak tradition does not hesitate to borrow from the legend of Sang Sapurba. Mudzafar Shah was succeeded by his son Mansur Shah. After the death of this latter prince his widow and children were taken prisoners by Achehnese invaders and carried off to Kota Raja where fortune favoured them in that the eldest son—another Mansur Shah—succeeded in marrying the Queen of Acheen.

After restoring his brothers to Perak this Achehnese Mansur Shah perished in a revolution in A.D. 1585. Early in the seventeenth century the great Iskandar Muda or Mahkota Alam, Sultan of Acheen, conquered Perak, and led ruler after ruler to captivity and death until the direct male line of Mudzafar Shah had completely died out and Perak had become a mere province of his empire. About the year 1635 Mahkota Alam died, and his successor, Sultan Mughal, sent a certain Raja Sulong (who had married a Perak princess) to govern Perak as a tributary prince under the name of Sultan Mudzafar Shah II. This event begins the third period of Perak History.

There seems very little doubt that there was a Raja Mudzafar who was disinherited by Sultan Mahmud Shah in the manner described by Perak tradition. It is also true that this Raja Mudzafar married a lady named Tun Trang and had a son, Raja Mansur, as the Perak tradition tells us. It also seems true enough that the Achehnese invaded and conquered Perak. The only evidence against the truth of this story is negative evidence. The "Malay Annals" are absolutely silent as to Raja Mudzafar having gone to Perak, though they give an account of the second Mudzafar Shah, who was unquestionably Sultan of Perak and who may possibly have been confused with the first.

The third period of Perak history begins with the accession of Mudzafar Shah II (A.D. 1637) and goes down to the death of Mudzafar Shah III (A.D. 1765). The Sultans with which tradition fills up this period of 128 years are given in the following table:



It should be added that the 11th Sultan is said to have reigned for 111 years and that the next three Sultans were his nephews by birth and his sons by adoption.

This period presents great difficulties. Raja Sulong, who married a Perak princess and was sent by the King of Acheen to rule over Perak, is a real figure in history. His mother was a daughter or niece of the author of the "Malay Annals." But (if we are to believe the "Malay Annals") this Mudzafar Shah II was succeeded by Raja Mansur, "who is reigning now." The Perak account itself speaks of the 12th, 13th and 14th Sultans as grandsons of a certain Mansur Shah, who is not given in the pedigree. The Perak account also states that the Bugis chief Klana Jaya Putra invaded Perak in the days of Alaedin Riayat Shah. As the Klana died in A.D. 1728, the 111-year reign seems to need some modification. Again, the Bugis Raja Lumu is said to have been created Sultan of Selangor by Sultan Mahmud Shah of Perak in A.D. 1743; who is this Mahmud Shah?

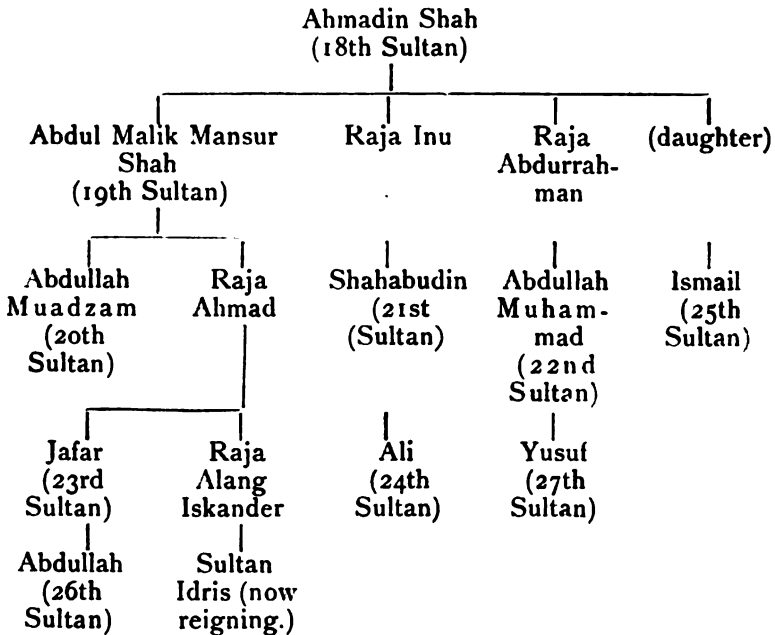
Putting aside these questions of royal descent we know that this period (A.D. 1637—1765) was one of extreme turbulence, and, probably, of civil war. In A.D. 1650 the Dutch opened a factory on the Perak river; in A.D. 1651 the factory was destroyed and its inmates massacred. Hamilton, writing in A.D. 1727, speaks of Perak as "properly a part of the kingdom of Johor, but the people are untractable and rebellious and the Government anarchical. Their religion is a sort of heterodox Muhammadanism. The country produces more tin than any in India, but the inhabitants are so treacherous, faithless and bloody that no European nation can keep factories there with safety. The Dutch tried it once, and the first year had their factory cut off. They then settled on Pulau Dinding, but about the year 1690 that factory was also cut off." The ruins of the blockhouse on the island of Pangkor are still to be seen.

In justice to the Malays it should be added that the Dutch in

their anxiety to secure a trade-monopoly treated the selling of tin to anyone but themselves as a serious offence and even as a *casus belli*. It is not, therefore, surprising that disputes were frequent and sanguinary.

The first half of the eighteenth century in Perak was marked by internal anarchy and foreign invasions. There were three kings in the State—the Sultan of Bernam, the Sultan of Perak, and the Regent; the chiefs were at war with each other and the Bugis kept raiding the country. About A.D. 1757 things had so far settled down that the Dutch were able to establish a factory at Tanjong Putus on the Perak river. They subsequently sent a mission to Sultan Mudzafar Shah about A.D. 1764 and concluded a treaty with his successor, Muhammad Shah, in A.D. 1765.

The exact position of the next four Sultans in the Perak pedigree is a matter of doubt, but they seem to have been either brothers or cousins of one another and to have belonged to the generation immediately following Mudzafar Shah III and Muhammad Shah. From the 18th Sultan onwards the pedigree is officially stated to have been as follows:



The special interest of this table lies in its illustration of the curious law of succession under which the three branches of the royal house take it in turn to provide the reigning Sultan.

SELANGOR.—The present reigning dynasty of Selangor traces its descent to Raja Lumu, son of Daeng Chelak, one of the Bugis chiefs who overthrew the old State of Johor in A.D. 1722, but it should be added that Raja Lumu appears to have become Raja of Selangor through his mother and not through his father. In any case, he was recognised as Sultan of Selangor in A.D. 1743. He maintained a close alliance with his Riau relatives and with the Bugis of Kuala Linggi. In A.D. 1756 and again in A.D. 1783 the combined Bugis forces attacked Malacca but were repulsed with heavy loss. On the second occasion the Dutch followed up their success by attacking Kuala Selangor and ultimately forcing the Sultan to come to terms.

There have been five Sultans of Selangor : Sultan Selaheddin who founded the dynasty, Sultan Ibrahim who made the treaty with the Dutch in A.D. 1786, Sultan Muhammad who reigned from A.D. 1826 to A.D. 1856, Sultan Abdul Samad who accepted British protection, and Sultan Sulaiman the present ruler. The principal events in the history of this State during the last century were the development of Lukut as a mining centre and the civil wars between Raja Mahdi and Těngku Dzia-ud-din. The Lukut mining led to a great influx of Chinese immigrants, who paid a poll-tax to the Bugis chiefs for their protection and who were kept in order by the splendid old fort on the hills near Port Dickson. As the Sultan seems to have taken rather more of this revenue than the local chiefs would willingly have given him, Raja Jumaat, the principal Lukut chief, succeeded at Sultan Muhammad's death in diverting the succession from the Sultan's son to a weak nominee of his own who belonged to another branch of the family. The new ruler, Sultan Abdul Samad, did not interfere with the Lukut princes, but he ultimately allowed himself to be influenced by a stronger will than his own and surrendered all true power into the hands of his son-in-law, the Kedah Prince Těngku Dzia-ud-Din. He thereby exasperated many of his subjects, who did not like to see a foreigner become the real ruler of the country. Civil war broke out and was only terminated by the Bendahara of Pahang marching into Selangor and restoring peace by force of arms. It was then found out that the Sultan had been quietly giving his support to both parties—a discovery that led to his famous

defence, "Both parties were right—from their own point of view." A bad case of piracy in 1874 brought matters to a crisis again and led to British intervention.

Politically the State of Selangor has not been interesting. Piratical and anarchical, it never developed any organised system of government nor did the authority of the Bugis chiefs ever extend very far beyond their own little settlements on the rivers or near the mines.

NEGRI SEMBILAN.—About the middle of the seventeenth century—after the decline of Acheen and before the coming of the Bugis pirates—a large number of Menangkabau Malays migrated in small detachments from Sumatra into the Peninsula, where they founded the little confederacy of States now known as the Negri Sembilan. Extremely proud of their origin—for Menangkabau is the purest-blooded kingdom of Malaya—the descendants of these immigrants still speak of themselves as "we sons of Menangkabau, who live with the heavens above us and the earth beneath our feet, we who once dwelt on the slopes of the mighty volcanoes as far as the Great Pass through which we came down to the plains of Sumatra in the Isle of Andalas." The early settlers taught this formula to their children so that their history might never be forgotten.

But they taught more. These sons of Menangkabau were passionately devoted to the old legal sayings in which is embodied a most extraordinary system of matriarchal law. They are the most conservative people in Malaya. To their everlasting honour it should be added that they loyally observed covenants by which they first obtained possession of their lands, and that to this day, although all real power has long since passed out of the hands of the aborigines, the proud "sons of Menangkabau" acknowledge as ruling chiefs in Rembau and Johol men who are avowedly the representatives of the humbler race. The migrations seem to have been peaceful. The first-comers occupied the nearest lands in the district of Naning; the next arrivals settled in Rembau; the latest settlers had to go further afield—to Sri Menanti, to Inas, to Sungei Ujong and to Jelebu. In the development of their peculiar systems of constitutional law and statecraft, treaties or conventions (*muafakat*) probably played a great part. In Naning succession to the chieftaincy went by descent in the female line: a Dato' Sri Maharaja was succeeded by his eldest sister's son. This little State has been absorbed into the Settlement of Malacca, but

the representatives of the old rulers still receive a great deal of popular respect and were even given a small allowance of about £40 a year by the British Government up to a few years ago.

Next in antiquity to Naning comes Rembau. Tradition has it that the first settlers in Rembau were headed by two chiefs, Dato' Laut Dalam and Dato' Lela Blang. These men, though they settled in different localities, made an alliance and arranged that their descendants (in the female line) should take it in turn to be rulers of the country. With the craving for high-sounding names that is so striking a feature of Malay character these two chiefs sought and obtained from the then Sultan of Johor the titles that their descendants still bear. The present ruler is the seventeenth Dato' of Rembau and the ninth "Dato' Lela Maharaja," the other eight being "Dato' Sedia Raja."

The founders of the State of Rembau were followed to the Negri Sembilan by the headmen of other immigrant parties, until at last a whole aristocracy of petty dignitaries was established in the country. Far from their homes in Sumatra, and surrounded by possible foes, the early settlers had looked to Johor for protection and recognition, but the last-comers, finding themselves strong and Johor weak, began to seek for a prince of their own from the royal line of Menangkabau. In their own words:

"The villager owes obedience to the village-elders,
The village-elders to the tribal chief,
The tribal chief to the ruling chief,
The ruling chief to the titular head of the State."

This head of the State was the Yang-di-pertuan Besar of Sri Menanti. He occupied a position of great dignity but of very little real authority over great ruling chiefs like the Dato' of Rembau; but of late years he has had his office strengthened by British support. The principal ruling chiefs are:

The *Dato' Klana Petra* of Sungei Ujong;
The *Dato' Mendika Mantri Akhirsaman* of Jelebu;
The *Dato' Johan Pahlawan Lela Perkasa Setiawan* of Johol;
The *Dato'* of Rembau;
The *Dato' Bandar* of Sungei Ujong;
The *Tengku Besar* of Tampin, and
The *Dato' Muda* of Linggi.

PAHANG.—The early history of the State of Pahang—as usually given—is brief and inaccurate. Even so authoritative a work as the present edition of the official "Handbook of the

Federated Malay States" sums it up in two statements, both of which are incorrect. It says: "The first ruler of Pahang of whom there is any record was a son of the Sultan Mahmud who fled to Pahang from Malacca after the capture of that town by the Portuguese in A.D. 1511. A reputed descendant of his was Bendahara Ali, who died in the year 1850 or thereabouts."

We know from Portuguese as well as Malay sources that when Albuquerque arrived at Malacca he found the city engaged in festivities over the marriage of Sultan Mahmud's daughter to a Sultan of Pahang. The statement in the Handbook is therefore singularly unfortunate; a son of Sultan Mahmud is the only person whom that ruler could not have been. There is, however, no mystery about the origin of the old line of Sultans of Pahang. The country was conquered by Mansur Shah or Mudzafar Shah, and was created a separate sultanate when the former ruler bestowed it upon his eldest son. Mansur Shah's descendants continued to reign over Pahang till 1699 when Mahmud Shah II, the latest prince of the line, was murdered by his Bendahara. Mahmud Shah II was succeeded as Sultan of Johor and Pahang by this Bendahara, who was not a descendant of the old Malacca kings and who took the title of Abdul Jalil Riayat Shah. As after the Bugis conquest of Lingga the Sultans were practically hostages and had to reside at Riau they deputed their principal ministers to govern in their name, the Bendahara in Pahang and the Temenggong in Johor. These ministers continued, however, to visit Riau from time to time and to take part in the decision of the important matters such as questions of succession to the throne. At the death of Sultan Mahmud Riayat Shah (A.D. 1812) the Bendahara came up from Pahang and seems to have accepted Sultan Abdurrahman as his suzerain, though he must have personally favoured the other candidate, Těngku Husain, who was his own son-in-law. When the Riau family divided into the Singapore branch under British protection and the Lingga branch under Dutch control the Bendaharas of Pahang acknowledged the Lingga rulers while the Temenggongs of Johor threw in their lot with the English. In time, however, both of these great feudatories began to pay less attention to their titular suzerains and to assume the position of independent princes, until at last the British Government recognised the real position by converting the Bendahara into a Sultan of Pahang and the Temenggong into a Sultan of Johore.

Malay history is a record of great vicissitudes of fortune. Time after time the connecting link between one period and another is a mere band of fugitives, a few score refugees. Such was the case in A.D. 1511, in A.D. 1526, in A.D. 1615, in A.D. 1673 and in A.D. 1721. It should not therefore be imagined that the new States that were built up after each successive disaster were made up entirely—or even largely—of men of true Malay blood. The bond connecting the Peninsular States is unity of language and religion more than unity of race. The northern Malay is physically unlike the southern Malay; the one has been compared to a cart-horse and the other to a Batak pony. The Malay population of Perak, Pahang and the Negri Sembilan must be largely Sakai, that of Selangor is Sakai or Bugis where it is not made up of recent immigrants. Moreover, the Malays have accepted many of the traditions and beliefs of the people who preceded them in the possession of the land; they worship at the holy places of the older races of the country and believe in the same spirits of disease. Any one who is a Moslem and speaks the Malay tongue is accepted as a Malay whatever his ancestry; there is no real unity about Malay tradition. Still there are three systems of government that are essentially Malayan. The first is what one may call "river" government. The State was a river valley; the Sultan lived near the mouth and levied toll on all the produce that travelled up and down the great highway of communication. Such a State could be controlled with comparative ease since the great feudal chiefs who governed the reaches and the tributaries of the main stream were dependent for their imports and exports on the goodwill of the king. Pahang, Trengganu, Kelantan and Perak all furnished good examples of this type of feudal government. The second type of Malay kingdom was the predatory State—a Malay Sultan with a sort of military aristocracy living on the foreign settlers in his own country or terrorising smaller Malay communities into paying blackmail or tribute. Malacca, Johor Lama, Acheen, Riau and Pasai were instances of this type of predatory rule; the Larut and Lukut settlements in the nineteenth century show how it could be applied to comparatively modern conditions. The third type is represented by the matriarchal communities of Menangkabau or Negri Sembilan. Self-sufficing, independent of trade and rather averse to war, a Negri Sembilan village might be established at some distance from any navigable river and was not usually amenable to the control of central authorities. It led to the

evolution of a most interesting and successful type of a government that one might almost call constitutional. But annalists do not, as a rule, take much interest in the humble politics of village communities, nor do they care much about the civil wars of feudal river-states; it is always the lawless predatory government that makes most noise in the world. The great names of Malay history are those of men like Mansur Shah of Malacca and Mahkota Alam of Acheen. None the less, the best political work of the Malay race was done in the little villages that have no history—the matriarchal communities in the highlands of Sumatra and in the valleys of the Negri Sembilan.

PART II.
NOTES ON PERAK.

LEGENDARY HISTORY.¹

ALL Perak tradition points to Bruas as the original seat of Malay rule in the State. Tradition is supported by history in so far that the "Malay Annals" speak of Bruas as having been a powerful kingdom long before the Malays settled in Malacca or even in Palembang. Geography also supports legend, for, if the great estuary known as the Dindings river was once an outlet of the Perak, Bruas must have occupied an ideal situation for the capital of the State. But the rivers have silted up, the modern village of Bruas (Pangkalan Baharu) is many miles to seaward of the old site, and the fame of the district has long since passed away. A few old legends still linger about the tombstones that mark the spot where the ancient capital once stood. The lost town—so runs the story—was so large that it took a cat three months to do the circuit of the roofs. The water-jars were so huge that ladders had to be used to get at their contents, while, as for the serpents—but even a Bruas Malay apologises for the stories about them. These snakes, it appears, used to stand on their tails and fall with killing weight on the unwary passer-by. More interesting, perhaps, than these echoes of past glories are the Malay predictions about the future of Bruas. It is prophesied that Bruas will be the last province of Perak to be developed, but that, when developed, it will excel all the rest in its wealth and its prosperity. Anyone who knows the splendid tract of country that lies behind the Perak river and the Dindings will see no improbability in the old prophesy on which the scattered inhabitants of Bruas rest their hopes of its future.

Of the names of the old kings of Bruas and of the deeds that they achieved local tradition can tell us nothing. The earliest heroes of Perak legend belong to a later period, to the coming of the ancestors of the present dynasty of Sultans. There are many versions of these stories—versions that differ curiously in certain details while closely agreeing in others—and the general impression that they leave behind is the belief that courtiers have been trying to introduce dynastic questions into the genuine

¹ See also "Malay Literature, II," pp. 39-42.

folk-lore of the country. The dynastic features vary; the folk-lore remains the same.

Once upon a time—so runs one dynastic story—there came out of the sea four princes, the sons of a Raja Chulan and of the Princess Darustan, daughter of King Fatihu'l-ardzi. These princes were descendants of the great Alexander and they bore the names of Nila Utama, Nila Pandita, Nila Pëndaya, and Nila Këchil Bongsu. Nila Utama became Emperor of Rome and of China, Nila Pandita became Sultan of Menangkabau, Nila Pëndaya became Sultan of Singapore and Malacca, and Nila Këchil Bongsu became Sultan of Perak. But he did not become Sultan of Perak without difficulty. He it was who in the course of his wanderings gave Singapore its name of the “Lion City” because of the lion that he saw standing on the shore; he, too, it was who had to face the terrible storm in the Singapore Straits that nearly overwhelmed his frail bark and only ceased when the prince had changed his name and cast away his crown to appease the jealous wrath of the Spirit of the Tempest.¹ Thus it comes about, the legend tells us, that the Sultans have no crown and that all fish have to rise to the surface in the little Strait of Lembajayan because they are dazzled by the splendour of the long-lost diadem of Perak. At last the Prince Nila Këchil Bongsu (under his new name of Sultan Mudzafar Shah) entered the waters of the Perak river, but was brought to a standstill by finding that one of the great snakes of the country was stretching its huge body from bank to bank over the shoal that bears the name of *Bëting Bëras Basah*. “What, then, am I to do?” said the prince to his saintly counsellor, Dëmang Lebar Daun. “I know not,” said the saint; “but there is among your heir-looms the sword of your grandsire, King Fatihu'l-ardzi, the magic sword Chura Si-manjakini that once belonged to the kings of the sea; that sword perhaps will help you to hew a way to your heritage.” So King Mudzafar Shah took the sword; then, concentrating his thoughts on his ancestors, he cut through the body of the snake with a single blow, but the edge of the blade was dented—as may be seen to this day by those who are privileged to look upon the Sultan’s sword of State. To this day also the scene of this exploit is a place of votive pilgrimage for the rulers of Perak.

Another story (accepted by His Highness the Sultan himself) represents Mudzafar Shah as the Raja Mudzafar who was

¹ These legends are related of Sang Nila Utama in the “Malay Annals.”

disinherited by his father Mahmud Shah (of Malacca) about the year 1520 A.D. This version associates Mudzafar Shah with the slaughter of the snake and the loss of the Perak diadem, but it throws back the tale of Nila Utama and his brothers to a much earlier date. Indeed, the old Palembang legend of the brothers who appeared on Mount Siguntang Mahameru is well known in Perak song and story:

*Lembayong gētah-nya putih,
Daun-nya jatoh kētēlētang,
Turun bērpayong gajah putih,
Turun dari Bukit Siguntang.*

*Daun-nya jatoh kētēlētang,
Biri-biri di-jumbatan;
Turun dari Bukit Siguntang
Dapat nēgēri di-nobatkan.*

Other Perak legends ascribe the origin of the present dynasty to a certain Sultan Ahmad Taju'd-din who was brought from Johor Lama to reign over Perak at some period that would seem to be about A.D. 1670. This prince is said to have married the daughter of a Perak chief, Tan Saban, and to have died leaving an infant son who was murdered very shortly afterwards by the regent, a Johor prince named Malik Shah. This murder led to a civil war in which Tan Saban was killed by a warrior named Megat Terawis. The story of the lost crown of Perak is associated with Ahmad Taju'd-din as well as with Mudzafar Shah.

The folk-lore about the prince who came out of the sea, gave a name to Singapore, lost his crown in a storm and finally slew a great dragon or snake with his sword Chura Si-manjakini is not true Perak folk-lore. It is associated with the Johor dynasty and was imported into Perak with the kings. It is all related in the "Malay Annals" and may be read there (except for some trifling discrepancies) by anyone who is interested in the subject. The real local heroes of Perak are Tan Saban, Megat Terawis and the unnamed actors in the tragedy at Tanah Abang. Tan Saban was the ruler of Upper Perak when the ancestors of the present dynasty first came to the country. He governed the whole land from the sources of the great river down to Kuala Temong, where he built a fort and defied the forces of Malik Shah or Mudzafar Shah. On the watch-tower of this fort he used to appear three times a day, clad each time in a garment of a different colour—green in the morning, white at noon-day, and red in the afternoon. Secure in the fact that his skin could

not be pierced by any bullet, he used to laugh at the efforts made to shoot him down. But there was in the army of the invader a humble soldier named Megat Terawis, an illegitimate scion of the great imperial house of Menangkabau. This Megat Terawis was born with a silver bullet in each hand, each bullet bearing the inscription "This is the bullet of the prince's son of Pagar Ruyong; wherever this bullet falls its owner will be made a chief." Megat Terawis asked that Tan Saban should be pointed out to him. He fired; the bullet struck Tan Saban, but fell to the ground without piercing the skin. Tan Saban picked it up, read the inscription and knew that his hour was come. He sent for Megat Terawis, named him his heir, expressed regret for his past hostility to the Sultan, and died, leaving the humble soldier heir to the highest chieftaincy in the State. On the day of Tan Saban's death the present dynasty began to reign over all Perak, with Megat Terawis and his descendants as Bendaharas. There was, however, a curious limitation. The Sultans kept to the left bank of the river while the family of the Megat lived on the right. The present Sultan was the first to depart from this ancient custom and to build himself a palace on the right-hand-side of the stream. In course of time, however, the family of Megat Terawis lost all its importance as well as the high office of Bendahara that it had held for about a century. At present the Bendahara is a member of the royal house.

It is difficult to see exactly the relationship between Perak legend and true history. Why did the old Sultans shun the right bank of the river? Even in the story itself there is nothing that would seem to explain it. Why did the Bendaharas assert themselves to be heirs of Tan Saban when his true representatives were the up-country chiefs who bore the title of *Seri Adika Raja*, who claimed descent from him, and whose authority was co-terminous with his own? What also is the real connection between Mudzafar Shah and the legendary origin of the name *Tanah Abang*? As the founder of Perak travelled up-river he is said to have met a youth mourning over the body of his dead brother. The boy had been asking the name of a bamboo, the *buloh apa* or "which bamboo."

"What, brother, is the name of this bamboo?"

"Which bamboo."

"This bamboo."

"Which bamboo."

And the younger slew the elder in a rage before he discovered that "which" was the name of the bamboo.

Then there is the story of the infant princess who was discovered in a great mass of cloud-like foam floating down the Perak river, and whose romantic origin seems to have led to no future of any importance. So, too, there is the tale of the great *aruan* fish that Megat Terawis discovered suckling its young with a milk the whiteness of which gave the great river its name of the "Silver Stream" (Sungai Perak). Again we have the story of the cotton-tree that marked the frontier—the tree that bore flowers of white and red, the white towards Perak and the red towards the valley of the Patani. These legends are all associated with the coming of the present dynasty, but they seem properly to belong to a much earlier period.

THE CHIEFS OF PERAK.

ROYALTY.

THE RULER.—The head of the State was, of course, the Sultan (*duli yang maha-mulia Sēri Sultan, yang-di-pertuan nēgēri Perak dāru'r-ridswān*). He derived his principal revenues from the duty (*chukai Kuala Perak*) levied on all produce entering or leaving the State by the mouth of the Perak river. The duty probably varied from time to time, and many of the great chiefs were exempted (*bebas*) from paying it; but in 1874 this source of revenue had been let for \$12,000 a year, of which the Sultan received \$10,000 and the two great Lower Perak chiefs (the Laksamana and the Shalbandar) \$1,000 each.¹

¹ The following were among the rates charged:

Rice	\$ 4 a <i>koyan</i>
Salt	\$16 a <i>koyan</i> ,
Opium	\$50 a chest,
Java tobacco	\$ 2 a <i>pikul</i> ,
China tobacco	\$ 1.50 a box,
Tin	\$ 6 a <i>bahara</i> ,
Rattans	\$ 2 a hundred bundles,
Hides	\$ 1.25 a <i>pikul</i> ,
Gutta	\$ 3 a <i>pikul</i> ,
Gums	\$ 2 a <i>pikul</i> ,
Salt fish	10 per cent. in kind,
Oil	10 per cent. in kind.

The Sultan's wife, if of royal birth, was styled the *Raja Përëmpuan*, but if she was only a commoner she bore the lower title of *Raja Përmaisuri*. The heir-apparent bore the title of *Raja Muda*.

Although the Sultan was theoretically absolute, he was expected to obtain the consent of his principal chiefs before he appointed any high officer of State or took any step of great importance to the country. If left unconsulted the chiefs were apt to affect ignorance of the decisions arrived at, to refuse to recognise the Sultan's nominees, and even (by questioning the authenticity of documents) to decline to obey the Sultan's orders. Thus, when the Mantri obtained his concession of Larut he was careful to have his charters sealed by many of the leading chiefs, and when Sir Andrew Clarke made the treaty of Pangkor he insisted on having it agreed to by all the chiefs present at the negotiations. So, too, the first object of Mr. J. W. W. Birch was to obtain the signatures or seals of the chiefs who had not been present at Pangkor.

It was the rule that a Sultan should be succeeded by his heir-presumptive or *Raja Muda*, but here again the approval of the chiefs was necessary. The procedure was as follows. When a Sultan died his Bendahara or chief minister would at once proceed to take possession of the regalia and to administer the government as regent. At the expiration of seven days he would send or head a deputation to invite and escort the *Raja Muda* to the palace. On his arrival at the residence of the late ruler the *Raja Muda* would be presented with the regalia and would be formally installed as Sultan in the presence and with the approval of the assembled chiefs. The most active part at a coronation was the part played by the Bendahara: he was the *interim* ruler, he summoned the chiefs to the installation, he invited the heir-apparent to attend, he handed over the regalia, he conducted the new Sultan to the throne and he bore all the expense of the installation-festivities. The new Sultan generally replied by conferring upon the Bendahara the vacant position of *Raja Muda* or heir-presumptive. It was also customary to defer the obsequies of a deceased ruler until his successor had been formally installed.

In accordance with these customs the *Raja Bendahara* Ismail—at the death of Sultan Ali in 1871—proceeded to take possession of the regalia and to invite the then *Raja Muda* (Abdullah) to come to the palace for the installation. But *Raja*

Abdullah was a man of unusual timidity; even the prospect of a crown was not sufficient to induce him to take the risks of the journey. He feared that he might be ambuscaded by a rival prince (Raja Yusuf) on the way; he feared also that he might have a private quarrel to settle with the family of the deceased Sultan whose sister he had married and divorced. So he stayed away. The disgusted chiefs waited for him for over forty days during which time the remains of the late Sultan remained unburied. In the end the Bendahara himself was installed as Sultan by the chiefs, the body was interred, and the assembly dispersed.

The new ruler reported his accession at once to the Lieut.-Governor, Mr. (afterwards Sir Arthur) Birch, at Penang, and received a complimentary reply congratulating him on his installation and addressing him as "*Paduka Sēri Sultan Ismail Liadeen Riayet Shah*, the son of the late *Shaikh Al-Heyrat Shah*, who now holds the throne of Perak." This letter was dated the 30th August, 1871. So, too, on the 8th February, 1872, Mr. Arthur Birch again addressed Sultan Ismail by his royal titles in a letter applying for the expulsion of certain disturbers of the peace who were meditating an attack on Selangor. Even the Raja Muda Abdullah who had been passed over for the sultanate recognised his rival's title to the throne.¹ The question of the validity of Sultan Ismail's title was not seriously raised till some time afterwards.

A further complication arose out of the fact that Raja Abdullah himself owed his position as Raja Muda to election more than to descent. There were three branches of the royal house that took it in turn to provide the Sultan and the Raja Muda. When the 23rd Sultan died he should have been succeeded by a son of the 21st Sultan; and a son of the 22nd Sultan should have been made Raja Muda. But the son of the 22nd Sultan was Raja Yusuf, who was unacceptable to the chiefs and whose branch of the family thus came to be passed over. Raja Yusuf then became a sort of legitimist claimant, though he recognised Sultan Ismail's title for the time being and only wished to be made the next heir to the throne. Meanwhile, however, Ismail was Sultan; he held the regalia and he was the chosen of the chiefs and people.

THE HEIR-PRESUMPTIVE.—An heir-presumptive to the throne of Perak bore the title of *Raja Muda (yang tēramat-*

¹ See Appendix A.

mulia tuanku Raja Muda, Wakilu's-Sultan) and derived his revenues from the contributions of the gambling houses, opium saloons and spirit shops. It is difficult to get an exact estimate of the total value of this source of income. An opium shop or a gambling saloon in a Malay village of some importance was found by Mr. J. W. W. Birch in 1874 to let for about \$30 a month, but the whole of this sum was not likely to come into the Raja Muda's "tub" (*tong*)—as his treasury was called.

The wife of a Raja Muda when she was of royal birth was styled *Raja Empuan Bĕsar*, but if she was only a commoner she bore the inferior title of *Raja Dewa Nata*. This latter designation has now been altered to *Che' Puan Muda*.

THE PRINCES OF THE BLOOD.—The princes of the blood were collectively known as *waris nĕgĕri* and in default of any special title were addressed as *ĕngku*. They were under the special control of the *Raja Muda* who acted as head of the princes, while the *Bĕndahara* was often supposed to represent the chiefs. Princes, as such, were not entitled to any definite revenues, though they probably helped themselves in many indefinite ways. They were eligible for offices of State and for certain titular dignities carrying high precedence. The most important of these honorary distinctions (in order of rank) were :

Raja di-Hilir,
Raja Kĕchil Bĕsar,
Raja Kĕchil Muda,
Raja Kĕchil Tĕngah,
Raja Kĕchil Bongsu.

THE FOUR GREAT DIGNITARIES.

The chiefs of the highest rank were four in number and were known as the *Orang Bĕsar Empat* or *Orang Empat di-Balai*. They were

The *Bĕndahara,*
 The *Orang Kaya Bĕsar,*
 The *Tĕmĕnggong,*
 The *Mantri.*

1. THE BENDAHARA.—The premier chief of Perak was the *Raja Bĕndahara* (*yang tĕramat-mulia tuanku Raja Bĕndahara, wakilu's-Sultan waziru'l-kabir*). He was the titular prime

minister and commander-in-chief. He derived his revenues mainly from a toll-station (*batang Kuala Kinta*) that levied duties on all produce entering or leaving the Kinta river.¹ It is not known what the gross annual revenue from this station amounted to. The *Bĕndahara* was also entitled once a year to send the royal musicians (*orang kalur*) round the villages to bear his sword of office (*baur*) and to collect a capitation-tax of 50 cents from every household. This revenue was known as the *beman kalur*.

The wife of a *Bĕndahara* when she was of royal birth was styled *Raja Empuan Kĕchil*, but if she was a commoner she was known as *Bĕndahara Empuan* or (popularly), as *Che' Puan Bĕndahara*.

The title of Bendahara up to the days of Sultan Iskandar Dzu'l-Karnain (about A.D. 1780) was vested in the family of Megat Terawis. Sultan Iskandar suddenly bethought himself—that it was a great pity that Perak should only have a commoner as its prime minister when there were so many promising young princes for whom no employment could be found. He therefore directed his Bendahara, Megat Pendaia, to build him a palace at Pulau Indra Sakti, and so worried that minister with contradictory instructions and undeserved censures that the unfortunate man tendered his resignation in order to prove that no other Bendahara could do the work better. But the Sultan promptly appointed his brother (or cousin), Raja Alaedin, to be Bendahara and expressed himself perfectly satisfied with the house that Raja Alaedin built. After that time the high office of Bendahara came to be looked upon as an appanage of royalty. About the year 1851, however, the holder of this position died at a very inconvenient time, there being no prince of the royal house who was acceptable to the chiefs. The old theory as to the non-royal status of the Bendahara was thereupon revived and the office was conferred upon Raja Ismail,

¹ The tolls levied on produce in 1874 were :

Gutta	...	...	...	...	...	\$ 1 a pikul,
Hides	...	...	...	...	...	12½ cents a pikul,
Tin	...	...	...	...	...	\$ 4 a bahara,
Rice	...	...	...	...	...	\$16 a koyan,
Tobacco	...	...	...	...	...	\$ 2 a pikul,
Opium	...	...	...	...	...	\$ 4 a chest,
Oil	...	...	...	...	...	10 per cent. in kind,
Small articles	...	...	...	...	...	1 in 10, taken in kind.

whose father was a foreigner though his mother was a Perak princess. The theory was that he should be regarded as a prime minister or premier chief and not as a prince of the blood and ultimate heir to the throne. At the deaths of Sultan Shahabudin, Sultan Abdullah II, and Sultan Jafar, the Bendahara accepted this view and put forward no claim to the position of Raja Muda. Doubtless he would have done the same at Sultan Ali's death in 1871 had not the timidity of Raja Abdullah created an intolerable situation. The chiefs then revived the more modern Perak practice and treated the Bendahara as an heir to the sultanate. Raja Ismail was a very old man and his installation as Sultan promised to be a temporary makeshift for tiding over a serious crisis.

2. THE ORANG KAYA BESAR.—Immediately after the Raja Bendahara came the *Orang Kaya Bësar Maharaja Diraja Pënghulu Bëndahari*. He was the Sultan's Treasurer, Secretary and Chamberlain. He collected the Sultan's revenues, received and replied to the Sultan's letters and had charge of the Sultan's household. He was always selected from a family of Saiyids who resided at Pachat. He is said to have received the revenues of Pachat, and perhaps he levied some commission on whatever he collected for his master. His wife bore the title of *To' Puan*. There has been no holder of this office since the English came to Perak.

3. THE TEMENGGONG.—The *Orang Kaya Tëmënggong Paduka Raja*, popularly known as the *Tëngku Tëmënggong*, was a sort of minister of police. In the homely phraseology of the country, he was the Sultan's "dagger" (*këris pandak*) or policeman, as compared with the Bendahara who was the Sultan's sword of war. The Temenggong looked after the Sultan's forts and stations; he apprehended, tried and executed criminals; he examined weights and measures and certified to their being correct. He derived his revenue from a monopoly of the sale of salt and ataps, from fees on weights and measures and from the smaller fines that he inflicted. Large fines all went to the Sultan. The public executioner was a servant of the Temenggong.

The Temenggong was also a territorial chief. He was lord of the mukim of Kota Lama, where he was all-powerful. His deputy in charge of his feudal district was himself a minor chief, the *Dato' Sëri Lela Paduka*. The wife of a Temenggong was a *To' Puan* and his heir was a *To' Muda*.

4. THE MANTRI.—The fourth in rank of the great court dignitaries was the *Těngku Mantri* or *Orang Kaya Mantri Paduka Tuan*. The Mantri was an adviser attached to the court; he settled disputes between the princes and chiefs and gave his opinion on questions of law and custom. He had no special revenues attached to his office. The first holder of this dignity was an Arab named Saiyid Mahmud in whose family the title remained till A.D. 1862, when Sultan Jafar conferred the title upon Che' Ngah Ibrahim, ruler of Larut, to give him more precedence than he then possessed. But there was no historical connection between the title of Mantri and the district of Larut.

The wife of a Mantri was a *To' Puan* and his heir was a *To' Muda*.

THE EIGHT CHIEFS.

The eight chiefs (*Orang Běsar Dělapan* or *Hulubalang Dělapan*) took precedence after the four great dignitaries. The eight chiefs—in the order assigned to them by the Perak State Council in 1905—are:

The *Orang Kaya-Kaya Maharaja Lela Tan Lela Putra*,

The *Orang Kaya-Kaya Laksamana Raja Mahkota*,

The *Orang Kaya-Kaya Sěri Adika Raja Shahbandar Muda*,

The *Orang Kaya-Kaya Pěnglima Kinta Sěri Amar Bangsa Diraja*,

The *Orang Kaya-Kaya Pěnglima Bukit Gantang Sěri Amar Diraja*,

The *Orang Kaya-Kaya Shahbandar Paduka Inděra*,

The *Orang Kaya-Kaya Sětia Bijaya Diraja* (formerly *Sěri Agar Diraja*),

The *Orang Kaya-Kaya Imam Paduka Tuan*.

There is no doubt whatever about the composition of this list, and there is very little doubt indeed¹ about the accuracy of the order of precedence assigned to the various chiefs included in it.

1. THE MAHARAJA LELA.—This chief ruled the district about Pasir Salak. He had the right to stand prominently forward with a naked sword at all court ceremonies and to behead instantly any unfortunate person who behaved improperly

¹ Some lists give a higher place to the Dato' Sagur.

or showed contempt for the dignity of the ruler. He was above the law. His peculiar privilege made a great impression on the Malay mind: in Perak he was styled *Maharaja Lela panchong ta'bertanya*, "The Maharaja Lela, who cuts off heads without asking leave," and in all Malaya the expression *běrmaharaja lela*, "to play the Maharaja Lela," is used to describe a chartered libertine.

The wife of a Maharaja Lela was a *To' Puan*. The Maharaja Lela drew revenue from his own feudal district of Pasir Salak and from certain customs dues drawn from the Sungai Dedap.

The position of Maharaja Lela is now vacant and is never to be filled because the last holder of the office instigated the murder of Mr. J. W. Birch.

2. THE LAKSAMANA.—The *Orang Kaya-Kaya Laksamana Raja Mahkota* ruled in Lower Perak. His jurisdiction extended "up-river as far as the tide can reach, down-river to the line where the surf breaks on the bar and the grey-mullet come to the surface." He had also charge of the whole sea coast. Whenever the Sultan's boats entered tidal waters the Laksamana had the right to place his boat at the head of the fleet and to lead the way. At all times he could put up a pole or flagstaff (*galah*) in the bows of his boat and blow the royal trumpet (*nafiri*) as "king of the sea." In the event of war he could summon the peasantry to construct the forts and other coast defences against an invading foe.

The Laksamana administered justice in Lower Perak and derived a certain revenue from fines; he also levied tolls on the river Batang Padang and received a small share of the tolls on the Perak river itself. His wife was styled *To' Puan*; his heir was the *Dato' Raja Mahkota*.

3. THE SADIKA RAJA.—The *Orang Kaya-Kaya Sěri Adika Raja Shahbandar Muda*, popularly known as the *Sadika Raja*, held in the upper waters of the Perak river the position that the Laksamana occupied near the sea. He too—in his own waters—could erect a royal flagstaff and blow the royal trumpet; he, too, was a king in his own place, the *anak raja di-hujung karang* or "prince of the shallows." His authority extended from Kuala Temong (above Kuala Kangsar) to the "white cotton-tree" that marked the watershed between Perak and Patani. He enjoyed the ordinary revenues of a feudal chief besides certain tolls (§2 a *bahara* on tin, and §2 a *pikul* on rambong and gutta-

percha), fines, fees, and a capitation-tax of 70 *gantangs* of rice from every household. His wife also ranked as a *To' Puan*.

4. THE PENGLIMA KINTA.—This chief ruled over the valley of the Kinta river. He received a royalty of 10 per cent. on all tin found in the district, besides the usual fines and fees. He had to send 100 *baharas* of tin annually as a sort of tribute to the Sultan and was given in return a complimentary present of \$100 worth of articles for distribution among his *ryots*. He was sometimes described as the *pëminggang kiri* or ruler of the "left flank"¹ of Perak because his territories guarded the eastern frontier of the State. The wife of a *Pënglima Kinta* was a *To' Puan*; his heir was a *To' Muda*.

5. THE PENGLIMA BUKIT GANTANG.—The *Orang Kaya-Kaya Pënglima Bukit Gantang Sëri Amar Diraja* was the feudal warden of the western marches (*pëminggang kanan*). He held the pass that led from the Perak river to the plains of Larut. He received some income from the district; but at a later date the Mantri (who was related to the *Pënglima Bukit Gantang*) secured all the revenues of Larut for himself. There is now no longer a *Pënglima Bukit Gantang*. His wife ranked as a *To' Puan*.

6. THE DATO' BANDAR.—The *Orang Kaya-Kaya Shahbandar Paduka Indëra* was a Lower Perak chief who acted as a sort of harbour master, customs officer, protector of immigrants and superintendent of trade. He received a commission on what he collected. It does not appear that his wife was a *To' Puan*, nor was he a real territorial chief.

7. THE DATO' SAGUR.²—The *Orang Kaya-Kaya Sëri Agar Diraja*, popularly known as the *To' Sagur*, ruled the banks of the Perak river between Kampong Gajah and Pulau Tiga. He was also theoretically the controller of the Sultan's household. In the metaphorical language of the time the kingdom of Perak was a ship; the Laksamana was officer of the watch, the Sadika Raja steered, the *Pënglima Kinta* rowed on the left, the *Pënglima Bukit Gantang* rowed on the right, and the Dato' Sagur attended to the royal passengers. The wife of a Dato' Sagur was a *To' Puan*.

¹ Really "left gunwale." See the metaphor of the "ship of State" further on.

² He had nothing to do with the king's "dug-outs" (*sagur*). The word is *s'agor*, a Perak dialectic corruption of *sëri agar*; cf. *sadika* for *sëri adika*.

The last Dato' Sagur was executed for complicity in the murder of Mr. Birch. The title was abolished and its place in the "Eight" was given to the new dignity of *Orang Kaya-Kaya Sĕtia Bijaya Diraja*, a title that does not carry the territorial authority of the old Dato' Sagur.

8. THE IMAM PADUKA TUAN.—The *Orang Kaya-Kaya Imam Paduka Tuan* was an ecclesiastical dignitary. He served as a sort of chief *kadzi* or high priest and derived his income from the contributions of the faithful. His wife was not a *To' Puan* nor was the position one that could (strictly speaking) be considered hereditary.

THE SIXTEEN MINOR CHIEFS.

