

INTERNATIONAL COURT OF JUSTICE

**CASE CONCERNING SOVEREIGNTY OVER
PEDRA BRANCA/PULAU BATU PUTEH,
MIDDLE ROCKS AND SOUTH LEDGE**

MALAYSIA/SINGAPORE

MEMORIAL OF MALAYSIA

VOLUME 3

25 MARCH 2004

LIST OF ANNEXES

VOLUME 3

Historical and Legal Documents

A. Correspondence, Reports, etc.

Annex Number (MM)	Title of Document
21.	General Missive from the Governor-General and Council of the Dutch East India Company in Batavia to the Seventeen Directors of the Dutch East India Company in Amsterdam, 26 December 1662, VOC 1238 (translation by Professor L.Y. Andaya)
22.	Missive from Governor Thijssen of Melaka to Governor-General and Council of the Dutch East India Company in Batavia, 1 April 1655, VOC 1209 (translation by Professor L.Y. Andaya)
23.	John Crawford's Diary, extract of 7 December 1818
24.	Letter from Resident Crawford to G. Swindon, Secretary to the Government, 1 October 1824, (1853) <i>7 Journal of the Indian Archipelago</i> , pp. 356-357
25.	Letter from the Resident of Rhio to the Resident Councillor, Singapore, 18 August 1827 (extract), reprinted in A.C. Baker, "Some Account of the Anglo Dutch Relations in the East at the Beginning of the 19th Century Based on the Records Preserved in the Colonial Secretary's Office in Singapore, and, in the Resident's Office Malacca", (1913) <i>64 Jour. Straits Branch R.A. Soc.</i> 1, pp. 40-42
26.	Letter from the Resident Councillor, Singapore to the Secretary to Government, Prince of Wales Island, Singapore and Malacca, 8 September 1827, reprinted in A.C. Baker, "Some Account of the Anglo Dutch Relations in the East at the Beginning of the 19th Century Based on the Records Preserved in the Colonial Secretary's Office in Singapore, and, in the Resident's Office Malacca", (1913) <i>64 Jour. Straits Branch R.A. Soc.</i> 1, pp. 45-46
27.	Report by Edward Presgrave, Registrar Imports and Exports to K. Murchison, Resident Councillor, 5 December 1828
28.	Letter from the Government Secretary to the Resident Councillor, Fort Cornwallis, 22 December 1829
29.	"Missing Vessels – Navigation to China", <i>Singapore Free Press</i> , 13 October 1836 (extract)
30.	<i>The Canton Press</i> , Canton, 26 November 1836

31. *The Canton Press*, Canton, 10 December 1836
32. *The Canton Register*, 10 January 1837
33. *Singapore Free Press*, 9 February 1837
34. "The Horsburgh Memorial", *Singapore Free Press*, 5 April 1838
35. Letter from Jardine Matheson & Co., Treasurer to the China Fund for a testimonial to the memory of the late James Horsburgh Esqre, care of Messrs. John Purvis & Co, Singapore, to Governor S.G Bonham Esqre, Governor of Prince of Wales Island, Singapore and Malacca, 1 March 1842
36. Letter from Governor S.G. Bonham, Governor of Prince of Wales Island, Singapore and Malacca to Jardine Matheson & Co., Treasurer to the China Fund for a testimonial to the memory of the late James Horsburgh, 4 April 1842
37. Letter from J.T. Thomson, Government Surveyor to Governor S.G. Bonham, Governor of Prince of Wales Island, Singapore and Malacca, 1 May 1842
38. Letter from Governor S.G. Bonham, Governor of Prince of Wales Island, Singapore and Malacca to G.A. Bushby, Secretary to Government, Fort William, 23 July 1842
39. Letter from G.A. Bushby, Secretary to the Government of Bengal to Governor S.G. Bonham, Governor of Prince of Wales Island Singapore and Malacca, 31 August 1842
40. *Singapore Free Press*, 25 May 1843
41. Letter from Edward Belcher, Captain of HMS Samarang to W.J. Butterworth, Governor of Prince of Wales Island, Singapore and Malacca, 1 October 1844
42. Letter from John Purvis & Co. to Governor W.J. Butterworth, Governor of Prince of Wales Island, Singapore and Malacca, 31 October 1844
43. Report of J.T. Thomson, Government Surveyor to Governor W.J. Butterworth, Governor of Prince of Wales Island, Singapore and Malacca, 20 November 1844
44. Letter from Sultan Allie, Sultan of Johore to Governor W.J. Butterworth, Governor of Prince of Wales Island, Singapore and Malacca, 25 November 1844, translated by T. Church, Resident Councillor

45. Letter from Dattoo Tamungong of Johore to Governor W.J. Butterworth, Governor of Prince of Wales Island, Singapore and Malacca, 25 November 1844, translated by T. Church, Resident Councillor
46. Letter from Governor W.J. Butterworth, Governor of Prince of Wales Island, Singapore and Malacca to F. Curie, Secretary to the Government of India, 28 November 1844
47. Letter from Governor W.J. Butterworth, Governor of Prince of Wales Island, Singapore and Malacca to Under-Secretary C. Beadon, 22 August 1845
48. "Erection of a Light-House on Romania Island", *Bombay Times and Journal of Commerce*, 10 January 1846
49. "Lighthouse at Singapore", *The Times*, Thursday, 22 January 1846
50. Letter from N.B. Hamilton, Secretary to the Admiralty to the Secretary to the East India Company, 18 April 1846 (enclosure No. 2 to letter from Court of Directors to Governor General of India in Council, 6 May 1846)
51. Letter from Governor W.J. Butterworth, Governor of Prince of Wales Island, Singapore and Malacca to G.A. Bushby, the Secretary of the Government of India, 26 August 1846
52. "Presentation of a Sword to H.H. the Tomongong Sree Maharajah of Johore", *Straits Times*, 5 September 1846
53. Internal Minute of Governor W.J. Butterworth, Governor of Prince of Wales Island, Singapore and Malacca, 30 September 1846
54. Letter from Government of India, 3 October 1846 & attachments: British Library, India, Marine Department Collection, F/4/2166
55. Internal Minute of Governor W.J. Butterworth, Governor of Prince of Wales Island, Singapore and Malacca, Minute No. 14, 3 October 1846
56. Letter from Governor W.J. Butterworth, Governor of Prince of Wales Island, Singapore and Malacca to the Worshipful Master of the Lodge "Zetland in the East", 23 April 1850
57. "The Horsburgh Light-House", *Straits Times*, 28 May 1850
58. Letter from J.T. Thomson, Government Surveyor to T. Church, Resident Councillor, Singapore, 2 November 1850
59. Letter from T. Church, Resident Councillor of Singapore to Governor W.J. Butterworth, Governor of Prince of Wales Island, Singapore and Malacca, 7 November 1850
60. J.T. Thomson, "Account of the Horsburgh Lighthouse", (1852) 6 *Journal of the Indian Archipelago and Eastern Asia*, Series 1, 430 (extract)