After the "Four" and the "Eight" come the "Sixteen." The Dato' Sri Maharaja Lela appears to have been always regarded as head of the "Sixteen," but it is by no means certain who the other fifteen were. According to the decision of the State Council in June, 1905, the list of "Sixteen" is made up of the following chiefs;

<i>Dato' Sĕri Maharaja Lela</i>	<i>Dato' Pĕnglima Teja</i>
<i>Dato' Sĕri Lela Paduka</i>	<i>Dato' Shahbandar Muda</i>
<i>Dato' Maharaja Indĕra Muda</i>	<i>Dato' Sĕtia Maharaja</i>
<i>Dato' Maharaja Diraja</i>	<i>Dato' Sa-Indĕra Bongsu</i>
<i>Dato' Paduka Sĕtia</i>	<i>Dato' Maharaja Dewa</i>
<i>Dato' Sĕri Dewa Raja</i>	<i>Dato' Paduka Raja</i>
<i>Dato' Sĕri Amar Diraja</i>	<i>Dato' Amar Dewa Angsa</i>
<i>Dato' Raja Mahkota</i>	<i>Dato' Pĕrdana</i>

As this list was approved by the State Council it may be taken as correct for the present day, even if inaccurate historically. But a list supplied me still more recently by the kindness of the Secretary to H.H. the Sultan for the purposes of this publication does not agree with that approved by the Council in 1905. Other lists obtained from other sources and at various dates differ still more materially; and Mr. J. W. W. Birch (who tried in 1874 to get reliable lists of the Perak chiefs) found that it was impossible to get any two people to give the same sixteen names.

Below the "Sixteen" came the "Thirty-two." It will be readily understood that if a reliable list of the "Sixteen" is unattainable, a table of the "Thirty-two" is not even worth attempting. The State Council did not attempt it; and His Highness's Secretary

writes that the head of the "Thirty-two" was Dato' Tan Dewa Sakti of Batang Padang and that the other members were chiefs of no importance whatsoever. I have an old list of the "Thirty-two," but it cannot be considered authoritative and it clashes with the list of the "Sixteen" approved by the State Council.

It will be sufficient if the principal titles are given without any special reference to such purely artificial questions as the classification into "Sixteen" and "Thirty-two" and without attempting to fix their precedence relatively to one another. We will begin with the court or official dignitaries as distinct from territorial magnates.

The military titles were as follows :

Dato' Pēnglima Bēsar,
Dato' Pēnglima Pērang Kanan,
Dato' Pēnglima Pērang Kiri,
Dato' Pēnglima Dalam,
Dato' Pēnglima Muda.

These military titles were not included in the "Sixteen" or "Thirty-two," they were a class apart.

The ecclesiastical dignitaries were :

Imam Sēri Raja of Kota Lama Kanan,
Imam Sēri Fidin of Sayong,
Imam Siraja Pakih of Kota Lama Kiri,
Imam Siraja Mahkota of Bota,
Imam Malaikat Amin of Ketior,
Imam Shaikhu'l-Islam of Pasir Salak,
Imam Si-Raja Diraja of Gērunggong,
Imam Si-Raja Dalam of the Sultan's Palace.

These also were a class apart.

The Sultan's court-heralds are :

Sēri Nara Diraja, principal herald,
Sēri Dewa Maharaja,
Maharaja Dinda,
Paduka Sa-Indēra,
Raja Di-Muda,
Sēri Rakna,
Sandar Maharaja,
Raja Di-Bongsu.

The Raja Muda's heralds are styled :

Sa-Indĕra Muda,
Sa-Indĕra Faya.

The Ladies-in-waiting on the Sultan's wife are entitled :

Sĕri Nara Suri,
To' Suri,
Rakna Sĕnari,
Rakna Wati,
Kĕmala Sĕri,
To' Kĕsumba,
To' Tun,
To' Mandu.

The Ladies-in-waiting on the Raja Muda's wife are called :

Rakna Muda,
Rakna Faya.

The court-writers are styled :

Pakeh Si-Raja Mantri,
Pakeh Si-Raja Diraja,
Pakeh Si-Raja Muda.

The chief court-musicians (*Orang Kalur*) bear the titles :

To' Sĕtia Guna,
Sĕtia Indĕra.

It should be explained that the royal drums and trumpets may not be handled by the general public; the theory is that any such handling will lead to the death of the sacrilegious person at the hands of the ghostly protectors of royal majesty. The members of one family alone, the *orang kalur*, are exempt from this risk and therefore possess a certain hereditary dignity. The heads of the family bear the titles above mentioned.

Another ancient family is the family of the *muntak lĕmbu*. Its members claim to be descended from the singer who came out of the mouth of the white bull that carried Sang Sapurba on his first appearance in the world.¹ One version has it that the founder of the family was really a step-brother of Sang

¹ See page 9.

Sapurba—the son of Sang Sapurba's mother by a *jin* whom she married as her second husband. The head of this family bears the title of *Sěri Bijaya Inděra*, and the chief court-herald, *Dato' Sěri Nara Diraja*, is a member of the same house. He is the repository of the installation formula, the wording of which is in a language older than Malay—the language of the *jin* according to the Perak Malays, but really Pali or Sanskrit.

Most of the great chiefs—the “Four” and the “Eight”—had deputies or assistants who helped them in their duties and bore special titles. In some cases these assistants (known as *tongkat* or *golok-golok*) were heirs to the higher title; in some cases they were paid helpers; and again in some cases they were vassal chiefs whose titles were hereditary in their own families. It is, however, difficult to speak positively in every single case as to the exact relationship between a chief and his *tongkat* or *golok-golok*. The following are some of these subsidiary titles:

1. The *Dato' Sěri Lela Paduka* was the Temenggong's deputy in his feudal appanage of Kota Lama Kanan;
2. The *Maharaja Si-Rama* and the *Maharaja Anakda* were under the Maharaja Lela;
3. The *Raja Mahkota* was the deputy and heir of the Laksamana in Lower Perak;
4. The *Shahbandar Muda* (or *Shahbandar Ulu*) was the deputy of the Sadika Raja at Pulau Kamiri;
5. The *Sěri Paduka Wangsa* was the chief assistant of the Pěnglima Kinta;
6. The *Paduka Sětia* was the principal assistant of the Pěnglima Bukit Gantang—it may be added that Che' Long Jafar, the ruler of Larut, was the son of a *Paduka Sětia* and was not a mere “trader” who had settled in the country;
7. The *Sěri Dewa Raja* was a chief in Lower Perak subordinate either to the Laksamana or Shahbandar;
8. *To' Raja Duamat* and *To' Raja Biji Dewa* were subordinates of the Sri Maharaja Lela at Sayong.

The above were subordinate chiefs, though important as deputies or heirs of very powerful territorial magnates. The

following were also feudal chiefs, but they governed less territory (in some cases) and are therefore (in those cases) of minor importance :

1. The *Dato' Sëri Maharaja Lela* of Sayong,
2. The *Dato' Sëri Amar Diwangsa* of Senggang,
3. The *Dato' Sëri Amar Diraja* of Sungai Trap,
4. The *Dato' Maharaja Dewa* of Lambor,
5. The *Pënglima Teja* of Teja,
6. The *Raja Indëra Lela* of Sungai Raya,
7. The *Dato' Amar* of Paching,
8. The *Dato' Paduka Raja* behind Pulau Tiga,
9. The *To' Sëtia Kërma* of Sungkai,
10. The *To' Sënonngsah* of Këpayong,
11. The *To' Paduka Sa-Indëra* of Layang-Layang,
12. The *To' Përdana Mantri* of Bota,
13. The *Tan Dewa Sakti* of Batang Padang,
14. The *Pënglima Kampar* of Kampar.

CONCLUSION.

Generally speaking, a Malay title consists of a string of high-sounding honorifics such as *raja*, *diraja*, *maharaja*, *sëri*, *paduka*, *lela*, *dewa*, *indëra*, *wangsa*, *diwangsa*, etc. These honorifics give no clue whatever to the position of their possessor—indeed, it often happens that the least important nobles possess the most sonorous names. The Perak titles are no exception to the general rule, but it is possible from some of them to infer a good deal as to the former history of the country.

There are in the above lists traces of two distinct types of Government.

The first type is that of Malacca and Johor. The Sultans of Malacca and Johor governed through a number of high court-officials (*orang di-balai*) or ministers: the Bendahara, the Temenggong, the Laksamana, the Shahbandar, and the Maharaja Lela. These titles all appear in Perak with the same duties attached to them and with approximately the same precedence as at Malacca and Johor.

The second type is that of Acheen. The Achehnese system was feudal: there was a Sultan, of course, but the real rulers were great territorial chiefs who governed provinces and who

bore the title of *hulubalang*. Below the great chiefs there was a hierarchy of minor chiefs, rulers of villages.

When, therefore, the ancient Perak nomenclature marked the difference between the *orang di-balai* and the *hulubalang* it really drew a distinction between the court aristocracy of Johor and the feudal aristocracy of Acheen. We know from history that Perak was an Achehnese province in the days of the great Mahkota Alam. About A.D. 1635 Sultan Mughal of Acheen sent Raja Sulong (or Mudzafar Shah) of Johor to govern Perak. Raja Sulong would naturally introduce his Johor system and would give his own chiefs—his Bendahara and his Temenggong—precedence at court over the powerful territorial nobles who ruled the country before he came. He thus began to create the present aristocracy of Perak by the fusion, or confusion, of his own Johor-made nobles with the old feudal “*hulubalangs*” of the Achehnese hegemony.

The division of the chiefs of Perak into the “Four,” the “Eight,” the “Sixteen” and the “Thirty-two” bears every mark of artificiality. A more popular, more ancient and more reliable description is that which likens Perak to a ship pointing southward, with the Sadika Raja at its stern, the Laksamana at its prow, the Pēnglimas of Kinta and Bukit Gantang to its left and right, and the Dato' Sagur in the centre. A glance at the map of Perak will show how well this description fits it. The ancestors of these five chiefs must have divided the country in the old Achehnese days; they were the “*hulubalangs*” of that time. Upon this territorial nobility of five great feudal magnates Mudzafar Shah would naturally impose his non-territorial officers—the Raja Muda, the Bendahara, the Temenggong, the Laksamana, the Shahbandar and the Maharaja Lela. He gave the title of Laksamana to the *hulubalang* who ruled the coast and was *de facto* “king of the sea,” but he kept the other dignities for his own men. The Raja Muda, the Bendahara, the Temenggong, the Shahbandar and the Maharaja Lela were assigned no part whatever in the navigation of the old “ship” of State.

But two such kinds of aristocracy could not be kept distinct for long. The court dignitaries would naturally try to acquire territorial power and to make their position more permanent than that of officers whose existence depended on the caprice of the monarch. The Dato' Sagur, in whose territory the court was located and whose duty it was to “look after the passengers,” would be the first to suffer. He had to surrender Kota Lama to

the Temenggong and Pasir Salak to the Maharaja Lela. Some of his vassals seem also to have made themselves independent of their weakened lord. But the four other great "hulubalangs" continued to rule over the great provinces that they held.

Another possible alternative, of course, is that the hereditary chiefs of Kota Lama and Pasir Salak succeeded in getting themselves made Temenggong and Maharaja Lela, respectively. The objection to this view is that the real hereditary chief of Kota Lama was the *Dato' Sëri Lela Paduka*, and that there is some evidence of Pasir Salak also possessing a local chief. The Temenggong's authority over Kota Lama was only that of a liege-lord—the sort of authority that a great provincial *hulubalang* like the *Dato' Sagur* would possess over the chiefs of villages like the *Dato' Sëri Lela Paduka*. This feudal theory will easily explain the curious system by which each great *hulubalang* possessed one or more "assistants" (*tongkat* or *golok-golok*) in his district. The chief was the liege-lord; the *tongkat* was the vassal, though that *tongkat* might be the chief's own heir in the chief's own village.

The original *orang di-balai* were—we suggest—the Bendahara, the Temenggong, the Shahbandar and the Maharaja Lela; the original *hulubalang* were the Laksamana, the Sadika Raja, the Pënglima Kinta, the Pënglima Bukit Gantang, and the *Dato' Sagur*. In course of time the position changed. The Perak kings had court-favourites, Saiyids, men of intellect and good birth but of little wealth or real power, on whom they would naturally wish to confer high rank and precedence. The kings seem therefore to have created two or three new dignities that had no part in the old Johor hierarchy introduced by Mudzafar Shah. These were the *Orang Kaya Bësar*, the *Orang Kaya Mantri*, and the *Imam Paduka Tuan*. Meanwhile, also, the Temenggong and the Maharaja Lela had acquired territorial possessions. The old line of demarcation between the *orang di-balai* and the *hulubalang* had ceased to exist; some chiefs partook of the character of both types of aristocracy.

The Sultans then created a new order of precedence: the "Four" and the "Eight." The old names of *orang di-balai* and *hulubalang* were retained for the "Four" and the "Eight," respectively, but ceased to bear any real meaning and are now being rapidly forgotten. The *Dato' Sagur*, whose authority over the heart of the country had made him a very great *hulubalang*, sank to a very humble position in the "Eight." Nevertheless,

the list of the "Four" and of the "Eight" is a very definite list and always limits itself to certain great court dignitaries and to the representatives of the five feudal chiefs of the first rank. The minor chiefs, the heads of villages, had no part in it; they were only provided for in the "Sixteen" and the "Thirty-two." But though people spoke of the "Sixteen" and the "Thirty-two," no one seems to have seriously attempted to classify the minor chiefs of Perak. The expressions "Sixteen" and "Thirty-two" simply meant chiefs of the third rank and of the fourth rank and did not correspond exactly with their numbers. The "Sixteen" included any minor chief who had a title and some real territorial power; the "Thirty-two" included any man who bore a title but possessed little else. The "Sixteen" were about twenty-five in number,¹ and the "Thirty-two" were probably more than thirty-two. At the present time the Sultan does not readily confer territorial titles upon the heirs of their former holders, so that many of the ancient dignities of Perak are likely to become extinct.

THE MANTRI OF LARUT.

The district of Larut (with its sub-districts of Krian, Matang and Selama) lies quite outside the valley of the Perak river. A narrow tract of country, lying between the Perak watershed and the sea, it may be said to have come within the "sphere of influence" of the old river-State rather than to have formed part of the State itself. During the first half of the nineteenth century Larut was practically a no-man's-land, for the Malay, who loves the banks of great streams, found very little to attract him in the desolate swamp-country of the coast. Of the principal Perak territorial chiefs, only one—the Pēnglima Bukit Gantang—had any footing in Larut at all, and he was simply a sort of warden of the marches guarding the pass that gave access to a large and isolated district. Politically speaking, Larut is in Perak but not of it; it owes its population and prosperity to settlers from beyond the borders of the State.

The first man who saw the potential wealth of Larut was a certain Long Jafar, father of the famous Mantri. This Long

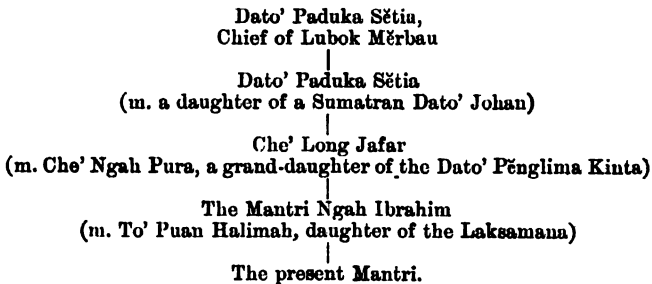
¹ It must also be remembered that titles included in the "Sixteen" might be vacant for long periods and the number actually filled would usually be about sixteen. To make a list of the "Sixteen" is like trying to make the peerages of Ireland or Scotland tally with their representation in the House of Lords.

Jafar was not (as is usually believed) a shrewd trader from Penang or Province Wellesley, but a Perak-born Malay, son of a minor chief, the Dato' Paduka,¹ and grandson of another petty chief, a Dato' Johan. As his brother had married a daughter of the Pēnglima Bukit Gantang, Long Jafar came to settle in the vicinity of the present township of Taipeng. When he first arrived he found that there were only three Chinese to be exploited in the whole territory of Larut; but after the discovery of some rich mining land he succeeded in attracting many more adventurers to the place. His first mines were at *Kēlian Pauh*, where the Taipeng gaol now stands. At a later date an elephant that was being used by the miners escaped into the Kamunting jungles and when recaptured was found to be covered with a mud that was very rich in tin. The prospecting done by this elephant led to a rush to Kamunting—to the "new mines," or *Kēlian Baharu* as the place came to be called.

There is a Malay proverb to the effect that a man need not forget his own interests when working for the State. Long Jafar acted up to this rule. Beginning as a mere representative of the Sultan he seems to have gradually bought—one after another—from his master the various sources of revenue in the province. In 1850 he obtained his first title to Larut; he received it from the Raja Muda Ngah Ali and the leading chiefs of Perak. The document² runs:

"Che' Long Jafar has opened up one of the provinces of Perak called Larut and all its rivers to make tin-mines; this he has done by his own diligence and at his own expense. We express our entire approval of the diligence he has bestowed and the expense he has incurred in Larut, and his children shall receive the district as their own property..... What is written in this deed can never be annulled by anyone."

¹ The full title was *Dato' Paduka Sētia*. The full pedigree is:



² The translations of the original documents—made in 1873 by Sir F. Swettenham—are given in full in Appendix B.

In 1856 the then reigning Sultan (Jafar) confirmed the Raja Muda's grant. In 1857 Long Jafar died and was succeeded by his son, Che' Ngah Ibrahim, who at once applied to the Sultan for recognition and was granted powers even greater than those that his father had possessed. The new deed—dated the 30th November, 1857, and bearing the seals of the Sultan, the Raja Muda and the Raja Bendahara—contains the following passages :

"Be it known that, after due deliberation with our princes and chiefs, we bestow a province of this country of Perak upon Ngah Ibrahim bin Jafar to be governed by him and to become his property. Moreover, we make known the boundaries of that dependency to be as follows: from Larut to Krian and Bagan Tiang—these are the boundaries that make up the province of Larut....."

"Now we confirm Long Jafar's son's Government; and this cannot be revoked—whether he (Ngah Ibrahim) does well or wickedly—by anyone who may hold the sovereignty of Perak.

"Therefore we endow Ngah Ibrahim with the power of legislation and give him authority to correspond and to settle matters with other countries and with the British Government without reference to us three (the Sultan, Raja Muda and Bendahara) or to anyone who may hold sovereignty in Perak."

The great powers that the Sultan conferred on Che' Ngah Ibrahim were not merely titular; they were a formal recognition of existing facts. When in 1862 the British authorities called on the Sultan of Perak to enforce an award of \$17,447.04 that had been given against Larut, the Sultan could do nothing. He appealed to the British to blockade Larut and he begged the ruler of Larut to be reasonable. Che' Ngah Ibrahim paid the money in May, 1862, but he got another concession from the Sultan. From this time forward he was destined to be a Raja in Larut.

"The wishes and laws of Ngah Ibrahim are our own laws also:¹ let everyone understand this and not dispute the laws of Ngah Ibrahim bin Jafar."

This was in December, 1863. By the end of March, 1864, he had been granted the title of *Orang Kaya Mantri*—a title of the highest rank in Perak—and received a further deed recognising him as ruler of the whole country from the Krian river in the north to the Bruas river in the south.

"We give the government of the aforesaid entire country to the Orang Kaya Mantri, whether he acts well or ill, with all its subjects and its soldiers, its lands and its waters, its timber, its plants and rattans, its *damar*, its shells, its mines, its hills and its mountains, and all the immigrants who dwell thereon, whether they be Chinese or Dutch—with power to frame laws and to admit men to the Muhammadan religion, to kill, to fine and to pardon and (as our representative) to give in marriage the guardianless..... If any man makes disturbances or disowns the Mantri's authority, he commits a sin against God and against Muhammad and against Us."

¹ If, as is possible, the word translated "also" is *juga*, the true meaning would be: "the wishes, etc., of Ngah Ibrahim are equivalent to our own."

Such then was the position of the Mantri until 1873. To the English he was "the Rajah of Larut": he corresponded direct with the Governor at Singapore and the Lieut.-Governor at Penang; he built roads, let revenue-farms, maintained a police force and even possessed two small ships of war of his own. "He was acknowledged," said Mr. A. M. Skinner, in an official report, "to be practically the independent ruler of Larut." "From what Mr. Arthur Birch tells me," wrote Mr. C. J. Irving, in another report, "I fancy that Larut is a virtually independent State." Its independence was not, however, officially recognised till the 3rd September, 1873, when Governor Sir Harry Ord wrote:

"As I am satisfied from the various documents which the Orang Kaya Mantri has produced that he is the lawful ruler of Larut, and as such independent of the Sultan or any authority in Perak, he will now be recognised by the Government as the independent ruler of Larut."

This decision was announced in Council and was officially conveyed to the Mantri in a letter dated the 5th September, 1873.

Four months later Governor Sir Andrew Clarke, in a despatch to the Secretary of State, gave a very different account of the Mantri's position:

"It was also made perfectly clear to me that the Mantri was not an independent ruler but simply the Governor of the territory or district of Larut and, on his own admission,¹ an officer of the Sultan and owing allegiance to him; for while he held an undoubted appointment as Governor with full powers from the late Sultan, it seems to be perfectly clear that such an appointment terminated with the reign of the Sultan granting it and must, to be valid, be confirmed by his successor."

The contradictory opinions expressed by these two Governors will excuse the somewhat lengthy quotations from the documents upon which the Mantri relied. The documents are also given at full length in an appendix to assist any student who wishes to investigate the whole question for himself. They make it quite clear that the grant of Larut was not to be revocable by future Sultans and that it was not a Governorship tenable for a single life or on good behaviour only. On the other hand, they also make it evident that the Sultan did not give away his own titular dignities. Monarchs rarely do. King James I, when addressing the Sultan of Acheen, described himself as King of England,

¹ This is probably a mistake: the Mantri always claimed to be independent in Larut though he was a vassal in Perak proper. His position of Mantri was revocable, but not that of ruler of Larut.

France and Ireland, and several European rulers at the present day claim to be Kings of Cyprus and Jerusalem. A ruler who is an absolute monarch in his own dominions and who is not restricted in his relations with foreign powers is, however, always considered to be independent—and that seems to have been Sir Harry Ord's justification for recognising the independence of Larut.

It was unfortunate for Che' Ngah Ibrahim that he acquired the great Perak title of Mantri. That title—as we have seen—had nothing to do with his dominion over Larut, but it led officials in the Straits to look up the word *Mantri* in Sanskrit dictionaries and to discourse learnedly about the lack of connection between a prime ministership and the government of a province. If the Mantri had been content to be a humble *Dato' Paduka* (Sovereign Lord) like his grandfather, or a *Dato' Johan* (Lord of the World) like his great-grandfather, he would have ranked as a very minor chief in Perak, but he would have been a far greater man in the dictionary. The position of Mantri also led, curiously enough, to the well-born Che' Ngah Ibrahim being considered a parvenu, for he usurped this particular title from an ancient family of Saiyids with whom he was in no way connected. "His case," said Sir Andrew Clarke, "was entirely different from that of the Maharajah of Johore whose father and grandfather had long been in possession of Johore." Yet, there is much to be said for the Mantri. He and his father had made Larut; they took an uninhabited tract of country, opened it up, filled it with colonists, administered it and honestly bought up any claims that the ruler of Perak might have put forward over it. Few Eastern rulers—and certainly not the Maharajah of Johore—could have put forward a fairer title to recognition. These points have to be dwelt upon because the politics of Perak at the time of the Pangkor treaty cannot be really understood without a full explanation of the anomalous position of the Mantri of Larut.

THE CHINESE DISTURBANCES.

The troubles for which the British Government exacted compensation in A.D. 1862 were fights between Larut miners—men who were split up into various factions by their secret societies and by the strong clannish feeling that exists among Chinese coming from one and the same district. In the end,

two great secret societies practically absorbed all the rest: the Ghi-Hin Society which was patronised by the men of four Chinese districts, and the Hai-San Society which drew its supporters from five other Chinese districts. Both these Societies had their head-quarters in Penang.

In A.D. 1862 the Cheng-Sia Chinese had attacked the Wi-Chiu Chinese and had driven them out of Larut. Cheng-Sia was one of the "five districts,"¹ Wi-Chiu was one of the "four."² The Mantri is said to have thrown in his lot with the victors and to have shared in the spoil; but this, we imagine, only means that he condoned offences and accepted accomplished facts. In any case, he did not give the five districts or the Hai-San Society any monopoly of the mining, for he allowed their rivals to settle at Larut and to become very numerous and powerful between the years 1862 and 1871. Throughout this period the Mantri ruled Larut in a manner that might be criticised in a European, but seemed quite enlightened when compared with ancient Perak Governments; he built a road, maintained a small force of police, bought two steamers, kept a house in Penang and entertained his own countrymen most lavishly at Bukit Gantang, where he usually lived. He received a vast revenue—some \$200,000 a year or even more—from his district. Meanwhile, however, the Chinese were slowly becoming too strong for him. The great headmen who controlled the mines began to resent any interference with the profits that they made out of their truck-systems; they forced the Mantri to forego the gambling farm and the opium farm and to allow the mine-owners to pocket the gains from both sources. In course of time they would probably have gone further and stopped the tin-royalty as well. But before that happened, a trifling cause—a gambling dispute or a fight over a woman—led to fights that gradually spread to the entire Ghi-Hin faction on one side and the entire Hai-San faction on the other. In February, 1872, the Mantri reported that he and his police were helplessly looking on, while huge gangs of miners were plundering and burning each other's property. In March, 1872, victory had definitely favoured the Ghi-Hin faction. On the 12th March the Ghi-Hin junks fired on anyone who tried to enter Larut by way of the sea. By the end of that month things had quieted down and mining was resumed, but it was confined to the Ghi-Hin men of the four districts. The Mantri

¹ *Go-Koan.*

² *Si-Koan.*

accepted the position and punished no one for what had occurred.

Of course the Hai-San leaders—many of them being wealthy Penang merchants—were not likely to continue to tolerate their exclusion from the profits of the Larut mines. They began to collect arms and ammunition with a view to attacking their old enemies; they also intrigued with the Mantri's Malay rivals, especially the Raja Muda Abdullah of Perak. In August, 1872, the Mantri wrote to the acting Lieut.-Governor of Penang (Mr. G. W. R. Campbell) to complain that a man named Bacon was organising disturbances in the Krian district while the Chinese Hai-San leaders were using Penang as a base for a naval expedition against Larut proper. As to the former, Mr. Campbell wrote:

"Bacon, as I believe His Excellency knows, is a Eurasian adventurer aged 45 or 50, who some time ago was dismissed from his managership of one of Mr. Horsman's estates, became bankrupt, and subsequently stood his trial for arson, since which time he has been living chiefly in the Native States and advising Abdullah..... There is no doubt that Abdullah, from antagonism to the Larut chief who will not support him, would like Bacon to collect the Larut revenue; but Abdullah cannot assist Bacon, and Bacon unassisted cannot help himself. He has therefore got a boy, Junus, from Kedah—partly, I imagine, to involve the Kedah people in the matter and partly because Junus may have influence with the Larut Pengulus.¹ Bacon says he himself is not going to collect the revenue or going to Larut at all; Junus is to go and collect it. The revenue is to consist of a tax on rice, one on wool, one on rattans, and a capitation-tax of \$2½ on married couples and \$1½ on single persons for permission to live in the country..... When I asked Bacon what he had paid for this valuable farm, he said \$2,000."

Mr. Campbell warned Bacon and Junus that their whole expedition was merely piratical and that it might bring them to a very terrible end. But when it came to dealing with the Chinese preparations to attack Larut, the Lieut.-Governor—with no department of Chinese affairs and only seven marine policemen—was as helpless as the Mantri. In October, 1872, a number of armed junks and a strong force of Chinese fighting-men sailed from Penang to Larut and began a determined attack upon the Ghi-Hin miners. The acting Lieut.-Governor and the Superintendent of Police went in a ship of war to Larut to investigate matters and found that the junks were cleared for action and "seemed very determined." Mr. Campbell did not like to take the responsibility of seizing the junks and returned to Penang, where he was severely criticised by Governor Sir

¹ The population of Krian was largely of Kedah-Malay descent. This Bacon afterwards became confidential clerk and interpreter to Mr. J. W. W. Birch.

Harry Ord for his inaction. As for the Mantri's own ship, the "Bětara Bayu," it was put out of action by the primitive expedient of bringing a bogus case against it and having it seized for debt by the Penang Supreme Court: by the time the case was over, the fighting at Larut was also over, and the Ghi-Hin faction had been defeated with very heavy loss. A hundred wounded men found their way overland to British territory; very many more must have perished miserably in the jungles and swamps of the country.

The victory of the Hai-San Society was not, however, decisive. Fighting continued. The great mine-owners began to fly flags of their own and became leaders of armed men; the whole of the country became an armed camp. The Mantri was powerless and retired to Krian. The Penang authorities prosecuted some of the Chinese leaders and did what they could to prohibit the export of arms and ammunition, but they could not make their prohibitions effective. Fighting still went on. When starving and desperate, small defeated bands of Ghi-Hin or Hai-San miners would turn and plunder unoffending traders and fishermen. Piracy became rife, and fears were entertained that the hostility of the great societies would lead to open warfare in Penang itself.

About the middle of the year 1873 it became obvious that the British policy of non-interference in the affairs of the Malay States would have to be materially modified. The Lieut.-Governor of Penang (Colonel Anson) did what he could to put an end to the disturbances by arbitration, but he was balked by the unreliability of some of the Chinese leaders and of the Raja Muda Abdullah, who could not be induced to keep to any definite line of policy. Ultimately, Colonel Anson saw that the only hope of restoring order without actually annexing Larut lay in giving a whole-hearted support to the Mantri. On the 29th July, 1873, Captain Speedy, Superintendent of Police, resigned the British service and went to India to recruit Sikhs for the Mantri. On the 21st August Colonel Anson advised the Governor to take the strong step of recognising the Mantri's independence. Accordingly, on the 3rd September, Sir Harry Ord recognised the independence of Larut and on the 9th September he repealed in the Mantri's favour the order prohibiting the export of arms and ammunition to the disturbed districts. By throwing the full support of the English on the side of the newly-recognised ruler it was hoped that the country would be pacified and the piracies put an end

to. But the state of Larut was far more serious than the Governor had anticipated. A few days after the recognition of the Mantri the boats of H.M.S. "Midge" were fired upon and two officers wounded. Retribution followed at once; the junks and the stockades on the Larut river were shelled, captured or destroyed by British gun-boats on the 20th September. Among the prisoners taken on this occasion was the Raja Muda Abdullah. On the 4th November seven Chinese junks were seen to fight each other near Pangkor for several hours, but no one ever discovered what they were fighting about. Ultimately the Chinese seem to have given up their junks and taken to swift piratical row-boats that were still more difficult to cope with, as the following statement by Sir F. Swettenham will show:

"In the operations against the Chinese pirates of Larut in 1872-73, when H.M.'s gun-vessels for months sought and pursued the pirates without securing one boat or one man, I several times accompanied the men-of-war and joined the boat expeditions.

"Though the pirates were repeatedly seen, sometimes in the act of committing a piracy, they were never caught, for they could always get away from a man-of-war's boats or from the heavy and useless steam launches sent against them.

"Without a proper steam launch, one of the fastest and lightest draught (say 3 feet) I believe it is impossible for English sailors to act successfully against pirates on such a coast as that of the Malay Peninsula, a network of mangrove swamp and shallow rivers, often dry at low water. A pirate boat once out of sight in such a maze is as difficult to find as the proverbial needle in a haystack."

These piratical row-boats carried their depredations as far north as the Kedah coast and as far south as the Dindings, to the intense exasperation of the British authorities. But the exploits of these pirates were due to hunger and desperation more than to success or courage. The Chinese could not be hunted down in their own tidal rivers but they were being blockaded and starved. To seaward lay the British gun-boats; to landward were Captain Speedy and his Sikhs as well as the Malays of the Mantri and of his friend the new Sultan Ismail. Sooner or later the Chinese were bound to give in. It was, however, just at this critical juncture that Sir Harry Ord left the Colony and Sir Andrew Clarke took his place.

BRITISH POLICY IN 1873.

When in A.D. 1868 Sir Harry Ord made a treaty with Kedah, the Colonial Office—while not disapproving of the treaty itself—laid down decisively for the instruction of its officers that “it would generally be undesirable that a Governor should enter into negotiations with native rulers—still less that he should conclude any agreement with them—except in pursuance of an object or policy considered and approved by Her Majesty’s Government.” These instructions are logical enough. But the “policy considered and approved by Her Majesty’s Government” in the days of Sir Harry Ord was one of the strictest non-intervention. When, in July, 1872, a number of Malacca traders sent a petition to the Governor about the losses to which they were being put by the Selangor disturbances, they received the following reply :

“It is the policy of Her Majesty’s Government not to interfere in the affairs of these countries except where it becomes necessary for the suppression of piracy or the punishment of aggression on our people or territories, and if traders, prompted by the prospect of large gains, choose to run the risk of placing their persons and property in the jeopardy that they are aware attends them in these countries under present circumstances, it is impossible for the Government to be answerable for their protection or that of their property.”

This answer was formally approved by Lord Kimberley in December, 1872. The same rule of absolute neutrality was again laid down for the Governor’s guidance in a despatch dated the 5th July, 1873. From that date, however, we seem to get indications of a change of policy. Writing to Mr. Seymour Clarke on the 5th August, 1873, the Colonial Office qualified its assertion of neutrality by stating that it had *hitherto* been the practice of the British Government not to interfere in the internal affairs of the Native States. Six weeks later, on the 20th September, 1873, the practice of non-intervention was avowedly given up:

“Her Majesty’s Government have, it need hardly be said, no desire to interfere in the internal affairs of the Malay States; but, looking to the long and intimate connection between them and the British Government.....Her Majesty’s Government find it incumbent to employ such influence as they possess with the native princes to rescue, if possible, these fertile and productive countries from the ruin which must befall them if the present disorders continue unchecked.

“I have to request that you will carefully ascertain, as far as you are able, the actual condition of affairs in each State and that you will report to me whether there are in your opinion any steps which can properly be taken by the Colonial Government to promote the restoration of peace and order and to secure protection to trade and commerce with the native territories. I should wish you,

especially, to consider whether it would be advisable to appoint a British officer to reside in any of the States. Such an appointment could, of course, only be made with the full consent of the native Government, and the expenses connected with it would have to be defrayed by the Government of the Straits Settlements."

It seems clear, therefore, that in August, 1873, the Secretary of State had been contemplating a change of policy and that in September, 1873, that change became an accomplished fact. If the abandonment of the old neutral attitude is to be ascribed to the representations of any Governor, it must have been due to the counsels of Sir Harry Ord. But as Sir Harry Ord was on the point of retiring, the orders of the Colonial Office were not directed to him (though he was still in office) but to the Governor-designate, Sir Andrew Clarke, who happened to be in England when this all-important despatch was written. Still, it is not likely that the counsels of Governors could have been sufficient in themselves to have brought about so great a change if they had not been aided by the course of events. In the year 1873 Larut was being torn in two by rival secret societies; Perak proper was in a state of anarchy; Selangor was in the throes of civil war; even in the Negri Sembilan there were serious disturbances. The whole Peninsula, as Sir Harry Ord pointed out, was in the hands of the lawless and the turbulent.

The policy of inaction that had been pursued between 1867 and 1873 must have been very galling to an administrator of the masterful temperament of Governor Ord. Local feeling was all in favour of intervention. In February, 1869, when Raja Yusuf laid his claim to the throne of Perak before the Straits authorities, the Colonial Secretary (Colonel Macpherson) openly expressed to the Governor his regret that it was not possible to take advantage of the opportunity and govern the country through a British nominee. In 1871 a committee (of which Major McNair was a member) definitely proposed that Residents should be sent to the Native States. In 1872, Mr. G. W. R. Campbell, when acting Lieutenant-Governor of Penang, wrote in a similar strain:

"I speak with diffidence, being so new to this portion of the East, but I think it is worth consideration whether the appointment under the British Government of a British Resident or Political Agent for certain of the Malay States would not, as in India, have a markedly beneficial effect. Such Resident or Political Agent would need to be an officer of some position and standing and a man of good judgment and good personal manner, and he should, of course, have a thorough knowledge of the Malay language..... In India, in many a native-ruled State, it is marvellous what work a single well-selected British

officer has effected in such matters as roads, schools, and police—even within the compass of a few years.”

The ideas and wishes of the officials and unofficials of the Straits could, however, be of little avail as long as it was the declared intention of the Colonial Office to abstain from interference in the internal affairs of the Peninsula. It was only when the anarchy of 1873 forced the hand of the authorities at home that the Governor had a real chance of effecting anything of permanent value. That chance fell to the lot of Sir Andrew Clarke.

The preceding chapters will—it is hoped—make it fairly clear why the British intervened in Perak affairs and what was the political condition of the country at the time of that intervention. They may also serve to show that the introduction of the residential system into the Malay States was not the result of any sudden inspiration on the part of a new Governor, but was led up to by the course of events and by the advocacy of many Colonial officials—Sir Harry Ord, Colonels Anson and Macpherson, Major McNair, and Mr. G. W. R. Campbell, among others. Sir Andrew Clarke, before leaving England, had been told what he was to do. He landed in the Colony in November, 1873, and signed the Pangkor Treaty in January, 1874. His intervention was only one incident in a long series of events with most of which he had not been associated. But there were many possible ways of intervening in the affairs of Perak, and Sir Andrew Clarke must be judged by the line that he elected to take—his recognition of the Raja Muda Abdullah as Sultan, his reversal of Sir Harry Ord's policy towards the Mantri, his choice of Residents, and his instructions to the Residents that he selected. This line, whether right or wrong, led to the Perak war and to bitter controversies that make it, even now, inexpedient to discuss the history of Perak for the years 1874, 1875 and 1876.

APPENDICES.

APPENDIX A.

LETTER ACKNOWLEDGING SULTAN ISMAIL.

From the Raja Muda Abdullah to Sultan Ismail. The wording is literally as follows :

With all submission and humility from your grandson, the Raja Muda, who is at this time residing at Sungai Korok, to my grandfather Sri Paduka Duli Yang-di-pertuan yang maha-mulia.

After Compliments.—We respectfully inform our grandfather about all matters concerning us ; for at this time our thoughts are troubled, for things are much altered since former days.

When our late grandfather ascended the throne he instructed us in the way we should go. When we went wrong he reminded us of what was right. If we slept, he watched ; if we tarried, he urged us on ; if we were headstrong, he checked us ; if we could not succeed, there was one to help us.

The Rajas at that time gave us much assistance. Now our grandfather holds the sovereignty of Perak, and we are very glad of it. We believed that increased power would be shown to us. But our faith has not been justified by God's grace, and we, in consequence, are much distressed. But we still rely upon our grandfather's assistance in all these matters.

In the past our good fortune never failed us ; but now, since our grandfather ascended the throne, for the first time we are put to shame in a way never previously endured by any Perak Rajas.

Life has become more burdensome than before and we are resigned to God's will. We have received no instructions from any of the chiefs of Perak as to the position (*tanggungan*) we occupy, or any advice as to the best course to pursue. Now we have erred towards our grandfather ; yet, even in this case, not one of them pointed out what was right or what was wrong in our behaviour, only as it seemed to us ourselves.

Moreover, we settled things (according to our own notions), but none of the chiefs took any notice of us. Now, indeed, we ask a thousand pardons and beg our grandfather to assign us some responsible position that our mind may be at rest.

14th Shawal, 1289.

[7th December, 1872.]

APPENDIX B.

CHARTERS OF THE MANTRI.

I.

In the year 1267¹ of the Mahomedan Era, the year called Jim, on Friday, the 1st day of the month Muharram,² on that date we, Raja Ngah Ali bin Sultan Shahabudin Shah, at present in possession of the supreme power in Perak, give notice by this writing that, acting under the orders of His Highness our father-in-law, the Sri Paduka, who governs Perak aforesaid, we bestow this favour upon Che' Long Jafar bin Abdul Latif Paduka Sétia.

Che' Long Jafar has opened up one of the provinces of Perak called Larut, and all its rivers, in order to make tin mines; this he has done by his own diligence and at his own expense. We express our entire approval of the diligence he has bestowed and the expense Che' Long Jafar has incurred in the aforesaid place (Larut), and his children shall receive it (Larut) as their own property at their own disposal. This is established and confirmed with the approval of the chiefs who have affixed their seals to this document, as a sign of each one's approval and concurrence, and what is written in this deed can never be annulled by anyone.

Done this 1st day of the month Muharram.

[Sealed by the Regent Raja Ngah Ali, by the Témenggong, by the Pēnglima Bukit Gantang, by the Pēnglima Kinta, by the Shahbandar and by the Sadika Raja.]

II.

This document is given under the seal of His Highness Maulana Paduka Séri Sultan Jafar Maatham Shah bin Al-marhum Ahmad Shah Johan Bérdaulat Khalifatu'llah, who possesses the sovereignty of the country of Perak.

Be it known to all Rajas, and sons of Rajas, and Chiefs, Warriors, Officers, Eunuchs, Heralds, Penghulus, Naibs, Subjects and Soldiers, in our presence and at a distance, living beneath the shadow of the Government of Perak, that we make this document sealed with our seal and bestow it upon Che' Long Jafar bin Abdul Latif.

Inasmuch as Che' Long Jafar received a written power from Raja Ngah Ali bin Al-marhum Sultan Shahabudin Shah with the sanction of his father, done in the presence of all his chiefs who affixed their seals to that document which was written on the 10th day of the month Rabialawal³ in the year 1267, to the effect that the Government of Larut and its dependencies was bestowed upon him (Che' Long Jafar), to be managed by him at his own expense, to be his own property, and the inheritance of his children.

Now we confirm all that is therein written, to the effect, that it (Larut) shall become his (Long Jafar's) property and the inheritance of his children.

This we declare and establish, and we have sealed his document with our seal.

Done this 10th day of the month Rabialawal in the year 1273.⁴

[Sealed by the Sultan.]

¹ A.D. 1850. ² 28th February. ³ Erratum; it should be the 1st Muharram. ⁴ 7th May, 1856.

III.

This document is given under the hand and seal of us, Maulana Paduka S̄ri Sultan Jafar Maatham Shah bin Al-marhum Ahmad Shah who holds the sovereignty of the kingdom of Perak.

We three, Ourselves, the Raja Muda, and Raja Bēndahara, our Chief Ministers, bestow upon Ngah Ibrahim bin Jafar (this power): Be it known to all Rajas, sons of Rajas, Chiefs, Warriors, Officers, Eunuchs, Heralds, Penghulus, Naibs, Subjects and Soldiers, in our presence and at a distance, that after due deliberation with our Rajas and Chiefs, we bestow a dependency (province) of this country of Perak upon Ngah Ibrahim bin Jafar, to be governed by him and to become his property. Moreover, we make known the boundaries of that dependency to be as follows; from Larut and Krian and Bagan Tiang, these are the boundaries, that is to say, these compose the country of Larut (lit. this is Larut), to follow out the terms of the power by which his father Che' Long Jafar managed (governed that country) up to the time of his son Ngah Ibrahim who received it from his father by his father's gift.

Now we confirm his (Che' Long's) son's Government and this cannot be revoked, whether he (Che' Ibrahim) acts well or wickedly, by anyone who may hold the sovereignty of Perak.

Therefore we endow Ngah Ibrahim with all power of law, and give him power to correspond and settle matters with other countries and with the English Government without reference to us three, or to anyone who may hold sovereignty in Perak.

Thus do we confirm that to him as his property and bestow it upon him.

Written on the 10th day of the month Shawal, 1274.¹

[Sealed by the Sultan, Raja Muda and Bēndahara.]

IV.

At Pasir Panjang, Indēra Mulia, in the country of Perak in the year 1280.

On Monday, the 21st day of the month Shawal in the year 1280,² at the time and date aforesaid we Paduka S̄ri Sultan Jafar Maatham Shah, a renowned sovereign, ruler of the kingdom of Perak, grant this (power) to Ngah Ibrahim bin Jafar in order that it may be known to all Rajas and all sons of Rajas, Chiefs, Warriors, Officers, Eunuchs, Heralds, Penghulus, Naibs, Subjects and Soldiers, together with all in our presence and at a distance, thus we make known to them all: that after due deliberation with our Rajas and Chiefs, we bestow a province of the country of Perak upon Ngah Ibrahim bin Jafar to be governed by him.

Moreover, we make known the boundaries of that province to be as follows: from Larut and Krian, Bagan Tiang, these are the boundaries, that is to say, these from the country of Larut, as far as Krian.

And on the sea coast towards the west as far as Taujoug Bēlanak, thence from Pasir Gōdōbu to the mouth of the Krian river; towards the interior all which marches with Kedah, and the government of our chief of the interior, following the boundaries of Krian as they are at present, the total,³ one river in

¹ 30th November, 1857.

² 16th December, 1863.

³ Except ?

Kurau given to an old subject of ours, the Pēnglima Bukit Gantang Sēri Amar Diraja, his place will be bounded on the right and left by country under the government of his grandson, Ngah Ibrahim, as aforesaid, and thus there will be no disputes about either's boundaries.

Let no one under the government of Ngah Ibrahim break his laws within the aforesaid provinces. Just as we ourselves should give laws to them as long as they lived under the Government of Perak, so Ngah Ibrahim can govern them as he pleases and make any laws he thinks fit, without committing any offence against us, or against our rajas or chiefs in this country of Perak or in any other country.

Should anyone, whether Malay or Chinese, or of any other race, wish to do anything in the aforesaid provinces, such as cutting wood or tin mining, he must agree to be faithful to, and receive permission from, Ngah Ibrahim, in like manner as he would receive it from us—and (be it known to) our rajas and chiefs, that if they do not arrange with Ngah Ibrahim and obtain his consent they cannot do (anything in Larut).

The wishes and laws of Ngah Ibrahim are our own laws also, let everyone remember this and do not dispute the laws of Ngah Ibrahim bin Jafar.

[Sealed by Sultan Jafar.]

V.

On Tuesday, the 10th Jimadilawal 1280,¹ in the year Wau, in the reign of Maulana Sri Sultan Jafar Maatham Shah, at the Palace at Pasir Panjang, Indra Mulia, in the presence of the Raja Muda, representative of the Sultan, and in the presence of the Raja Bēndahara, also representative of the Sultan, and in the presence of the Sultan Muda, and in the presence of all the Rajas and sons of Rajas and Chiefs, the head of them being Orang Kaya Besar Maharaja Diraja, and in the presence of all the Temenggongs and the Temenggong Paduka Raja, and in the presence of all the Warriors, Officers, Eunuchs, Heralds, Pēnghulus, Naibs, Subjects and Soldiers, crowding the Hall of Audience:

Now, at this time, His Highness the Yang-di-pertuan (*i.e.*, Sultan) bestows this (document) given under his seal, upon the Orang Kaya Mantri.

Be it known to all Rajas and sons of Rajas, and all Chiefs and Warriors, Officers, Eunuchs, Heralds, Pēnghulus, Naibs, Subjects and Soldiers, that we inform this Orang Kaya Mantri that we bestow Larut upon him: westwards as far as Krian, eastwards as far as the mouth of the Bruas river, thence to Bukit Bērapit and towards the interior as far as the interior at the new mines.²

We give the government of the aforesaid entire country to this Orang Kaya Mantri, whether he acts well or ill, with all its subjects and soldiers, its lands and its waters, its timber and plants and rattans, its *damar* and shells, its mines, its hills and mountains, and the immigrants who are living there, whether they be Chinese or Dutch, with power to frame laws, and admit men to the Muham-madan religion, and to kill and to fine, and to receive criminals, and to give in marriage those who have no guardians, the Orang Kaya Mantri our Wakil (representative) can become their guardian.

Over all the things which we have stated in this document, we give notice that we have empowered the Orang Kaya Mantri to hold sway.

¹ 31st March, 1864. ² *Kēlian Baharu*: Kamunting, near Taiping.

If we are in want of anything we shall look to no other source (for assistance), but the Orang Kaya Mantri only. Everyone who resides in the aforesaid province (*i.e.*, Larut) must follow out and obey the orders and counsels of the Orang Kaya Mantri, for whatever the Orang Kaya Mantri does is done (as if) by our orders.

Moreover, be it known that if anyone goes to that country (Larut) wanting anything there, we do (or can) not give them permission—we have given the government of all the aforesaid provinces to the Orang Kaya Mantri: now, the Mantri shall rule (*lit.* give laws to) all the (aforenamed) provinces of Perak, inland as far as Baru¹ southwards, northwards, westwards, and eastwards (as stated above). Let no one, by God's help, make disturbances or disown the Orang Kaya Mantri. If anyone makes disturbances or disowns (him) he commits a sin against God, and against Muhammad and against us.

By the grace of God, with the protection of the Prophet, our revered ancestors (or, perhaps, by the graves of our ancestors) the former Sultans, to the man who does that we will mete out a full punishment: if he disown (the Mantri) we will seize his property, if he resist him (the Mantri) we will kill him, so shall it be—we cannot alter what is written in this document sealed with our seal.

[Sealed by Sultan Jafar.]

APPENDIX C.

LIST OF THE SULTANS OF PERAK.

The Sultan of Perak has two well-known pedigrees associated with his name; he accepts one as correct and rejects the other as spurious. The officially-accepted genealogy gives 28 Sultans while the other only mentions 20. I give the two lists in parallel columns to show where they possibly correspond. I give the personal names, the royal titles, and the descriptions by which they were known after their deaths:

A.—THE TWENTY-EIGHT.

- I. Raja Mudzafar, Sultan *Mudzafar Shah I*, Marhum Tanah Abang²
- II. Raja Mansur, Sultan *Mansur Shah*, Marhum Kota Lama Kanan³
- III. Raja Ahmad, Sultan *Ahmad Taju'd-din Shah*, Marhum Muda
- IV. Raja Arifin, Sultan *Taju'l-Arifin Shah*
- V. Raja Ali, Sultan *Alaedin Shah*
- VI. Tengkuluha, Sultan *Mukadam Shah*. Died in Acheen

B.—THE TWENTY.

- I. Sultan *Ahmad Taju'd-din Shah*, Marhum Tanah Abang⁴
- II. Sultan *Malik Shah*, Marhum Kota Lama⁵

¹ *Kelian Baharu*?² Cf. B I.³ Cf. B II.⁴ Cf. A I.⁵ Cf. A 2.

- | A.—THE TWENTY-EIGHT—(cont.) | B.—THE TWENTY—(cont.) |
|---|--|
| VII. Raja Mansur, Sultan <i>Mansur Shah II</i> . Died at Johor | III. Sultan <i>Mansur Shah</i> , Marhum Jalilu'llah |
| VIII. Raja Yusuf, Sultan <i>Mahmud Shah</i> , Marhum Pulau Tiga | |
| IX. Raja Kobat, Sultan <i>Salihu'd-din Shah</i> . Died at Kampar | |
| X. Raja Sulong, Sultan <i>Mudzafar Shah II</i> , Marhum Jamalullah | |
| XI. Raja Mahmud, Sultan <i>Muhammad Iskandar Shah</i> , Marhum Bésar Aulia'llah | IV. Sultan <i>Mahmud Iskandar Shah</i> , Marhum Bésar Aulia'llah |
| XII. Raja Radin, Sultan <i>Alaedin Riayat Shah</i> | V. Sultan <i>Alaedin Iskandar Shah</i> , Marhum Sulong |
| XIII. Raja Inu, Sultan <i>Mudzafar Shah III</i> , Marhum Haji Allah ¹ | VI. Sultan <i>Mudzafar Shah</i> , Marhum Haji Allah |
| XIV. Raja Bisnu, Sultan <i>Muhammad Shah</i> , Marhum Aminullah | |
| XV. Raja Iskandar, Sultan <i>Iskandar Dzul-karnain</i> , Marhum Kahar | VII. Sultan <i>Iskandar Dzul-karnain</i> , Marhum Kahar |
| XVI. Raja Samsu, Sultan <i>Mahmud Shah II</i> , Marhum Muda | VIII. Sultan <i>Mahmud Shah</i> , Marhum Muda |
| XVII. Raja Alaedin, Sultan <i>Alaedin Mansur Iskandar</i> , <i>Muda Shah</i> | IX. Sultan <i>Alaedin Mansur Iskandar Muda Shah</i> , Marhum Paduka Marhum |
| XVIII. Raja Chik, Sultan <i>Ahmadin Shah</i> | X. Sultan <i>Ahmadin Shah</i> , Marhum Bésisu |
| XIX. Raja Abdu'l-Malik Sultan <i>Abdu'l-Malik Mansur Shah</i> , Marhum Jamalullah | XI. Sultan <i>Abdu'l-Malik Shah</i> , Marhum Jamilullah |
| XX. Raja Abdullah, Sultan <i>Abdullah Muadzam Shah</i> , Marhum Khalilullah | XII. Sultan <i>Abdullah</i> , Marhum Khalilullah |
| XXI. Raja Chulan, Sultan <i>Shahabu'd-din Shah</i> , Marhum Safiullah | XIII. Sultan <i>Shahabu'd-din Shah</i> , Marhum Safiullah |

¹ Died A.D. 1765.

A.—THE TWENTY-EIGHT—(cont.)	B.—THE TWENTY—(cont.)
XXII. Raja Abdullah, Sultan <i>Abdullah Muhammad Shah</i> , Marhum 'Itikadu'llah	XIV. Sultan <i>Abdullah Muhammad Shah</i> , Marhum 'Itikadu'llah
XXIII. Raja Ngah Jafar, Sultan <i>Jafar Muadzam Shah</i> , Marhum Waliu'llah	XV. Sultan <i>Jafar Muadzam Shah</i> , Marhum Waliu'llah
XXIV. Raja Ngah Ali, Sultan <i>Ali al-kamal Riayat Shah</i> , Marhum Nabi Allah	XVI. Sultan <i>Ali al-kamal Riayat Shah</i>
XXV. Raja Ismail, Sultan <i>Ismail Muabidin Shah</i> , Marhum Mangkat di-Sekudai	XVII. Sultan <i>Ismail</i>
XXVI. Raja Abdullah, Sultan <i>Abdullah Muhammad Shah II</i> , now Ex.-Sultan Abdullah	XVIII. Sultan <i>Abdullah Muhammad Shah II</i>
XXVII. Raja Yusuf, Sultan <i>Yusuf Sharifu'd-din Mufdzal Shah</i> , Marhum Ghafiru'llah	XIX. Sultan <i>Yusuf Sharifu'd-din Mufdzal Shah</i> , Marhum Ghafiru'llah
XXVIII. Raja Idris, Sultan <i>Sir Idris Mershidu'l-aadzam Shah</i> , G.C.M.G., now reigning	XX. Sultan <i>Sir Idris Mershidu'l-aadzam Shah</i> , G.C.M.G.

The first list, A, is that given by the Dato' Sëtia in connection with the renovation of the tombs of the old kings. It has been officially approved and the names in it are being engraved on the new tombstones.

The second list, B, is an old list compiled before Sultan Yusuf came to the throne. The last two names have therefore been inserted by me. It seems to have been accepted till comparatively recently and is the one always referred to in bluebooks, etc., on Perak affairs.

A curious feature about the Dato' Sëtia's list, A, is that in giving relationships it sometimes refers to names that do not appear in itself but that may appear in the rival list (B). Thus, his 13th and 14th Sultans are given as sons of "Mansur Shah of Pulau Tiga." This cannot refer to A 7 but might refer to B 2; for A 7 must have died about A.D. 1610 and A 13 died in A.D. 1765.

Again, assuming that A is correct, we find that the lengths of the reigns of the first 13 Sultans amounted to about 230 years and the next 13 Sultans to only 110 years.

B omits Sultan Muhammad Shah (A 14), who certainly existed and who made a treaty with the Dutch in A.D. 1765.

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General Editor.

HISTORY, PART III. COUNCIL MINUTES, PERAK. 1877-1879.

EDITED

BY

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

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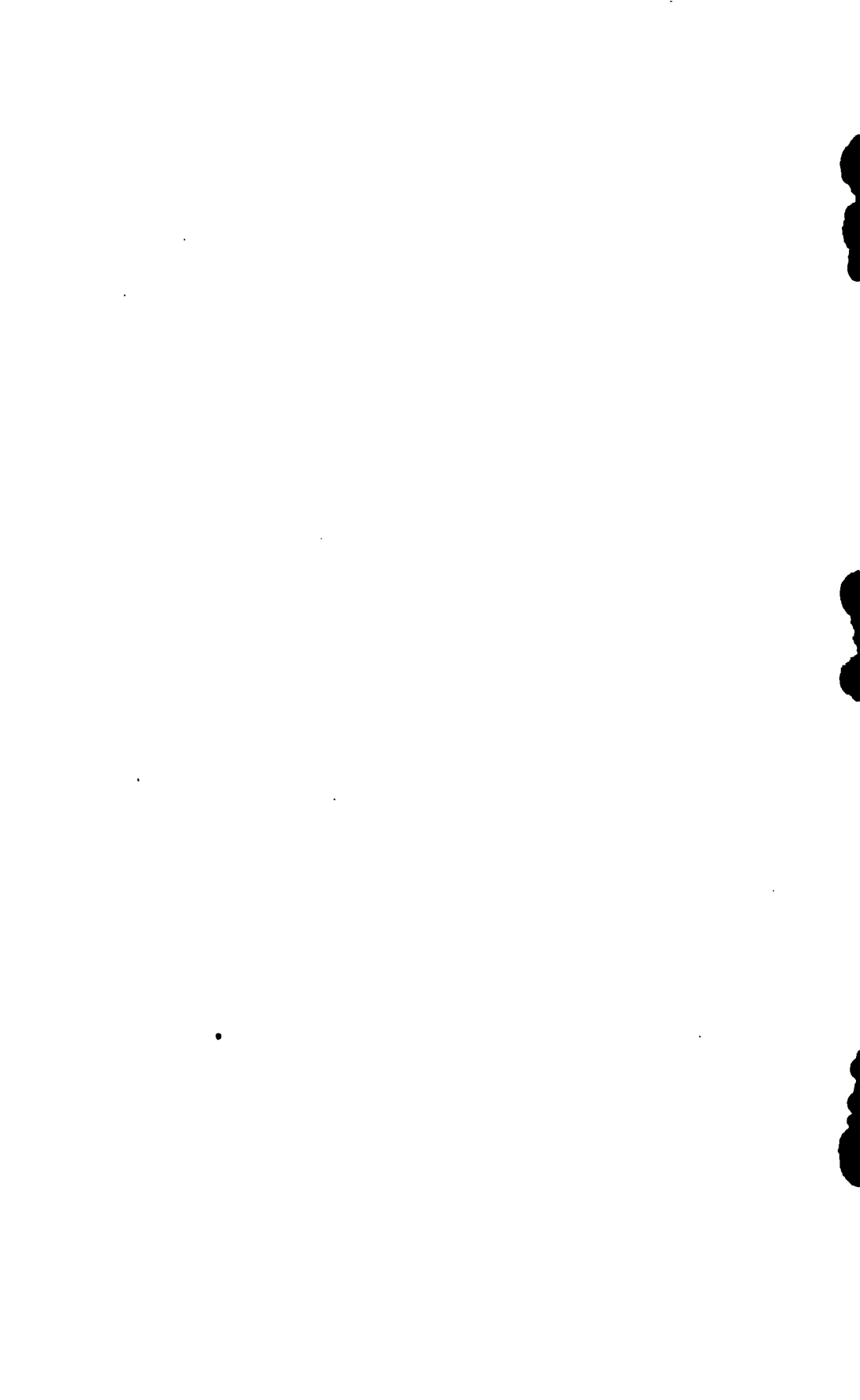
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11-13-46

GENERAL EDITOR'S PREFACE.

ALTHOUGH this little book of Council Minutes has been sent to the press before any other pamphlet dealing with Malay History, it really takes the third place in the proposed historical series. The first pamphlet will deal with events in Malaya before the period of British ascendancy; the second will give some account of the transition in Perak—from the events that first led to British intervention down to the time when the present Residential system was firmly established. This book of Council Minutes gives us an account of what we may call the third period, the laying of the foundations upon which the edifice of Federated Malay States administration has since been built up. The years 1877, 1878 and 1879 were very important years. In the early Resolutions and Orders in Council (here published for the first time) we may trace the introduction of the guiding principles that are now commonplaces of Government: the differential treatment of agricultural and mining lands, the insistence on labour clauses, the Government reservation of water-rights, the method of levying royalties on tin, and other decisions that have had far-reaching effects. Of course, there are ways of writing history more interesting than the mere publication of official minutes, but the plan followed in this pamphlet has, at least, the merit of giving history at first hand. It is easy to be wise after the event. The discussions recorded in the pages of this little book do not possess that kind of wisdom; they simply tell us what the members of Council did, and why they did it. It is for the reader, in the light of subsequent events, to judge how far the Councillors were right or wrong, and to see for himself who really did the pioneer work of building up the prosperity of Perak. In the published accounts of British rule in Malaya sufficient prominence has not always been given to the efforts of these early pioneers; the reaper, intent on his own work, is apt to forget the man who sowed. These Council Minutes are the record of the work of the sowers. A study of that record will show how much the State owes to Sir Hugh Low and to his fellow-Councillors, especially Raja Dris (the present Sultan), Sir William Maxwell, and the Chinese Towkays, Ah Kwi and Ah Yam.

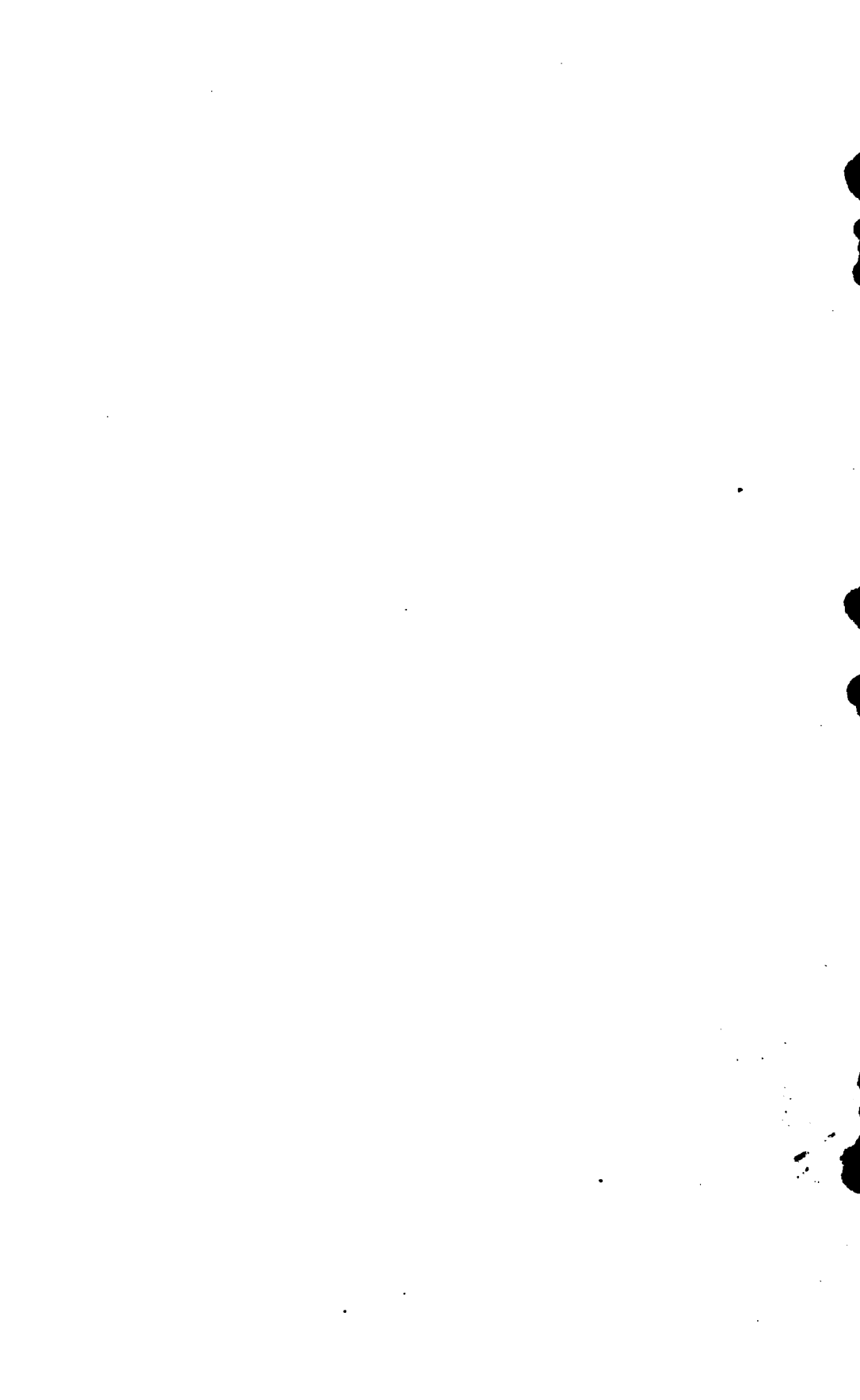
R. J. W.



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 klamin," 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 10 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 desirous 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 *bonâ 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 Saiong, 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 Temenggong 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 selama-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 Penghulus 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 *bonâ 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 *bonâ 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 Mutalib, \$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 of 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 at

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
		<u>\$32,738.16½</u>

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, of 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 Assistant 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. Leech 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 :

For—

The Dato Temenggong
Raja DRIS
The Resident
H.H. the Raja MUDA,
President

Against—

Capitan CHAN AH YAM
Capitan CHANG AH KWEE
The Assistant Resident

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 \$200 in satisfaction of all such arrears—is unanimously agreed

to, 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 Leman 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 CHIANG 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 tahl 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 cut 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^atah, 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 unani- mously 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 Siyakah, 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 (\$30.)

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

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.

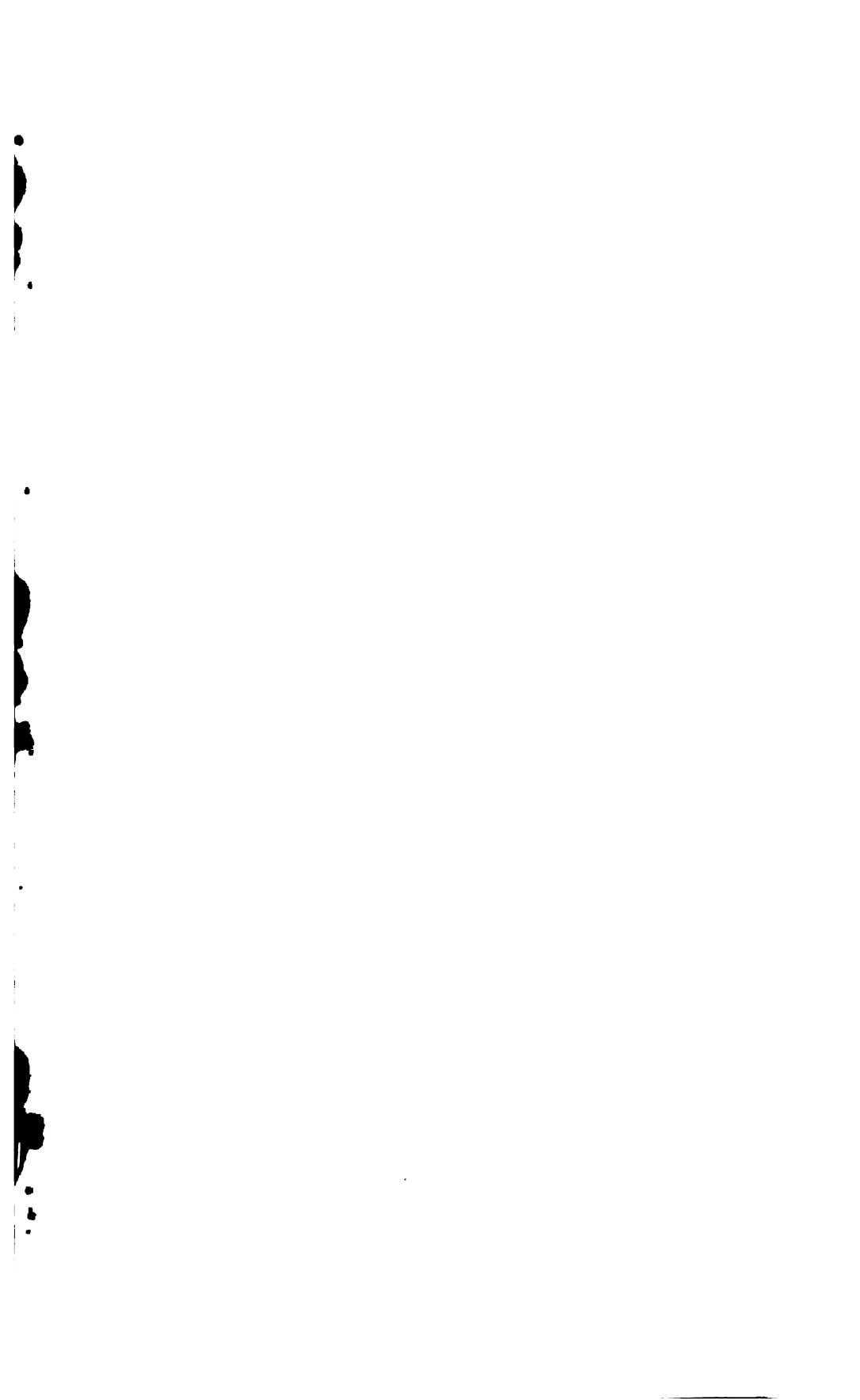
The Regent and all the other members present say that this matter was discussed and agreed to, and in their opinion tenders ought to be invited, and if a suitable offer should be made that such a farm should be leased.

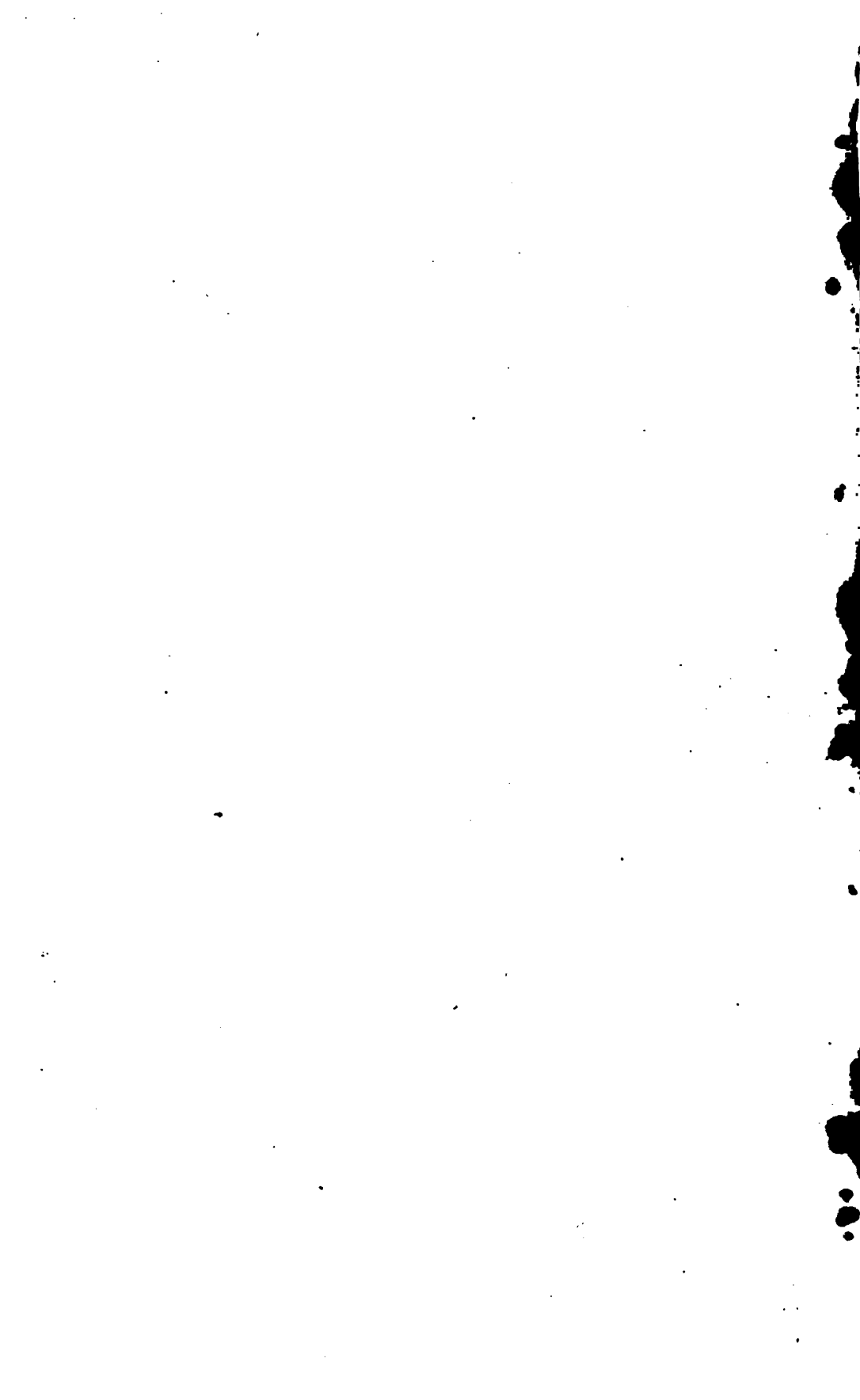
The Resident informs the Council that feeling sure that he had the authority of the Council he had issued a notice inviting tenders for such a farm.

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

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

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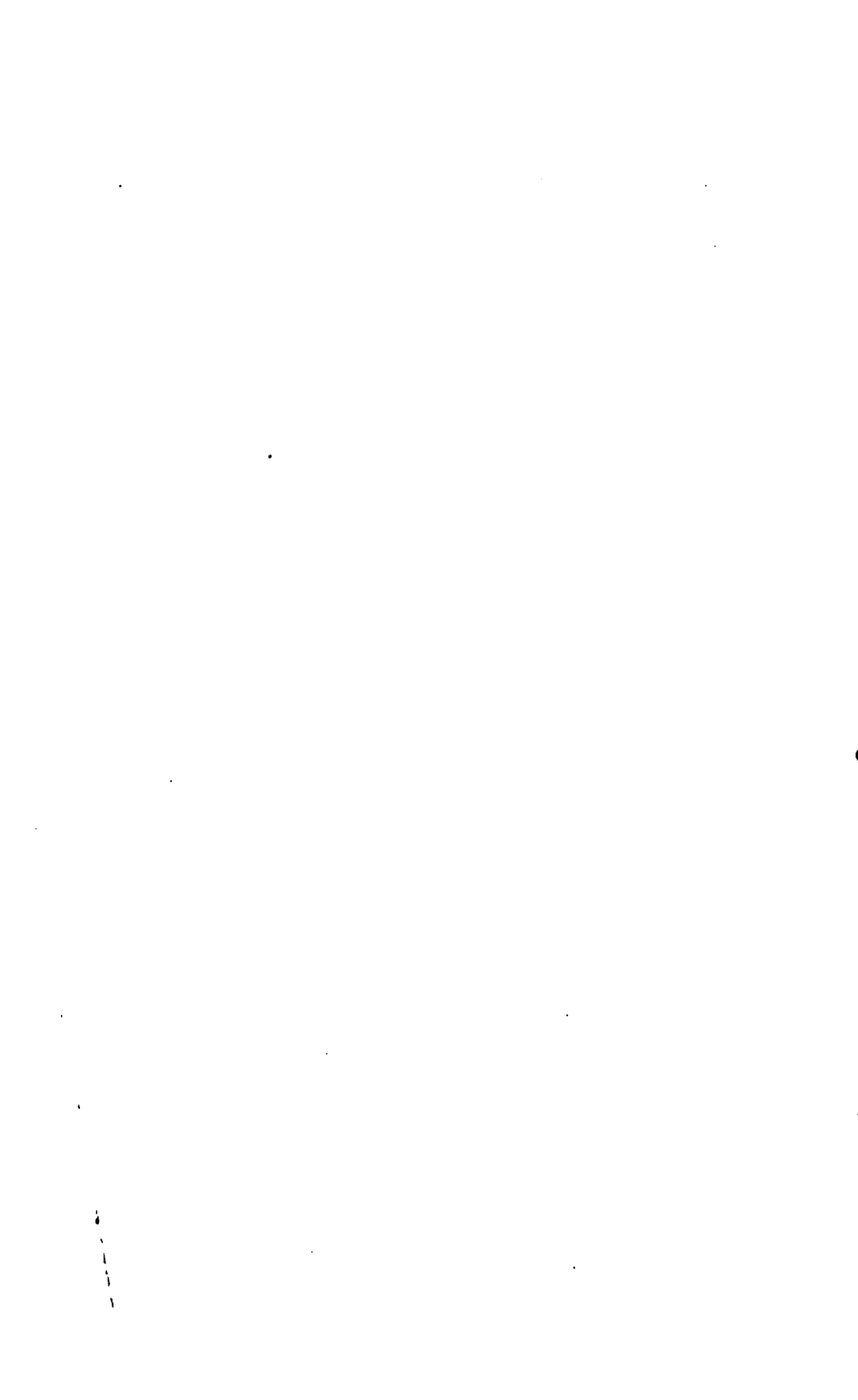
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COUNCIL MINUTES, 1880-1882.

20th February, 1880.

PRESENT:

The Regent.
The Resident.
Raja DRIS.
The Temenggong.
The Kadzi.
Capitan CHANG AH KWEE.

2. H.H. the Regent expresses to the Council his regret at having to announce the death, since the last meeting, on the 6th inst., at Sungai Limau, of Muhammad Kushashi, the Dato' Panglima Besar of Perak, and a member of the Council of State. "In him the Government has lost an officer of great experience, knowledge, and loyalty."

6. The Resident, on behalf of H.H. the Regent, states to the Council that it was contemplated in view of the increasing trade between the Port at Teluk Kertang and Taiping to construct a railway between the two places or at all events as far as Kota. The cost of this work would probably be (in round numbers, and including a good custom-house, landing-wharf, crane and appliances, with the necessary stations) about \$100,000. This could not be defrayed from the ordinary revenue of the year, and it was therefore proposed that as this was a work likely to be of great assistance to the trade of Larut, the royalty on tin at the rate of \$2 a bhara, which had, as a strictly temporary measure, been taken off the export of the metal in April, 1878, when the price was very low, should be now re-imposed from the 1st March next on all tin exported from Larut.

The Resident expresses his opinion that the work will be remunerative and that the rates of transport can be much reduced below those now prevailing, the number of carts being insufficient for the trade. The great annual expenditure on the upkeep of the present road would also be much diminished.

7. Capitan Ah Kwee says that having been informed some months ago of the intention of Government to re-impose this

duty and to make a railway, he communicated the intention of Government to the Chinese towkays, who all remembered that the collection of royalty was suspended only as a temporary measure, and thought it quite right and proper now that tin had reached such a favourable price that the Government should ask for this additional assistance and were quite prepared to pay, trusting that the Government would always treat the trade liberally and not oppress it by duties greater than it could fairly bear.

8. The Council unanimously agree to the proposition of H.H. and the Resident. They approve of the construction of the proposed railway, and of the collection of combined royalty and duty on tin exported from Larut at \$12 a bhara, after the 1st March, 1880.

9. The Resident is instructed to take the steps necessary to carry out the decisions of the Council.

10. The Regent then says that it is not contemplated at present to extend the collection of this additional \$2 a bhara to the tin-producing districts on the Perak river, although the Chinese at Gopeng have informed Mr. Leech that they are quite willing to pay it if a cart-road is made for them from their mines to Kota Baharu.

The Resident concurs in the views of the Regent with whom he had been in previous consultation. Signs of improvement in the development of the rich tin districts on the various branches of the Perak river are abundant; and he thinks it good policy—taking into consideration the greater expense of transport and of supplies and freight to a port of shipment—to give the adventurers (till, perhaps, the beginning of next year) the benefit of the lower rate of duty now collected. Everything that the limited staff at the disposal of Government could effectually undertake would in the meantime be carried out in the way of improvement of roads and river-communication.

Capitan Ah Kwee says that many hundreds of Chinese have already gone to increase the numbers at Gopeng and Papan. He expresses entire concurrence in the Resident's views.

The decision of the Regent that the addition to the royalty and duty should not be collected for the present at Durian Sabatang is unanimously approved.

11. The Resident then lays upon the table the ticket book of the Red Flag Secret Society which had been seized at Sungai Siakap in the possession of one Inche' Adam, who is reported to have recently established a lodge of the society at that place

during the absence of the Penghulu, the two sons of Penghulu Haji Sulaiman appearing as registered members on the counterfoils of tickets issued. Mr. Denison had made frequent complaints of the trouble caused by these societies and the Council had on former occasions declared them illegal. Mr. Denison hoped the Council would be able to assist him by punishing the man Adam.

12. H.H. the Regent says that there is no doubt of the illegality of these "jumaahs" in the State of Perak as they are contrary to religion and policy. He recommends that the man Adam be sent before the High Court for trial.

13. Raja Dris, the Temenggong and the Kadzi express similar opinions.

14. It is unanimously ordered that the man Adam be put upon his trial before the High Court of Justice at Kuala Kangsar.

15. The Resident brings to the notice of H.H. the Regent in Council the great frequency of outbreaks of small-pox during the last two years and the trouble and expense to which Government is put in isolating infected houses and persons so as to prevent the spread of the disease. He advises the Council to pass an order making vaccination compulsory.

16. The Council unanimously authorises the Resident to procure a supply of vaccine lymph and to issue a Government notice that all persons refusing to attend for vaccination, or to bring in their children, should be liable to a fine not exceeding \$5 in each case.

17. The Resident begs the Regent's attention to a matter which is now becoming pressing—viz., the necessity of providing a hospital for sick paupers especially of the Chinese race. The Government of Penang declines to permit such to be landed on its shores, and the accommodation at the Government hospital is only sufficient for about eight persons. The Resident had mentioned the subject to some of the chief towkays who would help by subscription to support the institution if it should not be thought proper to establish a poor-rate.

The Regent, the Capitan Ah Kwee and other members agree that something in this direction ought to be undertaken. They request the Resident to ask the assistance of the Government of the Straits Settlements in giving information as to the practice in the Colony where the state of things is similar.

18. The Resident informs the Council that diseased persons having lately been introduced from Penang, some even with

small-pox fully developed, he had sanctioned the adoption by the Harbour Master at Matang of a system proposed by that officer by which a ticket would be given to every passenger passing the Police station at the Kuala. This ticket was to be delivered to an officer of Police at Matang. This, it was hoped, would bring every passenger under the notice of the police, and—besides giving some hope of prevention of the introduction of disease—would facilitate the taking of an accurate return of immigrants.

19 The Council unanimously approve of this regulation and authorize its being enforced from the 1st March next.

25th February, 1880.

PRESENT :

The Regent.
The Resident.
Raja DRIS.
The Temenggong.
The Kadzi.

4. A letter from the Magistrate and Collector of Krian and Kurau requests, on behalf of the people of Sungai Mati, that their river be re-named the Sungai Baharu, as the place has been unlucky under its present name. The request of the people of Sungai Mati is granted.

7. A petition of the Malays of Lower Perak, forwarded by Mr. Paul, the Superintendent of the district, is laid upon the table. The people ask that the rates to be collected on sampans, according to the notice issued in pursuance of the Order in Council of the 17th April, 1879, be abolished and a duty of one-tenth of the value substituted.

The Resident says that a similar request has reached him from many mukims in other parts of the country, and he advises that the prayer of the petition be granted.

Agreed to.

8. The Regent brings to the notice of the Council that under the Regulation of the 17th April last-quoted some Penghulus charge the ryots for power to cut any small quantity of timber, rattans, or bertam required for the repair of their own houses or

for private use—a proceeding contrary to the intention of Council in passing the Regulation.

A notice forbidding this practice is ordered to be issued.

9. The necessity of ordering the people to fence their cultivated lands is taken into consideration. This matter had been referred to Raja Dris by H.H. the Regent and the Resident, at the instance of the Penghulu of Chigar Galah, with a request that he would draw up a notice in accordance with the ancient practice of the country.

Raja Dris now submits the notice that he has prepared, but says that it has come to his knowledge that a large section of the population would object strongly to it as pressing hard upon cultivators by requiring them to erect substantial fences and yet not forbidding the practice of allowing buffaloes and other animals to stray at will. After a good deal of discussion, in which all the members took an animated part, it was decided that a clause be added to the proposed notice, directing that the owners of domestic animals should be obliged, under penalty, to have them enclosed in cattle-folds at night, being liable also for any damage they might do to fenced cultivated lands in the day-time.

10. Petitions from several districts are read, asking that the rent of bendangs (irrigated rice fields) may be collected at the rate of 40 cents per orlong, as decided in Council on the 10th September, 1877.

The Resident explains that in Krian and Kurau the permits were made out in accordance with the terms in the neighbouring British Colony, and 40 cents an acre, or 53 cents an orlong, is the rent demanded. The land there is of the finest quality, and the immediate vicinity of a market is an advantage not possessed by the lands in Perak. He is therefore of opinion that in Larut, Krian and Kurau, and on all the western side of the Ijau range, the rate should be as it now is in Krian and Kurau; while in the districts of the Perak river and its tributaries it may remain as already fixed by the Council. It must be remembered that at the date before-mentioned, when these rates were decided upon, it was (at the same sitting of Council) ordered that an *asil kĕlamin* should be collected—which order has not yet been put into force. This last intention must not be considered as abandoned, though it is allowed to sleep for the present till the country has attained a further measure of prosperity, the revenue from the mines being at present sufficient for its necessities.

It is therefore unanimously resolved that the rent of bendang land be fixed at 40 cents per orlong, in all the districts of the Perak river and its tributaries, and that the rate to be charged for similar lands in Larut, Krian, Kurau, Ijau, Selama, and all the districts on the western side of the mountain range be fixed at 53 cents per orlong, or 40 cents per acre.

11. H.H. the Regent (President) then informs the Council that Penghulu Toyoh has submitted a proposition for carrying the water of the Sungai Rambutan from Bukit Tunggal through the mukims of Kampong Gajah and Pasir Panjang into the Trus, by which 4,000 orlongs of bendang land, now uncultivated, may be made into padi fields, producing a considerable revenue and benefiting the country in many ways. The Penghulu's proposition is that it should be done jointly by himself and Penghulu Jafar at their own expense, that they shall collect a revenue from the ryots for the use of the water—this revenue to descend as an inheritance (*pēsaka*) to their children. The length for which the stream would be diverted is estimated at 4,000 yards, and the expense is calculated at between \$400 and \$500.

12. The Regent considers that if this proposition is acceded to several other Penghulus will undertake similar works; his only fear is that the Malays of Perak may not have the necessary skill to successfully introduce such a system of irrigation.

Raja Dris has no fear about the want of skill, as there are Javanese and others accustomed to such work in the country; but as the water and land belong to Government he thinks that Government ought in some way to share in the profits arising from such a work. Government might, for instance, advance half the cost and take half the revenue.

The Kadzi and the Temenggong also say that there is sufficient knowledge in the country to carry out the work, and that now that the State is at peace and property secure there are many Chiefs of mukims and districts who would undertake such tasks.

The Resident says that he has been informed of the existence of much valuable land suitable for such cultivation on both sides of the river. He is very much in favour of encouraging such enterprises, but—like Raja Dris—thinks that the interests of Government ought to be fully provided for. This might be done either by granting a lease for a term of years to the Penghulus, during which they would (in consideration of their carrying out the work at their own cost) be entitled to the whole revenue;

or, as suggested by Raja Dris, the Government might within certain limits advance half the amount and be entitled to half the revenue. The carrying out of the work and the distribution of the water should be entrusted to the Penghulus, the rate charged for its supply being settled by them subject to the approval of Government.

13. The Penghulu Toyoh and Haji Abdul Karim (the representative of Penghulu Jafar) are called in and asked which of these methods would be the more agreeable to them. Both prefer that by which the interest of their families would become perpetual, Government taking half the income.

14. Raja Dris is then requested by the Council to draw up a memorandum of this concession on the terms above-noted, with the addition that the work must be completed at a cost not exceeding \$500, and that no money is to be paid by Government until the work has been inspected by the Chief Officer of the district and has been reported by him as completed.

28th February, 1880.

PRESENT:

The Regent.
The Resident.
Raja DRIS.
The Temenggong.
The Kadzi.

3. The Resident brought before the Council some points (in reference to the settlement of lands originally occupied under Malay tenure) which are not provided for in the Regulations of the 28th February, 1879.

The following additional provisions are unanimously agreed to:

(i) On the issue of Government leases to holders of certificates of ownership a premium on the lease shall be payable at such rate as may be fixed by the Government, not exceeding \$3 per acre.

(ii) Bendangs or kampongs which have been deserted for three or more years may be granted to new applicants provided the original owner is not known, or refuses or neglects to renew his occupation; but a notice of such intended grant must be published by the Penghulu or Land Officer of the district for one month previous to making such grant; and should the land contain fruit trees the owner may be compensated for these, provided he makes application for the same within one month from the issue of the notice aforesaid.

4. The Resident reports to the Council the case of Abdul Shukur which had been brought to his notice by Mr. Paul, the Superintendent of Lower Perak. It appeared that this man, who is of a respectable family, some five years ago went mad and killed a man at Kota Lama. He was then placed in confinement by his relations. About three years ago his wife, who is the sister of H. Muhammad, second Penghulu of Lambor, married again, without—as the husband alleges—having been divorced and he having left property sufficient for her maintenance. Having got better he went to Lambor and was refused admittance to the house or permission to see his child; he was beaten and maltreated and sent to Durian Sabatang as a lunatic, and was imprisoned at Larut. He was then sick and treated in hospital by the doctor. Having recovered, he returned again to Lambor and complained to the Kadzi who disagreed with Mr. Paul as to the propriety of adjudicating on the case, the Kadzi wishing to re-open it, and Mr. Paul thinking it was unnecessary as Sultan Ismail was reported to have settled it, though this was not mentioned to the Kadzi nor is any paper to this effect producible.