61. "Rules for Light-keepers", in J.T. Thomson, "Account of the Horsburgh Lighthouse", (1852) 6 *Journal of the Indian Archipelago and Eastern Asia*, Series 1, Appendix V
62. Sultan of Selangor-Governor of the Straits Settlements, correspondence concerning Cape Rachado lighthouse, October-November 1860
63. Letter from the Sultan of Johore to the Earl Granville, Principal Secretary of State to the Colonies, 20 March 1886
64. Letter of Governor, Straits Settlements to Colonial Secretary, 21 May 1901, with file attachments
65. Federated Malay States, Proceedings of the Federal Council, 8 July 1913, pp. A1-A2, B8
66. Colony of the Straits Settlements, *Blue Book for the Year 1914*, Singapore, Government Printing Office, 1915, pp. v2, v3, c24, c52, c57, G10, G15, G22, G35, G38, K1, K28, K102
67. Letter from J.D Higham for the Colonial Secretary, Singapore, to the British Adviser, Johor, and appendices, 12 June 1953
68. Letter and attachments from A.G.B. Colton, for the Colonial Secretary, Singapore, to the Deputy Commissioner General for Colonial Affairs, Singapore, July 1953
69. Letter from the Acting State Secretary, Johor to the Colonial Secretary, Singapore, 21 September 1953
70. Internal Memorandum from the Colonial Secretary, Singapore to the Attorney-General, Singapore, and reply, 1[2 sic] October 1953
71. *Annual Report of the Rural Board Singapore 1953*, Singapore, Government Printing Office, Chapter One, p. 1
72. *Annual Report of the Rural Board Singapore 1956*, Singapore, Government Printing Office, Chapter One, p. 1
73. Letter from the Director of Marine, Malaya, to the Director of Marine, Singapore, 1 May 1964, and reply, 13 May 1964."
74. J.A.L. Pavitt, *First Pharos of the Eastern Seas: Horsburgh Lighthouse*, Singapore Light Dues Board, Singapore, 1966, p. 51
75. *Straits Times*, 17 April 1968
76. Letter of Promulgation from Commodore K. Thanabalasingham to Naval Staff Division, Ministry of Defence, Kuala Lumpur, 16 July 1968

77. H.W. Dalton, "Petroleum Developments in Far East in 1968", (1969) 53 *Bulletin of the American Association of Petroleum Geologists* 1789, at pp. 1792, 1793, 1798
78. Press Statement by the Indonesian and Malaysian Delegations to the Talks on the Delimitation of the Continental Shelves Between Malaysia and the Republic of Indonesia, Kuala Lumpur, 22 September 1969
79. *Singapore Facts and Pictures, 1972*, Singapore, Ministry of Culture, 1972, pp. 1-3, 148-150
80. Note, Ministry of Foreign Affairs, Singapore to Office of the High Commissioner for Malaysia, 14 February 1980
81. Note, Ministry of Foreign Affairs, Singapore to Malaysian High Commission, 28 February 1989
82. List of Diplomatic Notes from Singapore on Pulau Batu Puteh, February 1980 - January 2004
83. *Singapore Facts and Pictures, 1992*, Singapore, Ministry of Information and the Arts, 1992, pp. 1, 178

B. Laws, Regulations, etc.

84. Act No. VI, 1852 (India), An Act for defraying the Cost of a Light-House on Pedra Branca
85. Act No. XIII, 1854 (India), An Act to repeal Act No. VI of 1852, and to make provision for defraying the cost of the Light-House on Pedra Branca...
86. Award made by Governor Sir H. St George Ord, under the provisions of the Treaty between Pahang and Johore, of 17th June, 1862, 1 September 1868
87. Report of the Johore Boundaries Commission, 18 February 1898
88. Constitution of Johore, 14 April 1895, in J. de V. Allen, A.J. Stockwell and L.R. Wright (eds.), *A Collection of Treaties and Other Documents Affecting the States of Malaysia, 1761-1963*, New York: Oceana, 1981, vol. I, pp. 77, 78, 84, 85, 101 (Johore Document of 14 September 1895)
89. Indenture between Ibrahim, Sultan of Johore, and Sir James Alexander Swettenham, Officer Administering the Government of the Colony of the Straits Settlements, 6 October 1900
90. The Light-Houses Ordinance No. XVII of 1912 (Singapore)

91. The Malayan Union Order in Council, No. 463 of 1946, preamble, s. 3
92. The Singapore Colony Order in Council, 1946 (UK), preamble, ss. 2, 3
93. Transfer of Powers and Interpretation Ordinance, 1946 (Malayan Union)
94. Transfer of Powers and Interpretation Amendment Ordinance No. 11, 1948 (Federation of Malaya)
95. The Curfew (Johore Straits) (Singapore) Order, 1948
96. Federation of Malaya Agreement, 1948 (extracts)
97. Interpretation and General Clauses Ordinance, No. 4 of 1951 (Singapore), ss. 1-2
98. Interpretation and General Clauses (Amendment) Ordinance No. 18 of 1952 (Singapore)
99. Malayan Federation Light Dues Ordinance No.24 of 1953
100. Federation of Malaya Agreement, 1957 (extracts)
101. Light Dues Ordinance No. 6 of 1957 (Singapore)
102. Light Dues (Amendment) Ordinance No. 20 of 1958 (Singapore)
103. State of Singapore Act, 1958 (UK)
104. Interpretation and General Clauses (Amendment) Ordinance No.2 of 1960
105. Federation Light Dues (Amendment) Act No. 21 of 1961 (Federation of Malaya)
106. Malaysia Act No. 26 of 1963 (Federation of Malaya) (extracts)
107. Malaysia Act 1963 (UK), ss. 1-3
108. Proclamation of Singapore, 1965
109. Interpretation Act, No. 10 of 1965 (Singapore) (extract)
110. Petroleum Agreement Under Section 9 of the Petroleum Mining Act, 1966 in Respect of Off-shore Lands between the Government of Malaysia and Continental Oil Company of Malaysia Concerning 24,000 (Approximate) Square Miles of the Continental Shelf Adjacent to the East Coast of West Malaysia, 16 April 1968 (extracts)
111. Emergency (Essential Powers) Ordinance No.7 of 1969 (Malaysia)
112. Light Dues Act No.12 of 1969 (Singapore) (extracts)
113. Fisheries Act, Act 317 of 1985 (Malaysia) (extracts)

ANNEX MM 21

General Missive from the Governor-General and Council of the Dutch East India Company in Batavia to the Seventeen Directors of the Dutch East India Company in Amsterdam, 26 December 1662, VOC 1238 (translation by Professor L.Y. Andaya)

VOC 1238, General Missive from the Governor-General and Council of the Dutch East India Company in Batavia to the Seventeen Directors of the Dutch East India Company in Amsterdam, 26 December 1662.

Folios 121 -- 123

Malacca

Onder de materiel van Malacca hebben wij in de bij onse jonsten geadviseert dat daer van de hoek van barbaquiet was opgebracht een Chinese joncq komende van Heijtingh [?], een plaats synde van het gebiedt van den mandorijn Coxin[ga] naerderhandt sijn hier van Malacca noch aangekomen, de schuijt het hert 23 Juni ende het frigat de ganges 9 July daer aenvoegende met brieven van 10 en 11 Meij onder andere meldende dat de kruissers aende gem. hoek van barbaquiet daer nae noch hadden opgebracht een jonck huijshorende tot Canton, met gelijken bescheijt ofte voorschrijven van twee nederlanders tot Canton zijnde als de gene had mede gebracht die hier tot Batavia was aengekomen, waer uijt als uijt andere omstandigheden wij geoordeelt hebben dat sijn inderdaet geen andere intentie en hebben gehadt dan hier en tot Malacca te comen handelen ende dat sijn geen ander daen en van Coxin[ga] en sijn geweest, de verschijninge van deselve joncken hier tot Malacca al eenige nering gegeven maer en is niet wel gecomen dat wij daer doen juijst geen ofte seer weijnigh peper en hebben bij de magasiijnen gehadt naedien sijn daer seer gretig nae sijn geweest. De vorst van Johor heeft door een gesant aen den gouverneur tot Malacca gesonden seer groot misnoegen laeten blycken over het aenhaelen van de voorsch. twee joncken met donder te gebruijcken onfatsoenelijksche termen van dreijgementen ingevalle sulks in aenstaende meer quaeme te geschieden, maer als sijn H. denselve gesant heeft doen verstaen ende blycken dat de gem. Chinese uijt haer eigen vrije wille nae Malacca waren gecomen. Soo heeft hij daer in genomen satisfactie ende bekent sijn meester qualijck geïnformeeert te sijn geweest. Soo dat te verhoppen sijn dat de gemelde vorst daer niet meer van sal reppen hoewel al wat hoogmodigh en arrogant sijnde geworden gelijk aende voorsch. besendinge is gebleecken.'

Translation

Malacca

The Malacca material in our most recent letter has advised that a Chinese junk was seized around the Hook of Barbukit. It was coming from Heijtingh [?], a place under the authority of Coxinga. The vessel 'The Hart' and the frigate 'The Ganges' also arrived from Malacca on the 9th July bringing letters dated 10th and 11th May which reported amongst other matters that the [VOC] cruisers around the Hook of Barbukit had seized a Canton junk. Similar information or documents also came from two Dutchmen at Canton, which the abovementioned brought here to Batavia. As a result of these and other circumstances we considered that they had no other intention than to come and trade here and at Malacca, and that they were not subjects of Coxinga. The appearance of these junks at Melaka has already brought a little trade but it is unfortunate that we had none or very little pepper in the warehouses, since this is much desired by them. The king of Johor has sent an envoy to the governor of Malacca to indicate his great displeasure regarding the seizure of the above-mentioned two junks, not without using offensive and threatening terms in the event that the same thing occurs in the future, but we gave the envoy to understand and pointed out that the above-mentioned Chinese had come to Malacca of their own free will, and he was satisfied, saying his master had been badly informed. We therefore hope that the above-mentioned king not mention it any more, although he is high-handed and arrogant, as seen in the case of the embassy we described.

ANNEX MM 22

**Missive from Governor Thijssen of Melaka to Governor-General
and Council of the Dutch East India Company in Batavia, 1 April
1655, VOC 1209 (translation by Professor L.Y. Andaya)**

VOC 1209, Missive from Gov. Thijssen of Melaka to Governor-General and Council of the Dutch East India Company in Batavia, 1 April 1655.