Abdul Shukur having now petitioned the Resident, the latter proposes that the *waris* of the woman be directed to attend at Kuala Kangsar in order that the particulars of the case may be enquired into.

Agreed to.

5. The Council take into consideration the propriety of making every family in Perak plant during the years 1880 and 1881, 50 coconut trees, or, if they prefer it, 25 in each year.

All the members of the Council think this a measure that ought to be tried, as the people of Perak are so slow to do anything for their own benefit. A difficulty in procuring seeds or young plants is foreseen, and also that the conditions of some mukims are not suitable for coconut cultivation owing to the soil being too low and flat.

It is unanimously resolved :

That during the 12 months following the 1st April next every family of Malays settled in Perak shall be called upon and compelled to plant 25 coconut trees, and the same number in the 12 months from the 1st April, 1881, making in all 50 trees in two years.

That the Penghulus shall be responsible that young plants shall be procurable by the ryots of each mukim to be sold at a moderate price.

That the trees shall be planted in square patches and at a distance of not less than five fathoms apart, that they shall be carefully attended to, kept free from weeds, and protected from being injured by goats and other animals, and that any person failing in this may be fined by the Penghulu of the district.

Persons already possessing coconut trees will not be exempted from the necessity imposed by this Regulation, but must plant the required number in addition to any that they already possess. In mukims not suitable for coconuts a like number of sago trees must be planted and carefully attended to.

6. A petition, numerously signed by the traders of Kuala Kangsar, in favour of one Raja Bintang, is considered. This man was found guilty in August last of having received a Sakai child in payment of a debt and was sentenced to one year's rigorous imprisonment. The Council are of opinion that enough has now been done to entirely suppress the practice of which the prisoner was found guilty, and H.H. the Regent (with the consent of the Council) grants the prayer of the petition.

7. The subject of *sakat* being fully considered, it is decided that the following Order be adopted :

"That it is not permissible to the Kadzi, or to Assistant Kadzis, who are paid officers of the State, in future to accept *sakat*."

20th March, 1880.

PRESENT :

The Regent.
The Resident.
Raja DRIS.
The Temenggong.
The Kadzi.

12. The petition of Haji Abdurrahman and Itam Aminah, of Ngoh, for the release of a boy named Latif (who was sentenced to one year's imprisonment for theft) is considered, in order that he may be present as *wali* at his sister's wedding, and be circumcised, after which his relatives offer to return him to gaol.

The Regent thinks that he may be pardoned the remainder of his sentence for the sake of his relatives and in the hope that the detention he has already undergone may be a warning to him.

Agreed to.

13. The Regent directs that a notice be issued to all the mukims cautioning people—on pain of severe punishment—against bringing false charges.

23rd March, 1880.

PRESENT :

The Regent.
The Resident.
Raja DRIS.
The Temenggong.
The Kadzi.

2. Khoo Eng (*alias* Panjang) presents a request to the Resident that in the next payment on account of the awards to the creditors of the ex-Mantri he may receive the balance due to him in full—viz., \$2,578.26.

Ordered: That as it is the only remaining claim and is of small amount, half the sum due be paid to him.

3. The Resident requests the authority of the Regent in Council to pay a second instalment of 20 per cent. on account of the remaining awards on the 25th May next. This will absorb \$31,117.10.

Unanimously agreed to.

4. A letter from Mr. Denison (dated the 18th March and reporting that Chinese are leaving his district in consequence of the regulation requiring registration and the fee about to be levied) is laid on the table.

The Resident informs the Regent and Council that Mr. Pickering and Mr. Walker, who visited the Chinese along all the coasts of Larut, found them very willing to pay for the registration, and on its being explained to them said they were glad to have a Government which took so much care of them.

The Regent thinks that the order is a very proper one and that the fee is moderate and should be insisted on.

The Council are unanimously of the Regent's opinion. The registration in Krian and Kurau, as in other places, is ordered to be proceeded with.

5. A petition from To' Bandar asking for a commutation of his pension of \$15 is considered by the Council. To' Bandar is the father of Nakhoda Orlong who was killed in the attack on Pasir Salak in 1875.

After consultation, the Regent proposes one year's purchase, the Kadzi two years, and Raja Dris \$300.

It is finally agreed unanimously that To' Bandar be offered \$300 as the price at which Government will consent to buy up his pension.

6. Alang Ismail's application for permission to erect a *kubu* to catch wild elephants is refused by the Regent and Council, the loss of life of these animals being too great owing to the inexperience of the persons employed.

7. The report of the Secretary and its enclosure explaining the result of his visit and enquiries into the condition of the district of Selama is laid upon the table and taken into consideration.

A *précis* of the papers, with the recommendations of the Resident in the matter, is read and each part carefully explained.

The sense of the Council is then taken :

- (a) On the propriety of sending a European Officer supported by a detachment of armed police to take charge of the district.

The Regent says it is manifest that everything is now in the last stage of deterioration, and he thinks the remedy proposed the proper one.

Unanimously agreed to.

- (b) With regard to the confirmation of the concession granted by H.E. Governor Sir Andrew Clarke.

H.H. the Regent says that he was himself in Krian when Che Karim was sent by the Mantri to open up the district as his agent and Che Karim told him at the time that this was his position. It is within H.H.'s knowledge that Che Karim threw over the Mantri and intrigued with Sultan Abdullah—but what arrangement was made with the Sultan is not within H.H.'s knowledge. As for the services rendered by Che Karim to Government during the troubles, H.H. had never heard of them. H.H. is therefore of opinion that Che Karim has no right to such concessions as Sir Andrew Clarke's letter would convey to him.

Raja Dris says that it is within his knowledge that the *kuasa* obtained from Sultan Abdullah was paid for with money, and he thinks that the concession granted by Sir Andrew Clarke must be adhered to as it was by the assistance of the British Government that Perak obtained peace.

The Temenggong agrees with Raja Dris, as does also the Tuan Kadzi.

The Resident quite sympathises with H.H. the Regent in his reluctance to confirm a concession which will make Che Karim the richest man in Perak in spite of his failure to develop the district. It amounts to this—that the Government will give him half the revenue on tin and take all the cost of the establishment upon itself.

The Council, finding after much consideration that the matter was very difficult to decide, adjourned to the morrow.

24th March, 1880.

PRESENT :

The Regent.
The Resident.
Raja DRIS.
The Temenggong.
The Kadzi.

3. A petition is presented from the foreign traders at Kuala Kangsar asking for the release of one of their number named Ali, who had been sentenced to 12 months' imprisonment for having a Sakai child in his possession as a slave.

The Resident thinks that the measures taken in this case in August last have had the desired end of teaching the foreign traders and others that no form of reduction to slavery will now be permitted in Perak, and that as Ali is the last in prison of the persons so punished, and as about eight months of his sentence have expired, he may, if the Regent thinks proper, be pardoned.

Agreed to.

4. Raja Dris proposes that as the practice of permitting the appointment of Assistant Penghulus by the Chief Penghulus of mukims is liable to abuse, the permission should be withdrawn, and such appointments made after due enquiries in future by the central Government.

Agreed to.

5. The adjourned consideration of the course most advisable to be pursued in reference to Che Karim and Selama is then proceeded with.

After much deliberation it is considered desirable that the concession ordered to be made by Sir Andrew Clarke should be adhered to in principle, but that some modification of it be adopted in conformity with the experience gained since 1875. Che Karim, if left to himself and called upon to pay one-tenth of the value from a fixed duty of \$12 a bhara, would naturally demand a release from the arrangement limiting him to this charge, would ruinously increase the charges (as he has hitherto done), and would put an end to all hope of developing the district.

The Council is therefore of opinion that, under all the circumstances, and taking into consideration the fact that the Government has withdrawn the privilege of trading in opium (which in 1879 must have given Che Karim about \$504 at \$3 a ball, 14 balls having been the monthly consumption), he ought to be allowed to retain half the duty of \$12 without regard to the price of tin. This would reduce the amount of duty to an equality with that which he undertook to pay to Sultan Abdullah; it is the rate at which the Mantri paid for Larut and at which duty was paid at Kuala Perak. But both Che Karim and the Mantri would have had—while paying the duty—to provide all the expenditure of their districts, there being, on the other hand, no limit to the extra charges that they might impose. It is therefore ordered that, when the lease for 21 years from the date of Sir Andrew Clarke's concession is drawn up, it shall contain provisions:

(a) That no duty, or royalty, or charges in the nature of either, imposed upon tin exported from the mines to be demised to Che Karim in Selama, shall exceed in the aggregate the sum of \$12 per bhara unless any higher rate should have been previously submitted to, and received the assent of, H.H. the Regent in Council;

(b) That the duty payable to Government by Che Karim on all tin produced in the mines leased to him shall be half the amount of the combined export duty and royalty;

(c) That all permits, leases or licenses to dig tin in the said lands shall pay to Che Karim such fees and other charges as may be levied by Government in the district of Larut, and that the getting of tin shall be subject to no other charge than such as may be levied by Government by persons digging for tin in other parts of the same district or in Larut.

The Regent and Council unanimously agree to adopt the other recommendations in the minute of the Resident—viz., (1) that Che Karim be appointed an honorary Magistrate to assist the officer in charge in the administration of the district; (2) that the officer in charge have the full powers of a provincial Magistrate; (3) that the question of the appointment of Penghulus stand over for further enquiry and report; and (4) that the

good offices of H.E. the Administrator and of the Government of the Straits be requested to obtain the withdrawal of the officers of H.H. the Yangdipertuan of Kedah.

With regard to the last point, H.H. the Regent says that there is reason to believe that the assumptions of Kedah originated in the intrigues of Che Karim. Other members of the Council say that at one time he offered to hold the district from Kedah although he has declared that it always belonged to Perak.

In reference to the appointment of an officer to the charge of the district, the Resident says that if H.H. can recommend any native of the State, with the necessary qualifications, he will advise that the district be administered by a native officer as more in accordance with the intentions of H.M's Government who wish to educate the Rajas and principal people to perform such duties.

The Regent says very emphatically that there is no one who can be spared who is capable of this duty. The other Malay members concur in this view.

The Resident then says that the Government is also short-handed as regards qualified European officers, and there is not one of the younger officers with the necessary knowledge and experience, although two or three promise in time to qualify themselves for such a post. Mr. Hewett, the Secretary, is the only person who can be sent on this duty, though this will involve very great inconvenience in other directions. After the district is settled, it may perhaps be possible to replace him by one of the junior officers, but if the place increases in importance, as may be expected, it will always be necessary to retain there a fully qualified officer.

His Highness and the Council unanimously approve of Mr. Hewett being appointed to the post and authorise the Resident to carry out the measure as quickly as possible.

5th July, 1880.

PRESENT :

The Regent.
The Resident.
Raja DRIS.
The Temenggong.

The Executive Branch of the Council met pursuant to the summons of the Regent.

2. The Resident lays before the Regent the letter from the Hon. the Colonial Secretary, S.S., notifying that H.E. the Governor has received a despatch from the Secretary of State approving of the nomination of Dato' Raja Mahkota to a seat in the Council.

5. The Resident lays upon the table a letter from Mr. Denison, the Magistrate and Collector for Krian and Kurau, returning the *kuasa* of Penghulu Hamid who wishes to resign his appointment, and asking to be allowed to sound the Penghulu as to whether he would consent to act as a *kětuaan* of his district on receiving permission to carry arms and exemption from land-tax on the fields he himself cultivates. The Council decides that as Mr. Denison objects to the powers granted by Government to the Penghulus in his district, he may in this instance (if he can get Penghulu Hamid to consent) attempt to carry out the policy he recommends; but the Council would be glad to be informed of the reasons for the Penghulu wishing to resign an appointment conferred on him at Mr. Denison's own recommendation.

20th September, 1880.

PRESENT :

The Regent.
 The Resident.
 The Superintendent of Lower Perak.
 Raja DRIS.
 The Temenggong.
 The Kadzi.
 The Dato' Raja MAHKOTA.
 Capitan AH KWEE.
 Capitan AH YAM.

3. The Resident lays before the Council a letter, No. 5,141 of the 24th August, 1880, from the Hon. the Colonial Secretary, S.S., conveying the authority of H.E. the Governor to the

Council to revise the Regulations (for leasing waste lands in Perak) passed by the Council on the 4th May, 1879.

4. The Council first takes into consideration the term for which leases should be granted. The Resident explains that the gentlemen from Ceylon and elsewhere, who two years ago had made applications for land in Perak, had declined to take it up under the existing regulations, one clause of which bound them to accept leases for 99 years. The Council resolves unanimously that the regulations be altered so that the term may be extended to 999 years.

After discussion, the Council also agrees unanimously that Clause (e) in the Regulations of the 4th May, 1879, be expunged, but without prejudice to the right of the State to subject exports of produce to the payment of duty should the circumstances of the State render it at any time necessary.

The consideration of Clause (d) of the same Regulations was then entered upon in connection with the charges proposed in the Colonial Secretary's letter. The Council unanimously resolves to accept the suggested alteration.

The Regulations, as amended, were then ordered to be entered in the minutes and printed, after approval by H.E. the Governor of the Straits Settlements.

14. The Resident lays on the table a printed copy of the correspondence between the Government of Singapore and the Secretary of State, by which it appears that H.M.'s Government has decided that a sum amounting to \$250,000 of the war expenses should be paid by Perak.

15. The Resident explains to the Council that although in his opinion the Chinese trading under British protection at the time in Penang are in the first instance responsible for the war, he recommends the Council to accept the liability with a good grace, on the ground put forward by the Secretary of State that the country has in the end been benefited.

Unanimously agreed to. But Capitan Ah Yam states that it was not the Chinese but the Mantri who caused the war.

16. A notice issued by the Executive Government, and dated 31st August, 1880, requiring all persons carrying weapons into the jungle to obtain a pass from their respective Penghulus on pain of fine was approved of.

30th December, 1880.

PRESENT:

The Regent.
The Resident.
Raja DRIS.
The Temenggong.
The Kadzi.
The Dato' Raja MAHKOTA.
Capitan AH KWEE.

3. The Resident laid upon the table a letter (No. 7,927 of 29th November, 1880) from the Hon. the Colonial Secretary notifying H.E. the Governor's desire that the Resident will submit arrangements for payment of the new debt of \$247,832.

4. The letter having been read by the Resident, as well as the printed correspondence on the subject, H.H. the Regent expresses the opinion that—although the Government does not press for immediate payment—he considers it advisable to prepare to meet the liability and relieve the State of all debt as soon as possible, in order that its whole energies may be devoted to development. The Regent suggests that the royalty (of \$2 a bhara), of which the Larut tin was temporarily relieved in April last, should be re-imposed from the 1st January, and that a tax of the nature of *asil kělamin* should be collected from the Malays. He supports the latter proposal by a statement of the burdens of which the ryots had been relieved.

5. Capitan Ah Kwee says that he has no objection to the re-imposition of this royalty as the Government has always shown a desire to be just, and after having relieved the Chinese of the royalty, even before they asked for the relief, had not re-imposed it as originally intended on the rise of the price of tin, but had deferred it because of the losses to which the Taiping fires had exposed the population.

6. Capitan Ah Yam also agrees.

7. Dato' Raja Mahkota thinks that the tax of \$2 might well be imposed on the Chinese of Larut, but he does not think that the ryots could bear the *asil kělamin*, which is a tax unknown in Perak and likely to be unpopular. He would prefer a land-tax as soon as the time comes when the ryots can bear taxation.

8. Tuan Shaikh Mat Taib says that the people are poor, and that the crops have failed because the date fixed by the Government for sowing the grain was disregarded by the Penghulus. The padi sown during the month Rajab—the date appointed by Government—has done well, but other padi sown later has been ruined by rats or destroyed in other ways. The Penghulus do not obey the Government and the people do not obey the Penghulus—nor will they ever do so till the Government appoints some one to enforce its orders by fine and imprisonment. Till that time comes the people will never be better off or able to bear taxation.

9. The Dato' Temenggong says that he does not know why it should be so, but all his relatives and his people generally were better off before the present Government was established; and they cannot bear taxation.

10. Raja Dris says that the people are improving rapidly, both in industry and thrift. If you go through Kota Lama you will find very much more cultivation now than formerly, and excellent kampongs are being made. It is the same in other mukims. Still it takes time to alter a people's ways to any great extent; and he recommends that when it is proposed to tax them it shall be by a land- or house-tax and not by an *asi/ kĕlamin*. People in Perak once thought it a disgrace to work for wages, but the feeling is rapidly dying out.

11. The Resident says that there are only ten coolies employed on day-wages on the Government hill, but seven contracts for clearing land are being carried out by Perak Malays besides many contracts for making the road of seven miles to the hill. A few months ago it was impossible to get a contract at all. The Resident adds that Mr. Wray had informed him that he had more coolies than he knew what to do with. The Resident, however, thinks that the Penghulu system, though very successful in some directions, needs the superintendence that formed part of the original scheme, and he recommends that a meeting of all the Penghulus should be called, and that they should be ordered to enforce cultivation on a proper system in their mukims. He also promises to write to England for some rat-poison, but thinks that the true remedy lies in the direction of more extended and systematic cultivation.

With regard to the payment of the new debt of \$247,832, the Resident advises that a reply be sent to his Excellency stating that the Government of the State is much obliged for the

consideration shown in the grant of time to discharge the liability. The latter should undertake to commence the liquidation of the debt by annual instalments, the amount of which should be fixed after the balance of the old debt of \$125,000 is paid off, and after the \$90,533.29 due to the creditors of the ex-Mantri is paid. The liberation of slaves and perhaps of slave-debtors, the Resident hopes, may be undertaken in 1883. The survey of the State, a very necessary work, will involve a large expenditure in addition to the services noted in H.E.'s letter.

12. H.H. the Regent stoutly defends his propositions and says that before the Europeans came only the higher classes were well-off, and the people were fined and had to work in all sorts of ways. He thinks that the *asil kĕlamin* should be tried, at least after another year or so.

13. The proposed reply to the Colonial Secretary's letter is adopted. The feeling of the Council is against the *asil kĕlamin*, but the \$2 royalty on tin from Larut is ordered to be again collected from the 1st January, 1881. Rat-poison is to be procured by the Resident.

14. The Resident proposes that the registration of Chinese should be enforced in all the districts on the Perak river and its tributaries, partly as a protection to the Chinese themselves and partly to facilitate the apprehension of contract labourers who escape from Larut to Perak proper, or *vice versa*.

Agreed to.

15. Capitan Ah Kwee proposes that an additional Clerk be appointed to the Customs at Matang to *visa* the tickets of all sinkehs arriving in the country so as to facilitate the enforcement of their contracts. This, he says, is in accordance with the law in Singapore and Penang and would be of great assistance to employers. The employers should not mind a fee of 50 cents per sinkeh to meet this additional expenditure, as at present many of the sinkehs under advances run away before their agreements expire.

Capitan Ah Yam seconds this proposition.

The Council authorises the Resident to make enquiries, and if he thinks it advisable to carry out the measure proposed.

16. Two petitions from sawyers bringing planks into Kamunting are laid upon the table. These sawyers pray that a fixed duty of one-tenth in kind be imposed on planks and timbers.

The prayers of these petitions are supported by Capitans Ah Kwee and Ah Yam.

The Resident says that after having made enquiries he finds that a fair composition would be a tax of 60 cents a month per man employed. Notices in Larut have been prepared and are being issued authorising the Penghulus to collect this.

The Chinese members state that the arrangement is satisfactory and that the people concerned will be grateful. The Council unanimously approves the action taken.

31st December, 1880.

PRESENT :

The Regent.
 The Resident.
 Raja DRIS.
 The Temenggong.
 The Kadzi.
 The Dato' Raja MAHKOTA.

3. The Resident lays upon the table and explained the letter of the Colonial Secretary, No. 8,116 of the 10th December, 1880, forwarding a copy of a despatch from the Secretary of State approving of the abolition of brothel slavery in Perak.

5. The Resident lays on the table the correspondence relative to the s.s. "Phya Puket" ceasing to run between Singapore and Penang, calling at Durian Sabatang, and the proposition of Messrs. Chong Moh and Keng Yong to run a small steamer to Durian Sabatang and Pangkor. H.H. the Regent and the Council are unanimously of opinion that these lines should be kept up and encouraged, even if increased expenditure be necessary.

6. The proposal to place a market at Matang, under regulations similar to those at Taiping and Kamunting, is submitted to the Council and is agreed to.

8. The Resident lays before the Regent in Council some papers on the question of the boundary between Kedah and Perak in reference to the claim of Kedah to the land between the Selama

and the Krian rivers, on the argument that the Selama was formerly known as the Krian.

The Regent says that nothing is more certain than that this land belongs to Perak. He was himself the person sent by his father, Sultan Abdullah Muhammad Shah, to take over the territory from Governor Butterworth. Mr. Lewis, the Resident, accompanied the Regent to Krian to deliver over the land. To' Mat Amin (who, he believes, is still alive) was a Penang officer who accompanied them, and the Penang Government Clerk was named Muhammad Hasan. The latter is dead. The Regent returned to Perak through Selama *via* Ijok and the Batu Berdinding Pass. There were then very few people in Selama. Tin had not been recently worked but there were traces of ancient workings. At that time there was no talk of the Krian ever having been the Selama; the present Selama was called Selama and fell into the Krian. If Che Karim or the Mantri had applied to the Kedah Government for permission to open mines at Selama such an application could not bind the Perak Government. The Mantri had received authority over the Krian district from the Sultans of Perak, and the letters of authority from Sultan Abdullah to Che Karim are still in existence. Every old man in Perak who is familiar with the case—and such old men are numerous—can be brought to testify that the land in question has belonged to Perak as far back as the memory of man can go.

Raja Dris says that he was the friend and constant associate of Sultan Abdullah. He remembers the issue of authority to Che Karim to open Selama; the Mantri had previously been consulted and there was never any doubt that the Krian river was the boundary between Kedah and Perak. Che Karim, thinking that the Mantri was getting the worst of it in his fight with the Chinese, came to Sultan Abdullah (who was on bad terms with the Mantri) for authority. Che Karim may also have applied to Raja Yusuf, but he (Raja Dris) did not hear anything to that effect.

The Temenggong—who is a connection of the Mantri and lived with him at Bukit Gantang when Che Karim went off to open up Selama under the authority of the Mantri who held Krian under a *kuasa* from the Sultans of Perak—adds that there was at that time no question about the right of Perak to this territory, and he had never heard that Kedah laid any claim to it. The Krian river was always understood to be the boundary between the two States.

The Kadzi, Shaikh Mat Taib, says: "I lived in Larut in the days of the Mantri's father, Che Long Jafar. Selama then belonged to Perak and was under the Government of Chè Long Jafar. The name of the district Chief was Shaikh Muhammad Asik, who was sent there by Che Long Jafar. The son of this Chief is the present Penghulu of Ulu Selama, Muhammad Arif, who doubtless can give evidence as he has always lived on the spot. The river Krian and not the Selama was considered to be the boundary ever since I knew Perak (25 years)."

Dato' Raja Mahkota says that he has no personal knowledge of the facts; but, as a Perak Chief, he has always understood that the Krian river was the boundary between Perak and Kedah.

The Council advises that a letter be written to Mr. Denison to ask for a report of the progress made by the surveyor of H.H. the Regent of Kedah, and that H.E. the Governor be informed that Perak is ready to defend its just claim whenever and wherever it may be convenient to the officers of H.M. the King of Siam and to His Excellency.

5th January, 1881.

PRESENT:

The Regent.

The Resident.

Raja DRIS.

The Superintendent of Lower Perak.

The Temenggong.

The Kadzi.

The Dato' Raja MAHKOTA.

4. A letter is read from Haji Abdul Wahid (Deputy Kadzi, Matang) to the British Resident, complaining that To' Puan Halimah has taken down a flag from the mosque at Matang on the pretext that it is her own mosque. Another letter is read from the same Haji Abdul Wahid to To' Puan Halimah asking for assistance to pay for the flag and for a mosque fence, the reason given being that the mosque belongs to her. The Regent also reminds the Council that the same Haji petitioned last year for the mosque to be repaired, on the ground that it was the property of Government.

The Council decides that the mosque at Matang is a Government mosque.

H H. the Regent states that it has never been the custom to use flags in the mosques of Perak, and he recommends that no flags be allowed for the present.

The Kadzi thinks that a white flag with black letters may be allowed at the mosque, but no colours should be permitted other than black and white.

The Dato' Raja Mahkota thinks that flags should only be allowed on the application of the Imam to the Head of the Government.

Raja Dris and the Temenggong vote with H.H. the Regent, who accepts the Dato' Raja Mahkota's amendment.

Notice to be issued that no flags will be permitted on the mosques or at festivals except by permission of the Government.

5. The Resident brings to the notice of the Council a case in which this same Haji Abdul Wahid was accused of detaining a woman, the wife of Nyah Pyah, on the ground that she was a slave, although she held a certificate of manumission signed by Capt. Speedy as Assistant Resident of Larut. When called upon to explain, the Haji said that he had not detained the woman on this account, but because her marriage was irregular, as it had taken place while she was a slave and without the Penghulu's permission. The Resident therefore ordered the woman's release and had referred the matter to the Council.

The Council unanimously confirms the Resident's action and agrees that such disputes should not be stirred up by the Kadzis.

6. The notice issued by the Executive Government on the 16th November, 1880, is now approved and confirmed. It orders that the charcoal duty in the Kinta Chanderiang and Batang Padang districts should be collected on the tin exported at the rate of 50 cents per bhara. The appointment of a Clerk at \$20 per mensem to collect this duty is also approved.

8. A petition from Megat Pendia bin Megat Abdullah, of Kota Lama, is then read. It states that the petitioner is entitled to maintenance by the State in virtue of his descent.¹ It appears that formerly high Ministers of State were occasionally taken from this grade of dignity (which is above that of a *wan*), but that no such appointment has recently occurred. In

¹ His pedigree is given in the General Editor's preface to "Papers on Malay Subjects—Law II."

consequence of the petitioner's ancestor having been a Bendahara he puts in a claim for preferential treatment.

The Regent in Council decided that the petition should be replied to in the sense that Megat Pedia cannot be provided with a suitable post as none is now vacant ; that he cannot be provided with an allowance but will be given a gratuity of \$25 ; that all natives of Perak, without exception, are equal in the eyes of the law ; and that Megat Pedia's application for employment will be borne in mind.

9. The grant of \$25 a month to To' Tuah, in consideration of his former share of the Batang Padang revenue, is confirmed.

10th June, 1881.

PRESENT :

The Regent.
 The Resident.
 The Assistant Resident.
 Raja DRIS.
 The Temenggong.

1. The members residing at Kuala Kangsar meet as an Executive Committee according to notice.

2. The Resident, on behalf of H.H. the Regent, explains that it had been necessary to summon such members of the Council as could conveniently be called together to take into consideration the propriety of appointing To' Muda Yusuf to be the Assistant to the Dato' Panglima Kinta.

3. The Resident adds that the family which had for many generations supplied Kinta with its Dato' was divided into two branches, the Kepayang branch and the Ipoh branch.¹ It was alleged that ancient custom demanded that whenever a member of either branch became Dato', a member of the other branch should be made his Assistant, or Dato' Muda, and should ultimately succeed to the position of Dato'.

3. The present Dato' belonged to the Kepayang branch of the family. At the death of the last Panglima, Ngah Lasam, the present Dato' was To' Muda and so succeeded to the higher office, while Ngah Lasam's son, Abdurrani, was made To' Muda.

¹ See Appendix A.

4. To' Muda Abdurrani afterwards died, leaving a son, who is now about 10 years of age, and a half-brother named Yusuf who claims the position of To' Muda and enjoys the support of a very large party in the district.

6. As, however, the Dato' Panglima had set aside the legitimate claimant, Yusuf, who held a *kuasa* from Sultan Abdullah, and had conferred the position of To' Muda on his own son, Ngah Wahab, a state of ill-feeling had sprung up, and it was feared that the peace of the district might be disturbed.

7. After doing what he could to restore peace, and after full enquiry, the Resident had undertaken to submit the claims of To' Muda Yusuf to be considered by H.H. in Council.

8. H.H. the Regent says that the custom is undoubtedly what the Resident has described. He thinks that To' Muda Yusuf should be appointed.

Raja Dris and the Temenggong say the same.

9. It is unanimously ordered that Che' Alang Yusuf be appointed To' Muda, to act under and to assist the Dato' in the business of the district.

10. The Resident asks H.H. what salary should be attached to the appointment. H.H. replies that the district is important and rapidly developing, and that the To' Muda, who is a man of energy, will probably do a good deal to assist its development. He considers that the salary of the To' Muda should be fixed at \$50 per mensem so as not to deprive the Dato' of any of his emoluments.

This is unanimously agreed to.

19. The Resident states that he observed on his recent tour that the larger gutta trees of all kinds had been destroyed, and that the people were now beginning to cut down the smaller trees so that these valuable plants were in process of extermination. He did not think that any good would result from prohibiting the practice of cutting down the trees, but he suggested that, after three months' notice had been given, the export of Perak-grown gutta should be prohibited, gutta coming from Pahang or Patani being allowed transit as before.

This is unanimously agreed to.

20. The Resident says that another matter is also of pressing importance, that is the preservation of the forest in so far as the needs of the tin-smelting industry would permit of it.

21. He recommends that after the close of the present felling season no primeval jungle (*rimba*) should be felled for padi-planting except in low-lying and swampy situations, where the wood is of soft and perishable quality, and that even here no timber should be felled except with the permission of the Penghulu of the mukim, or in special cases by the Head of the Government.

22. He adds that this would not cause any special hardship as there is plenty of *bélukar* in the country.

23. The Council agree unanimously to this measure, and authorise the Resident to carry out the measure and to issue the necessary notices.

24. The Resident lays on the table and explains a letter from the Colonial Secretary relative to the destruction of rats, on which subject information had been kindly procured by the Secretary of State at the request of H.E. the Governor, Sir F. Weld.

25. The Council desires to express to H.E. its sense of the kind interest shown in this and other measures for the assistance of the Government of the State.

26. The Resident informs the Council that the rat-poison (phosphoric paste) which he had been directed to get from England has arrived, and that the Assistant Resident, having tried it on a small scale, finds it very efficacious.

27. Some Members of Council express a desire to try samples. The bulk is then distributed by the Resident for experiment on an extensive scale.

28. A letter of the Hon. the Colonial Secretary, No. 2,815 of the 2nd May, 1881—enclosing an extract from a despatch from the Secretary of State authorising provision being made for the payment of pensions to Native States Officers who belonged to Her Majesty's regular service, or whose appointments had received the confirmation of the Secretary of State—is then read.

29. H.H. the Regent says that he quite agrees that this provision should be made, but he thinks that at some future date the scope of the measure might be extended so as to include all officers, both European and native, who faithfully served the State.

30. The Resident says that the retired Penghulu of Sungai Trap, To' Amar Diraja, has asked him to apply to H.H. in Council to know whether some allowance in the nature of a pension might be made to him.

31. His Highness and the native members say that none of the old officers of the State deserve the least provision of this sort, since their extortion and oppression had ruined the country in the past.

37. The Resident states that in his recent travels he has observed a very great improvement in the condition of the people. The Malays have no longer the excuse of poverty to urge against taxation; and he hopes that the Members of Council will help at some future time to devise a method by which the Malays might assist the revenue, either by an *asil kĕlamin* (poll-tax), or by a house-tax, or by a land-tax. The slaves must be freed and expenditure must be incurred; and although the revenue was flourishing, the people contributed nothing to it except when they worked as tin-miners.

6th July, 1881.

PRESENT:

The Regent.
 The Resident.
 The Assistant Resident.
 Raja DRIS.
 The Temenggong.
 Capitan AH KWEE.
 Capitan AH YAM.

12. The Resident brings to the notice of H.H. the Regent in Council the fact that lands are now being purchased in large blocks on the south side of the Kurau river for sugar plantations. Sugar-growing is no longer a new industry in Perak; and when the road between Kurau and Taiping is completed, the land along it will also be taken up in a very short time indeed.

13. The Resident therefore advises that—in view of the necessity of securing a permanent annual income from its lands for the State—the whole of the Larut province, which from its accessibility is more valuable at present than the rest of Perak, should be removed from the operation of the special regulations, and should be sold on lease for 999 years, at \$3 per acre premium and 40 cents per annum quit-rent.

This is unanimously agreed to.

21st August, 1881.

PRESENT :

The Regent.
The Resident.
The Assistant Resident.
The Temenggong.

4. A letter from the Officer in Charge of the Selama district is read submitting a proposition from Penghulu Mat Dari, of Ulu Selama, that immigrant families should be assisted by Government with money for their support until they can get in their first harvest. If such assistance can be given many families from Patani are anxious to settle in Ulu Selama.

5. H.H. the Regent says that such has been the custom of the country and it is a sound policy, for the Patanis are a padi-growing people and the transport of food to Selama is difficult.

6. The Council orders that assistance, not exceeding \$15 each, may be granted to not more than 100 families, the money to be repaid within a year, and Penghulu Muhammad Dari to be responsible as surety.

17th December, 1881.

PRESENT :

Raja DRIS (in the Chair).
The Resident.
The Assistant Resident.
The Temenggong.
Capitan AH KWEE.
Capitan AH YAM.

3. The Resident draws the attention of the Council to the great increase in the disease called beri-beri and to the consequent rise in hospital expenditure. This extra expenditure cannot be met by the voluntary subscription of half a dollar a year from every mining cooly. The Resident therefore proposes that the registration system now in force in the Coast districts and in Batang Padang, Kinta and Bidar, be extended to Larut, and that

every Chinese male of more than 16 years of age be registered throughout the State. In consideration of this the Government will undertake to keep up the hospitals in the various districts.

4. This is unanimously aged to.

5. The Resident in reference to the war debt (which is the only debt now due by the country to the Straits Government) explains that the Government of Perak is anxious to pay the debt off as speedily as possible so that the whole revenue of the State may be devoted to its development. He adds that he expects to have a large unexpended balance at the end of this year, and thinks that if the Council will approve of the import duty on opium being raised from \$5 a ball to \$6 a ball from the 1st January, 1882, he may be able to relieve the country of the cost of the war by the end of 1882. He points out that in the Siamese Province of Tongkah, where little is done for the miners, the import duty on opium is \$6 a ball, and that the North Borneo Company proposes to collect \$12 a ball. A rise from \$5 to \$6 will cause a very slight increase in the price of chandu and will bring in an extra revenue of from \$17,000 to \$20,000 a year.

Capitan Ah Kwee says that he has discussed this matter with the Chinese, and that there is no objection to the proposal so long as the Resident does not advise the Government to farm out the retail sale of prepared opium. He adds that he has spoken to the farmers who are willing to collect and account for the increased duty.

Capitan Ah Yam also says that there is no objection to the increased duty.

The increase is then unanimously agreed to.

6. The Resident lays upon the table a letter (No. 2212 of the 29th November, 1881) from the Colonial Secretary enclosing a despatch from the Government of India to the effect that the immigration into Perak of coolies from Calcutta, Madras, or Bombay, may be permitted, provided the requirements of the Indian Government are met. The Resident explains briefly what are the conditions insisted on by the Government of India, and the Councillors are unanimously of opinion that the conditions may be complied with.

The Resident adds that it will take some time to prepare for submission to the Council the details of the immigration rules that must be embodied in the laws of the State. No time will, however, be lost when preparing the necessary measures.

7. The Resident lays before the Council an application from Capitan Ah Yam for a concession of land to build a Chinese theatre for the instruction and amusement of the people. Having so many people from China it is desirable that Taiping should be made as agreeable as possible as a place of residence for them, and—under proper restrictions—this proposal deserves support.

Capitan Ah Kwee says that the people like the idea but that the towkays fear that the coolies may desert their work to attend the theatre.

Capitan Ah Yam asks for a grant of land in the town for 10 years free of quit-rent. After that period the land and buildings will become the property of Government.

The Council agrees that a piece of land, 300 feet by 180 feet, may be leased for 10 years free of rent to Capitan Ah Yam, provided that :

- (a) The hours of opening and closing the theatre should be subject to the approval of Government after consultation with the principal towkays ;
- (b) The building should be a substantial one with a tiled roof ;
- (c) No other building should be erected on the land except for the use of persons connected with or visiting the theatre, the permission of Government having been previously obtained for such erection ;
- (d) The plan of the theatre should be approved by Government ;
- (e) Police on duty should be allowed to enter at any time of the day or night.

8. The Resident lays upon the table an application from the Rev. F. Hab, Head of the Roman Catholic Tamil Mission in Penang, for 200 acres of Kuala Kurau land on which he proposes to attempt to form a Settlement of Tamil families. This Settlement would be an experiment, which, if successful, would be of advantage to the country and might be further extended. The terms asked for are that the premium usually charged for State land be remitted, that no quit-rent be payable for the first three years, and that when the ground has been fully or in part cultivated the Government will permit Father Hab to recover from the tenants his expenses in forming the Settlement and will allot the land to the occupiers in accordance with his recommendation.

The Council agrees that 200 acres of land in Kurau may be allotted as an experimental measure to the Rev. F. Hab on the following terms :

- (a) That the land be free of all charges except survey fees for three years from this date ;
- (b) That at the end of three years the Government will be prepared to issue leases for such portions of the land as may be under cultivation ;
- (c) That such leases will be issued to each cultivator for the land actually occupied and cultivated by him, on his proving to the satisfaction of Government that he has repaid his share of the original outlay advanced by Father Hab ;
- (d) That if such repayment has not been made the Government will, if necessary, issue leases to Father Hab, or to his successor, or representative, or to Christian Tamil families recommended by him ;
- (e) That after the expiration of the third year all the land alienated will be chargeable with an annual quit-rent of 40 cents per acre together with the usual fees for registration when the leases are issued ;
- (f) That no premium will be charged by Government ; and
- (g) That any land still lying waste and uncultivated at the expiration of the three years may be resumed by Government.

9. The question of the proper rate to be charged for lighting, water-supply, police and road services in Taiping is discussed.

The Resident recommends a charge of 10 per cent. on the rental of all property in Taiping and of 5 per cent. for Matang, Kamunting and other Larut districts—this amount to be a consolidated charge for all services.

This is unanimously agreed to.

11th March, 1882.

PRESENT :

The Regent. .
 The Resident.
 The Assistant Resident. .
 The Temenggong.

The Kadzi.

The Dato' Raja MAHKOTA.

Capitan AH KWEE.

Capitan AH YAM.

7. The Council considers a petition from the householders of Taiping asking that the rates for police, lighting and water might be remitted for one year.

8. This is allowed.

9. The Regent then discusses an application from Mr. W. V. Drummond, of Shanghai, and others, for 1,000 acres of land in four blocks for the purpose of working and smelting tin in Perak. It is ordered that a favourable reply be sent to Mr. Drummond to the effect that H.H. the Regent and the Council are prepared to let him have a grant to the extent requested on terms similar to those granted to the French Company.

10. Referring to the question of immigration the Resident informs the Council that in compliance with the duty entrusted to him by H.H. the Regent at the last meeting he has, in conjunction with the Immigration Officer in Penang, drawn up regulations which are now under the consideration of H.E. the Governor of the Straits Settlements.

11. The Resident lays before H.H. a letter from the Colonial Secretary conveying the decision of the Secretary of State that pecuniary rewards should be given to certain Malay Chiefs in consideration of services rendered to the British Government during the Perak war.

H.H. the Regent says that he is not aware of the services rendered by Raja Uteh, Saiyid Mashhur, Raja Indut and Raja Asal. They would be overpaid at \$700 each; but in deference to the opinion of the British Government he is willing to sanction the payment of the money. So far as H.H. knows, Saiyid Mashhur was at one time intriguing with the enemies of the English against Mr. Birch.

Raja Dris states that these persons were followers of Mr. Swettenham and doubtless did render what services they could. All persons ought to be made to understand that assistance rendered to Government will not go unrewarded.

It is ordered that the sum of \$700 be paid from the revenues of the State to each of the four persons named in the letter or, failing them, to their heirs.

12th March, 1882.

PRESENT :

The Regent.
 The Resident.
 The Assistant Resident.
 Raja DRIS.
 The Temenggong.
 The Kadzi.
 The Dato' Raja MAHKOTA.

5. Correspondence on the subject of the status of the Krian Penghulus is laid upon the table.

After discussion, it is decided that Mr. Leech, Magistrate of the district, may employ on salaries three Penghulus—viz. :

(a) Penghulu Salam at \$120 per annum for Kampong Permatang and Kampong Kedah ;

(b) Penghulu Ngah To' Siah for Bagan Tiang at \$180; and

(c) Penghulu Haji Musa for Sungai Kota at \$144 per annum.

It is thought that the other Penghulus named by Mr. Leech might be dispensed with ; but if retained they may only receive as remuneration the commission of 20 per cent. on the collections of revenue actually passing through their hands, and they may be exempted from payment of rent on the land actually cultivated by them. No salaried Penghulus are to be allowed commission on collections of land revenue nor may they occupy land free of rent. No Penghulu in the district is to have judicial powers.

The land revenue should be collected by the Collector and his officers, and the Penghulus should give general help to Government officers and should render assistance to the Magistrate when called upon to do so.

6. The Resident lays on the table a letter from the Temenggong stating that one Puteh Karim, brother of Itam Abdurrahman (deceased), claims royalty (*chabut*) on the Klian Gong mine at Salak. He also puts forward a letter in which certain persons at Kota Lama claim that the revenue from these mines should be spent for the benefit of Kota Lama, alleging that they had a promise from the former Resident, Mr. Davidson, that it should be so spent. He also raises the question of the distribution of the Penghulu's revenue (*chabut*) during the illness of the Penghulu Dato' Sri Lela, as the work is being done by the

Temenggong, with the help of the Assistant (Penghulu Abdurrahman) and one Itam Nahun.

H.H. the Regent says that he has known the country during three reigns and that the Salak mines were always regarded as the property of the State. In the days of Abdullah Muhammad Shah they certainly belonged to the Sultan, and in the days of Sultan Ali, Che Ngah Lamat was the lessee. To' Kahir, Che Ngah Lamat's agent, gave an elephant known as Me' Yang to Sultan Ali by way of rent for these mines. It is true that Sultan Ali was not Sultan in title at the time, but he was the *de-facto* Ruler of the Ulu and did not recognise Sultan Jafar. Sultan Ali afterwards confirmed the grant to Che Midah, mother-in-law of To' Kahir. On Sultan Ali's death the mines should have been inherited along with the Crown, but they actually came into the possession of the Raja Bendahara Usman, foster-son of Che Midah. The Raja Bendahara let her have the mines; and she quarrelled with her son-in-law, To' Kahir, and worked them herself with Chinese labour. This was the first time that Chinese had come into the place.

As regards Mr. Davidson's alleged promise, the Kadzi and the Assistant Resident were actually present when certain promises were made about the price of the Salak mines being given to Kota Lama but nothing whatever was said about any royalty or *chabut*.

As regards the Penghulu's *chabut*, the Council decides that the money is to be paid to the Temenggong, who will allow one-third to the Assistant Penghulu Abdurrahman and another third to Itam Nahun.

7. The Dato' Raja Mahkota, on the invitation of the Resident, states his case with reference to the Gopeng mines. In Sultan Ismail's time he advanced \$10,000 to open these mines on an agreement with the Sultan that he was to receive \$2 a bhara on all the tin produced until the debt was paid off. Only \$2,000 had been paid back when the disturbances broke out. Some years ago he mentioned these facts to the Resident who advised him to revert to the question when the country was in a prosperous condition.

The Resident says that while quite a believer in the truth of the Dato's story he cannot see his way to advising the Government to deal favourably with such a case as it would open a door to so many other claims of a like nature. The decision of the Regent

in Council is that nothing can be done for the Dato' as regards this claim, but that he has the Resident's assurance that he is valued as one of the State's best officers and may expect his position to improve with the advancement of the country's revenue.

9. H.H. the Regent lays upon the table a statement of his services at the time of the war. This statement is made consequent on yesterday's vote for rewarding the four persons who for their services were recommended to the notice of the Secretary of State.

15th March, 1882.

PRESENT :

The Regent.
 The Resident.
 Raja DRIS.
 The Temenggong.
 The Kadzi.
 The Dato' Raja MAHKOTA.