Folios 221 verso – 222 recto:

“... hij tot Johoor (alswaer volgens 't bericht vanden vrijcoopman Nicolaes Vermaer, hier op ultimo des verleden maents met zyn wanckan over die plaets uyt Tayouan aengecomen mede een rijk geladen jonck uyt Aimuy ende twee dittos in Quimoy (?) thuis behorende soudē aengecomen wesen) was ingesnapt, dat ter oorsaeck wy op desselfs comst tgeringste niet verdacht zyn geweest lichtelyck had geschieden cunnen, invoegen ons uyt deser chineesen wedercomst. Evident blyct, uEd. gevoelen in haer missive van dato 8 april anno passato die luyden betreffende uyt gedruyckt niet ongefondeert zy geweest, die daer toe schynen aen te leggen hun nescsseiteyt van peper en andere in dese geweste te comen soeken ende alsoo door dat middel de vaert op tayouan te verexcuseren, welcker schadelyke inbreuck onses gevoelens door dreygementen noch tbloote uytseggen deser luyden niet sal te remedieren wesen, maer sullen daer op in aenstaende ten minsten twee jachten besuyden Sinckapoures engte onder den hoeck van barbequet als ontrent pedra branco (ten eynde Johoor niet comen binnen te loopen) moet cruyschen die alsoo in goede verseeckerigh naer herwaerts ofte wel Batavia tot uEd op to brengen, dat we nochtans ter oorsaeck den (220r) Johoorschen vorst (gelyck voordesen nochmaels verthoont hebben) sich dit grootelycks aentrecken zoude buyten expres bevel niet ondernemen derven, in 't werck te stellen des versoeken gants gediensstigh ons hier op Ued order en bevel hoe verre daerinne sullen gaen mogen toecomen mach, volgens de verclaringh van den hier aengelanden chineesen annachoda soudē op desserls affsচেয় van ginder buyten die naer Batavia waren verseylt noch andere 6 joncken te weten 3 naer Siam, een naer ligoor, een naer Sangoor, ende een naer patany zyn vertrocken, maer uyt genoochsaem consteert dese luyden hun negotie in alle gewesten meer en meer soecken uyt te breyden dat voor ons principalen in den thin handel van ligoor...

Summary and relevant passages translated into English

(A private trader, Nicolaes Vermaer, reported that he came from Taiwan with his *wangkang* [a Chinese-built vessel usually about 16.5 – 19.5 meters long] to Johor, where he found a richly-laden junk from Amoy and two more from Quemoy. They come to this region to get pepper and other things. Governor I. Thyssen thus recommended the following [the relevant lines are underlined in the transcription above]:)

‘... in the future at least two yachts must cruise to the south of Singapore Straits under the Hook of Barbukit and in the vicinity of Pedra Branca (in order that they [the Chinese junks] do not enter [the Johor River]) and therefore make certain that they are brought here [Melaka] or to Batavia. As we have seen often, unless the Johor ruler is greatly attracted to this idea, without his command we dare not put this into effect. We therefore faithfully await your order and command as to how far we should pursue this...’

ANNEX MM 23

John Crawford's Diary, extract of 7 December 1818

1819

5.

December

7th where fresh water is to be procured. The best watering place is on the S. side near a point forming the Eastern extreme. The points of these bays are rocky affording

Pt. Romania

plenty of small oysters; off Water Point are the water islets 5 or 6 in number near each other covered with trees frequented by pigeons and doves. Romania is the Eastern part of Singapore Straits, the entrance is divided into two channels by a cluster of rocks, the largest is 20 feet above the level of the sea named by the Portuguese

Pedro Branca
& E. ent. into
Singapore Stra.

Pedro Branca covered with the excrement of numerous gulls and tropical birds giving it a white shining colour.

Pt. Bintang and Pt. Battan and an innumerable cluster of islands off the East coast of Sumatra form the S. boundary.

Pt. Bintang &
Pt. Battan

The large islands are moderately high, on Bintang are two remarkable hills rising abruptly from their base to some height and are good landmarks to season in navigating these narrow channels. The whole of the Malay coast, that of Sumatra and the islands adjacent are well clothed with fine timber. The breadth of the entrance of the Straits is 9 miles but narrowed by small islets towards that of Malacca. Noon off the water islands about 3 miles in a new channel we discovered on our survey of this coast last season.

Tues. 8th

The evening and night had light winds violent rain at intervals, by 11 p.m. got to an anchorage to the Westward of Pedro Branca off it about 10 miles. At daylight weighed and kept turning to the Wd. against a strong

1818

6.

December

8th breeze at noon again anchored off the entrance of a passage leading to the large Malay trading town Johore. Throughout the weather overcast.

9th Several of the Malay fishing boats came alongside, from one bought for a dollar a small green turtle, R. purchased 4 of the larger size sending me two for the crew each weighing 110 lbs. The Muscovites have a religious aversion to the food of this animal nor will they be induced to partake of it even when in a dying state from the scourge and suffering under the greatest privations on board ship.

Malay fish-
ing boats
and men

The inhabitants that dwell on the coast and islands are of that faith which accounts for their parting with the Turtle so cheap. The mode in which the Malays take these animals as well as some of the large fish is with the spear - they often appear to be lingering and pining away in that state for some time the Malay waiting for ships passing to dispose of them, after making their agreement they beg hard for a bottle of Arrack and a few biscuits they drink the spirits in its ardent state are soon overpowered with intoxication and often amuse the spectator with a variety of antic gambols; their boats are small, sharp at both ends - broad and shallow with one sail, seldom more than three men in each and pull remarkably fast, in coming alongside they manage with considerable dexterity as the commanders of ships going through these narrow guts are anxious to pass all the dangers avail themselves of the squalls and seldom will

ANNEX MM 24

**Letter from Resident Crawford to G. Swindon, Secretary to the
Government, 1 October 1824, (1853) 7 *Journal of the Indian
Archipelago*, pp. 356-357**

... dan ...
tidak lewat dari tarikh terakhir yang dibawa

329925		250058

JOURNAL

.07

THE INDIAN ARCHIPELAGO

AND

EASTERN ASIA.

Edited by

J. R. LOGAN, F. C. S.

Member of the Asiatic Society, Corresponding Member of the Ethnological Society of London, and of the Batavian Society of Arts and Sciences.

VOL. VII.

SINGAPORE:
1853.



KRAUS REPRINT

A Division of
KRAUS-THOMSON ORGANIZATION LIMITED
Nendeln/Liechtenstein
1970

To G. Swinton, Esqr.,
Secretary to the Government, Fort William.

1st October, 1824.

Sir,—An authentic copy of the Treaty concluded in London in the month of March last with the government of the Netherlands, having been received at this place, through the medium of the Dutch Official newspaper, I beg respectfully to lay before the Right Hon'ble the Governor-general in Council such observations as are suggested by it, principally in its bearings on the local arrangements recently made with the native chiefs at this place.

By the 10th article of the treaty with the Netherland Government which touches the town and Fort of Malacca, " His Netherland Majesty engages for himself and his subjects never to form any establishment in any part of the Peninsula of Malacca or to conclude any treaty with any native Prince, chief, or state therein." On the authority of this article—the designations of Sultan and Toomoon-gong of Johore given in the local arrangement to the native chiefs appears to be unquestionable and appropriate.

By the 12th article of that treaty, His Britannic Majesty engages that no British establishment shall be made on the Carimou isles, or the islands of Battan, Bintang, Lingin, or on any of the other islands south of the Straits of Singapore, nor any treaty concluded, by British authority, with the chiefs of those islands. The cession made to us by the native Princes of the main island of Singapore and the islets adjacent to it, to the extent of ten geographical miles from its coast, is in no respect impugned by the condition in question, as by the most liberal interpretation, the whole cession is strictly north of the southern limits of the straits of Singapore.

I beg respectfully to state for the information of the Right Hon'ble the Governor-General in Council, a few doubts which it is probable may arise in the interpretation of the 10th and 12th articles of the treaty with the Netherland Government. By the former the town and Fort of Malacca and its dependencies are ceded to the British Government. At the period of the conclusion of the treaty, the Settlement of Rhio, situated upon the island of Bintang, was strictly and in all respect a dependancy of Malacca as in every period of its connexion with the Dutch Government. By this article, therefore, it would become a British possession, but this is again precluded by the 12th article, which provides expressly against any British Settlement being formed on the island of Bintang or any treaty concluded by the British authority with its chief. Under these circumstances the only question is whether the Settlement of Rhio is to be retained or relinquished by the Dutch authorities.

It does not upon the whole appear to me that the occupation of Rhio could be beneficial to the British Government, yet its retention on the part of the Netherland Government, and our exclusion from entering into political relations with the chiefs



of all the islands lying south to the Straits of Singapore and between the Peninsula and Sumatra, may prove a matter of some inconvenience to us, as it in fact virtually amounts to a dismemberment of the principality of Johore, and must thus be productive of some embarrassment and confusion. This may be easily illustrated by an example. The Carimon islands and the Malayan Settlement of Bulang are two of the principal possessions of the Tumungong of Johore or Singapore, and his claim to them is not only allowed by the rival chiefs, but more satisfactorily ascertained by the voluntary and cheerful alliance yielded to him by the inhabitants. By the present treaty, however, he must either forego all claims to these possessions, or removing to them, renounce his connexion with the British Government.

I have &c.

(Signed) J. CRAWFURD,
Resident.

ANNEX MM 25

Letter from the Resident of Rhio to the Resident Councillor, Singapore, 18 August 1827 (extract), reprinted in A.C. Baker, "Some Account of the Anglo Dutch Relations in the East at the Beginning of the 19th Century Based on the Records Preserved in the Colonial Secretary's Office in Singapore, and, in the Resident's Office Malacca", (1913) 64 *Jour. Straits Branch R.A. Soc.* 1, pp. 40-42

[No. 64]

JOURNAL
of the
Straits Branch
of the
Royal Asiatic Society

June, 1913.

Some Account of the Anglo Dutch Relations in
the East at the Beginning of the 19th.
Century Based on the Records preserved
in the Colonial Secretary's Office in
Singapore, and, in the Resident's
Office, Malacca.

By A.C. Baker

Reprinted with the permission of the
ROYAL ASIATIC SOCIETY, MALAYAN BRANCH

KRAUS REPRINT L'ID.

Vaduz

1965

READ the following correspondence between the Resident of Rhio and the Resident Councillor of Singapore relative to the Carimons.

(³⁰) Extract from Major Elout's letter, 18th August, 1827.

"But not to make this letter too long, I shall wait for that explanation, till I have the pleasure of meeting you. Another material point remains, and this requires much speed. I shall very likely be obliged to write in office about the Carimons and this most probably very soon. But I am glad our private correspondence affords me the opportunity of giving you, in the most sincere and frank way, my whole mind on the subject and you will allow me much more freedom, and so should I, in a private letter, than either of us could take in an official correspondence. I consider the line of demarcation between English and Dutch influence over these parts of the world, pretty well established by the late Treaty—the Carimons are nominally on our side—the English influence being prohibited there as the Dutch is on any part of the continent or Malay Peninsula.

Suppose, I against that Treaty, suffered a Native Chief under my Control to exercise influence over Pahang, which the Raja Moodah here would be very happy to do,—Suppose he established part of his own people with a Dutchman amongst them on the place—Suppose, you, after informing me and requiring the immediate withdrawing, but such in vain, ordered a detachment

or any Naval Force to shew my Sultan's people the way back to Rhio, could I, in any way, take amiss your doing so, I believe, indeed I could not, nor should—as to forming an establishment yourself at Pahang and hoisting colours, that I know you would not, without previous orders from Europe, nor will you think me so ready of hoisting our Colours on the Carimons, as you will expect. that I shall maintain the Sultan of Lingin's rights on them. And I must be very much on my guard against the Sultan of Johore, because he already took so much. Thus, he now after his being made Sultan, considers himself to be so on the same footing as his father was? then he is Sultan of Riouw and all Islands as far as Southward as Banca—of a great many points of the East Coast of Sumatra.