7. The Resident submits to H.H. the Regent that in his opinion the State will be in a position to abolish slavery and the institution of slave-indebtedness in the year 1883, and that he desires the members of Council on returning to their districts to consult as to the best method of carrying out this important measure. He will also ask H.H. to call a meeting of the Council in May to decide upon some definite scheme, of which due notice may be given to the people concerned.

8. The Resident also brings to the notice of the Regent in Council the fact that the Malay population of the State is now in a settled and prosperous condition, and might be asked in 1883 to contribute to the revenue to the extent of not more than \$2.50 for each male adult. Whether this money should be raised in the form of a poll-tax (*asil kĕlamin*) or house-tax, or land-tax, or in any other form of tax, is a matter upon which he desires the opinion of the Council; and he begs the members to come prepared to decide upon this important matter at the Council Meeting in May next.

10. At the suggestion of the Resident the Regent in Council directs that the new Settlement at Telok Ma' Hitam is to be known as "Telok Anson," in compliment to General Anson, who drew the first plan of the town and took great interest in its removal from Durian Sabatang. The name Telok Ma' Hitam has also been found inconveniently long.

16th May, 1882.

PRESENT :

The Regent.
 The Resident.
 The Assistant Resident.
 Raja DRIS.
 The Temenggong.
 The Kadzi.
 The Dato' Raja MAHKOTA.
 Captain CHANG AH KWEE.
 Captain AH YAM.

3. The Resident lays upon the table a letter from the Colonial Secretary of the Straits Settlements reporting the receipt of a despatch from Lord Kimberley with a request for information regarding the progress made towards the extinction of debt-slavery in the Protected Malay States since 1879. He also submits a copy of a reply sent to this letter on the 26th April, 1882.

4. An interesting discussion follows on the question of debt-slavery and bondage and upon the best means of dealing with the matter. Raja Dris inclines to the opinion that the best plan would be to fix a date after which all persons should be free, the creditors or owners recouping themselves in the meantime by getting what they could out of their bondsmen in the way of payments or of work. It is indeed asserted that in anticipation of such a general release many agreements have already been entered into between masters and slaves, by which agreements the slaves have agreed to pay to their masters a certain proportion of their earnings as free labourers and so to extinguish any debt that might be due. Other alternative plans

are discussed and many difficulties are suggested ; finally it is decided to postpone the further consideration of this matter to Monday, the 22nd instant.

7. The Resident calls upon the Chinese members of Council to give their views as to Chinese public opinion about the beri-beri hospitals and about the possibility of checking the disease in the mines.

8. Capitan Ah Kwee and Capitan Ah Yam both agree that the hospitals do not afford sufficient accommodation. The last return shows 577 patients in the Yeng Wah Hospital, but many coolies remain in the "kongsi" houses because there is no room for them in the wards. The people go freely to hospital, but cannot be induced to eat regularly the beans that have been found useful in the gaol and hospitals. Flour has not yet been introduced into the coolies' diet, but they are supplied with bean-oil. The Chinese members are of opinion that a Government order regulating diets on the lines proved to be beneficial would not be obeyed by the coolies. The coolies would take more bean-oil if it was supplied to them, but they would not eat flour or pulse in lieu of rice. The disease is gaining ground in the mines and is now very prevalent. Capitan Ah Kwee finds that many patients, who get better in the wards, relapse into illness as soon as they get back to the mines.

22nd May, 1882.

PRESENT :

The Regent.
 The Resident.
 Raja DRIS.
 The Temenggong.
 The Kadzi.

2. The Resident says that from the informal discussion that took place at the last meeting it was evident that the question of the manumission of slaves was not yet ripe for immediate settlement. He therefore thinks it advisable that those members who were present should record their opinions in order that such a record may enable the Government to frame definite proposals for discussion and adoption on some future occasion.

3. The Dato' Raja Mahkota says that in his opinion slave-debtors should be called upon to buy their freedom by monthly instalments paid either in labour or in money. Masters who desire to employ their slaves in their own houses may do so by arranging for a monthly reduction of the debt so as to leave the debtor free at the end of two years. Should the instalments not be met, the creditor is entitled to sue as for an ordinary debt, and to have the slave-debtor sent by the Magistrate to work for Government at the rate of not more than 20 cents a day, half his earnings to go to his support and half to his master in payment of the money due. The people so object to Government work on the mountains that debtors will always be ready to earn money for their masters without having recourse to this measure. All slavery should be completely abolished from the 1st January, 1885.

4. The Kadzi agrees generally with the Dato' Raja Mahkota, but would prefer that the period of complete manumission be extended to three years.

5. The Temenggong holds the same view.

6. Raja Dris agrees generally with the preceding speakers, whose proposals accord with the views already expressed by himself, but he will draw up a memorandum and submit it to Council so as to explain in detail the prices at which different classes of slaves should be valued for manumission.

7. H.H. the Regent agrees with what had been said, but thinks that the Penghulus should enquire and ascertain the proper sum to be demanded in each case and to report on the number of slaves and slave-debtors in their mukims.

8. Raja Dris remarks that an enquiry of this kind would lead to interminable difficulties. When the Resident came to Perak it was notified that all persons who on the day of his arrival were of the status of slaves or bondsmen and under the control of their masters should be considered to be of that status without further investigation or enquiry; and it was greatly due to this assurance that the discussion of this important question had not had any disturbing effect. The best plan therefore would be to divide bondsmen into classes and to fix the limits of compensation payable for each class.

9. The Regent then withdraws his objection, but says that he would like to see the term of absolute manumission extended to three years.

10. The Resident explains that his chief objection to the proposals of the Chiefs rests on the delay which must take place. He would like to see every one in the State free early in 1883; but if the regular payment of instalments can be guaranteed to the proprietors he thinks that the proposals of Raja Dris present a solution that can be accepted. He would be greatly obliged if any one of the members who may wish to do so will prepare a memo. giving his views in detail. With such assistance, and after discussing the question with other members not now present, the Resident hopes to prepare a return disposing of the question in a satisfactory manner. He is quite sure that the British Government and H.E. the Governor will highly appreciate the valuable and ready assistance which the members have given in the discussion of this question and their desire to respond to the invitation to abolish an institution so generally repugnant to the feelings of civilised nations.

11. The Resident next brings to the notice of the Council the proposition of H.H. the Regent—a proposition originally advanced in 1878—that the Malay population of the State should now contribute to the revenue. He invites the opinions of the members upon it.

12. It is evident that the circumstances of the Malay population have very much improved during the last few years and that they can now contribute to the expenses of Government without any difficulty, which was not the case when the proposal was first considered.

13. The Dato' Raja Mahkota thinks that a poll-tax of \$1 per head per annum may be levied on any male of Malay race above 15 years of age.

14. The Kadzi considers that foreign Malays should be asked to contribute less than Perak Malays.

15. The Temenggong thinks that \$1 a head is a sufficient contribution and may be demanded.

16. Raja Dris thinks that the tax would be more acceptable if it was raised on land. Holdings, though they cannot be surveyed, might well be registered, and the Penghulus might collect the dues. For those who pay nothing for their land a \$3 poll-tax would be a moderate contribution. The people of the State ought to be made to work, if only to teach them habits of industry. A certain portion of land should be assigned to each man and he should be made to cultivate it or punished by fine.

17. H.H. the Regent thinks that a poll-tax of \$2 should be imposed on each adult male. A moderate tax of this sort would be understood by the people; a land-tax would not be understood.

18. The Resident agrees with the Regent that a tax of \$2 a head may be imposed on all Malays, native or foreign, being males of more than 15 years of age. The difficulties in the way of the collection of a land-tax are at present insuperable, but there is no reason why some system such as that proposed by Raja Dris should not be introduced in the future. By an Order of Council issued about two years ago an attempt was made to insist on the planting of coconuts; this attempt failed through lack of proper supervision. If a tax on land were now imposed the Resident thinks that it would discourage cultivation, while casual wage-earners would escape scot-free. At its next meeting the Council will be asked to authorise the collection of a poll-tax of \$2 a head with effect from the 1st January, 1882, the collection to be made by the Penghulus and Officers of districts, the former receiving the usual commission of 10 per cent. on all sums collected by them.

19. The Kadzi enquires whether forced labour on public works will be altogether abolished in consideration of this tax. If so, the people will readily accept it.

20. The Resident replies that in the present state of the labour market the Government cannot undertake to promise any such exemption; but, should forced labour be resorted to, the market price of labour will be paid for it. The funds to be raised by the poll-tax will help to defray the cost of importing Indian coolies for employment on public works.

23. The Resident brings to the notice of the Council the fact that at the last triennial sale of the revenue farms the Secretary of State observed with regret that the Perak Government intended to continue the practice of public gaming for three more years; and he therefore desired to learn the opinion of the Council on the possibility and propriety of giving up the farm and suppressing the vice.

24. H.H. the Regent and the Councillors are unanimously of opinion that such a proposal is impracticable. The Chinese will be bound to gamble, and if their gambling is not regulated it will lead to constant fights and *kongsi* riots. The Police

would be unequal to the calls upon them, and corruption would be rampant. The revenue raised—though important in view of the burdens imposed on the State—is not of so much consequence as the preservation of peace in the districts inhabited by Chinese miners.

23rd May, 1882.

PRESENT :

The Regent.
 The Resident.
 Raja DRIS.
 The Temenggong.
 The Kadzi.
 The Dato' Raja MAHKOTA.

2. The Resident informs the Council that the object of H.H. the Regent in calling this meeting is to lay before it the corrected proof of the Enactment for regulating the immigration of Indian labour.

3. The "Perak Indian Immigration Enactment, 1882," is then read, and after being explained, section by section, is agreed to. It is then declared to have passed the Council and to be law in Perak.

6. The Councillors, however, wish it placed on record that the clauses which stand as Nos. 87 and 88 in the original draft should be retained and should stand as part of the Enactment.

9th October, 1882.

PRESENT :

The Regent.
 The Resident.
 The Acting Assistant Resident (Capt. WALKER).
 Raja DRIS.
 The Temenggong.
 The Dato' Raja MAHKOTA.

The Kadzi.

Capitan AH KWEE.

Capitan AH YAM.

3. The Resident lays before H.H. the Regent in Council a copy of the Parliamentary paper on "Slavery in the Protected Malay States."

4. The Resident then lays upon the table and (at the request of the Regent) reads the essay on "Slavery and Slave-indebtedness," by Mr. W. E. Maxwell, lately Assistant Resident, Perak, together with that officer's proposals for the abolition of the institution within three years.

5. H.H. the Regent observed that the historical survey drawn up by Mr. Maxwell was in all respects correct, and that he was prepared to admit that many old Perak institutions were of an oppressive and indefensible character. Corruptions of the religious law (*shara'*) had been introduced into the country, while the *adat* or customary law of the State had sanctioned aggressions by the strong upon the rights of the weak. These aggressions had the sanction of time behind them, and could only be done away with by the assistance given to the Rajas of the State by H.M. Government. Speaking for himself he was anxious to act on British advice and to pass an Order in Council for the abolition of slavery and slave-indebtedness, but he considered that his own position was somewhat exceptional, and he hoped that four or five persons, attendants on his children, might be exempted from the operation of the law and might be still allowed him as slaves. He, however, left himself entirely in the hands of the Government and of the Council, and was ready to bring the desired measure into force as soon as a decision was arrived at.

6. The proposals of Mr. Maxwell and those submitted at previous meetings by various members were then fully discussed.

7. Raja Dris, the Dato' Raja Mahkota and the Temenggong say that it would be extremely difficult to secure that slavery and slave-indebtedness should be abolished in 1883 as originally proposed. It would be better to extend the time over two padi-harvests, as this would allow the slave-owners and creditors two seasons—valued at \$15 each—in which to recoup themselves for the value of their property. In that case it would be unnecessary for Government to make any contributory payment, provided, of

course, that the slaves were compelled to work honestly for their masters during the period preceding complete manumission.

8. The Resident says in reply that the question of economy is not as important to the State as the question of freeing it from the obloquy to which it is now exposed. He quite feels that some time should be allowed by way of preparation for the change, especially in households where the services of females are indispensable, and with His Highness's permission he would suggest for the consideration of the Chiefs that slaves and debtors might remain at the disposal of their masters till the 31st December, 1883, their services being valued at half the amount of compensation to be awarded in each case. At the end of that period the Government might make a free grant to each owner of the remaining half of the value of the servant, thereby providing for his complete manumission and freedom from all further liability by the date mentioned. Power should be reserved to the servant at any time to borrow the whole sum from Government on condition of his working out in labour on public works that portion of it for which he would have had to serve his master till the 31st December, 1883. This last measure could not, however, be made applicable to women, as no public employment could be provided for them; they must therefore remain in their present condition till the end of 1883, when they would be entitled to complete freedom, Government paying the balance of their value.

9. H.H. the Regent and the other members concurred. The following resolutions were then formulated :

(i) On the 31st day of December, 1883, slavery and bond-indebtedness shall entirely cease and be absolutely abolished in the State of Perak, and all claims arising out of either condition shall be understood to have lapsed and to be irrecoverable.

(ii) The masters of the slave-debtors and slaves shall until the date fixed for the final abolition of slavery retain their rights to the services of their dependents except as hereinafter provided.

(iii) No owner of a male slave or creditor of a male bond-slave-debtor shall be entitled to value his services for compensation under these regulations at more than \$30, nor shall any Court to which appeal may be made have power to award a larger sum.

(iv) No female slave or bond-slave-debtor shall be valued for the purposes of this regulation at a price exceeding \$60.

(v) Every slave or bondsman shall employ his time in his master's service and shall obey his master's orders (until entitled to manumission) in any legitimate employment. The value of such service, if continued until the 31st December, 1883, shall be fixed at half the amount settled as the total compensation to be made to the master in each case, or proportionately for shorter periods.

(vi) At the date assigned for the complete abolition of slavery—viz., 31st December, 1883—the Government will pay to the master of the dependent as a free grant the amount necessary to complete the full compensation agreed upon or adjudged to be the value of the slave.

(vii) Any slave or debtor refusing or neglecting to obey the lawful orders of his master during the period preceding manumission may be taken before the nearest Court of competent jurisdiction, which after enquiry may direct the slave or bondsman to be employed on the public works of the State, and the wages earned by him (excepting so much as may be necessary for his maintenance) shall be paid to the master towards the half-compensation to which he is entitled under these regulations.

(viii) It shall be lawful for the slave or bond-debtor, in order to enable himself to secure immediate freedom, to borrow at any time from the Government the whole amount of compensation adjudged or agreed to be paid in his case, on condition of his labouring on the public works of the State until he has repaid by deductions from his wages the proportion of his value payable to his master.

(ix) Female slaves and debtors will be entitled in like manner to a remission of half of the amount adjudged or agreed upon as full compensation in consideration of their continued good service with their masters during the interval between the passing of this order and the complete abolition of slavery. At the expiry of that period the remaining half of the full compensation allowed will be paid to their masters as a free grant by the Government.

(x) The Chief Court in each district of the State shall have authority to decide all disputed cases as to the condition of individuals and to award the amount of compensation. The decisions of the Courts must be reported monthly to Government and will be subject to revision or reversal by H.H. the Regent in Council.

The preceding resolutions are then carefully read over in Council and are unanimously agreed to.

10th October, 1882.

PRESENT :

The Regent.

The Resident.

The Acting Assistant Resident.

Raja DRIS.

The Temenggong.

The Dato' Raja MAHKOTA.

The Kadzi.

3. H.H. the Regent says that he wishes to abandon the request that he had made for the exemption of four or five of his personal attendants from the operation of the proposed measure for the release of slaves and debtors, but that he would like to

substitute for it a request that on the 31st December, 1883, he (as an exceptional case) should receive from Government the full value of all slaves or bond-debtors in his possession, without any deduction being made for the services required of them during the period preceding manumission.

Raja Dris states that he has already freed all his own slaves and slave-debtors unconditionally and without compensation. He cannot, however, include in this manumission the slaves who are the personal property of his wife, the daughter of H.H. the Regent, as he has no power over them.

The Resident submits for the consideration of H.H. the Regent the following Instructions:

INSTRUCTIONS FOR THE GUIDANCE OF COURTS AND MAGISTRATES APPOINTED TO CARRY OUT THE ORDERS OF H.H. THE REGENT IN COUNCIL FOR THE MANUMISSION OF SLAVES AND BOND-DEBTORS IN PERAK.

The Resident in a letter to the Hon. the Colonial Secretary (28th May, 1878)¹ quoted certain principles that he had laid down very early in his term of residence in Perak for guidance in dealing with slave cases.

One of these was that "every person in Perak, who was an acknowledged slave-debtor or slave in the actual possession of his master on the 19th day of April, 1877, should be recognised as being legitimately in that position."

Another was that "no free person should on any pretence whatever, after the 19th day of April, 1877, be reduced to the condition of a slave or slave-debtor."

It must therefore be held:

- (a) That on the compulsory manumission of slaves and slave-debtors, a slave-owner shall be entitled, without question, to compensation for any acknowledged slave or slave-debtor who was in his possession on the date above-mentioned;
- (b) That no claim founded upon any transaction subsequent to the 19th April, 1877, or in respect of any person born after that date shall be entertained.

2. In 1879 statistical returns were furnished by most of the Penghulus of the State and gave the number of slaves in the possession of each householder in each mukim. These returns furnish a valuable check upon fraudulent claims; and it is expected that any claims unreasonably in excess of the numbers given in the returns will be treated with suspicion and scrutinised carefully.

3. The following regulations shall be in force throughout the State of Perak from the 1st January, 1883:

(a) Subject to the principles laid down by the Resident in his letter of the 28th May, 1878, to the Colonial Secretary, all royal slaves (*hamba raja*) and persons taken by force under the royal privileges, all persons reduced by a *raja* to slavery for their offences and all persons who have become *hulur* to the State are hereby declared to be unconditionally free.

(b) In the case of other persons now in the condition of slaves or debt-bondsmen, slavery and debt-bondage shall cease absolutely on the 31st December, 1883.

¹ See Appendix B.

(c) At any time after the coming into operation of these regulations and before the 31st December, 1883, any slave or debt-bondsman may claim and shall receive his freedom upon payment to Government (on his master's account) of the sum of thirty dollars or any smaller sum that may have been adjudged or agreed upon as his value for compensation.

(d) Within the same period it shall be lawful for the Government of the State to advance the above-named sum on account of any slave or debt-bondsman and to set him free, and to require of him labour upon public works of utility.

(e) The Chief Court in each district shall register all slaves, bondsmen and emancipated persons, shall decide disputed claims, and shall advance (after having received the Resident's approval) the redemption-sum for any slave or debt-bondsman.

(f) The Chief Magistrate of the district shall allot work to any person for whom such redemption-sum is advanced, and the Court shall issue certificates of emancipation to all persons entitled to them.

(g) The Courts shall have the power to purchase (on behalf of, and subject to the approval of, the Government) the freedom of any slave or debt-bondsman, if unable to pay or to work, by the payment of any sum, proportionate to his value and not exceeding \$25, to the person entitled to receive it.

(h) The Courts shall have power to require the production of any slave or debt-bondsman whose evidence may be required in any enquiry, private or otherwise, into circumstances attending the alleged servitude.

(i) Any person for whom a redemption-sum has been paid by Government, or who is still in his master's service, shall be liable to the punishment provided by Section 492 of the Straits Penal Code for breaches of contract by labourers if he neglects or refuses to perform the work allotted to him.

(j) Any act which would be a punishable offence if done to a free man shall be equally an offence if done to any person freed under Clause (a) or to any person emancipated under Clauses (c), (d) and (f), or—after the 31st December, 1883—to any person whatsoever on the pretext of his being in the condition of a slave or slave-debtor.

(k) On the 31st December, 1883, all debts due from debt-bondsmen shall be deemed to have lapsed by efflux of time, and no such debt shall thereafter be recoverable by process of law from any debt-bondsman, from any surety, or from Government.

(l) The Courts in deciding upon the status of an alleged debt-bondsman who disputes his liability, shall be guided, so far as it is applicable to the case, by the Resident's letter to the Colonial Secretary, dated the 28th May, 1878.

Passed by H.H. the Regent in Council this 10th day of October, A.D. 1882.

HUGH LOW.

6. This paper is read, paragraph by paragraph, discussed, and unanimously agreed to.

7. H.H. the Regent then proposes that the resolutions for the abolition of slavery in Perak should be copied and forwarded for the consideration of H.E. the Governor, Sir Frederick Weld,

K.C.M.G., who has so anxiously pressed upon the Government of the State the propriety of providing for the manumission of the servile class in Perak.

8. This is unanimously agreed to.

12. The Resident brings to the notice of H.H. the Regent the unsatisfactory results of the collection of the duty on charcoal at Kuala Kangsar and at Taiping. At those places the collection is farmed out, the duty being levied on the charcoal itself at the rate of 5 cents per pikul or 40 cents per cart-load. In Kinta it is collected on the smelted tin by a special rate of 50 cents per bhara of tin for the charcoal used in smelting. This rate is based on the average quantity of charcoal used in smelting a bhara of tin from the ore. Since the introduction of this system the Kinta revenue has greatly improved owing to the impossibility of evading the duty. The Resident asks for authority to introduce the same system into the other districts of the State—viz., Taiping, Kuala Kangsar, Selama and Lower Perak.

This is unanimously agreed to.

11th October, 1882.

PRESENT :

The Regent.

The Resident.

The Acting Assistant Resident.

Raja DRIS.

The Temenggong.

The Dato' Raja MAHKOTA.

5. The Resident lays upon the table the published notices inviting tenders for the sale of the revenue farms in Perak.

6. He points out that in Lower Perak it had been brought to his notice on his last visit that there existed an irregular farm for the sale of chandu at Kota Setia, much to the advantage of the nipah farmer, who paid nothing for this privilege but was reported to make \$1,000 a year by the monopoly of the sale of the drug. This seemed to be a legacy from the farm established in 1878, when Mr. Tooth opened up the Dindings Sugar Estate. He (the Resident) had been under the impression that the monopoly had

died a natural death when Mr. Tooth's enterprise had come to an untimely end. . . . But this was not the case.

7. Tenders had accordingly been called for the extension of the regular farm so as to include the district from Durian Sabatang to the mouth of the river and from Sungai Rungkup to British territory. The farm was to be bound to sell opium of the best quality, by not making more than 25 *taels* from each ball, at \$1.20 per *tael* or 14 cents per *chi*. It is important that this source of revenue should be secured without delay, as the district was likely to be occupied for sugar-planting, which would put the State to expense in police protection and yet yield no revenue, as the land had been given at the nominal price of 50 cents per acre free of quit-rent. The Resident therefore asks H.H. to consent to it.

8. H.H. the Regent and all the members are of opinion that this is a very proper measure and authorise the Resident to carry it out.

9. A similar farm is ordered to be established at the lower extremity of the Bernam river from Sabak to the sea.

10. The Resident then lays upon the table the published notices inviting tenders for the lease of the revenue farms for a term of three years from the 1st January, 1883. He explains the reasons for dividing up the farms so very greatly on this occasion, the chief reason being a desire to give people who invest their money in the country a chance of sharing in the profits made by the revenue farmers.

11. He adds that although he has advised this course on the present occasion—provided, of course, that proper prices were secured—he was personally of opinion that on the next allotment of the farms they should be divided up into only two primary divisions—viz., Larut and Perak farms. In each of these divisions there should be one chandu and opium farm (which should include the rights now conferred on the north and south Larut coast farms as regards opium, the rights of the opium import duty farmer, the rights of the chandu farmer in Lower Perak, and the collection of the opium import duty in Lower Perak), a spirit farm extending over the whole of each division, and a joint gambling and pawnbroking farm extending over the same area. Such an arrangement would attract greater capitalists to the country, if indeed they were not by that time to be found locally.

12. The Council then adjourned. . . .

18th October, 1882.

PRESENT:

The Regent.
The Resident.
Raja DRIS.
The Temenggong.
The Kadzi.
The Dato' Raja MAHKOTA.

3. The Resident reports to H.H. the Regent that the tenders for the revenue farms were opened on the 12th instant and were generally satisfactory, 178 tenders in all having been received. An abstract was forwarded to H.E. the Governor of the Straits Settlements; and when an answer had been received, he (the Resident) will be able to report to H.H. the Regent and the Council the exact amount realised. At present he has only the satisfaction of saying that the increase in the value of the farms will probably be not less than \$360,000 annually.

4. Referring to the proposal to tax the male population by the imposition of an *asil kĕlamin* (see Council Minutes of the 22nd May, 1882), the Resident invites H.H. the Regent to arrive at some decision, as notices ought, before the close of the current year, to be prepared for distribution in the various districts.

5. Raja Dris says that he has lately been through the districts of Kinta, Kampar and Lower Perak on a visit of inspection on behalf of the Government. At the request of the Resident he gave his special attention to the question under discussion; he sounded the people and discussed with the Chiefs alternative methods of raising some revenue from the Malay population. He found that the best possible disposition prevailed everywhere and that people were quite willing to obey any Government order, whether for the collection of the *asil kĕlamin* (poll-tax), or for the payment of rent on land, or for gratuitous labour for a fixed number of days annually at works of public utility. In his own opinion a poll-tax of \$1 on all males above the age of 15 would be sufficient for the first year, if such a tax must be imposed, but the form of tax could not be popular as it had never been levied in the Perak river districts. The cultivation of land in the districts is also so unsystematic that the collection of rent might present insurmountable diffi-

culties. Under the circumstances he is altogether in favour of a certain number of days' gratuitous service being required of each male in the country—or, in lieu thereof, a commutation-tax of 25 cents a day. He thinks that six days only should be required.

6. H.H. the Regent observes that in Sultan Jafar's time the people through their Chiefs offered to pay \$4 each annually, provided the system of *kěrah* (corvée) was given up. In addition to this payment they were also willing to render free service and provide their own food :

- (a) In the event of the country being at war ;
- (b) Whenever the Princes have to celebrate a marriage or to assist at a funeral, or on any similar occasion ;
- (c) Whenever general assistance is needed for the building of a *kubu* for the capture of elephants.

This proposal was not accepted by the Yangdipertuan as the Chiefs were not all of one mind upon the subject. To' Janggut and Che Long Jafar opposed it, while the Panglima Kinta and Panglima Bukit Gantang favoured it. In those days the ryots were *kěrah'd* at the pleasure of the Chiefs for all kinds of duties, and it frequently happened that in a year they were never released from such gratuitous labour. They found their own food and everything else that they required. They were also expected—those of them that were of any consideration—to make presents to the Raja according to their means. There were also at that time import duties upon everything that came into the country, 2½ per cent. being the most common rate. Even rice and salt were taxed. These duties have all been remitted within the last four years, and all imports except opium, spirit and tobacco are now free. *Asil kělamin* used to be collected in all Krian and Kurau at the rate of \$2.50 per married couple ; this was because they were far from the Raja and could not be brought to work for him in Perak. Che Long Jafar and To' Janggut resisted the Raja Bendahara's attempt to collect *asil kělamin* in Larut, and this was the beginning of all the troubles and divisions among the Chiefs ; but the *asil kělamin* was only the pretence put forward—the Chiefs had other objects in view.

His Highness observes that he does not feel competent to give an opinion on this question, remembering (as he cannot help doing) the different light in which these things were viewed in former times. He thinks that the ryots might certainly be called upon for a month's labour and still be great gainers in com-

parison with the old state of things. Ten days, at least, of gratuitous labour on public works should be required of them if they are to pay no other taxes.

7. The Resident suggests that it would be not in accordance with the views expressed by Raja Dris if the rule as to gratuitous labour was enforced in Krian, Kurau, Selama and Larut, where all the Malays pay rent for the land that they occupy. In the Krian and Kurau districts they used to pay in former times—in addition to *asil kĕlamin*—a tithe of the produce of their lands.

8. Raja Dris says that he would like to introduce land regulations as liberal as those in the neighbouring Colony. That was his reason for proposing so moderate an assistance from the ryots to the State.

9. The Resident observes that the circumstances of this young State are not comparable in all respects with those of the Colony. There, labour is abundant; here, it is often twice—or even three times—as costly. He experienced this lately at Durian Sabatang, where after ordering the officers of Government to pay the market price for labour—about 40 cents a day and the labourer's food—he now hears that even this is insufficient owing to the demand for labour and the dearth of any supply.

10. Raja Dris replies that he had no difficulty about hiring boatmen during his recent travels. He also observed a greater inclination on the part of Perak people to work for wages.

11. The Resident thinks that if they are not called upon to contribute to revenue in any way the people may fairly be expected to work gratuitously for Government for 10 days in every year or claim exemption on payment of \$2.50.

12. H.H. the Regent suggests 12 days—or one day for each month.

13. Raja Dris adheres to his opinion that only six days' enforced gratuitous labour (or an equivalent payment of 25 cents a day) should be required of each person.

14. The Temenggong and the Dato' Raja Mahkota agree with Raja Dris.

15. The Kadzi thinks that eight days would be a suitable period, but would like to see the two *Imams* and the *Khatib* of each village and the *Bilal* and the *Siak* of each mosque excepted.

16. After discussion, it is agreed that one *Imam*, the *Khatib*, the *Bilal* and the *Siak*—four persons for the service of the mosque in each village—be exempted from the new rules.

17. After considerable discussion it is unanimously resolved that a Government Order be issued as under :

(i) All persons of Malay race, foreign or native, above 15 years and below 50 years of age, in the State of Perak—with the exceptions hereinafter mentioned—shall labour gratuitously on the public works of the State for six clear days in each year.

Exceptions.—(a) All persons cultivating land and paying on their own account rent for the same to Government; (b) all Rajas of the royal family of Perak; and (c) one *Imam* and the *Khatib*, *Bilal* and *Siak* of each mosque.

(ii) Any person may commute the service of his personal labour by a payment at the rate of 25 cents a day to Government.

(iii) A list shall be made (by the Penghulus and other Government officers in each district) of all persons liable to this tax. One copy of this list shall be kept by the Penghulu and another in the Head Office of the district.

(iv) When the services of the ryots are required, a requisition shall be made upon the Penghulu by the Chief Officer of the district for the number of men required; and before doing so all preparations shall have been made for their going to work immediately on their arrival, tools and other necessaries being provided for them. The journey to and from the place of work shall not be included in the six days.

(v) The Penghulu or his deputy shall superintend the labour of the men of each village, and the Penghulu shall be entitled to receive from Government as his fee one-tenth of the value of the labour rendered (calculated at 25 cents per head per diem).

(vi) Every person refusing or neglecting to obey the Penghulu's order to render his annual *quotum* of labour shall be liable to a fine of \$5.

19th October, 1882.

PRESENT:

The Regent.

The Resident.

Raja DRIS.

The Temenggong.

The Dato' Raja MAHKOTA.

The Kadzi.

12. The Dato' Raja Mahkota raises the question of the rental of the State lands that yield the nipah from which ataps are made in Lower Perak.

13. The Resident lays upon the table a report (dated the 20th July, 1882) by Mr. Denison on the nipah and atap revenue of Lower Perak. He adds that the question of raising a revenue from the magnificent nipah forests of Lower Perak was brought

up about four years ago. The right to cut the nipah leaves was let to Low Kim, a Chinaman; and the privileges that were leased to him included the export duty. He was paying \$2,400 annually to Government for his privileges.

When the nipah farm was first let a lessee at \$50 per mensem was obtained with difficulty. In offering the farm for the term following the 1st January, 1883, it was thought advisable to curtail some of the rights and to limit it to the export duty. Low Kim was offering \$6,480 annually for this duty. The question arises as to what is a fair rent to be levied for this nipah land from those who wish to use it for cutting leaves for making atap for export to Deli and elsewhere.

14. It is unanimously resolved:

(a) For the term of three years the nipah districts in Lower Perak shall be let to the ryots through the Penghulus at a rent of 50 cents per orlong. The distribution of this land shall be entrusted to the Penghulus, who must be answerable to Government for the rent of whatever land is returned as being in their respective mukims. The area as given in Mr. Denison's report from the Penghulus' own measurements is 4,711 orlongs.

(b) The Penghulus are to be held responsible for the proper care and protection of the trees, and will receive the usual *chabut* of one-tenth on the rental and export duties.

(c) The payments are to be made by the Penghulus to the Sub-Treasurer of Lower Perak, half on the 1st day of April and the remaining half on the 1st day of October in each year, beginning from the 1st April, 1883.

15. The Dato' Raja Mahkota states that three years ago the Government remitted the usual charge per ton on junks trading to the Perak river for ataps. This was done to encourage the industry when it was in its infancy. In lieu of the rates previously in force a uniform charge of \$1 per vessel (regardless of its size) was levied on these junks. When Mr. Denison went to Lower Perak he levied on junks trading in ataps the same rates as on other vessels; but Mr. Paul, who happened to visit the place on his way from Penang to Sungai Ujong, pointed out that this was not in accordance with Government regulations, and the money that had been so collected was returned.

The Dato' now advises that as the trade is well-established and lucrative, the harbour dues might be raised to at least half the rates charged on other junks. From 25 to 30 junks leave Lower Perak monthly for Deli.

16. It is unanimously resolved that the harbour dues on junks engaged in this trade shall, from the 1st January, 1883, be collected at the rate of half the dues paid by the ordinary trading junks frequenting the ports of Lower Perak.

17. The Resident reports to the Regent in Council the trial of Udin, a headman of the Red Flag Secret Society, and of Che Sarib and Saiyid Hasan Yahya, of Bagan Nakhoda Omar, for enlisting members for (and for belonging to) the White Flag Secret Society. These societies have their head offices in the Colony but have recently ramified into Lower Perak.

18. Raja Dris submits his notes on the trials which were conducted before himself, Mr. Denison, Dato' Raja Mahkota, Dato' Panglima Kinta, and Orang Kaya Mat Arshad. Udin was sentenced to 10 years' rigorous imprisonment as he had resisted the police with force of arms and had called upon the ryots to assist him. Che Sarib was sentenced to five years and Saiyid Hasan Yahya to 2½ years' imprisonment with hard labour.

19. H.H. the Regent in Council entirely approves of the proceedings, and thanks the Chief Justice for the service that he has rendered to the State.

20th October, 1882.

PRESENT :

The Regent.
 The Resident.
 Raja DRIS.
 The Temenggong.
 The Dato' Raja MAHKOTA.
 The Kadzi.

6. The Resident submits a letter from the Colonial Secretary, S.S., intimating H.E. the Governor's wish that Government vernacular schools should be established for the people. He asks for an expression of the Councillors' views on the subject of education.

H.H. the Regent says that a school which had been tried for some time at Sayong made excellent progress while it possessed a good Master in Muhammad Sidik, but broke down under his useless successor and had to be closed. H.H. and the other members agree in thinking that education will not be popular, and that pupils will be collected with difficulty unless attendance is made compulsory by law. They consider that schools teaching elementary English, Malay by means of books in Roman character,

and elementary arithmetic on European lines might be tried at Kuala Kangsar, Selama, Teluk Anson and Batu Gajah. Such a system would, in the opinion of the Council, be much more popular than purely vernacular schools.

21st October, 1882.

PRESENT:

The Regent.
The Resident.
Raja DRIS.
The Temenggong.
Dato' Raja MAHKOTA.
The Kadzi.

3. Raja Dris brings to the notice of the Council a complaint from the shopkeepers of Batu Gajah.

Early in 1881 the Government purchased land for the purpose of establishing a trading village from which supplies could be sent to the mines of Papan, Siputeh and other places in Kinta, and from which tin might be exported. The site proved healthy and convenient, and land was sold to traders, who built twenty or more good houses on it. An emporium being thus created, it was soon frequented by hawkers, who sold their goods from boats, obstructed the landing place, paid no dues, and damaged the profits of the local traders.

The Resident now lays on the table a letter from the District Magistrate, Kinta, forwarding the traders' petition that people in boats should only be permitted to sell goods wholesale—*i.e.*, rice by the bag, salt fish by the ton, kerosene oil by the tin, tobacco in quantities of five catties, curry stuff in amounts of \$1 value, coconuts by the hundred, cloth by the piece, onions by ten catties.

Raja Dris says that the request of these petitioners is in agreement with the ancient customs of the State. He proposes that the retail sale of articles from boats at landing places be prohibited.

This is unanimously agreed to.

4. The Resident lays on the table a claim from one Basek, of Kota Lama, to *chabut* or $\frac{1}{10}$ on a tin mine at Ulu Kepayang, claiming it as his private and ancestral property.

On this a question arises as to the amount of *chabut* payable to Penghulus and owners of mines under Regulation of the Council of State of the 6th September, 1878.

Raja Dris maintains that under them the Penghulu is entitled to one-tenth of all revenue raised in his district, and that he draws it equally on the tin obtained from Government land and on that mined on private property, on which a drawback of \$2 a bhara is allowed the proprietor.

The Resident turns to the record in the Council minute-book, which makes it clear that the Penghulu is entitled to a tenth on the tin obtained from Government land but that he draws nothing from private land on which the owner gets the royalty.

Raja Dris produces the Malay lithographed version of the order and a copy of the *kuasa* under which Penghulus are appointed. Carefully read, the first of these documents supports the Resident's view, though the language might have been more clear and definite. The *kuasa* of the Penghulus provides absolutely for the payment of a tenth of all duties collected in the mukim.

The Resident states that the Magistrate, Kinta, had on a recent visit raised this very question, and had been referred in reply to the notices that had been passed by the Council and distributed in every district. Mr. Hewett afterwards said that he was about to submit a case for full instructions.

The Resident therefore considers that the best plan would be for the Council to defer the consideration of what might prove a matter of great importance until they have the case to be submitted by the Kinta Magistrate fully before them.

This is agreed to.

25th October, 1882.

PRESENT:

The Regent.

The Resident.

Raja DRIS.

The Temenggong.

The Kadzi.

3. H.H. the Regent in Council considers a letter received from H.H. the Yangdipertuan of Kedah reporting the result of an enquiry held in Kedah regarding an affray which took place on the 13th August, on the Kedah side of the Krian river, between foreign Malays, some of whom resided in Kedah and some in Perak. In this affray a man named Muhammad Sidik was killed, and two others, Batawi and Kadir—all residing on the Perak side—were seriously wounded.

The Resident submits the reports of the Krian and Selama officers and the notes of evidence taken immediately after the occurrence. In these notes the witnesses all assert that the persons who crossed the frontier from Selama to claim the girl Ramah were unarmed, though the Kedah witnesses assert the contrary.

After discussion, it is decided that the Regent shall send a letter, to H.H. the Yangdipertuan of Kedah, thanking him for the steps taken by him, and offering to send over all persons whose evidence is required at the trial, provided due notice be given of the exact date fixed for the hearing of the case. It is also decided to write to H.E. the Governor asking his advice as to whether a high officer of State, such as Raja Dris, should not be sent over to watch the proceedings and to endeavour to establish cordial relations with Kedah, as the facilities for bringing fugitive criminals to justice are at present unsatisfactory owing to the laxity of the people on the Kedah bank of the Krian.

4. In reference to the recent epidemic of small-pox, the Resident informs H.H. in Council that through the kind assistance of H.E. the Governor arrangements have been made for a regular monthly supply of vaccine-lymph from Europe.

26th October, 1882.

PRESENT:

The Regent.
 The Resident.
 Raja DRIS.
 The Temenggong.
 The Kadzi.

4. A letter from the Magistrate, Kinta, asking for the appointment of an Assistant Kadzi for the district, is laid on the table for the consideration of H.H. the Regent.

Raja Dris says that on his recent visit to the district many complaints were made to him of the inconvenience caused by there being no Judge capable of hearing matrimonial cases in Kinta, Kampar, or Sungai Raya. People from those places are put to the expense of going to Lower Perak for the settlement of matrimonial disputes. In his opinion there should be an Assistant Kadzi and a District Court in every district with a large Malay population.

H.H. and the Council agree as to the propriety of making such an appointment but know of no one fitted to fill it. Should such a person be found the appointment may be made with a salary of \$25 per mensem attached to it.

7. The Resident represents to the Council that applications have recently been made for pensions by applicants claiming to be *waris Perak*, and as such having a right to be provided for by the revenues of the State. He says that this subject was brought to the notice of H.E. the Governor on the occasion of his last visit to Perak by claims for Raja Mahmud and from the Raja Permaisuri, widow of Sultan Ali.

H.H. the Regent says that he allows the Raja Permaisuri \$25 a month and that her claim was based on different grounds—viz., that she had maintained the children of ex-Sultan Abdullah till they were sent to school. Raja Mahmud's claim relates to the detention of his property and is baseless, as the Regent and Raja Dris know.

The Resident, however, advises, as the question is always cropping up, that the Council should place on record the names of all persons who can claim, as members of the royal family, to be *waris Perak*. H.E. the Governor had recorded in a minute that he thought the time had arrived for making such provision for the Rajas as would prevent their regretting the former state of things.

The Regent thinks that the revenues of the State may be fairly asked to contribute a sufficient payment for the support of the Rajas of royal blood, so as to give them no excuse for oppressing the people and troubling the Government.

Raja Dris is of the same opinion. He considers that the allowance should be sufficient to maintain a moderate household

but not to provide for extravagances. Pensions should be paid irrespective of any income derived from service under Government or in any other legitimate way.

H.H. the Regent then submits the following list for submission to H.E. the Governor:

SONS OF THE REGENT.

1. Raja Pendawa, \$15 per mensem.
2. Raja Johor, who is young and for whom a pension is asked.

GRANDSONS OF THE REGENT.

1. Raja Abdul Jalil, son of Raja Dris, \$15 per mensem.
2. Raja Abdul Majid, son of Raja Mansur, \$10 per mensem.

NEPHEWS OF THE REGENT (SONS OF RAJA PANDAK
ABDURRAHMAN.)

1. Raja Mahmud, \$15 per mensem.
2. Raja Brahim, \$15 per mensem.
3. Raja Ali, \$15 per mensem.
4. Raja Alang, \$15 per mensem.

CHILDREN OF EX-SULTAN ABDULLAH.

1. Raja Mansur }
2. Raja Chulan } at School in Malacca.
3. Raja Ayesha, daughter, seven years old, \$10 per mensem.

SONS OF RAJA BENDAHARA ISKANDAR.

1. Raja Mahmud, \$15 per mensem.
2. Raja Dris, Chief Justice of the State.
3. Raja Hasan, \$15 per mensem.
4. Raja Ahmad, governing Kampar.

SONS OF RAJA OMAR, BROTHER TO BENDAHARA OSMAN.

1. Raja Iskandar, \$15 per mensem.
2. Raja Abubakar, \$15 per mensem.

DAUGHTER OF A FORMER RAJA BENDAHARA.

Raja Uteh, an old lady, \$5 per mensem.

DAUGHTER OF SULTAN ALI.

Raja Jawah, \$10 per mensem.

CHILDREN OF RAJA DRIS.

1. Raja Abdul Hamid, aged nine.
2. Raja Iskandar, a child.
3. Raja Ngah Khatijah, a girl of seven.
4. Raja Harun-ar-Rashid, an infant.

There are also other members of the royal family—*e.g.*, the children (names unknown) born to Raja Abdullah in the Seychelles and Raja Ismail of Kampar.

The foregoing list is believed to contain the names of all those who can claim to be *waris Perak* in the direct male line. †

† The following note was subsequently added by the Resident :

"In reference to the proposal to settle pensions on the members of the royal family of Perak, H.H. the Regent in a letter to the Resident explains that he inadvertently omitted from the list the name of his daughter, Raja Nuteh, wife of Raja Dris. The Resident replies that her name will be submitted to H.E. for a pension of \$25 per mensem. It is to be noted that the income of a woman from her own private property or settlements is independent of any control by the husband.

"H.H. the Regent in the same letter informs the Resident that Raja Husain, son of Raja Ngah Putra, and grandson of a Raja Bendahara, being of true blood, ought with his three children to be included in the pension list. The Resident replies that he has never before heard of this Raja, and that as the pension list is now so large he doubts the propriety of adding to it. Raja Dris, however, recommends the grant of a small pension of \$10 per mensem, and the Regent again presses for this allowance."

11th November, 1882,

PRESENT :

The Regent.
 The Resident.
 Raja DRIS.
 The Temenggong.
 The Kadzi.
 Capitan AH KWEE.
 Capitan AH YAM.

3. The Resident informs H.H. the Regent and the Council that H.E. the Governor had done him the honour of forwarding in H.E.'s own handwriting, in anticipation of the official letter (which would no doubt soon follow), a copy of the minute in which H.E. had been pleased in the most gracious terms to approve of the proceedings in Council and of the regulations passed for the manumission of slaves and bond-debtors in Perak. With the permission of H.H. the Regent he would read it.