But in my humble opinion, I believe, whatever he thinks, you and me, Sir, ought to follow the *letter* and the meaning of the Treaty, by which although not in so many words still “the Empire of Johore, i. e. the old Empire over which the Sultan's father ruled, is divided”. We have two Sultans now instead of one,—Each of them reigning over a separate part—the one Sultan Hussein, residing at Singapore to be considered as Sultan of Johore and its continental dependencies, he being himself under the influence and control of the English Authorities in these parts of the World, the other Sultan Abdul Rahman residing at Lingin reigning over the Islands all around, he himself under the influence of the Dutch Authorities.

It is very true that the Tamongong of Johore under the old State of things had the management of the Carimons, I know that very well, and when Major Farquhar saw him, it was he that made that Gentleman go to Lingin and Rhio, to ask for the Carimons, if I am not mistaken, but I must forbear to reflect on those acts—for that question is now decided at home, and I have nothing to do but to submit to the Treaty. But if I must do so, I hope, Sir, you will the more willingly and generously do so, as that decision was, by far more advantageous to your Government and its agents at that time concerned with the dispute, than to any Government and myself—And I now undertake not only for myself to regulate me and all my actions after the Treaty, but to prevent any body under my influence from acting in a different way, I hope you will be disposed to do the same, and I am confident that your influence over Sultan Hussein will make him withdraw from the Carimons, and prevent misunderstandings, and perhaps Acts of violence, from which I could not so easily detain the Chiefs under my Control, as their cause is a just one, and they have already been the sufferers a good deal from what happened before.

Allow me, in concluding this letter, to make once more an apology for my want of sufficient knowledge of your language, and to disclaim any word or expression that in the course of the

letter, that could be thought improper, for my intention is to be so polite and decent as frank and sincere.

A true Extract.

(Signed) J. P.

ANNEX MM 26

Letter from the Resident Councillor, Singapore to the Secretary to Government, Prince of Wales Island, Singapore and Malacca, 8 September 1827, reprinted in A.C. Baker, "Some Account of the Anglo Dutch Relations in the East at the Beginning of the 19th Century Based on the Records Preserved in the Colonial Secretary's Office in Singapore, and, in the Resident's Office Malacca", (1913) 64 *Jour. Straits Branch R.A. Soc.* 1, pp. 45-46

[No. 64]

JOURNAL
of the
Straits Branch
of the
Royal Asiatic Society

June, 1913.

Some Account of the Anglo Dutch Relations in
the East at the Beginning of the 19th.
Century Based on the Records preserved
in the Colonial Secretary's Office in
Singapore, and, in the Resident's
Office, Malacca.

By A.C. Baker

Reprinted with the permission of the
ROYAL ASIATIC SOCIETY, MALAYAN BRANCH

KRAUS REPRINT LTD.

Vaduz

1965

To John Anderson, Esqr., (³⁴)
Secretary to Government, Prince of Wales Island.
Singapore and Malacca.

Sir,

I have the honor to acknowledge the receipt of your letter No. 1453, underdate the 30th ultimo, transmitting enclosed a Memo. of the substance of a Communication eventually to be made to the Resident at Rhio, and copy of the Honourable the Governor's Minute of the 25th April 1825.

I beg to state in extenuation of the lack of precision of information noticed, that I considered the Hon'able the Governor in Council

34. C. S. O. R. Vol. 945 P. 110

R. A. Soc., No. 64, 1913.

might be much better informed than myself, of all the Native Chiefs in the Straits, and that it consequently was necessary to advent to them, and likewise with regard to the intentions of the Dutch to take possession of the Carimons, I was perfectly unacquainted till the receipt of the private communication from the Resident of Rhio, as already submitted to Government and since which period the 15th ultimo, I have had no further correspondence with the Resident of that place.

3. I shall take the liberty of extending this letter to particular replies to the several Paras: of the letter now under acknowledgement, and with respect to the claims of Sultan Hussein Mahomed Shah to the several Islands &c. noticed in the 2nd Para: of the Honorable Board's letter, I am not aware that such may be the extent of them, however, I have reason to think, had Sultan Hussein Mahomed permitted the son and heir of the late Tamoon-gong to succeed to the benefit and dignity of the Carimons, this question would not have been agitated, for it is evident that this young man has sought the assistance and Sultan of Lingin to place him in his hereditary rights which the rapacity of Sultan Hussein Mahomed appears unjustly to have deprived him of.

4. I have no information to deduce the inferences which the Honorable Board have drawn in the 4th, 5th, 6th and 7th Paras: of their letter, but consider them to be very possible and in a great measure borne out; by the tenor and contents of the Netherlands Resident's letter to me, of the eventual necessity of supporting the claims of the Raja of Lingin, and of requesting the Sultan Hussein Mahomed to withdraw from the Carimons.

5. To exert our influence with the Sultan to effect this object, might possibly expose the Government to many inconvenient applications and remonstrances on his part for the supposed losses and rights he might thereby eventually relinquish, besides leaving the matter quite open to the wishes and views of the Netherlands Government whatever they may be, and not that it would in my opinion be the means of satisfying or preventing the Netherlands Government from taking possession, hoisting their flag or forming a settlement on the Carimons.....
I am happy to find that the tenor of the reply made by me to the Netherlands Resident of the 15th Ultimo, is not at variance with the spirit and substance of this document.

6. I beg to state that no further papers have passed between myself and the Resident of Rhio on the present subject than those which have already been submitted to the Honorable the Governor official copies of which I shall forward forthwith.

I have, etc.,

(Signed) JOHN PRINCE,

Resident Councillor.

Singapore, the 8th September, 1827.

ANNEX MM 27

**Report by Edward Presgrave, Registrar Imports and Exports to K.
Murchison, Resident Councillor, 5 December 1828**

Straits Settlements Factory Records

Series : W 159

Date : January 1829

Singapore, the 20th January 1829

(Registrar of Imports and Exports)

Read the following Report and Enclosure from the Registrar of Imports and Exports on the subject of Piracy

To,

The Honourable H. Murchison Esquire

Resident Councillor

Sir,

I have the honour to lay before you the result of my enquiries on the subject of piracy accompanied with such observations as my information and experience enable me to make. So much has of late been written and more talked on this subject that I fear I can add little to the general information already possessed. Mr. Crawford the late Resident is said to have reported fully to the Bengal Government on the state of piracy and his observations are likely to be more of value and weight than my own which I offer with a degree of diffidence proportioned to the difficulty of obtaining correct information from the Natives where all who are best able to offer it stand more or less implicated in the charge.

2. I am unable to state on my own experience (since it does not permit me to draw a comparison with former years) that piracy is on the increase, but I can venture to affirm that taking into consideration the state of the population of the adjacent islands unless some different check is opposed to the evil, it will increase with the increase of that traffic on which it subsists; or rather that its successful practise will in the course of a short time so damp the spirit and check the enterprise of the Native Traders that this valuable branch of our commerce will be soon languish and become extinct. That piracy does exist to a very great extent in the neighborhood of our Settlements is notorious and within the last three months I have had occasion to bring the fact to the notice of Government, in three or four instances of the attack and capture of Native Prows returning with valuable cargoes from Singapore. The most casual view of a Chart of these Seas is sufficient to convince any one that no part of the globe is more favourably adopted for the secure and successful practise of Piracy and when to these natural facilities are added concurring [habits] and dispositions of the Natives which inhabit these islands we shall scarcely expect to [find] it less flourishing here than in the states of Barbary. From the earliest times of which we have any record of these Countries, piracy has [been] a distinguishing feature in the character of the Malays. Their popular, but

purile, romances [attest] this was their practise before the establishment of a regular Malayan Government and some time after this event attention of the Sovereign appears to have been first called to the framing of a Code of Laws adapted to the roving and maritime circumstances of the people. These laws, though probably enacted with the view of introducing a greater degree of order and subordination among the crew of Malay vessels and establishing the authority of the Nakhodas or Commanders on a firmer foundation manifestly favour piracy. After the expulsion of the Malays from Malacca by the Portuguese in the beginning of the 16th century the fugitive King with his adherents settled at Johor and from this period his power rapidly declined and the people began to disperse themselves over the surrounding Islands and coasts. At the beginning of the following century we find the Malay Sovereign at Johor ready to unite his scattered forces with those of the Dutch, by whom overtures had been made to him, to expel the Portuguese in their turn from the fortified town of Malacca. In the event of success the Dutch were to occupy the Town and the King of Johor to re-establish his Sovereignty over the rest of the Malacca territory. Whether this projected invasion took place I am not informed, but the seat of the Malay Government continued at Johor. Domestic troubles and quarrels continued to harass the Royal family and to scatter the people. At length Sultan MangKat (Mangkat) de-Julang, was murdered by his Chief Officer of State His younger son succeeded him, but being attacked and put to death by his elder brother, who had been banished the country in his fathers' life time, the latter established himself on the throne of Johor, and removed the Seat of Government to the Island of Bintang, on which the Settlement of Rhio now is. The Royal family afterwards removed to Lingga, or Linggin, as it is usually called where one of the sons of the late Sultan now lives, and but for the support he and his brother at Singapore desire from the English and Dutch Governments these two representatives of the ancient family of the Empire of [Johor,] would be little more than the nominal heads of the few piratical hordes which are scattered over the various Islands forming the territories of Insular Johor.

3. It is difficult to give an accurate description of the limits of what is usually termed the Johor Empire. It appears to embrace the Southern part of the Malayan Peninsula till joined by the Malacca territory, and principality of Pahang, a small portion of the eastern coast of Sumatra, laying between the Jambi and Siak Countries, all the Islands lying between the Karimons to the South- Pulau Aor to the East, at the entrance of the China Sea- and Linggin and the numerous Islands adjacent thereto, extending nearly to the Islands of Banka and Billiton. This is a rough sketch of the boundaries of the Johor territories, but may be accurate enough for the purpose here designed, viz to convey a general idea of the geographical situation of the pirates, which more particularly infest this neighbourhood and harass and annoy the native trade of this place.

4. Enclosed is a list of the places and settlements with the number of inhabitants at each at this day considered to be under the authority of the Sultan of Johor the document makes no pretensions to strict accuracy, but as it is formed from the information of the natives well acquainted with the places, I hope it is a near approximation to the truth, and will serve to give a tolerable idea of the numbers and state of the population of these islands, and at the same time throw some light on the subject under consideration.