"I approve the regulations regarding the abolition of slavery in Perak. I congratulate H.H. the Regent, the Resident, and the Council upon the results of their deliberations, and I fully appreciate the spirit of patriotic duty and self-denial which has animated those Members of Council who hold slaves, especially Raja Dris, who has already set a noble example worthy of his high character and royal lineage. I thank H.H. the Regent and the State Council for their considerate recognition (in Resolution viii) of the effort that I have made to promote a speedy manumission of slaves upon a satisfactory basis. To the steady perseverance, discretion and tact that have guided Mr. Low, the Resident, and to

the good sense and public spirit of the native Chiefs and Headmen of Perak is attributable a result so creditable to themselves and so conducive to the honour and interests of the State. I shall transmit copies of these papers and of this minute to Her Majesty's Secretary of State for the Colonies.

" FRED. A. WELD.

" 28th October, 1882."

On the motion of H.H. the Regent it is ordered that H.E.'s minute be recorded in the Council book with a full acknowledgment of the gratification that it afforded His Highness and the Council Members to receive this approval of the efforts made by them to carry out this measure for the relief of the servile classes.

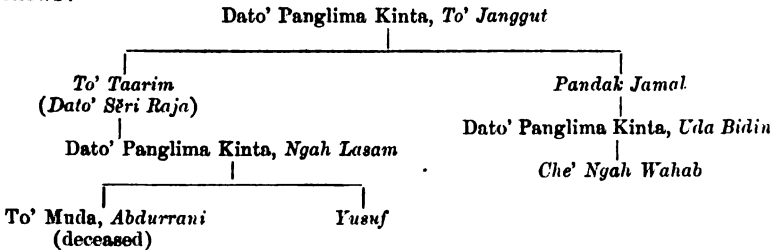


APPENDICES.

APPENDIX A.

THE TITLE OF DATO' PANGLIMA KINTA.

The succession to the dignity of Dato' Panglima Kinta is looked upon in Perak as the best example of the *bérgilir* principle—the curious rule by which different Malay families share the same title. In this case there were two families, the *Ipoh* or *Paloh* family and the *Képayang* family (so-called from the places where they lived) that took it in turn to provide the Dato' Panglima Kinta. In 1880 the Dato' Panglima Kinta was named Uda Bidin, and he really belonged to the *Ipoh* branch of the family and not to the *Képayang* branch, as asserted by Sir Hugh Low. The pedigree (as recorded in Sir Hugh Low's own handwriting) is as follows :

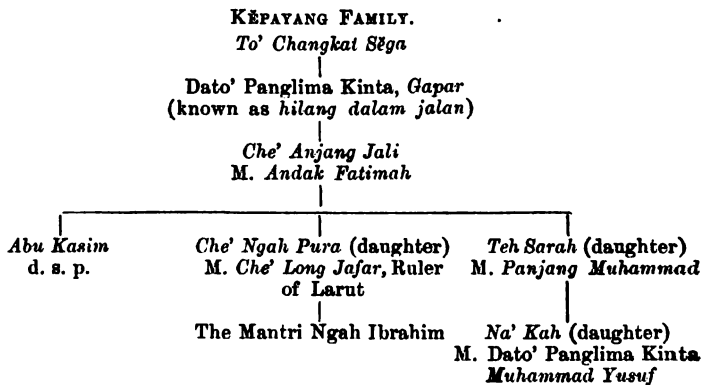
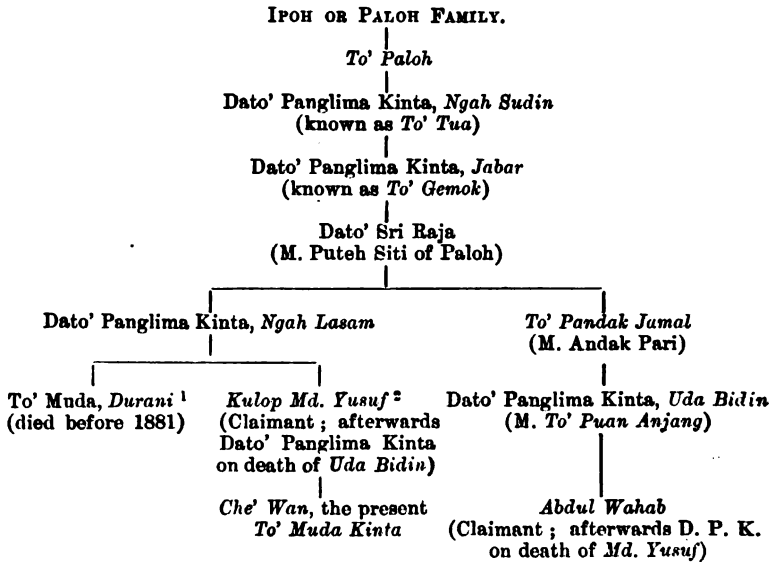


It will be seen from this pedigree that Sir Hugh Low must have been under the impression that the *Ipoh* and *Képayang* families were simply subdivisions of the same house, Yusuf representing one branch and Wahab representing the other. Sir Hugh Low and the Council accordingly gave the title of *To' Muda* to Yusuf.

Nevertheless, even a casual examination of the pedigree will suffice to show that there was some fallacy in the Resident's line of argument. The two branches, as given by Sir Hugh Low, only go back through one generation to a common ancestor, *To' Janggut*, and seem to have supplied one Panglima each (*Ngah Lasam* and *Uda Bidin*). No "ancient custom" could possibly have arisen in so short a time. The truth was that the *Ipoh* and *Képayang* families were much more distinct, and that one of the two had just succeeded in supplanting the other altogether, and in getting two consecutive Panglimas appointed from its own ranks. Both *Ngah Lasam* and *Uda Bidin* belonged to the *Ipoh* (or *Paloh*) family. The two claimants, Yusuf and Wahab, represented the two consecutive Panglimas of that family and the *Képayang* branch was being shut out altogether. It has not regained its claim to the succession; and so the last four Datos and the present *To' Muda* have all been drawn from the *Ipoh* family.

When Mr. A. Hale was stationed in Kinta in the eighties he made a very full pedigree of the two families of the Kinta succession; and although it would be useless to give all the ramifications of the genealogies, the following tables will

show how the Mantri's mother, who was not related to either Yusuf or Wahab, was nevertheless the granddaughter of a Dato' Panglima Kinta.

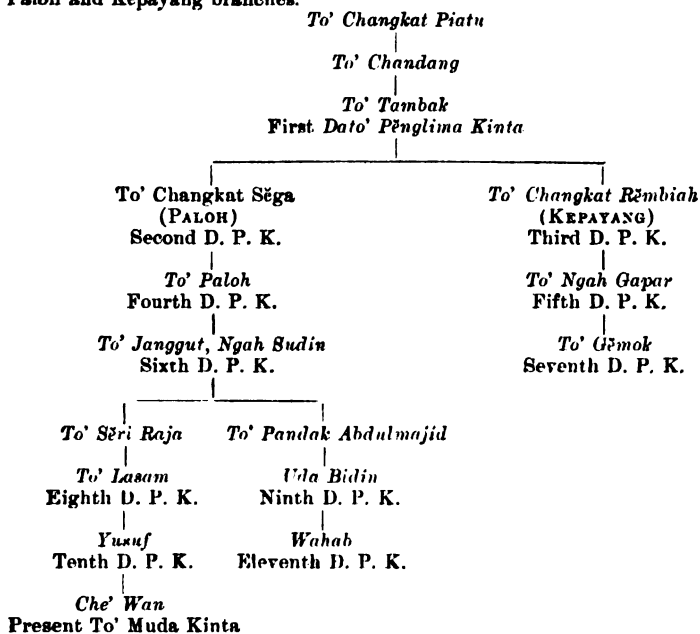


The pedigree here given is not the full pedigree. The KĒpayang family obviously goes back much further than *To' Changkat Sęga*, since to establish a custom it must have given more than one Dato' Pĕnglima to Kinta. But so far as the descendants of *Gapar* and *Che' Anjang Jali* can be traced it would appear that the direct male line has died out and that the representative of the KĒpayang family (if any exists) must be sought in some remote collateral branch that

¹ To' Muda Durani was the son of Ngah Lasam's principal wife, To' Puan Halimah. ² Kulop Md. Yusuf was the son of a secondary wife, Ngah Sana.

has ceased to remember its connection with the main line. Descendants in the female line are very numerous, but as daughters of the Képayang family have married into the Ipoh house, there is no reason why the latter family should not be considered to represent both the houses that formerly shared the title of Dato' Panglima Kinta.

I have been able, however, to obtain further information on the subject of this title. The following pedigree gives a complete list of its holders, both in the Paloh and Képayang branches.



It may be added that To' Tambak married a lady of the famous family of *Tun Saban* and owed his title in all probability to her position.

APPENDIX B.

SIR HUGH LOW'S LETTER ON SLAVERY IN PERAK.

[Col. Sec. No. 2,454-78.]

Perak No. 558-78.]

DURIAN SABATANG,

28th May, 1878.

SIR,

I have the honour to acknowledge the receipt of Mr. Swettenham's letter, No. 2,454 of the 21st May, calling upon me by command of His Excellency the Governor for a report on the subject of slave-debtors in Perak, what steps have been taken regarding it, whether the question has been before the Council, what public

notices, if any, have been issued regarding it, what steps it is proposed to take, and generally my views on the subject.

In reply I beg respectfully to submit that the former condition of persons in the position of slave-debtors in Perak bore so close a resemblance to that of actual slaves that the remarks I propose to make on the subject will in most cases be applicable to each of these unfortunate conditions, and in my communications with the Government of Perak the two relationships have always been considered together.

When I first arrived in the country in the month of April, 1877, I found that one of the greatest causes of complaint against the then existing state of things arose from the natural reluctance of the European Officers employed in the country to assist attempts of the creditors of slave-debtors and owners of runaway slaves to obtain possession of what they considered their property.

I was told that several persons of one or the other class were living on the grounds of the Residency, and an impression prevailed that they were under the Resident's protection.

My instructions having been to look upon Perak as a Native State, ultimately to be governed by Native Rajas, whom I was to endeavour to educate and advise, and the Pangkor engagement having provided against interference by the Resident with the religion or customs of the country, I gave it to be understood on the first case being brought to my notice that I would not shelter refugees of this description nor permit any person of either class to live on the Residency premises except with the permission of their masters to be previously obtained.

Very early in my term of residence I consulted with the Raja Muda Yusuf, Raja Dris, the Dato' Temenggong, Shaikh Mat Taib and many others of the principal people of Perak (the Council at the time not having been appointed), explained to them the views of Englishmen on the subject, and how abhorrent to our ideas of right and wrong was this state of servile subjection of our fellow creatures, enforcing what I said by all the familiar arguments and proposed to them as follows:

- 1st. That as Resident and a Judge of the highest Court in the country I should not be called upon to interfere in any way to restore to their creditors or masters any of those persons who had deserted before my arrival in Perak;
- 2nd. That every person in Perak, who was an acknowledged slave-debtor or a slave in actual possession of his master on the day of my arrival, should be recognised as being legitimately in that position, and that the officers of justice and police should assist in preventing them from leaving their masters except upon payment of their debts or redeeming themselves at a fair price;
- 3rd. That every master should be bound to receive the amount of debt or price if tendered and allow the debtor or slave to go free;
- 4th. That no free person should on any pretence whatever after the day of my arrival be reduced to the condition of a slave or slave-debtor;
- 5th. That their masters to be entitled to retain their enforced services, must treat them with kindness, clothe them and feed them; and
- 6th. That at some future time, when the country became settled and prosperous, the State should redeem the debts of both classes upon terms which would be settled by the Council about to be appointed and the stigma of slavery be thus removed from the State—the accomplishment of such an object would, I assured them, redound greatly in civilised countries to the credit of its rulers.

The Chiefs all agreed to this settlement of the difficulty, and those arrangements have been acted upon from that day; they have never been embodied in a formal proclamation or public notice, but whenever the officers of districts have asked for instructions on the subject they have been supplied to them in writing.

Courts of Justice have given decisions in accordance with them, and I have lost no opportunity, as may be seen by my diaries, of making them known in my journeys through the State, and they are perfectly well understood and assented to throughout the whole country.

Had I at the time asked for the legalisation of repudiation of the claims against them by the debtors, or unremunerated manumission of the slaves, it is certain that the country would not have attained the encouragingly peaceful stage it has now reached, and very doubtful whether we could have maintained our present position in it without the aid of troops.

With a view to securing ultimately the fulfilment of the 6th of the above-mentioned provisions, I have at various times endeavoured to get the slaves and slave-debtors registered, and columns having this purpose in view are inserted in the printed returns which are ordered to be kept by the Penghulus, but as yet I am unable to report any result from these endeavours.

The only person who has attempted to act in defiance of the arrangement is the Raja Muda Yusuf. I advised him strongly on the contrary, but he grudgingly and unwillingly consented to be guided by my opinion which he asked for and obtained in writing.

I regret that I have very little even now to suggest in addition to what has already been done for the amelioration of the condition of the classes under consideration.

In my opinion it would obviously be unjust to deprive the Perak Malays of a property to which by immemorial custom they have been entitled without fair compensation. The measures already taken have, I am sure, been very beneficial, and I think that the matter does not at present press for further action. The people are becoming accustomed to look upon this species of property which— notwithstanding the regulations—is constantly evading them, as being of diminishing value, and I believe the greater number of them would be glad to transfer their rights on moderate terms to the State.

The chief difficulty would be found in dealing with the possessors of young girls and women employed in domestic affairs.

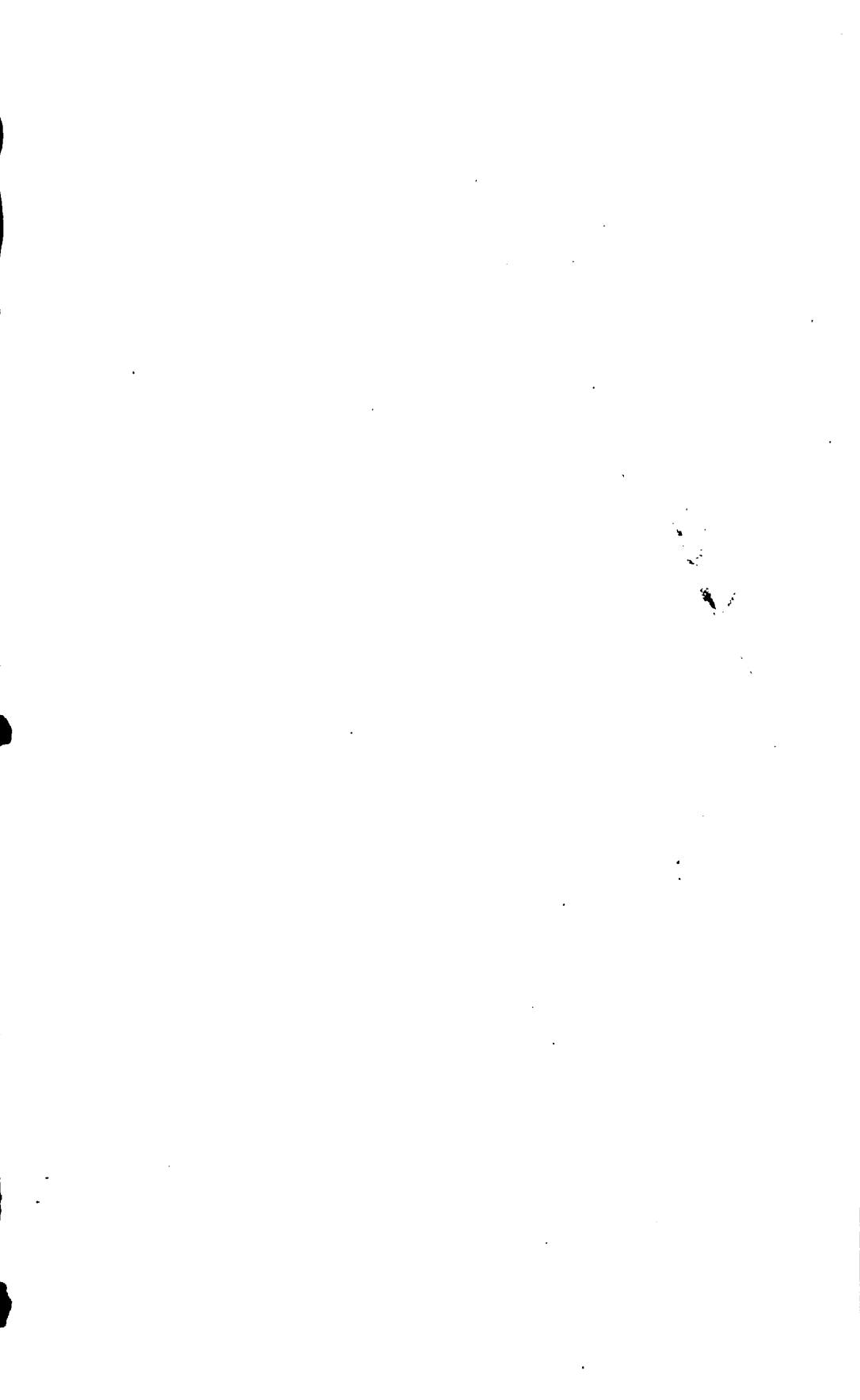
I regret extremely that I am not able to give H.E. the Governor any accurate estimate of the number of persons belonging to the servile classes in Perak—the most well-informed natives whom I have consulted on the subject have said that from 60,000 to 80,000 dollars would be sufficient compensation to be paid to their owners.

I have, etc.,

THE COLONIAL SECRETARY,
ETC., ETC., ETC.,
SINGAPORE.

HUGH LOW,
Resident.

PRINTED AT THE
F.M.S. GOVERNMENT PRESS,
KUALA LUMPUR.





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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.

MALAY HISTORY. PART V. NOTES ON THE NEGRI SEMBILAN.

BY
R. J. WILKINSON, *F.M.S. Civil Service.*

PRICE: ONE DOLLAR.

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1911.

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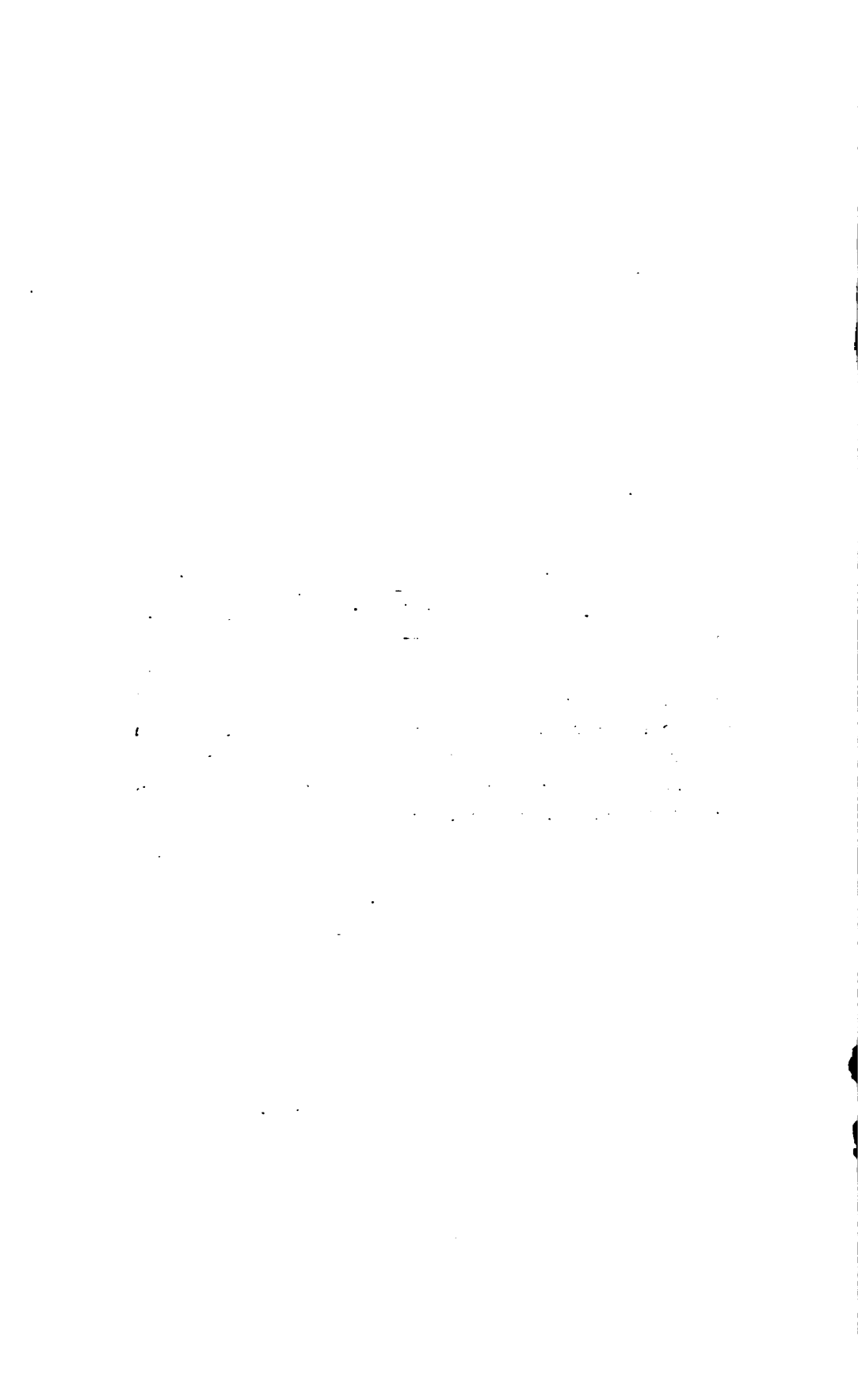
1911.

Gift: James M. Andrews
11-13-46

PREFACE.

THIS pamphlet was intended originally to contain a series of essays (some being of a very technical character) on Negri Sembilan subjects. It has, however, been decided to publish only the two less technical essays in the "Papers on Malay Subjects" and to issue the others in separate form in a series of monographs that will appear later.

R. J. W.



HISTORY.
NEGRI SEMBILAN NOTES.
PART I.

NEGRI SEMBILAN HISTORY.

By R. J. WILKINSON.

I.—INTRODUCTORY.

THE annals of the little Malay confederacy known as the "Nine States" (*nĕgĕri sĕmbilan*) have been the subject of much discussion and of many essays by Martin Lister, D. F. A. Hervey, R. N. Bland, A. Hale, C. W. C. Parr, and other authorities, who can claim a more intimate knowledge of the country than that possessed by myself. Under the circumstances some defence or apology seems necessary for the fact that my account differs very much from that which has hitherto been accepted as true history. The divergencies are largely due to the use of fresh historical material and to the critical method that I have thought it necessary to adopt when discussing Malay legends.

In Martin Lister's own words the history upon which he relied had been "handed down by word of mouth from generation to generation of the inhabitants." Though oral tradition of this sort possesses a good deal of value, it is insufficient by itself to give us a trustworthy history of a country. It must be corroborated or checked; and Martin Lister did not know of any data by which his legends could be verified. Other writers have sought for additional history in what one may call the constitutional law of the Negri Sembilan; they have drawn inferences from explanations that every Malay accepts or seems to accept as historically true. Thus, the royal Sakai ancestry of the ruler of Rembau is deduced from the fact that he "is *bĕrtĕromba*; he adds to his constitutional authority the privilege of blood—of a pedigree traced on the maternal side back to the aborigines, the heirs of the soil he rules, whose rights have been merged in his."¹ Plausible as the process appears, such a method of tracing history is even less to be trusted than Martin Lister's frank acceptance of local legends for what they

¹ Parr and Mackray, "Rembau," p. 51.

were worth. The new method is simply history that takes as its basis the pretensions of various families and the claims that they put forward to a share in the revenue. The trail of greed, of arrogance and of self-interest is over all such testimony.

Even in the course of this enquiry I have met with attempts to tamper with historical truth. Sometimes it was a mere hiding of evidence, as when a powerful chief concealed the fact that he possessed a Sakai weapon among his heirlooms—the concealment in this case being due to his fear that a Sakai ancestry might be imputed to him. Sometimes the suppression goes further, as when in one instance a Malay magnate destroyed deliberately a number of documents that did not corroborate his own version of history. Indeed, there was evidence to show that in another case a good many years ago, all the chiefs and headmen of a small Negri Sembilan State agreed among themselves to deceive the District Officer and to induce him to recognise a concocted constitution that would give them a claim to a larger share of the local revenues than they actually possessed. The effort seems to have been successful. But it must not be supposed that these local attempts to falsify history are due to the temptation offered by the credulity of individual British officers; the forger was at work in these States long before the days of the protectorate. One document produced before me in connection with a certain title bore the date 1698, purported to have been issued by a sultan who lived in the early part of the nineteenth century, was stamped with the seal of a sultan who died in A.D. 1760, and was written on paper with a water-mark of A.D. 1771. It must have been concocted in connection with a controversy that was raised and settled several generations ago.

These facts will explain why I have thought it necessary to be critical of my historical material, to check it by collecting different versions of the same incident, to supplement it in every possible way, and to be very careful before accepting any uncorroborated statements. But for a cautious student there is plenty of evidence that has been neglected hitherto. To begin with, there are the seals used by the local chiefs now and in the past. These seals are usually dated and bear the name of the sultan who conferred them. They give us first-hand evidence of real value.¹ Then we have the testimony of the "Malay

¹ The life of a seal is not long enough to ensure our possessing the originals; we only have copies that were made to replace the old seals. The evidence is not conclusive, but it goes a long way towards proof.

Annals," a book written in A.D. 1636. It is evident that any references made by the author of that book to the Negri Sembilan of his own time are of great importance for corroborating or demolishing our tradition. Lastly, there are many traditional details, of little importance in themselves, that have a material bearing on the truth or falsity of more important assertions. We have, for instance, lists of the holders of almost every Negri Sembilan title. The length of a list may not be absolute proof of the antiquity of a title; but it is *prima facie* evidence and may be corroborated by the traditional association of certain holders of the dignity with events of which we know the dates. Singly, such facts count for very little, but cumulatively they may prove a great deal.

Let us then apply these critical methods to the main points of our present traditional history.

The principal figure of the "Sakai" period of Negri Sembilan history is the Dato' Sekudai. He lived in the days before the foundation of the Menangkabau State of Rembau—and that State is supposed by Malays to have existed for 360 years, and is believed by Newbold, Parr and Mackray¹ to date back to A.D. 1530 or 1540. We can check these statements. The Dato' Sekudai is mentioned in the "Malay Annals" as a contemporary chief (A.D. 1636). The seal of the second Dato' of Rembau (son of the first) is probably extant even now; certainly its impression is to be seen on old documents. It bears the date A.D. 1707. The fifth Dato' of Rembau is associated by Jelebu and Sungei Ujong tradition (as well as by Rembau tradition) with events that occurred between A.D. 1757 and 1773.² His son became Dato' of Rembau about the year A.D. 1795. In face of this evidence, is it possible to accept Parr's view that the first Dato' of Rembau dates back to A.D. 1540; that the fifth reigned between A.D. 1645 and 1660; and that the eleventh (son of the fifth) became Dato' in 1795, one hundred and thirty-five years after his father's death? These are rather serious calls upon our faith.

Let us turn to Johol. The Dato' of Johol is expected to wear his hair long and to decline to travel; he is the lineal

¹ "Rembau," pp. 12, 118. ² He is said to have visited Malacca, and we know that a Dato' of Rembau visited Malacca in A.D. 1757. There he married a Portuguese girl who became the mother of the eleventh Dato', and ancestress of the *Waris Tèbat*. He refused his daughter to Sultan Abdul Jahl Muazzam Shah (A.D. 1760). He expelled the Linggi settlers from Rembau (A.D. 1770-1780).

representative of a Sakai chieftainess of the most legendary period. Here at least we ought to have a lineage that goes back to the misty regions of the distant past. But criticism plays havoc with romance. The line of Johol chiefs only includes eight names; the seal of the dignity is dated 1874¹; and the ancient long-haired chieftainess was traditionally the mother of a Dato' of Ulu Muar who was put to death about the year 1773. Johol is the newest, not the oldest, of the nine States.

Jelebu is reputed an ancient "Sakai" kingdom; its chiefs bore the title of *undang* in the days before Rembau was founded. So runs our tradition. It also tells us that the third Dato' obtained a certain seal and title from Johor, and that the first Dato' Bandar of Jelebu obtained his seal and title at the same time. Let us examine these seals. They quote as the fountain of honour Sultan Abdul Jalil Muadzam Shah of Johor; and he reigned and died in A.D. 1760.

The¹ first Yamtuan Besar, Raja Melewar, came over from Sumatra about A.D. 1773 under very romantic circumstances; he was (we are told) a son of the Sultan of Menangkabau of the oldest Malay lineage and was deputed by his father to reign over the Negri Sembilan. History again is fatal to romance, for there was no Sultan of Menangkabau in A.D. 1773; the Menangkabau kingdom had been partitioned nearly a century before.

Discrepancies of this sort between Malay tradition and indisputable fact make it imprudent to follow blindly in the wake of great pioneers of Negri Sembilan research such as Lister and Hervey. Much evidence has come to light since their time to enable a more accurate account to be written; and, doubtless, this present history will be corrected and supplemented in its turn as more facts become known. The only finality that we need expect lies in the possibility of the old uncritical methods of study being abandoned for good and all. Far too much of our past information rested on no better authority than the representations of some inventive *lëmbaga* on the look-out for an increase of pay.

¹ At the earliest.

II.—THE LEGENDARY OR SAKAI PERIOD.

A.D. 1450—1600.

Malay tradition divides the history of Negri Sembilan into three principal periods: (1) an early period when the country was split up into four Sakai States (Sungei Ujong, Klang, Jelebu and Johol); (2) an intermediate period during which the four Sakai States were replaced by nine Menangkabau States under the suzerainty of Johor; and (3) a modern period during which four out of the nine Menangkabau States formed themselves into an independent constitutional monarchy under a yamtuan or ruler of their own.

It is with the early or "Sakai" period that we are first concerned.

Malacca was founded shortly before the year A.D. 1400 by the fusion of a settlement of aborigines with a colony of Singapore or Palembang Malays. The place grew rapidly in importance, and was soon in a position to exercise some sort of hegemony over the coast districts of Selangor and Sungei Ujong and over its own hinterland of Rembau and Naning. From the "Malay Annals" we learn that a Malacca noble named Tun Perak was penghulu of Klang in the reign of Sultan Mudzafar Shah (about A.D. 1450). This penghulu was a man of the very highest rank; his sister, Tun Kudu, was married to the sultan; his father had been bendahara; he himself rose afterwards to the position of bendahara; and his son was the aged bendahara who fought Albuquerque in A.D. 1511. From the "Malay Annals" again we learn that Sungei Ujong was governed in the days of Mansur Shah by a Malacca noble, Tun Tukul, and that like Klang it was an appanage of the bendahara's family. Of Jelebu and Johol we hear nothing. The evidence of the *Sĕjarah Mĕlayu* makes it quite clear that "the four Sakai States" were mere fiefs of the bendahara from A.D. 1450 to the date of the "Annals" themselves (A.D. 1636); and even the seal of the Dato' of Rembau, granted in A.D. 1707, bears the inscription "by the grace of the Bendahara Sri Maharaja."¹ The inhabitants of the Negri Sembilan of that early time may have been aborigines but their rulers were certainly Malacca Malays.

¹ *Dĕngan kurnia Bĕndahara Sĕri Maharaja.*

We will now turn from recorded history to local Malay tradition.

"It is difficult to say," writes Martin Lister. "how long ago it was that a great number of Sakai travelled from the mountains of Seudai and arrived in Johol. Their numbers amounted to as many grains as are contained in a *gantang* of *padi*, as on their arrival in Johol each individual planted a grain of *padi* and it was found that a *gantang* was exhausted.....There were four great chiefs or *batins* among these Sakai: three were men and one a woman. The woman elected to remain in Johol. The three men separated with their followers. One went to Jelebu, one to Klang, and one to Sungei Ujong. This was the origin of the *undang yang empat*, the four law-givers, of which Klang was the oldest."¹

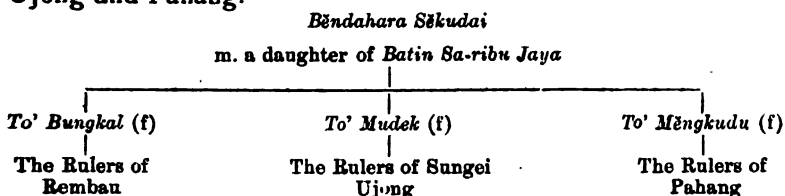
This is the Johol story. In Rembau we hear again of a Sakai migration and of Sekudai; but the details are different. The migration becomes a mere "descent from the hills," a blending by intermarriage of the aboriginal hill-peoples with the Sumatran immigrants from the other side of the Malacca Straits; Sekudai appears only in the story of the Dato' Sekudai and is not associated with the migration. In Sungei Ujong we hear of the founding of the four Sakai States without any general migration, and the date is given as at a time anterior to the coming of the Dato' Sekudai.

All traditions unite in saying that there were four "Sakai States," although the "Malay Annals" mention only Sungei Ujong and Klang. The point is unimportant. More interest attaches to the story of the Sakai migration. The Negri Sembilan aborigines belong to three distinct tribes: the Biduanda (also known as Blandas and Mantra); the Besisi; and the Jakun. The legends are associated with the Biduanda, a hill-tribe that speaks a language made up mainly of archaic Malay. It is possible that the old Malacca *penghulus* succeeded in imposing their language upon these Biduanda, but it is difficult to see why they failed to convert the Biduanda to Muhammadanism and why they did not impose their language upon the Besisi and Jakun. The problem must be left unsolved for lack of evidence.² Meanwhile the old Malay traditions or folk-lore regarding this early Sakai period may be placed on record for what they are worth. The Johol story has been given in the words of Martin Lister. The Rembau legend tells us in its figurative language that "the black crows (the Sakai) walked down from the hills while the white egrets (the Sumatran immigrants) flew over the

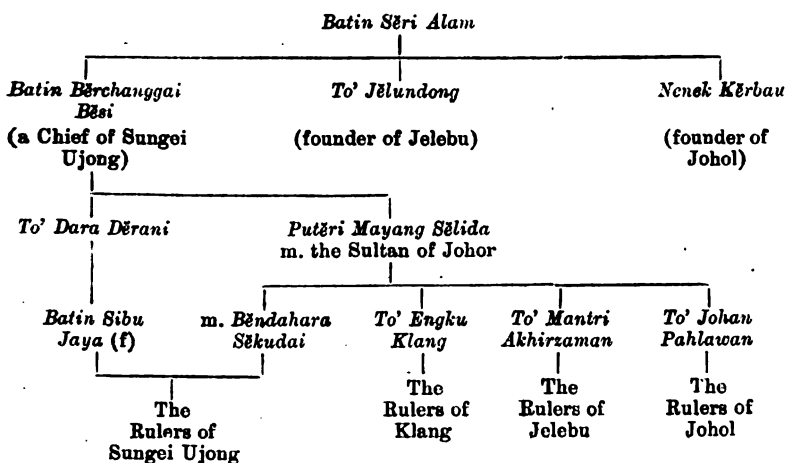
¹ J. R. A. S., S. B. (1884) XIII; "the Constitution of the Negri Sembilan."

² I am inclined to conjecture a connection between the Biduanda and the Sumatran Sakai.

sea." Then there came the Bendahara Sekudai, "a great man, a man of title," who married a daughter of the aboriginal chief, Batin Sa-ribu Jaya, and had three children, who became in their turn the ancestresses of the ruling houses of Rembau, Sungei Ujong and Pahang.



These pedigrees would carry more conviction if they did not possess such geometrical exactitude. The Sungei Ujong genealogy shows this bad quality to an even more suspicious extent.



By a similar arrangement of parallel columns all the principal titles of Sungei Ujong are made to trace back to a common ancestor. This, of course, is Malay tradition; history does not work on mathematical lines.

Sungei Ujong legend is more interesting and certainly more original than its pedigrees. It takes us back to the very dawn of history, the creation of mankind.

It ascribes the origin of the Biduanda to a certain Batin Sri Alam, who met a walking tree-trunk near the waters of the river Langat. He captured it and kept it in captivity till it laid eggs,

forty-four in number. He buried the eggs till they were hatched, when there emerged forty-four children, the ancestors of the Biduanda. Batin Sri Alam brought up these children till they came to years of maturity and had to be supplied with garments of bark-cloth to cover their nakedness. He then sent twenty-two over to Sumatra, where they colonised the coast as far as the borders of the Batak country, while he kept the remaining twenty-two in the Peninsula, where they became Biduanda or Rayat—the latter term being interpreted as “sons of the soil.” Another story tells us that every man falls from heaven either on his feet (as a raja), or on his seat (as a *batin*), or on his face (as a slave). Batin Sri Alam rose up from his seat and travelled round the world ruling the slaves—the Bedouin in Arabia, the *Biduan*¹ in India and the Biduanda in Malaya; the three terms being all translated “serf.” Folk-lore and etymology are at daggers drawn in every region of the earth.

These legends of the creation are not the only stories associated with Batin Sri Alam. He is said to have led an expedition into Jelebu. There he found trays of food waiting for him, served up and ready for him to eat, but with no man present to explain the source whence they came. Batin Sri Alam made few enquiries; he ate the food and named the place *Kuala Dulang*, the place of plates, as an everlasting memorial of his gratitude. He showed less thankfulness in his next adventure. The Muhammadans of Jelebu did their best to bring him into the fold of the true religion. He accepted their ministrations at first with great placidity and consented to repeat the Confession of Faith; but when the *mudin* went on to explain the need of circumcision Batin Sri Alam incontinently vanished. One rumour has it that he reappeared on Mount Siguntang Mahameru, another that he is still in hiding among the caves of Kota Glanggi in Pahang. But, whatever his fate, he was never seen again either by the Moslems who effected his conversion or by the land that he did so much to people.

Next in this aboriginal genealogy comes the Batin Berchanggai Besi, whose wife was Berduri Besi and whose brother-in-law was Ketopong Besi—the iron-clawed chief with his iron-quilled wife and her iron-crested brother. The names are somewhat forbidding; but the legend bids us avoid hasty conclusions by assuring us that these saga-figures were quiet, primitive people, unacquainted with the use of iron

¹ “Minstrels.” The word is Sanskrit.

or even of fire and that they had to live on uncooked food. By them there was found in a hollow of the rocks a lovely fairy-child whom they adopted as their own, though she showed her breeding by living on fruit and declining to share their bestial repasts of raw meat. When she grew up she appeared to the Sultan of Johor in a dream and let him know that she was to be seen in the place where water was heaviest. The Sultan began his investigations at once. He weighed the water of Johor and found that Malacca water was heavier. Following up this clue, he found that the Linggi and then the Langat waters were heavier still. He travelled up the Langat till he came to the junction of the Beranang and the Semenyeh. Applying his regular test, he chose the waters of the Beranang. A little further upstream he came to a place where four streams met. Here the welcome sight of some sugar-cane pulp and maize-refuse floating down on one of the streams suggested the presence of human habitations and led him to the home of his destined bride. She became the mother of the Bendahara Sekudai.

There are, however, many variants of these legends. In Mr. Bland's version of the *Aturan Sungai Ujong*, the story of the sugar-cane pulp and the maize-refuse is told of the Bendahara Sekudai himself when in search of his bride, Batin Sibul Jaya, and the incident is located at the junction of the Linggi and Rembau rivers.

Legend also associates Batin Berchanggai Besi with the founders of various States. Dato' Jelundong, foundress of Jelevu, was his sister. So was Nenek Kerbau, foundress of Johor. To' Tukul and To' Landas, joint-founders of Klang, derived their titles from the hammer and the anvil with which they rendered to Batin Berchanggai Besi the service that Batin Sri Alam vanished to avoid.

Again it is related of To' Dara Derani, daughter of Batin Berchanggai Besi, that she fled in terror from Sang Kelembai who was striding about the country turning all whom he met into stone. "Why flee?" said an Achehnese saint who lived at Sungei Udang between Pengkalan Kempas and Permatang Pasir, "I have a charm that no Kelembai can face. A single candle will keep him away." The candles were lit nightly; the people were saved from a stony fate; and the place is called Pengkalan Dian to this day. This legend is interesting because it is associated with the "petrified properties" of this Achehnese saint,

the curious old granite carvings that lie round his tomb and are the great archæological mystery of Negri Sembilan.

Tradition gives us the names of the places that were important in those primitive days: Ching, Beranang, Pajam, Lebah Bergoyang, Buloh Bohal, Langkap Berjuntai, Subang Hilang, Merbok Kerawang, and Tunggul Si-jaga. They could not have been Malay villages for they are not on the banks of streams such as Malays love. Probably they were Biduanda settlements and represent the golden age of the Sakai, the time before the Menangkabau colonists filled up the country and drove the aborigines to the mountains.

These legends are given for what they are worth. The student of serious history will prefer to rely on the maps of Goudinho de Eredia (A.D. 1613) and the statements of the "Malay Annals" (A.D. 1636). He will learn from them that the Negri Sembilan of this "Sakai" period was a country sparsely populated by wandering aboriginal communities who were exploited by officials and traders from Malacca and Johor.

III.—THE DATO' SEKUDAI, A.D. 1600—1640.

The Dato' Sekudai or Bendahara Sekudai or Batin Sekudai has become a sort of mythical figure. The rulers of Rembau claim him as their ancestor through his marriage with the daughter of the aboriginal chief, Batin Sa-ribu Jaya or Sibujaya. The rulers of Sungei Ujong also claim him as an ancestor and Batin Sibujaya as an ancestress; little discrepancies as to sex are negligible in a Malay legend. He lived at all sorts of dates. He was the traditional grandfather of the first Dato' of Rembau, who ruled (according to Parr) about A.D. 1540. His wife was a traditional contemporary of the Achehnese saint (of Pengkalan Dian) who died in the reign of Mansur Shah about A.D. 1460.¹ One Rembau legend has it that the first Dato' of Rembau claimed the title because he was the Bendahara's grandson. One Sungei Ujong legend has it that the Bendahara was married in the presence of Sultan Abdul Jalil II of Johor, a ruler who reigned from A.D. 1637 to 1671. But every Malay account agrees on the fact that this Dato' lived in the Sakai period before the foundation of the nine Menangkabau States. He is of interest as a date, if as nothing else.

¹ From the inscription on the tomb.

The Dato' Sekudai appears in the "Malay Annals" and is a historic as well as a legendary figure. The "Annals" tell us very little about him. His son, Tun Ahmad, married Tun Puteh, daughter of Tun Anum, Bendahara of Johor. Another of his sons, Tun Kenbak, married a Johor lady, Tun Chembul, and had two children, Tun Puteh and Tun Pandak. The Dato' was therefore a grandfather at the time the "Annals" were written. Of him personally the *Sĕjarah Mĕlayu* only says that he obtained his name because he was the first person to colonise Sekudai; clearly, the Rembau and Sungei Ujong traditions cannot refer to an earlier Dato' Sekudai. It only remains to fix his date by the light of what the "Malay Annals" tell us.

The "Annals" are dated A.D. 1612 and purport to have been written or inspired by Tun Sri Lanang, Bendahara of Johor.¹ But this date cannot be accepted. Even in the preface where it occurs reference is made to the death of Sultan Alaedin in A.D. 1615, and in the body of the work mention is made of Sultan Mughal of Acheen (A.D. 1635), of the mission of Mudzafar Shah to Perak (A.D. 1635), and of the fact that Mudzafar Shah had been succeeded by his son Mansur Shah "who is reigning now." The "Annals" cannot have been written in their present form prior to A.D. 1635.² But Sultan Abdullah is referred to as the reigning Sultan, and he died about A.D. 1637. These facts give us the date of the "Annals" very closely, and show us that the Dato' Sekudai was a man of a certain age in A.D. 1636. He must have been a man of high birth to have borne the title of Tun and married his sons so well, and he must have played a very important part in the Negri Sembilan to have become the legendary figure that he now is. We may say that he flourished between A.D. 1600 and 1640—a date that disposes of the Rembau tradition that its line of rulers dates back to A.D. 1540. Incidentally, too, the date disposes of the fanciful claim put forward for the Dato' of Rembau that he "is *bĕrtĕromba*, that he adds to his constitutional authority the privilege of blood—of a pedigree traced on the maternal side back to the aborigines, the heirs of the soil he rules, whose rights have been merged in his." There is no question of any Sakai heiresses in actual history. The "Malay Annals" tell us that the Negri Sembilan districts were appanages of the Bendaharas of Johor "to this day" (A.D. 1636). The Dato' Sekudai was closely connected with

¹ Grandfather of the lady who married the Dato' Sekudai's son; Tun Ahmad.

² The last chapter was added very much later than 1636.

the Bendahara's family. Rembau tradition traces descent to him; the Rembau seal refers to "the grace of the Bendahara Sri Maharaja." The idea of *waris* rights through Sakai ownership of the soil is a mere fiction that has been accepted all too readily by British officers stationed in Rembau.

IV.—THE NINE MENANGKABAU STATES,

A.D. 1640—1760.

The Menangkabau migration to the Peninsula seems to have begun in the sixteenth century some time after the capture of Malacca in A.D. 1511. In A.D. 1613, Goudinho de Eredia notes in his book and map the presence of Menangkabau settlers in the Portuguese territory of Naning and also in Rembau beyond the Portuguese frontier. There is nothing, however, in his map to indicate that there were Menangkabau colonists in Johol, Sri Menanti or Sungei Ujong; indeed, his silence suggests that those districts were still occupied by the aborigines. The fact that he speaks of Sungei Ujong as a Sakai region and of Naning as a Portuguese possession goes to show that the foundation of the "Nine States" must be referred to some later period.

In A.D. 1639 things began to change. The Dutch Admiral Van de Veer made a treaty of alliance with Sultan Abdul Jalil II of Johor and co-operated with him in the siege of Malacca. The military value of the Malay auxiliaries proved a disappointment to the Dutch; but the fact remains that the Sultan's men were present at the siege and were brought into close relationship with their Menangkabau kinsmen. From this date the Johor Government began to possess a much stronger hold over the Malay settlements in the Negri Sembilan. The position had changed in other ways as well. The Malacca Malays do not appear to have sent colonists to their dependencies; they simply sent officials and perhaps a few traders, miners and planters as the English do to-day. But the Menangkabau men were a settled Malay population, with influential resident families, that sought to get the chieftaincies into their own hands. The days of the deputy from Johor were really numbered; the reign of Sultan Abdul Jalil II marks the commencement of a new era in Menangkabau history.

In A.D. 1643 the Dutch at Malacca created the first of the "Nine States" by recognising a certain Dato' Sri Lela Merah

as hereditary Ruler of Naning. It is not to be supposed that there were no chiefs in the rest of the country, but they had not yet secured the recognition and the hereditary rights that would justify us in regarding them as Heads of the Nine States.

In A.D. 1705 the Ruler of Naning secured recognition and received certain *kébésaran*, or insignia of rank, from the Sultan of Johor, Abdul Jalil III, as well as from the Dutch. This seems to have been the signal for other ambitions and applications of the same sort. In A.D. 1707 the second *de facto* Ruler of Rembau obtained a hereditary title and a seal from Johor "by the grace of the Bendahara Sri Maharaja." A few years later the Dato' Bandar of Sungei Ujong¹ (and probably the Penghulu Mantri or Ruler of Sungei Ujong) obtained similar recognition. The title of Penghulu Mantri had been in existence for a very long time but was held (in its early years at least) by deputies from Johor; it now began to be held by a local hereditary chief. The Dato' of Jelebu did not secure full recognition till about A.D. 1760;² the Dato' of Inas probably secured his position about the same time. The Chiefs of Pasir Besar, Klang and Segamat have disappeared from history and their seals cannot be traced; the To' Raja of Jelai is a Pahang magnate. But I see no reason to doubt the universal Malay tradition that the "Nine States" were made up of Naning, Rembau, Sungei Ujong, Jelebu, Klang, Inas, Pasir Besar, Segamat and Jelai. There was no real "confederacy." The "Nine States" were merely a congeries of small chieftaincies that had received recognition from their common suzerain, the Sultan of Johor. They were not even "Menangkabau" States in the truest sense of the word. The *adat pèrpateh*, or law of Menangkabau, was introduced into Sungei Ujong at a much later date, and it is doubtful whether it was ever introduced at all into Klang, Segamat and Jelai.

Of course, the traditional account of the foundation of the Nine States is more romantic than the reality. Let me quote the present Yamtuan of the Negri Sembilan on the subject:

"In the early days of the foundation of the States that make up the Negri Sembilan, colonists came over from Menangkabau to all the nine settlements, and each settlement had its own penghulu or headman over itself. As the population augmented with the arrival of fresh colonists, and with the natural increase through the birth-rate, the penghulus came to an agreement among themselves and went on deputation to Johor. This was in the days of Sultan Abdul Jalil II of Johor..... The Sultan gave them each a seal and a title with authority to govern the country under the suzerainty of Johor."³

¹ From the Bandar's dated seal. ² From the Dato's seal quoting Sultan Muadzam Shah. ³ From a letter to the Resident of Perak.

History moves with prosaic deliberation; it does not create Nine States in a day. Romantic legend proceeds on different lines. To be remembered, it must be picturesque; to be picturesque, it sums up a whole century of history as a sort of grand durbar, in which the mighty Sultan Abdul Jalil II distributed seals and titles to the founders of the new ruling dynasties. The seals themselves disprove this story. There was no durbar and no distribution of this sort; the legend is a mere dramatic picturing of a great historic change.

The Sultan of Johor could grant seals and titles but he could not confer any real power. The new dignitaries returned to their various States with their seals in their pockets and their pretensions very much enhanced, only to find that the local magnates had still to be reckoned with. They met with varying destinies. In Rembau and in Naning the Chief secured local recognition but had to consent to have his powers fettered by the admission of four tribal headmen to a share in the Government. In Jelebu the Dato' had to grant to two powerful and ancient dignities (Dato' Mantri and Dato' Umbi) a right of veto at the election of his successors. In Sungei Ujong the Ruler had to share the revenue with the Dato' Bandar and the Dato' Andulika Mandulika. In Jelai the To' Raja confined his authority to his own valley and asserted no claims to suzerainty over other local chiefs who held no title from Johor. In Inas the Dato' failed to secure any hegemony over the other local magnates and was compelled to cede his position to the more powerful Dato' of Johor and to become that Ruler's vassal. The Rulers of Pasir Besar and Segamat lost their positions altogether and did not survive even as vassal chiefs. The peculiar constitutional arrangements that we meet with in the different Negri Sembilan States seem to have been due in some measure to the concessions with which the Johor nominee bought off the opposition of the other local magnates.

The world of Negri Sembilan is a small one; but, small as it is, it did not stand still during this long period of 120 years. The immigrants from Sumatra continued to flock into the country and to fill it up. The effect of the immigration was twofold. In the first place it tended to displace the law of Johor by the customary law of Menangkabau. It is noticeable that the first two rulers of Rembau were father and son, thus suggesting succession according to the law of Johor. In Naning, where Johor rule was never effective, the Menangkabau law of succession

was followed from the first. In Sungèi Ujong, where the Sumatran immigrants were not numerous, succession by uterine descent was only introduced in the nineteenth century. The gradual displacement of Johor law by Menangkabau custom was one of the great features of this transition period. The other was the shifting of the balance of power. The first Sumatran immigrants had settled in the nearest valleys: in Naning and in the low-country (*baroh*) divisions of Rembau. The later settlers had to go further afield, with the result that they created new States—Inas, Johol, Gemencheh, Terachi, Gunong Pasir, Jempol and Ulu Muar—and upset the balance of power in the old by making the new divisions of Rembau more populous than the original settlements.

Meanwhile the civil wars and troubles that were distracting the Government of Johor between A.D. 1700 and 1760 rendered the Sultan willing to grant titles and concessions to any chiefs who would recognise him, and made it impossible for him to interfere effectively in the internal affairs of the Negri Sembilan. Further, the accession of the Bendahara's family to the throne enabled the sovereign to give away powers that had previously belonged to the sovereign's ministers. No Negri Sembilan seal can be traced to an earlier date than that of the change of dynasty. The weakness of Johor, the increasing population of the Negri Sembilan, the agitation for the introduction of Menangkabau law, the rise of new settlements and new chiefs: all these things made for one single end—the severance of the tie between the Negri Sembilan and Johor.

V.—ABDUL JALIL MUADZAM SHAH, A.D. 1760.

The name of Abdul Jalil Muadzam Shah, Sultan of Johor, plays a great part in Negri Sembilan history and tradition. It was this Sultan who conferred on the Penghulu of Jelebu his seal and title of Dato' Mantri Akhizaman Sultan. The name also appears on Raja Adil's seal: *Ibni Sultan Abdul Jalil Muadzam Shah*. It appears on the seals of the Rulers of Tampin—e.g., *as-Sultan Abdul Jalil Muadzam Shah turun kepada as-Sultan Sharif Hamid bin Sharif Shaaban Muhammad Shah*. It appears again on the seal of the last Ruler of Naning: *Sultan Si-Maharaja Diraja ibni Sultan Abdul Jalil Muadzam Shah*. It was also a "Sultan Abdul Jalil" of Johor

who is alleged by tradition to have granted to the Negri Sembilan chiefs the permission to seek a ruler in Menangkabau.¹

But when we turn to the annals of the Sultans of Johor the name of Abdul Jalil Muadzam Shah seems at first sight to be conspicuous by its absence. The third Abdul Jalil (1701-1717) was Abdul Jalil *Riayat* Shah; the fourth (1717-1722) was Abdul Jalil *Rahmat* Shah. *Faute de mieux*, Parr identifies this Abdul Jalil with the child-king, Ahmad Riayat Shah; and then finds it incredible that an "infant puppet could effect such a partition of his empire."² It is equally incredible that this child-ruler, who died before he came of age, should have borne two distinct titles. Abdul Jalil Muadzam Shah could not possibly have been the "infant puppet," Ahmad Riayat Shah. A glance at the latter's full name will explain the mystery; he was Ahmad Riayat Shah *ibni* Abdul Jalil Muadzam Shah. What then was the history of this boy's father?

Sultan Sulaiman of Johor and Lingga died in A.D. 1760 at a time when his eldest son and heir, Tengku Besar Abdul Jalil, was in Selangor with the Yamtuan Muda, Daeng Kemboja; and the Sultan's death was followed a few weeks later by that of the Tengku Besar himself. Daeng Kemboja gained so much by this opportune coincidence that he is accused by Malays of having brought it about by poison. However, he dissembled his joy and took the body with a great show of grief to Riau, where he placed the Tengku Besar's son upon the throne under the name of Ahmad Riayat Shah. Dutch records mention the visit paid to Malacca by the Bugis fleet bearing the remains of the deceased heir to the sultanate.

Abdul Jalil Muadzam Shah occupies a peculiar position in history. In one sense he was never Sultan. He survived his father, it is true, but he died before he could return home and assume the reins of power. On the other hand, there is no doubt that he was *de facto* Regent for some years previous to the death of his father. He bore a royal title, negotiated several treaties, and doubtless did confer the seals and titles that are attributed to him. In fact he pushed generosity of this sort to a fault. He ceded Rembau (and other territories) by treaty to the Dutch. By another treaty he ceded Rembau to the Bugis. He also appointed Raja Adil his deputy, to govern

¹ The old seal of the Dato' of Ulu Muar quotes *Sultan Mahmud ibni Sultan Abdul Jalil*, but it is doubtful whether this is Sultan Mahmud III of Johor, or Raja Melewar taking the title of Sultan Mahmud. ² "Rembau," p 17.

Rembau in his name; and, last of all, it is quite possible that he did grant Rembau (and other territories) to Raja Melewar as the tradition would have us believe. The cession of the same piece of territory to four different owners is quite consistent with the ways of Malay princes, especially when (as in the case of Sultan Abdul Jalil Muadzam Shah) they have no real claim to the territory that they cede. But if Malay tradition is justified in accusing Daeng Kemboja of poisoning the Töngku Bésar, we may be able to trace in Abdul Jalil's policy some slight justificatory explanation of the reason for his death.

One more fact is related about this Abdul Jalil Muadzam Shah. It is said that he asked for the daughter of the Dato' of Rembau, To' Uban, and that the Dato' refused her to him. This led to a feud. Rembau tradition mentions the feud and the name of the Dato', but not the name of the Sultan. Jelebu tradition mentions the feud and the names of both Dato' and Sultan; it goes on to add that the Dato' of Jelebu obtained his seal and title for his good services in reconciling the antagonists. We need not accept every detail of the story. The Rembau tale that the hostility of Johor caused a breach of the law of succession in Rembau is hardly credible of a time when the Johor power was represented by an "infant puppet." But there was doubtless an "incident" of this sort that led to the execution of To' Uban's brother who was despatched on a mission to Johor and to the grant of a title to the Dato' of Jelebu who may have been more conciliatory and apologetic. And if it does little else, the incident helps us to date its hero, Dato' Uban, the fifth Ruler of Rembau.

VI.—THE MENANGKABAU PRINCES,

A.D. 1721—1773.

Reference has already been made to the fact that the constant migration of settlers from Sumatra into the Negri Sembilan tended to create a demand for autonomy. In this chapter an account will be given of the manner in which this autonomy was brought about; but before dealing with the point it is necessary to give a short sketch of the position in Johor.

In A.D. 1699, Mahmud II, the last sultan of the old Malacca line, was assassinated at Kota Tinggi. He was succeeded by his bendahara who took the title of Abdul Jalil III. In his turn,

Abdul Jalil III was deposed¹ by the Sumatran pretender, Raja Kechil, who claimed to be a posthumous son of the murdered Sultan Mahmud. Raja Kechil took the title of Abdul Jalil IV. But the sons of Abdul Jalil III intrigued with the Bugis and succeeded in overthrowing the pretender who had deposed their father. This was in A.D. 1722. For the next twenty-five years there was a continuous civil war between the two factions, one aided by the Bugis and the other by Sumatran Malays.

In this long civil war the Negri Sembilan States recognised the pretender, Raja Kechil, as a true son of the murdered sultan and took his side against the Bugis. They did what we might have expected them to do, for Raja Kechil was a Sumatran of the same blood as their own settlers. But by their action they brought upon themselves the hostility of the Bugis, a dangerous race, united, energetic and redoubtable in every way; while they themselves were leaderless and divided. Such situations created the opportunity of the military adventurer, the soldier of birth and renown, under whom the Negri Sembilan chiefs might lay aside their differences and fight as one man against the common enemy. But let the present Yamtuan describe the position in his own words:

“As time went on, the State of Johor grew old and was attacked by enemies on all sides—men from Jambi and Menangkabau, Achehnese and Europeans from Malacca. The Negri Sembilan settlements themselves fell into the hands of Bugis chiefs from Riau and suffered cruelly from the tyranny and oppression of their foreign rulers. At last the position became intolerable. Little by little the Menangkabau settlers were losing all that they possessed; so far from meeting the Bugis on equal terms they had to sacrifice every single thing that they owned; they had passed into complete subjection; and even the Sultan of Johor was powerless to keep the Bugis at bay, for he also was weak and beset by enemies. In this dilemma the Menangkabau penghulus of the Negri Sembilan held a meeting and came to an agreement under which they went and represented to the Sultan the tyranny of the Bugis, asking him to let them have a prince for themselves to govern the country and drive out the enemy. But the Sultan would not give them a prince. So they asked permission to refer to Menangkabau in Sumatra and to procure a prince from that country. To this the Sultan consented, for he was himself of the Menangkabau family, and also because the Negri Sembilan had been colonised and developed by settlers from Menangkabau and were known by the Menangkabau name. Upon their arrival in Menangkabau the Sultan there gave them the services of one of his sons named Raja Melowar. On the return of the delegates the penghulus and all the people did homage to Raja Melewar, after which they made all preparations for a general war against the Bugis. In course of time, thanks to the valour of Raja Melewar and to the power of his sword, the Bugis were defeated, and their ruler, Daeng Kemboja, retired to Riau where he died. All this is recorded in the histories of Malaya.”²

¹ A.D. 1717.

² From the letter to the Resident of Perak.

A reference to Bland's *Aturan Sungai Ujong*¹ will show that the Sultan who referred the delegates to Menangkabau is said to have been Sultan Abdul Jalil IV, and that the occasion on which he did it was when he had ascended "his father's throne by the aid of Bugis and Rawa troops." This was about A.D. 1717. Raja Melewar was chosen and placed on the throne about A.D. 1773. Malay embassies are very dilatory, but the longevity of these particular envoys is beyond belief. We can see clearly enough how Malay tradition condenses long periods of history into single dramatic incidents.

But the Sungei Ujong account furnishes us also with a solution to the problem that it presents. It tells us that Raja Melewar was not the first Menangkabau prince to be "deputed" from Sumatra to the Negri Sembilan.

"In due time after this (embassy) Raja Kasah came from Menangkabau, sent by the Raja of the country; and the four penghulus received him. He was unable, however, to introduce the laws of Menangkabau as the four penghulus desired.....After Raja Kasah came Raja Adil.....He was also unable to revise the customs.....Raja Adil went back to Menangkabau and was succeeded by Raja Khatib. He also did not know how to introduce new customs. And the four penghulus were amazed and said, 'the Raja of Menangkabau promised he would grant us a Raja who would establish his laws in the four countries; now we have had three Rajas who have done nothing at all.' Then Raja Khatib went away, and after him came Raja Melewar."²

The Dutch records in Malacca tell us that in A.D. 1722 there was "a son of the Sultan of Menangkabau" in Rembau preparing to lead the people against the Bugis. This may have been "Raja Kasah." Of Raja Adil we know more. He was not a foe of the Bugis; in fact he owed his seal and authority to Abdul Jalil Muadzam Shah, the ally of Daeng Kemboja, and he married his daughter to a Bugis chief. In A.D. 1757 he was conducting negotiations at Malacca on behalf of the State of Rembau. Of Raja Khatib we hear much and know little. He was the enemy of Raja Melewar, against whom he waged a civil war. Tradition has it that he was an impostor who was unmasked by Raja Melewar. But the facts seem to be otherwise. Raja Melewar attacked and was badly defeated at Kampong Bukit, whence he retreated to Spri. He then detached Penghulu Naam of Ulu Muar from Raja Khatib's side and invaded the country again, this time successfully. It was then Raja Khatib's turn to flee and to intrigue with

¹ J. R. A. S., S. B., xxviii. ² From an account of Sungei Ujong prepared by the present Dato' Klana for Mr. D. G. Campbell, when Resident of Negri Sembilan.

Penghulu Naam. Suspecting treachery, Raja Melewar beheaded the intriguing Penghulu before attacking the enemy. Raja Khatib fled and never returned. Penghulu Naam's head is buried at Bukit Tempurong and his body under an *asam jawa* tree near the old *astana* at Ampangan Rambai.

The details of this story and the part of king-maker played by the petty Penghulu of Ulu Muar make it fairly clear that Raja Melewar was not a delegated prince of Menangkabau with the whole forces of the four *undang* at his back. He was an adventurer who conquered for himself a certain real authority in the valley of Sri Menanti and then proceeded to claim or to obtain a certain nominal authority over the whole of Negri Sembilan. He did that by taking the title of *yamtuan* or king.¹

VII.—THE CONSTITUTION OF A.D. 1773.

Raja Melewar is believed to have been installed as Sovereign of Negri Sembilan by the four *undang* at Penajis in Rembau in the year 1773; and I see no reason to question the date. It is approximate if it is not exactly correct. But there is some reason to doubt the details of the story.

Consider the state of the country at the time. Between Dato' Uban of Rembau, who was governing his country in A.D. 1770, and Kosel, his son, who became Dato' about A.D. 1795, there were no less than five Rulers of Rembau and the rule of alternate succession was disregarded altogether. Although we know nothing definite about these frequent and irregular changes we may infer that the time was one of civil war and turbulence in that little State. In Sungei Ujong the Dato' Klana had just obtained a Bugis title and was no friend of the customary law of Menangkabau which Raja Melewar is said to have introduced. In Jelebu the Dato' had obtained a seal and title from Johor some fifteen years previously but had had hardly time to consolidate his power to meet the rivalry of the more ancient dignities of Dato' Mantri and Dato' Umbi. The famous installation at Penajis may be a mere dramatization of a slow historic change. Still, whatever the truth may be, there is no doubt that Raja Melewar did secure for himself recognition as *Yamtuan* of the

¹ He appears to have taken the title of *Sultan Mahmud ibni Sultan Abdul Jalil*, evidently in virtue of some concession granted him by the ever-generous Abdul Jalil Muadzam Shah of A.D. 1780.

Negri Sembilan, that he created the modern Johol, and that the constitution of Negri Sembilan represents the outcome of his policy. Under that constitution Raja Melewar became the titular king of the country, with no ownership of the soil and no power to tax the people, but with high titular dignities and a small civil list.

As regards Johol the position is this. We know that Dato' Naam was Raja Melewar's contemporary and was the first of the seven holders of the dignity of Penghulu of Ulu Muar. There have been eight Rulers of Johol, seven of Jempol, eight or nine of Terachi, and ten of Inas. In no case do the lists of the holders of any of the minor tribal dignities cover more than eight names in the Johol division. These lists are not conclusive evidence of the antiquity of a title, but their average length and their uniformity suggest that they date back to the time of Raja Melewar and must have been affected very greatly by his policy. In this connection it is interesting to note that the second and third Rulers of Johol were women, and that the second was named the "Long-haired,"¹ and the third *Sĕtiawan*, a title now borne by the Dato'. Is it too much to see in these details some explanation of the feminine attributes that have been the cause of the dignity being associated with immemorial Sakai antiquity?

Raja Melewar could not have been a son of the Sultan of Menangkabau, for that old Sumatran empire had fallen to pieces a century before his time. He may, of course, have been a descendant of the old Menangkabau kings. But it is a notable fact that no Negri Sembilan princely pedigree goes back further than the ancestor who first came to the Peninsula; the antecedent Sumatran portion is never given. This is the more remarkable because the theory of the constitution expected every Yamtuan to prove his *silasilah* or genealogy before he was installed, and because the imaginary Sultan of Menangkabau continued to send his sons over to Negri Sembilan for half a century after the coming of Raja Melewar.

But if these early yamtuan were not princes of Menangkabau, who were they?

Any explanation must be conjectural. Still, there is a clue. A Rembau account of Raja Melewar says that he went from Menangkabau to Kampar and from Kampar to Telapak Burok (or Teratak Buloh) before setting out on his journey to Johor. Why

¹ *Rambut panjang.*

Telapak Burok? When we come to the Sungei Ujong story of Yamtuan Sati we read that after his deposition he went with his wife to live at Telapak Burok in Siak. Other princes and princesses in the local pedigrees are said to have done the same—was this little place their real Sumatran home? When we remember that these Menangkabau princes were obtained through the medium of the Raja of Siak, it is hard to resist the conclusion that he sought them in his own territories from a family at Telapak Burok and did not send embassies to the extinct Empire of Menangkabau.

One last point remains: why did Raja Melewar accept a position of no real power and why were the all-powerful provincial chiefs anxious to secure a puppet to rule over them? We are referred by courtly Malay historians to Raja Melewar's kingly descent, to the anxiety of all men to do him honour, and to the fact that he was a warrior-prince, under whose generalship the local leaders were willing to lay aside their rivalries and expel their common enemy, the Bugis prince Daeng Kemboja. We need not accept this explanation at its full face-value; there is no country in the world where titles are sought after more than in the Negri Sembilan. The "constitution" of A.D. 1773 had great merits. It gave the chiefs a "king" whom they knew and trusted, who could ennoble them much more readily and economically than the distant Sultan of Johor, and who could settle their many disputes without interfering with local autonomy. It gave Raja Melewar an exalted title, an assured position and a certain income. On paper the constitution of the Negri Sembilan was excellent; but the chiefs forgot that a great name is apt to rouse corresponding pretensions and that Raja Melewar's successors might be less tractable than he. It took a century of civil war to stamp out the arrangements that looked so well in theory. For the moment all went well; it was not till the death of the first yamtuan that troubles began to arise.

VIII.—THE YAMTUAN MUDA OF REMBAU,

A.D. 1773—1830.

In A.D. 1757 the Dutch records tell us that there were present in Malacca two chiefs who came to negotiate a treaty on behalf of Rembau. One of these was the ruling Dato'; the other was Raja Adil. But who was Raja Adil and what authority had he to represent Rembau?

As usual, Malay traditions agree to differ. But the seal of Raja Adil makes it plain that he was a delegate or representative of the Regent of Johor and that he did not bear the title of yamtuan. His seal and powers passed afterwards into the hands of Raja Asil, his son, who took in 1798 the title of "Sultan Muhammad Shah, Yang-di-pertuan Muda of Rembau." The change was merely titular; Raja Adil exercised in Rembau the same powers as a Yamtuan Muda, and is counted as the first of the line even though he never held the actual title. According to one version Raja Adil was the second Yamtuan Besar; but this may be doubted. He was probably senior to Raja Melewar, and certainly played his part in the Negri Sembilan before his Sri Menanti rival appeared on the scene.

The facts that led up to the creation of this new dignity are not recorded; they can only be guessed. It is hardly likely that Raja Adil and Raja Asil could have witnessed without jealousy the assumption of the title of Yamtuan by a Menangkabau prince who had no greater claim to it than they themselves possessed. When Raja Melewar died there would be a disputed succession; in any case the yamtuan of A.D. 1773 became two yamtuan in A.D. 1798 and three yamtuan a generation later. From A.D. 1798 we get two princely families: one in Sri Menanti and one in Rembau and Jelebu. Peace between them was secured by the marriage of the Yamtuan Besar, Raja Itam, to the widowed sister of the Yang-di-pertuan Muda, Raja Asil.

A Negri Sembilan throne was a precarious possession at best. About the year A.D. 1812 Raja Haji, son of the Yamtuan Muda, abducted a woman of Rembau and took her for safety to his father's house. All Rembau was in arms at once at this violation of customary law. According to Begbie (who was writing only twenty years after the event), Raja Ali, a nephew of the Yamtuan Muda, persuaded his uncle to flee for refuge to Malacca till the storm blew over. Raja Asil, with his sons, fled, leaving the bold nephew to face the storm. Raja Ali got over the difficulty by deposing his uncle and seizing the throne. The new Yamtuan Muda was a son of a Bugis chief named Daeng Alampaki and a stepson of the Yamtuan Besar, Raja Hitam.

If Raja Asil's position had been precarious that of his nephew was more precarious still. The latter had to contend against the hostility that besets every usurper, the intrigues of his disinherited family and the jealousy and suspicion of the democratic people of Rembau. He moved at first with great deliberation,

making no enemies. In A.D. 1819 he made a treaty of friendship with the Dutch. With the Sri Menanti family he was on good terms, being the stepson of Yamtuan Hitam and the brother-in-law of that prince's successor, Raja Lenggang Laut. By slow degrees he saw his disinherited cousins sink into poverty and disgrace during their exile at Malacca, till Raja Haji died and Raja Jafar, his brother, was ready to renounce his pretensions. But just as Raja Ali seemed sure of his position, the unexpected death of the Yamtuan Besar, Lenggang Laut, in A.D. 1824, threatened the peace of the Negri Sembilan and the position of the Yamtuan Muda.

Immediately after the death of the Sri Menanti ruler the Dato' of Ulu Muar (Dato' Bongkok Abdul Malik) came forward as custodian of the royal family, reported the sovereign's death to the four great *undang*, and invited them to instal Raja Radin, a mere boy, as Yamtuan Besar, in the place of his father, the deceased Lenggang Laut. The Dato' Klana Kawal of Sungei Ujong (whose duty it was as *imam* of the four *undang* to nominate a Yamtuan's successor) objected to the procedure. Insisting that a successor should be delegated from Sumatra, he entered Sri Menanti with a strong force, drove out the Dato' of Ulu Muar, and placed a soldier of fortune named Raja Kerjan in charge of the royal domain till the Raja of Siak could choose and send over a successor. In A.D. 1826 the successor arrived, a certain Raja Laboh or Yamtuan Sati, who had married a daughter of the exiled Raja Asil and was therefore a deadly enemy of the Yamtuan Muda, Raja Ali. He made a very poor use of his position. Instead of pursuing a conciliatory policy he allied himself at once with the Sumatran free-lance, Raja Kerjan, whose misconduct had made him thoroughly unpopular and whose military reputation rested largely on a policy of self-praise. Yamtuan Sati could look for no friendship from his family foe in Rembau, nor from Ulu Muar and Johol, where Dato' Bongkok and Raja Radin had found a refuge. He had only one powerful friend and supporter, the king-making Dato' Klana Kawal. With incredible folly he proceeded to quarrel with his only friend, the Klana, over a matter of a few cents.

It appears that about the year 1830 Dato' Klana Kawal went to Sri Menanti to attend a cock-fight, at which he won a good deal of money. In the midst of his jubilation over his bags of copper coin he was accosted by a Sumatran prince, Tengku Kechil Muda Raja Laut, who ordered him to pay 2½ per cent.

commission to the Yamtuan. This was too much for the very small reserve of patience possessed by Dato' Klana Kawal. Apart from the question of the Yamtuan's ingratitude to a man to whom he owed everything, the demand for a percentage was unconstitutional; it interfered with every right that a *waris* possessed in the country. The Sungei Ujong chief plunged his hands into his sacks of cents and said to Raja Laut, "It is to us, the *waris*, the heirs of the soil, that all commissions and percentages belong. I claim the commission; let the Yamtuan have the rest of the money." Raja Laut went off well-satisfied with 97½ per cent. of the Klana's winnings, leaving the Klana to see that his temper had got the better of his judgment. Of course, reflection only made him angrier as he realised his error. As he went down the steps of the *astana* he muttered tags of customary law and ended by laying down his handful of cents at the foot of a tree. "If the law is to be broken, be it broken; I, too, shall break the law. How runs the saying?

' *Běrtali ka-Siak* ;

' *Běrtuan ka-Měnangkabau* ;

'We have ties with Siak, and look to Menangkabau for our Lord.' May I drink the water of forest streams and eat the roots of forest plants and pillow my head on forest timbers—I will have no more of these ties with Siak and these princes from Menangkabau." He passed on to Terachi where he sent for his old enemy, the Dato' of Ulu Muar, and told him that the *astana* might be attacked with impunity. Dato' Bongkok immediately drove Yamtuan Sati out of the country and restored Raja Radin to his father's old home. Yamtuan Sati took refuge in Malacca.

The flight of the "delegated prince" and the attitude of the Klana made it possible for any local candidate to hope to become Yamtuan Besar. There was no lack of applicants for the honour. First there was the boy, Raja Radin, his father's heir. Next there was "Yamtuan Beringin," Raja Radin's self-appointed guardian. Next there was Raja Kerjan who did not lack assurance in matters of this sort. Then there was the deposed ruler who wanted to be restored; and last of all there was Raja Ali, Yamtuan Muda of Rembau, who saw an opportunity of securing for himself a titular kingship over the whole of the Negri Sembilan.

It was during the troubled years of Yamtuan Sati's presence in Sri Menanti that a new factor in Rembau politics had come to

the front in the person of Saiyid Shaaban bin Saiyid Ibrahim al-Kadri, a clever Arab who had succeeded in ingratiating himself with Raja Ali and becoming the Raja's son-in-law. Saiyid Shaaban's influence was so great that from this time onwards the Yamtuan Muda's whole policy was devoted to the advancement of the interests of his son-in-law and to securing the Saiyid's recognition as heir to the throne. It was a risky policy. The Saiyid was not popular. He was a man of no real rank; his mother was a slave girl; and his father's Arab blood counted for very little with Rembau tribesmen who traced descent through the mother. Such then was the position when the outbreak of the Naning war gave a sudden importance to what were previously the family quarrels of a few petty chiefs.

IX.—THE NANING WAR, A.D. 1831—1832.

The "Naning War" is an episode to which the English student cannot look back with satisfaction. The Portuguese are the only Europeans who have been able to carry on war against Malays in a manner suggestive of something higher than comic opera. The real point at issue between the English and the Dato' of Naning was a matter of 200 *gantang* of rice, worth a few dollars at the very outside. Of course, there were "principles" involved. The English claimed to be fighting to vindicate the sanctity of an ancient treaty made by the Dutch 190 years earlier; the Malays were fighting nominally for their independence, but in reality to support the pretensions of the ambitious Dato' Dul Saiyid. The facts were as follows:

In A.D. 1643 the Dutch had made a treaty with Naning. Under that treaty the first Naning "Dato'" had agreed to pay the Dutch a tribute of one-tenth of the rice-crop of Rembau, the Dutch pretending to believe that the entire crop did not exceed 4,000 *gantang*. The Dutch could not have levied this tribute by force; but the Dato' was glad to pay it for their recognition of his title and their assistance against his rivals. The successors of that Dato' were not in need of Dutch support and found that the tribute was irksome. They, therefore, approached the Dutch with a view to its abolition. A compromise that saved the dignity of all parties was arrived at by the Dutch affecting to believe that the entire rice-crop of Naning only amounted to 2,000 *gantang* a year and by their accepting 200 *gantang* as one-

tenth of the quantity. From that date the Dato' paid the Dutch 200 *gantang* of rice per year, and the arrangement was confirmed by the English in the Naning Agreement of A.D. 1801.

About the year A.D. 1830 the East India Company chafing at the cost of the Settlement of Malacca, drew attention to this old treaty and pointed out that a great deal of revenue was being wasted by the acceptance of 200 *gantang* of rice as one-tenth of a crop that was enough to maintain a population of some 10,000 people and could hardly amount to less than a million *gantang*. In vain did the local authorities point out the iniquity of an exaction for which the Company made no return and the folly of trying to enforce it at the cost of war; the East India Company was obdurate, saying that a treaty was a treaty and must be observed. Matters were not made easier by the fact that the reigning Dato', Dul Saiyid, was a man of arrogance and ambition. The Malays of Naning refused to comply with the orders of the Company and affected to believe that those orders were mere illegal demands made by Mr. W. T. Lewis, the Collector of Land Revenue. The Resident Councillor sent a portion of the Malacca garrison to invade Naning and maintain the authority of the Company. This led to the "War."

On arriving at the borders of Naning the officers found that their advance was blocked by a solitary Malay *pēnglima* in full war-paint who hurled defiant imprecations at the troops and danced a contemptuous military dance in full sight of the whole British force. Such conduct could not be tolerated. The cautious troops suspecting that the dance was intended to decoy them into the exposed padi-fields, bombarded the truculent *pēnglima* with their field-guns, to his extreme delight, as the artillery of that time was not exactly an arm of precision. In the end the dancing *pēnglima* was hit "in the midst of a *demi-volte*"; and the elated troops were left to find out for themselves that Malays who did not expose themselves were more difficult to deal with than Malays who did. The field-pieces next became a source of great tribulation owing to the love of the draught buffaloes for muddy pools and other localities that made very poor emplacements for the guns. After several hours had been spent in advancing three-quarters of a mile, the troops bivouacked for the night. The next day they had to face new difficulties. They had not brought much food as they had not anticipated resistance. Small convoys invited disaster; large convoys were impossible when the force itself was so small. In the end the whole body of

troops had to retreat to the nearest rest-house on British territory and impound whatever stores the local *kédai* could produce. This staved off disaster for the moment, but it encouraged the enemy and brought every waverer to the side of Dul Saiyid. The troops were besieged in the rest-house. Meanwhile, in the town of Malacca all was panic; the wildest reports were current and the authorities dared not denude the place of its remaining defenders in order to send succour to their soldiers in the field. The men in the rest-house held out till their provisions were exhausted and then endeavoured to cut their way through the enemy and reach Malacca. The old trouble about the buffaloes and the guns began again to impede progress. At last, the exasperated officers solved the difficulty by spiking the guns and allowing them to fall into the hands of the enemy. Malay resistance may be harrasing, but it is not an effectual bar to the march of European troops. The force got back to the town of Malacca and the Malays were ungrateful enough to eat the buffaloes to which they owed so much of their success. The victory and the buffalo-feasts left Dul Saiyid the undisputed master of Naning.

Probably we shall never learn the truth about Saiyid Shaaban and his policy at this time. Begbie says that the Saiyid suspected the British expedition of being aimed at Rembau in the interests of Yamtuan Sati, and that he lay in ambush in the jungle and counted every gun and every soldier in order to satisfy himself that Yamtuan Sati was not with the force. The Malay account also represents Saiyid Shaaban as the ally of Naning at this time. It is typical of a certain aspect of Malay character that a chief like Saiyid Shaaban, born and educated in Malacca, should have been so foolish as to imagine that his own petty rivalries with Yamtuan Sati could stir up European Governments and set in motion European troops. The issue of the war taught him more wisdom than that. Whether it was that he realised that no European Power would tolerate a reverse so damaging to its prestige, or whether he did not wish to magnify still further the power of Dul Saiyid, he reversed his policy as soon as the expedition had been repulsed. From this moment he figures as the friend of the English.

The East India Company began now to regret the policy that plunged it into war over a question of a few measures of rice. The Singapore press was scathing in its comments upon the political and military inefficiency that had been conspicuous

throughout the whole affair. British prestige demanded the despatch of a second expedition and rather better preparations and management. While these preparations were being made negotiations were opened with Raja Ali and Saiyid Shaaban. An interview was arranged and a treaty made with the Rembau chiefs. Begbie, who was an artillery officer in the Naning expedition, describes the Rembau magnates as the sorriest crowd of vagabonds who were ever admitted to the honour of an alliance with the British Empire. However, the treaty was signed. It is noteworthy that Saiyid Shaaban's name did not appear in it, nor had he any *locus standi* whatever as a Rembau chief; yet, both the English and Malay accounts represent him as the most important figure in the negotiations. According to the Malay story he obtained for his assistance the promise of a pension and of a refuge in the Colony should the vicissitudes of Negri Sembilan politics ever lead him to need such assistance. He also received a plot of land in Malacca and was certainly encouraged in his ambition to become the heir to Raja Ali's dignities.

The second Naning expedition was more successful than the first. Taboh Naning, Dul Saiyid's village, was taken by assault; many of the Naning chiefs went over to the British; Dul Saiyid himself became a fugitive and ultimately surrendered. He was deposed but received a pension from the Indian Government till his death. His heirs still take the title of Dato' of Naning and possess a certain prestige; his tomb is the scene of votive pilgrimages. His country became a Malacca district and the tribal chiefs were replaced by territorial penghulus. Naning lost its autonomy and the East India Company its money; the only gainers by the war were Raja Ali and his son, the ambitious Saiyid Shaaban.

X.—TAMPIN, A.D. 1833—1872.

The fall of Naning was a great triumph for Rembau. True, the State had given the English no assistance, but its defection from the side of Naning was represented everywhere as the decisive factor in the war. Begbie himself attached more importance to this factor than it probably deserved. In Sri Menanti Yamtuan Sati had fallen; in Naning the Dato' had been deposed. Raja Ali and Saiyid Shaaban were the dominant chiefs; and they possessed the friendship of the British at Malacca.

Taking advantage of the opportunity, Raja Ali proclaimed himself Yamtuan Besar of the Negri Sembilan, while Saiyid Shaaban took the title of Yamtuan Muda.

The descendants of Raja Ali and Saiyid Shaaban possess the originals of the two treaties made with England about this time. The earlier is dated the 20th January, 1832 (14th Shaaban, A.H. 1247); the later is dated the 9th January, 1833 (19th Shaaban, A.H. 1248). It was in the interval between these two treaties that the two chiefs claimed their increase in rank, as appears clearly from the seals used on the two occasions. The claim was perilous. It is typical of Malay chiefs that they are never content with the reality of power; they prefer to imperil it for the sake of empty titles. The Yamtuan Muda and Saiyid Shaaban had nothing to gain by their new titles; *per contra* they gave offence to every chief in the Negri Sembilan. For the moment, however, the other chiefs nursed their wrath, awaiting their opportunity. It was the folly of Saiyid Shaaban that gave them the chance for which they were waiting.

The Dato' Muda of Linggi (To' Muda Katas) was a personal enemy of the Saiyid and had endeavoured without success to interrupt the negotiations that had led to the treaty of 1832. Nakhoda Lop, a rival of the To' Muda, took advantage of the altered conditions in order to secure the Saiyid's assistance against Linggi. He presented Saiyid Shaaban with a gold-sheathed *këris* and with a buckle (*pënding*) of some value and so obtained his help in an attack on To' Muda Katas. The attack failed. To' Muda Katas happened to be a believer in a vigorous offensive. He did not wait for a second attack but led a raid into the heart of Saiyid Shaaban's territories. The Saiyid called on the Dato' of Rembau for assistance. The Dato' of Rembau, To' Nganit, had not received any gold *pënding* and saw no reason for interfering in private quarrels. He stood aloof. Saiyid Shaaban then committed an act of blazing indiscretion. He sent a small band of his followers to surprise and slay the Dato' of Rembau, a fellow-magnate of his own State. To' Nganit escaped with his life but his house was plundered and burnt by Saiyid Shaaban's men. After this outrage all Rembau rallied to the side of the injured chief, and even the Dato' Klana of Sungei Ujong declared against Raja Ali and Saiyid Shaaban. On the principle that "one should fight a hawk with a hawk and a sparrow with a sparrow," the two great *undang* now put forward a prince, Raja Radin of Sri Menanti, as a candidate

for the dignity of Yamtuan Besar. A civil war followed and ended in the flight of Raja Ali and his son-in-law.

Accounts differ as to what exactly happened. One story has it that Raja Ali fled to Lubok China, then to Simpang Linggi, and finally to Malacca, while Saiyid Shaaban held his own in Tampin and succeeded ultimately in turning Tampin into an independent State. Another story has it that Saiyid Shaaban fled to Malacca while Raja Ali held out in Tampin. There is no doubt about the issue of the war. After a long and desultory struggle the old State of Rembau was torn in two, the western portion going to the Dato' of Rembau and his headmen, and the eastern portion to Raja Ali and Saiyid Shaaban. Raja Ali died at Kĕru, near Tampin, in the year 1850. Saiyid Shaaban lived till 1872 (A.H. 1291) but never succeeded in receiving recognition as Yamtuan Muda. He was accepted as the independent ruler (*tĕngku bĕsar*) of Tampin, and as nothing more.

Incidentally it is recorded in the annals of Raja Ali's family that Saiyid Shaaban was serving a sentence of six months' imprisonment in the Malacca gaol when his father-in-law died, and that a hard-hearted British Government refused to allow him out on parole to attend the obsequies. His wife sent the Tampin regalia as an offering to the authorities at Malacca without being able to induce them to change their resolution. The regalia were then concealed and (presumably) have not been found since. They are said to have consisted of two spears (one of the type known as *changgai putĕri*, the other *bĕrkĕrawang*), a long *kĕris* (*kĕris panjang bĕrkĕlok bĕrsalut*) and a written genealogy of the family. The obsequies of Raja Ali were carried out by his daughter, Raja Lebar, wife of Saiyid Shaaban.

Thus then was the State of Tampin established. The question suggests itself: Why did this particular portion of the old State of Rembau cleave to Saiyid Shaaban when the rest of Rembau seceded? And what is the origin of the four local territorial dignities, the penghuluships of Kĕru, Repah, Tĕbong and Tampin Tĕngah?

The facts seem to be as follows. The old Malay State of Rembau contained a large amount of unoccupied territory. Adventurers at the head of bands of emigrants came at various times to the Yamtuan Muda and obtained his permission to form settlements in these tracts of jungle. Tradition has it that Penglima Hitam, a Batu Hampar tribesman of Lanun descent,

was the first to colonise Tampin; he was head of a party of 70 Lanun settlers. A Machap man of the Mungkal tribe is credited with having colonised Këru and Tëbong, while a Tiga Batu party colonised Repah. These four settlements with their territorial penghulus, having nothing in common with the tribal chiefs of Rembau, followed the fortunes of the Yamtuan Muda and his descendants. The boundary between Rembau and Malacca is given as follows in the treaty of 1833:

"From Kuala Sungai Baneh to Bukit Bertam, thence to Bukit Jelutong, thence to Bukit Putus, thence to Jirat Gunjai, thence to Lubok Talam, thence to Dusun Feringgi, thence to Dusun Kepar, thence to Hulu Sungga and thence to Bukit Putus."

This is the present boundary. But it is suggested that the Tebong district at least lay in the territories of the Dato' of Naning and that its inclusion in Tampin was the result of the Naning war.

XI.—BRITISH INTERVENTION, A.D. 1872—1897.

Sungei Ujong.—The history of the State of Sungei Ujong stretches back far into the past. As early as A.D. 1460 or 1470, it was ruled by Malay chiefs who bore the title of *pënghulu mantëri* and were appointed by the bendaharas of Malacca and Johor. But the present ruling houses of Sungei Ujong do not date back so far. They seem to have acquired their hereditary rights about the year A.D. 1700, and transmitted them at first from father to son in accordance with the law of Johor, and not by uterine descent as required by the law of Menangkabau. About the middle of the eighteenth century a son of the *pënghulu mantëri* of Sungei Ujong obtained the semi-royal Bugis title of *dato' këlana putëra*, by which his representatives have since been known, to the exclusion of the more ancient dignity of the penghuluship. In A.D. 1773 the State was one of the four that recognised Raja Melewar as yamtuan of the Negri Sembilan, and Sungei Ujong so obtained for its ruler, the Klana, recognition as *imam* or head of the *undang* of the confederacy. To this day the Dato' Klana is charged with the duty of making the formal nomination of a new Yamtuan. About A.D. 1780 the second Dato' Klana (Leha) gave a settlement at Linggi to a number of Riau colonists who had been expelled from Rembau by Dato' Uban for declining to give up their customary law, the *adat tëmënggong*. If it is true, as some

traditions have it, that Raja Melewar's popularity was due to his being able to enforce the *adat p̄rpatēh*, it is a notable fact that Sungei Ujong, the first State in his confederacy, never accepted that law in its entirety and did not accept any of it till a much later date. Sungei Ujong has a territorial rather than a tribal system of administration.

Early in the nineteenth century a conflict began to arise between the supporters of the matriarchal law of Sumatra and those of the Peninsular patriarchal law. It came to a head in a civil war of succession between the third Dato' Klana (Bahi) and the turbulent Dato' Kawal, heir by uterine relationship to the first two Klanas. In the end Dato' Kawal triumphed; he became the fourth Klana and introduced the *adat p̄rpatēh* along with a compromise, a *giliran* (or rule of succession by rotation), under which his representatives and those of Dato' Klana Bahi took it in turn to succeed to the position of head of the State. These disputes and the headstrong policy of Dato' Kawal did a great deal to weaken the real authority of the ruler.

It must always be remembered that Sungei Ujong was not a tribal State like Rembau. It possessed great territorial chiefs in the Dato' Bandar who governed the Coast, the Dato' Andulika Mandulika who ruled Pantai, the Dato' Akhirzaman of Rantau, the Dato' Amar of Ulu Klawang, and the Dato' Muda of Linggi. These chiefs possessed concessions and seals; in some cases they owed their positions and revenues (equally with the Klana) to the Sultan of Johor. Foremost among them was the Dato' Bandar, chief of the *waris di-ayer*, who held the country's richest sources of revenue in his own hands. The Dato' Klana wanted that revenue for his wars; the Dato' Bandar disputed his orders. Civil war arose and the Yamtuan Besar, Raja Radin, was called in as arbitrator. The revenues were divided and various compromises were arrived at to save the dignity of both parties. History was tampered with; pedigrees were put forward to show a relationship between the rival families; sayings were coined to make peace between the Klana and Bandar. The State was "an egg borne by them equally"; they were "as the pupil and the white of the eye."

T̄lur sa-biji sama di-tatang ;
P̄saka satu sama di-b̄la ;
Hilang di-darat di-ayer m̄nchari,
Hilang di-ayer di-darat m̄nchari,
Laksana mata hitam d̄ngan mata puteh.

But common-sense is against such diplomatic compromises. The Bandar smarted over his loss of revenue; the Klana resented his loss of dignity. The State became a house divided against itself; whatever one ruler did, the other opposed. Matters came to a crisis in the Selangor disturbances of the early seventies. The Selangor refugees, fleeing from the wrath of the British, came to Sungei Ujong. Warned by the British Government the Klana gave them no shelter. Encouraged by the unpopularity of this inhospitable policy, the Dato' Bandar shielded the refugees and made the Klana's position insupportable. The unfortunate Klana had to choose between the enmity of the British and deposition at the hands of his own people. He threw in his lot with the British, maintained his position with the assistance of a Resident, and divided the ranks of his enemies by inciting a chief¹ to drive out the Bandar and seize his authority. Ultimately the country was pacified and a British Protectorate was established, under which the Klana and the new Bandar ended their differences by the receipt of an equal status and an equal civil list.

Sri Menanti.—We have seen that the expulsion of Yamtuan Sati and the fall of Raja Ali, Yamtuan Muda of Rembau, left Raja Radin in undisputed possession of the royal demesne in Sri Menanti and the royal dignity of Yamtuan Besar. He held this position against all rivals till his death, and even exercised a good deal of influence in Sungei Ujong, in Rembau, and in Jelebu. His death, however, was the signal for new disturbances. His son, Tengku Antah, on claiming the throne, was opposed by a Sumatran prince, a son of the old claimant Yamtuan Beringin, who maintained that the custom of seeking a ruler outside the country should be reverted to. The *undang*, on being called in, set aside the claims of both the disputants and placed on the throne an older man, Yamtuan Imam, brother of the deceased Yamtuan Radin. The death of Yamtuan Imam reopened the trouble. This time the claimants were Tengku Antah, son of Yamtuan Radin, and Tengku Ahmad Tunggal, son of Yamtuan Imam. The former had the more powerful local following; the latter had seized his father's seals which were the true regalia of the State. The local *undang*, the Dato' of Johol, favoured Tengku Antah, who installed himself at Sri Menanti and made a fresh seal of his own to replace the missing regalia. But the rest of the Negri Sembilan rulers were now weary of the eternal disputes over the title of Yamtuan. The Dato' Klana, Saiyid Abdurrah-

¹ The present Dato' Bandar Ahmad.

man, of Sungei Ujong, was friendly to the claimant, Tengku Ahmad Tunggal. The Dato' of Rembau claimed complete independence, and the Dato' of Jelebu's attentions were monopolised by a Yamtuan Muda of his own with whom he was on the worst of terms. The "treason" of the three *undang* who would not acknowledge Yamtuan Antah would, if acquiesced in, have left him in undisturbed possession of Sri Menanti at least; but with true Negri Sembilan imprudence he would not leave well alone. In A.D. 1876 he attacked the Dato' Klana of Sungei Ujong for showing courtesy to the pretender, Tengku Ahmad Tunggal. The Dato' Klana was then under British protection. A British force at once set out in two columns; one column forced the Bukit Putus pass and occupied the Terachi valley, the other traversed the mountains and took the Malays in the rear. This reverse made Tengku Antah consent in A.D. 1876 (at the instance of the Maharaja of Johor) to resign his claims to the titles of "Yamtuan Besar" and "Sultan" and to style himself only "Yamtuan of Sri Menanti." In A.D. 1887 he made a fresh treaty, submitting himself to the supervision of the British Government as regards his relations with other States; and in A.D. 1889, his son and successor, Tengku Muhammad, and the rulers of the States under his jurisdiction (Johol, Inas, Ulu Muar, Jempol, Gunong Pasir and Terachi), placed themselves unreservedly under the protection of England. This treaty was also accepted by the Rulers of Tampin and Rembau.

In this connection it is necessary to explain that there was a phase in the history of the Negri Sembilan States when the Maharaja of Johor endeavoured to play a part in their affairs. It must be remembered that the independence of the Negri Sembilan was never admitted by the Maharaja and that the policy of that prince seemed to be aimed for some time at bringing this part of the Malay world into his own sphere of influence. The activity of the British Government put an end to any ambitions that the Maharaja may have entertained of bringing Rembau and the Sri Menanti States into union with Johor and Muar, but traces of these perished hopes may be seen occasionally in the terms of old treaties, notably in the Rembau agreement of 1877, the Jelebu agreement of 1877 and the Sri Menanti agreement of 1876.

Rembau.—The war between Rembau and Tampin over the pretensions of Yamtuan Ali and Saiyid Shaaban ended, as we have seen, in the complete separation of the two States. Like

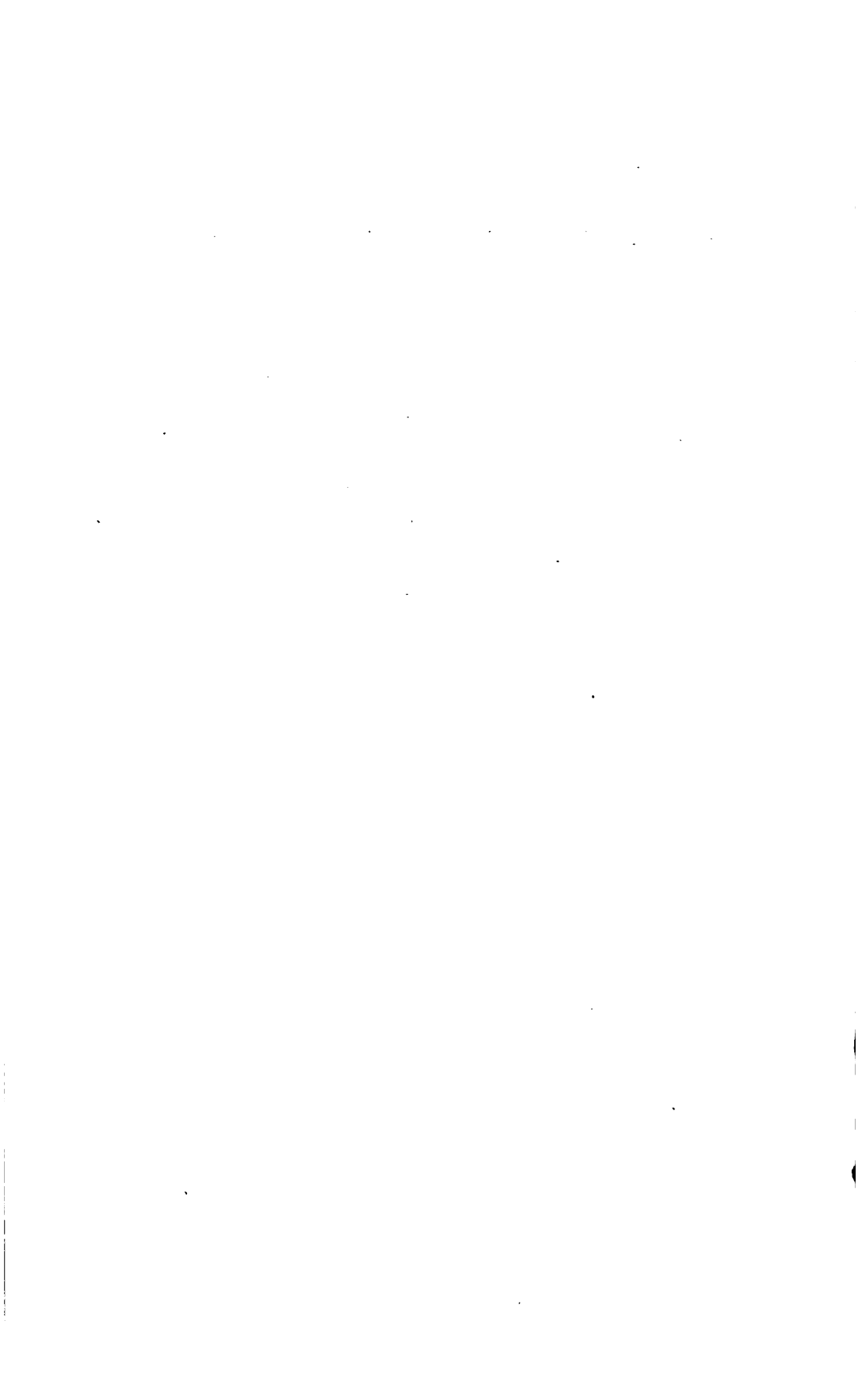
all Malay wars it was long, desultory and indecisive. Rembau continued to be hostile to Tampin; the Ruler of Tampin continued to intrigue for the dignity of Yamtuan Muda. The chronic trouble caused by these irritating little conflicts and intrigues led in the end to discontent with the Rulers of both States. In March, 1877, Haji Sahil, the unpopular Dato' of Rembau, made a treaty "for giving quietness and peace" to his country by undertaking to submit all his disputes for the "advice and instructions" of the Maharaja of Johor. This treaty was *ultra vires* as it was not signed by the eight *lëmbaga*. Six years later, by a fresh treaty, the eight *lëmbaga* deposed Haji Sahil and appointed Serun bin Sidin, Dato' of Rembau. By this treaty the chiefs agreed to refer all their disputes to the Governor of the Straits and to abide by his decision. But this treaty was not enough. It gave the British Government no real control over the country and allowed the Dato' and his *waris* to pursue a most suicidal policy of land-alienation for the sake of the personal gains made by selling large tracts of country to Chinese tapioca-planters from Malacca. A policy of this sort is so pregnant with future trouble that the British authorities began to strain every nerve to obtain some hold over the land-policy of the country. In the end the Dato' and the leading *waris* chiefs who claimed possession of all waste lands parted with their rights to the British Government in return for one-third of the revenue. This is the treaty of September, 1887. In 1889 the State of Rembau joined with Tampin and the Sri Menanti States in forming the confederacy known as the "old" Negri Sembilan.

Jelevu.—The State of Jelevu was established about A.D. 1760 by a certain local chief of Ulu Jelevu obtaining from Abdul Jalil Muadzam Shah, Regent of Johor, a seal and title as ruler of his country. There were, however, certain local territorial chiefs who held positions of real antiquity and importance even though they had not been recognised by the Johor Government. These chiefs seem to have disputed the Dato's authority, with the result that a number of *muafakat* or compromises were arrived at. The title of Dato' now "rotates" between three families, one being the original Ulu Jelevu family;¹ and each new holder has to be approved by two local chiefs, the Dato' Umbi and Dato' Mantri. But a further disturbing element appeared in the country in the form of the princely Sumatran families who exploited the Negri Sembilan so successfully. Raja Adil is said

¹ The *waris* Ulu Jelevu, *waris Këming* and *waris Saarim*.

to have lived in Jelevu; and his grandson, Tengku Sabun, made himself Yamtuan Muda of the little State at some date about A.D. 1820. Dynastic disputes and wars of succession divided the Jelevu chiefs and exposed the country to raids from Pahang which depopulated considerable tracts. When the British Protectorate was established in Sungei Ujong the condition of Jelevu was pitiful. In 1877, the Yamtuan Tengku Abdullah made a treaty agreeing to ask "advice and instructions" from the Maharaja of Johor, but such an undertaking, given by a titular dignitary without the consent of the Dato' and chiefs of Jelevu, was valueless for bringing about peace. The troubles continued. In 1883, the British Government was invited to arbitrate and a fresh treaty was made. Under this treaty the residential system was introduced into Jelevu, the Yamtuan was bought out with a life-pension of \$1,200 a year, and the Dato' and chiefs were promised an interest in the revenues of the State. The Yamtuan died not very long afterwards, and a fresh treaty was drawn up (in A.D. 1886) abolishing the dignity of Yamtuan and readjusting the financial arrangements.

The Negri Sembilan.—The various treaties to which reference has been made had the effect of dividing the administration of the country into two sections: the Eastern (comprising Rembau, Sri Menanti and Tampin) under "the Resident of Negri Sembilan," and the Western (comprising Sungei Ujong and Jelevu) under "the Resident of Sungei Ujong." This administrative partition was brought to an end in 1895 by the appointment of the Hon. Martin Lister as Resident for both divisions under his old title of Resident of Negri Sembilan. Mr. Lister died in A.D. 1897 and was succeeded by Mr. E. W. Birch, who effected the union of the Negri Sembilan States under a titular Malay sovereign by the election of Tengku Muhammad, Ruler of Sri Menanti, as Yang-di-pertuan Besar of the whole country. This was, for all intents and purposes, a reversion to Raja Melewar's constitution of A.D. 1773, which had been abolished (as we have seen) by the treaty of 1876 after nearly a century of civil war.



PART II.
THE CONSTITUTION.

By R. J. WILKINSON.

Alam bĕraja ;
Nĕgĕri bĕrpĕnghulu ;
Suku bĕrtuha ;
Anak buah bĕribu-bapa ;
Orang sĕmĕnda bĕrtĕmpat'sĕmĕnda.

"The world has a king, the country a chief, the tribe a head, the family an elder, and every man a family to attend to his affairs," so runs a local saying that summarises the constitution of the Negri Sembilan. Unfortunately, this brief definition includes technical terms that presuppose a knowledge of all the complexities of Menangkabau law. Words like "tribe," "family," "elder" and "chief" are beyond any simple interpretation; they have to be explained guardedly and at very great length if the explanation is to escape the wrath of every European who has dwelt in Rembau and absorbed its enthusiasm for the unimportant.

Some terms, of course, are easy to define. "The world" is the Negri Sembilan; no Rembau man need take exception to that. "The king" is the *Yang-di-pĕrtuan Bĕsar*. "The country" is Rembau (or her sister-States); the definite article need only be emphasised to indicate what is meant. "The chiefs" are the Klana of Sungei Ujong, the Penghulu of Jelebu, the Dato' of Johol, and the Dato' of Rembau. But underlying this territorial system we have a tribal organisation. Each of the four great chiefs rules, or ruled—for we are dealing with the constitution of A.D. 1773—over a number of "tribes"¹ or semi-autonomous clans, each of which manages most of its affairs under the control of its own *lĕmbaga* or headman. The clan, in its turn, is subdivided into "families,"² each with its own "elder"³; and the "family" may be divided into various branches settled in different localities. Every individual has his own immediate relatives to look after his affairs and avoid, if possible, the publicity and scandal of a reference to the family elder. If a dispute could not be

¹ *Suku*. ² *Pĕrut*. ³ *Ibu bapa* or *buapa*.

arranged amicably it had to be taken to the elder who had jurisdiction up to \$3.50 or the value of a goat. If that jurisdiction was insufficient the case might be referred to the *lëmbaga* whose powers went up to \$7 (or the value of a buffalo) and included authority to arrest: "bonds are the *lëmbaga's*," said the law. Next came the court of the chief or *undang*, whose jurisdiction extended to \$14 and included the power of life and death. In exceptional cases a matter might come for hearing before the king's own court.¹

In itself the gradation of official powers is no protection to the liberty of the subject. Its special effectiveness in the case of Negri Sembilan lay in the fact that the higher authorities were like our own appellate or assize courts: they could not initiate an attack on an individual. The Negri Sembilan peasant was more than a ryot helpless in the clutches of a great territorial chief. If he committed a petty offence he was judged by his own people; the chief could not interfere. If he was charged with a graver crime he was heard by his own people, and if a *primâ facie* case was made out against him he was handed over to the higher authorities for trial. If the tribal headmen used their powers unfairly and screened their own people from punishment they might be called to account for their misconduct; but the chief could not proceed against anyone except the tribal headman, nor was he strong enough to attack any single *lëmbaga* unjustly in face of the opposition that such a proceeding would arouse among the rest. The abolition of direct relations between the chiefs and the ryots made the Negri Sembilan tribal divisions a real shield to the rights of the subject. If any European student imagines that constitutional Government is alien to the Asiatic mind he may study the Menangkabau system with profit, for it is a genuine Malay creation and owes nothing to alien influence. Its faults and failures are those common to all democracies: overmuch disputation, irresolute and divided action, and the inertia that comes of a Government being over-weighted with checks and counter-checks. These faults were free from any oriental hankering after despotism. The Negri Sembilan Malay was a loyalist in his way, but he loved his liberty even more than he loved a lord. It was his attempt to love both that brought disaster upon him.

The "king" or Yang-di-pertuan Besar was essentially a constitutional ruler. "He does not own the soil nor can he

¹ *Keadilan*.

levy imposts," said the law; "he is only the fountain of lustice and can claim a civil list." No one indeed could be less like the despot of Eastern romance. His civil list was framed on very frugal lines: "from every household a gallon of rice and a couple of coconuts" each time a ruler was buried or crowned. Commuted into dollars at the last accession this *mas manah* amounted to

\$14 for Johol proper,
 \$14 for all Ulu Muar,
 \$7 for all Jempol,
 \$7 for all Gemencheh,

and so on. Moreover, it was limited by the stipulation that the funeral of one ruler and the installation of the next should be treated as one ceremony and should call for one contribution only. On the occasion of a great festival—such as a royal marriage or circumcision—the yamtuan was entitled to a gift of three buffaloes from the magnates who attended the dinner. In consonance also with the universal Malay custom that regards all rarities and freaks as the king's perquisite the yamtuan could claim bezoar-stones, talismans, ivory, freak-buffaloes, and even the children of unmarried mothers as being inexplicable phenomena, "plants without seeds, flowers without buds." When all these sources of income are totalled up they represent very little. Attempts to get more were risky. One Yamtuan, as we have seen, tried to levy a commission of 2½ per cent. on some money won by the Dato' Klana when betting at a cock-fight in Sri Menanti. He was deposed and driven out. Any attempt to claim percentages or raise taxes brought the "king" into collision with the great territorial chiefs who were always ready to fight for the retention of their perquisites.

The Yamtuan was *bērkkhalifah*, the Caliph, God's vicegerent on earth. This meant that he stood at the head of the religious law and was the court of final resort in all disputes regarding Moslem custom. His position meant less in the Negri Sembilan than it did elsewhere, owing to the fact that the chiefs and people owed their powers and liberties to the *adat* and were very unwilling to admit its subordination to the Law of the Prophet. Indeed, they tried to argue that the two were identical or of equal importance.

*Hukum yang rata,
 Adat yang datar.*

“Religious law is level; customary law is flat.” And again

*Adat yang kawi,
Shara' yang lasim.*

“Custom is compulsory; religion is obligatory.” In both cases we get a distinction without a difference. Moreover, the judges of religious law were removable at the will of the local chiefs and were not likely to carry many appeals to the king. At the same time the position of “Caliph” must have been one of some importance, for the powerful rulers of Rembau claimed to be *bērkkhalifah* as soon as they asserted their independence of the Yamtuan.

The king was also the *kēadilan* or fountain of justice: in other words, he was the final court of appeal. His jurisdiction amounted to 66 *kupang* or \$24, and he could behead while the chief could only kill with the *kēris*. If a Dato' of Johol or Dato' of Rembau considered that a matter was too thorny for him to settle by himself he might always refer it to the Yamtuan as a disinterested arbitrator. The value of the king's prerogative in this respect depended greatly on the trust that the chiefs could feel in him. A fair-minded prince might have become the most influential man in the land; a self-seeking judge was what nobody wanted. If the civil wars are any criterion of the capacity for rule displayed by the later “kings” they indicate that the fountain of justice was polluted and that the indefiniteness of the ruler's judicial powers are due to the fact that reference to him never crystallised into a regular custom.

Apart from the limitations to his power the king held a position of great dignity. He and his family were extra-territorial, belonging to no clan and owning no allegiance to any tribal headman. He was sacrosanct.¹ The great territorial chiefs were revered.² They had a special sanctity of their own, but it was a pale shadow of the true majesty of kings. The later *penghulus* of Rembau, though they claimed several royal attributes, dared not claim the *daulat*. Royalty had also its own court language: the great chiefs could not annex it though they tried to raise their own “utterances”³ to the plane of the king's “commands.”⁴ Then there were the ceremonies: the royal precedence, the deference of others, the homage, the kingly yellow that no one else might wear, the regalia, the salutes, the

¹ *Bērdaulat.* ² *Bērandika.* ³ *Sabēda.* ⁴ *Titah.*

dwelling in palaces, the title of Sultan—all these things were precious possessions and whetted an appetite for more.

We may pass over the minor rulers, the Yamtuan Muda of Rembau and the Yamtuan Muda of Jelebu. They had no place in the arrangements of A.D. 1773, but were added afterwards to allow some feud or put an end to the jealousy of rival princes. Each Yamtuan Muda was a local deputy of the Yamtuan Besar, and did not possess a distinctive position of his own in the theory of the constitution.

Next below these titular rulers came the four great territorial chiefs or *undang*. Ceremonially they were of minor importance. When elected each of these chiefs had to present himself before the yamtuan and do homage for the office conferred upon him—a mere form, since the yamtuan had no power to bestow such dignities. On these occasions the chiefs were addressed formally as *orang kaya*: a commoner's title, not a prince's. Nor could a chief habitually use the royal yellow or the royal forms of speech or any other regal attribute; he was a commoner and no more. He could claim a salute of five guns as against seven for a yamtuan and three for a *lëmbaga*. So, too, his wedding *bërhinai* ceremonies lasted five days as against a prince's seven, and a *lëmbaga's* three. He had no less than 16 *këbësaran* or insignia of rank, but they were not "regalia" in the highest sense. In theoretical power he had also to take a position below that of the king. His jurisdiction was limited to a *bahara* or about \$14, while the king's extended to 66 *kupang* or \$24.80 to be exact. The chief could only execute with the *këris*; to "shed blood" was a royal prerogative. The yamtuan could levy his *mas manah*—his gallon of rice and two coconuts—on all the households of "the world": the *undang* levied a similar contribution on certain Crown lands¹ only. But with all this affectation of inferiority the great territorial chiefs were wealthier and mightier than the king. Their wealth they did not owe to their office but to the fact that they were *waris*, heirs of the soil, representatives (in theory) of the old aboriginal peoples. Though the chief divided his revenues with the rest of the *waris* (he was only one of many "heirs"), he took the lion's share in accordance with the tribal rule, "Big shares to big men, little shares to little men." Constitutionally, too, the four great territorial chiefs were the *tiang balai*, the pillars of the court, the electors and upholders of the yamtuan. The yamtuan could not create a chief, but the

¹ Tanah tëlupakan.

chief might—and often did—create a yamtuan. Raja Khatib was put forward by the Dato' of Ulu Muar, a minor territorial magnate; Yamtuan Radin was the nominee of Rembau; Yamtuan Sati was made and unmade by the Dato' Klana; Yamtuan Antah was set up by the Dato' of Johol. In true power there was no comparison between the chief with a whole State at his back and the king with his great pretensions and his ragged retinue. One was reality: the other bluff. So was it also with jurisdiction. That of the king was a name; that of the *undang* a living force. The king might behead, it is true; still he could only behead his own followers, and the practice was not to be commended. For real criminal justice the chief's *kēris* was all that was wanted. The chief's powers were definite enough. He heard cases of treason, murder, robbery, arson, poisoning and incest. Lesser offences were tried before the *lěmbaga*, and unless the *lěmbaga*'s fining powers (\$7, or the value of a buffalo) were exceeded, the chief did not interfere. As has been pointed out already, the *undang*'s court was not one of original jurisdiction; offenders were brought to it by their own tribal headman, and when the case was over it was also the *lěmbaga* who saw to the recovery of the fines. The chief was in general control of the tribal headmen and could call them to account if they were inefficient or corrupt, but the machinery for the purpose was elaborate and does not enter into the theory on the Constitution.

In three out of the four States the term *pěnghulu* (*něgēri běrpěnghulu*) may be identified with the *undang* himself; in the fourth State, Johol, there were divisional *pěnghulus* who were subordinate to the *undang*.

The main point of the theory is that below the territorial chief—be he an *undang* or a divisional *pěnghulu* like the Dato' of Ulu Muar¹—there come the tribal headmen who are not territorial in the strictest sense of the word. They are known as *lěmbaga* and their tribes as *suku*: both terms need a good deal of explanation.

The colonists from Menangkabau came to the Peninsula from various Sumatran districts: from Payakombo, from Sri Lemak, from Sri Melenggang, from Batu Hampar, from Batu Balang, from Mungkal, from Tanah Datar, from Tiga Nenek and from Tiga Batu. After settling in the Negri Sembilan they and their descendants continued to call themselves after the districts from

¹ The divisional *pěnghulu* is often termed an *undang*.

which they had come, so that what are territorial names in Sumatra have come to be tribal names in the Malay Peninsula. But this list of ten tribes would not be exhaustive. It might happen that some Sri Lemak settlers would reside for some time in Pahang and then migrate to Ulu Muar; while other Sri Lemak colonists would come direct to Ulu Muar from Sumatra. This would create a distinction between the *Sēri Lēmak Pahang* and the *Sēri Lēmak Mēnangkabau*. In other cases there might be two separate migrations from the same locality at different times under different chiefs; thus, we get the Payakombo tribe in Rembau split into two portions, one in the low-country under the *lēmbaga Dato' Mērbangsa*, and the other and larger portion in the uplands under the *lēmbaga Dato' Sēri Maharaja*. Furthermore, the Negri Sembilan population includes descendants of the original inhabitants who were in the country before the Sumatran settlers arrived, and who are known generically as the *biduanda* tribe; and it also includes colonists who did not come from Menangkabau: for instance, the clans of the *anak Aceh* or Achehnese, and the *anak Mēlaka* or Malacca Malays. It is, therefore, difficult to lay down any general rules as to the distribution of these different tribes.

Moreover, it must be remembered that Menangkabau *adat* traces descent through women only. The "Payakombo" tribe of to-day is made up of the descendants in the direct female line of the women-settlers from the Payakombo district; the descendants of the male settlers take their mother's designation. Under the circumstances these tribal distinctions have no real racial or territorial significance. For all intents and purposes they are artificial divisions. The artificiality of the whole system is enhanced by the fact that a man passes on marriage from the control of his mother's tribe to that of his wife's, so that a large proportion of the males in the charge of any one tribe do not belong to that tribe at all by descent. A Negri Sembilan *suku* is a very mixed community; its women—and the lands they own—are the bonds that hold it together. Not that the artificiality of the whole tribal system would matter much if it worked well in other respects. But the inequality in numbers and importance between one tribe and another and between one family and another created difficulties. In 1891 two Rembau tribes totalled 167 persons between them, while a third tribe numbered 3,766 by itself: a constitution that disregards numerical differences of this sort is hardly the work of men wise in the wisdom of the

world. There are many features in the government of the old Negri Sembilan that seem to have been invented for the express purpose of exciting tumults and provoking civil war.

Nothing, for instance, could be fairer—on paper—than the system of *gilir* or rotation. We will suppose that there were four Payakombo “families” in existence when the constitution was settled. To avoid the risk of the position of *lëmbaga*-ship being monopolised by any one family, the four might agree that the tribal headman should be selected from the ranks of each in rotation. But what was simple, practical and just in A.D. 1700 might become an abuse two centuries later. New families would have come over from Payakombo and have risen to importance without acquiring any claim to the honour of giving a *lëmbaga* to the tribe. Old families would have fallen into poverty and discredit, yet under the ancient constitution they would still have the right to insist that the tribal headman shall be selected in rotation from their own ragged and disreputable ranks. If the divisions had been territorial instead of tribal a redistribution of electoral rights could be arranged easily enough on the basis of numbers, but with “families” and “clans” the difficulty is almost insuperable. The grievances and disputes which arise out of the election of officers in the Negri Sembilan are due to the fact that the Constitution (in so far as it affects that one issue) is quite out of date.

The jurisprudence of Menangkabau allowed for the need of constitutional changes from time to time. It recognised tribal agreements¹ as a source of law. If the tribe choose to admit new colonists to a full or partial franchise the tribe was at liberty to admit them. Doubtless, arrangements of this kind were arrived at from time to time in the interests of tribal peace; but they were only compromises and concessions, varying in each case with the requirements of the moment. There was no uniformity about them. The old families gave as little as possible, the new families took as much as they could get. These divergencies and anomalies make it necessary to write a separate account of each State, tribe, and title in the Negri Sembilan; general statements on such points are impossible. But within the tribe itself the powers of the headman and elder do not vary. The differences that exist are confined to extra-tribal authority and to the method of selection or appointment to offices.

¹ *Muafakat.*

Before proceeding to discuss the unvarying element—the authority of an official within his own tribe—it may be of interest to give an example of constitutional change and of the reasons for it. In the oldest Rembau treaties we get the signature of the Dato' and of four tribal headmen. This Council of Four represented in all probability the four principal *lěmbaga* at the date when the Constitution was established. Yet, in 1891, the tribesmen represented by these four headmen numbered only 1,317 persons out of a total population of 11,136 souls. The Council of Four had long ceased to be representative of the whole people, though its members still enjoy a certain ceremonial precedence over the rest. Accordingly, in 1832, we find that four more *lěmbaga* were added to the list of signatories to a treaty, thereby indicating the creation of a Council of Eight. These four additions possessed (in 1891) a following of 3,667 tribesmen, so that the Council of Eight is much more representative than the original Four. On the 1891 census the figures are:

Biduanda (represented by the Dato')	...	3,766
Tribesmen under the original Four	...	1,317
" " additional Four	...	3,667

or 8,750 out of 11,136 persons. Although there are even now over 2,000 persons who are not included in what we may call the higher franchise of Rembau, the present state of affairs represents a very great advance on the days of the Council of Four. And the constituencies (if we may call them so) are unequal. The Dato' Samsuroh Pahlawan only represents about 150 tribesmen: and even the senior *lěmbaga*, the Dato' Gempa Maharaja, with his following of 300, compares unfavourably with the junior *lěmbaga*, the Dato' Mandulika, whose *anak buah* must be about 2,000 in number. Anomalies of this sort will explain the turbulence of Government in Rembau, besides throwing light upon the distribution of the population in the days of the early colonists.

Within the tribe itself things were simple enough. The *lěmbaga* was its head.¹ His authority was defined with great precision; he could fine or award compensation to the extent of the value of a buffalo or of a *bahara* of tin, a jurisdiction representing some \$7 in the currency of the time, though it would represent far more in the depreciated silver of to-day. He was

¹ In Jelebu, Johol and Rembau. In Sungei Ujong the term *lěmbaga* is used loosely and often incorrectly.

elected by a strict rule of rotation from one after another of the fully enfranchised families included in the tribe ; but the election (which was made by the *ibu bapa* or heads of families) had to be confirmed by the territorial chief, be he an *undang* or a *pénghulu* like the Dato' of Ulu Muar. Once elected and approved the *lëmbaga* could not be dismissed except by the *undang* in council, nor could he be dismissed for anything except a serious offence such as dereliction of duty or encroachment on the powers of others. His position in fact was a very strong one.

The duties of a *lëmbaga* were of a very varied character. He was expected to be present at great social functions in his tribe—weddings, feasts, ear-boring festivities, circumcision celebrations, and so on ; but his presence had to be paid for by gifts of rice or cakes and by the tit-bits of the meat of the buffalo slaughtered for the occasion. He had judicial authority in cases of serious assault ; in more serious cases he took the accused into custody and handed him over to the *undang* for trial. He was a sort of qualified witness in important cases such as transfers of land, and he was a sort of bailiff or sheriff for carrying out decrees of the court.

In Rembau and in the Kuala Pilah district the *lëmbaga* still plays a part in land administration. Although there need be no question of the usefulness of the tribal system in the past, there may well be two opinions about its utility at the present time if compared with the territorial system in force in the other Malay States, and to some extent in Jelebu, Tampin and Sungei Ujong. In Malacca it was swept away after the Naning war and a territorial classification was substituted for it. In Tampin and Jelebu it is perishing ; in Sungei Ujong it never thrived ; Rembau is its main stronghold.

Below the *lëmbaga* came the *ibu bapa* or elder. The elder or elected head of the family was the court of first instance in such family disputes or petty assaults as could not be settled in a friendly manner by the immediate relatives of the disputants. Even in the past the elder's powers were limited. He could not arrest: "bonds are the *lëmbaga's*," said the law. He might give damages or award compensation or impose a fine up to the value of \$3.50 or one goat, but he could not enforce such a decision without invoking the aid of the *lëmbaga*. Such powers are quite obsolete now. The elder's main business, however, was of another kind. He was supposed to be *au fait* with the affairs of his "children." If they were in debt or trouble he pleaded

their cause; if there was any doubt as to what they had done he was expected to testify to the truth. In order that he might possess the needed knowledge of what was going on he was an honoured guest at all family feasts and family councils, and he was called in to attest the payment of a debt or the final settlement of any transaction of importance. He was a sort of attestant J. P. or qualified witness. The elder was elected by his "children," subject to the approval of the tribal headman. "He lives or dies at the discretion of the *lěmbaga*," said the law; he could in fact be dismissed without trial or enquiry. The dignity of *ibu bapa* still exists in Rembau, Kuala Pilah and Jelebu, though shorn of much of its ancient importance.

Two more institutions invite attention though they are left unmentioned in the short summary of the Constitution that has served as a heading for this chapter. They are the *orang běsar* and the *waris*. The *orang běsar* (or *běsar*, as they are more commonly called) were tribal officials whose business it was to act as a check on the officer immediately above them, whether he was an elder or a *lěmbaga*. The territorial chief appointed some to keep an eye on the *lěmbaga's* doings and prevent him becoming too powerful; the *lěmbaga* appointed others in order that he might keep his "elders" in order. With the weakening of the tribal system the powers and duties of the *orang běsar* have passed outside the range of practical politics.

It is otherwise with the *waris*, whose position has been much misrepresented and misunderstood—to their own very great advantage—by many a writer upon the subject of Menangkabau *adat*. They are sometimes spoken of as the *waris* "tribe," and are identified with the great Biduanda clan who number about one-third of the whole population of Rembau. Moreover, it is suggested or implied that "the proprietary right of the aborigines in the soil vested in the *waris* by virtue of the alliance contracted between To' Lela Balang and the daughter of Batin Sekudai."¹ All this is pure myth.

In the first place a distinction must be drawn between the *waris* and the *biduanda*. True, the *waris* are members of the Biduanda tribe in Rembau and most other States, but they are not co-extensive with it. They are a privileged inner ring or circle, very little limited indeed in number: so limited in fact,

¹ Parr and Mackray, "Rembau," p. 28.

that they hardly number twenty adults for the whole of Sungei Ujong.¹ In Rembau they are more numerous, it is true; but even in Rembau there is a great numerical difference between the few families who make up the privileged circle of the *waris* and the four thousand persons who are grouped together as Biduanda.

Who then are the *waris*? They are the "heirs" of some territorial chieftaincy, or of some ruling house—in Rembau, as in Sungei Ujong, Jelebu and Johol. Doubtless, they sometimes claim descent from mythical figures like the Batin Sa-ribu Jaya, who is alternately a man and a woman at the discretion of local genealogists, but the facts of history are plain enough. The exploiters or overlords or rulers—call them what we will—of the ancient Negri Sembilan were the members of the great house of the bendaharas of Malacca and Johor. Tun Perak, the fourth of the Malacca bendaharas, held at one time the actual post of penghulu of Klang. He was the father of the Bendahara Lulok Batu, the seventh bendahara (A.D. 1511), and grandfather of Tun Isap Beragah, the eighth bendahara. Continuing the pedigree we come to Tun Perak's great-grandson, Tun Isap Biajid, the ninth bendahara, who is associated with the early years of Johor; to Tun Isap Misai, a generation later, the tenth bendahara; and lastly to Tun Isap Misai's grandson, the eleventh bendahara, Tun Sri Lanang, who inspired (if he did not write) the *Sĕjarah Mĕlayu*. And the *Sĕjarah Mĕlayu* tells us in so many words that these outlying districts had been the property of that great Malacca family from the time of the earliest Bendaharas down to the period at which the "Annals" themselves were written (A.D. 1636). There is no question of any "Batin Sa-ribu Jaya" or of any Sakai ancestry through whom a claim was made.

True, we have only Tun Sri Lanang's word for the statement that his family possessed these rights; he may be exaggerating the power and wealth of his family. But corroboration comes from an unexpected quarter. The old seal of the Dato' of Rembau was worded as follows: *Dato' Sĕdia Raja bin Dato' Lela Maharaja, dĕngan kurnia Bĕndahara Sĕri Maharaja*. Then follows a date of which the first two figures are illegible. "By the grace of the Bendahara Sri Maharaja"—that is the authority on which the old chiefs of Rembau based their claim.

¹ I.e., the Klana's *waris*. But *waris* may be used of the heirs of any territorial title; and there are thus several *waris* groups in Sungei Ujong. In Terachi the *waris* are not Biduanda, nor is the Dato' of Naning.

Be it remembered that this old seal—which can be read on the treaty of 1833—was not personal to the ruling Dato' (who was a Lela Maharaja), but was the seal of the chieftaincy itself. There is no question of any *waris* tribe or of any Sakai descent: the *waris* are simply one or more Biduanda families who obtained a seal and a concession from an old Malay chief.

What then was the date of this concession? The last two figures are "21,"—A.H. 921, 1021 or 1121. The first of these dates takes us back to A.D. 1514, an impossibly early period. The second takes us to about A.D. 1610, when the author of the *Sĕjarah Mĕlayu* was himself bendahara; but he bore the title *Paduka Raja* not *Sĕri Maharaja*. The third is A.D. 1707. The seal would represent the second Dato' of Rembau,¹ the first having been a Lela Maharaja. The Sungei Ujong pedigrees, though they mention no dates, give us seven penghulus anterior to the Dato' Klana of A.D. 1773, and suggest that the *waris* family obtained its rights during the closing years of the seventeenth century. The assertion of right by uterine descent is not a Sakai custom nor is it a Johor custom, it is a matter of Menangkabau *adat*; and the conclusion to which the historian is forced is that certain early Menangkabau settlers acquired the claims of the old Johor overlords and then proceeded to transmit them to their *tĕmpat sĕmĕnda* or "wife's relations" in accordance with their own ancestral law.

¹ This is in accordance with tradition which maintains that the second Dato' of Rembau was the son of the first. It also explains the *giliran bĕsar* of Rembau. The transition from the *adat tĕmĕnggong* to the *adat pĕrpateh* would make two families eligible to the rulership: the *lela maharaja* family as heirs of the first Dato' and the *sĕdia raja* family as heirs of the second. The *giliran* of the Sungei Ujong *waris di-darut* arose in exactly the same way. The Malay theory of Sakai ownership of the soil is quite irreconcilable with the claims of the *waris jawa* of Rembau.

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BY

JOHN BURNET

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AND

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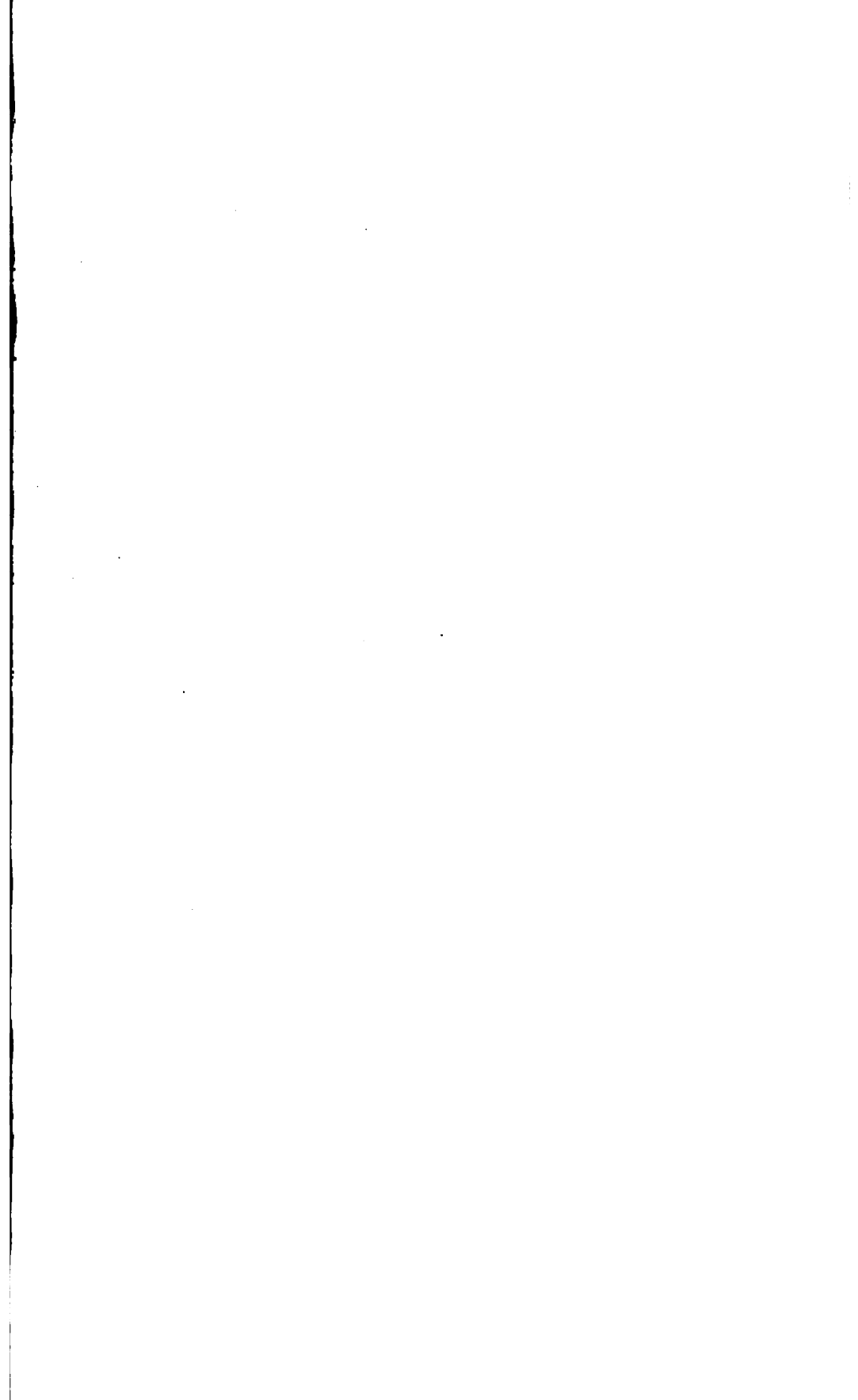
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