5. The subjects of the Sultan of Johor who inhabit the Islands are usually by the Malays termed Orang Rayat-the common oriental word signifying a subject generally,

but is here restricted to one class of the Sultan's subjects. They live in small and detached communities or settlements on the several islands under the immediate control of two officers called Orang Kaya and Batin, the latter being subordinate to the former, these officers are appointed by the Sultan of Johore. When the place is of sufficient importance or prescription has established the custom, both officers are appointed, but the smaller stations have only a Batin over them. The Orang Rayat are scarcely better than slaves, and at the same time than professional pirates. They are in the lowest grade of civilization, and it is owing to this circumstance that they are so little formidable to any but the natives. They subsist for the most part on fish and sago, and when they are not in their piratical cruizes, collect the produce of the rocks in the vicinity of their respective stations, which finds a ready market in the neighbouring European Settlements. This produce consists principally of agar agar, trepang, a small quantity of tortoise shells and birds nests, in very small quantities. The first article is the sea weed, which may be considered the staple commodity of the [.....] of these savage Islanders. It is in considerable demand among the Chinese and sells from thirty to forty dollars a Bahar. They are compelled to collect this article and deliver it at a very inadequate rate to whomsoever the Sultan may appoint to receive it-which is usually some one of the family, or an Officer of the Government, for whose private benefit it is appropriated. Thus the late Tumunggong received all the agar-agar from the Rayats of Sugi, Trong, Galang [....] which yielded him a considerable revenue per annum, as will be seen by the four places instanced in the margin (see at the foot of the letter). The price at which the weed is purchased of the gatherer is fixed by custom at 6 dollars the Bahar of 12 piculs, while the market price is from 30 to 40 dollars as I have already stated. Since the Jang Dipertuan Mooda has taken possession of the Karimons this exaction of the Johor Government is paid at Rhio. I have been rather minute in these particulars in order to show that the oppressive nature of the Government is perhaps among the chief causes which drive these people to seek a livelihood rather by piracy than by honest and patient labour, but even the former mode is made subservient to the profit of their chief as will appear below.

6. Though all the Orang Rayat may be looked upon as Pirates, ready to obey any leader, the inhabitants of the following places, are more particularly addicted to this mode of life than the rest: they consider piracy their birth right and inheritance. The figures denote the number of prows supposed to be employed annually in this service.

Tamiang	30	Pama	20	Galang	20
Muppah	30	Buru	3	Trong	10
Sakana	40	Moroh	15	Sugi	6

The four last places were under the Tumunggong residing at Singapore until the late transfer of the Karimons to Rhio.

7. In the months of February, March and April the Rayats are usually engaged in collecting the agar agar in May the rocks are clear of this article and in the month of June, by which time the South East Monsoon is steadily set in and the weather fine, they prepare to proceed on their piratical depredations. They do not all sail in a body, but only the prows of each detached settlement or tribe keep together. These separate fleets of boats are dispersed in different directions. They make annual visits up the Straits of

Malacca, and proceed as far as to the north of Quedah, making free booty of all that falls in their way, both sides of the straits being scoured by them either going or returning, and as necessity requires or the hope of plunder invites they take occasional shelter in the several bays and rivers on either shore. By the end of October they are almost all returned to their settlements, where, after having disposed of their plunder for the most part they pass listless lives till the weather again permits them to collect their marine productions, and the season recalls them on their predatory expeditions.

8. In this free booting system I am informed they are frequently (perhaps usually) supported by their own chiefs, or other respectable Malays, who possessing a little money are more inclined to embark it in a piratical adventure than to hazard it in the more tedious and uncertain profits of commerce.

9. That this was the principal occupation of the late Tumungong at Singapore previous to its becoming a British Settlement, and his chief means of support, is well known to all. He usually found the artillery and ammunition, and for these, certain parts of the plunder were reserved as his portion, such as the hull of the prows captured- all guns taken above a certain size- krisses and other weapons coming under certain description and a portion of the female captives. Besides these at the close of the expedition, the freebooters were expected to make him presents according to the success which had attended the cruise. To the Panglimas or Commanders of each prow he made an advance in money, termed Ayaman, in order to enable the Panglima to meet the expence of outfit and equipment, to any amount he chose to become responsible for, and on his engaging to repay it on his return with an interest of 50 per cent. For carrying on this species of unlawful traffic his office as Tumungong doubtless afforded him peculiar advantages. Under the regular Malay Government the Tumungong is the second officer of the State, and has very extensive authority committed to him by his Sovereign, who troubles himself very little in the executive part of the administration tho' for forms sake, all affairs of importance are referred to him for his decision.

10. A similar system appears to be carried on at present day by other officers of the Sultan of Johor. The Orang Kaya of Muppah and the Amba Raja of Lingga are both said to have become wealthy by these means. Whether the Sultan of Lingga himself participates in the spoils I am not correctly informed, though it seems more than probable that his hands are not quite pure. There is no doubt that he is well informed on all points of this nature, for what is openly carried on by his principal officers, almost immediately under his own eyes, cannot but have his sanction if not his cooperation. The same remark is especially applicable to his brother residing under our protection at Singapore. There appears nothing in the moral character of either of these Princes to restrain them from entering fully into all the details of so lucrative and promising a trade, but as self interest sometimes supplied the place of a better principle, the latter may think it prudent to abstain from an open participation in it, as such would be a direct breach of an article of his treaty with the British Government.

11. Each prow when fitted out for a piratical expedition usually carries from 40 to 50 men. The latter is the largest class of Boats. None sails with fewer than 30- the medium number from 40 to 50 and 60. The crews of each boat are under the orders and direction of three officers- a Panglima or Captain- a Juramoodi or helmsman and a Jurubatu. The expense of the equipment falls on the Panglima. To each of the crew who may require it,

he advances a sum of money on his entering into the service, this is afterwards refunded, but without interest, or increase. On taking a prize the crew only are allowed to board and plunder, each seizing what he can do to his own share- with the following exceptions- the female captives which belong to the Panglima- also if one man seize more male captives than one he must give one to the Panglima. Gold and silver if not of more value than 100 dollars belong to him who seizes it, if above that value one half of the surplus goes to the Panglima, the other to the seizer- certain of the weapons belong to the Panglima. The above are considered distinct from the cargo which is divided into two shares, one to the Panglima, the other to the Crew, the Jurumoodi and jurubatu sharing with the latter their portion being a little larger than that of the rest. After the prize is taken and the booty distributed in this way, a general cock fighting usually ensued, wherein each stakes according to the richness of his share of the plunder and the unfortunate captives are again subjected to the sport of a chance more cruel than that of war, in order to gratify this barbarous propensity of their brutal captors.

12. Differences arising among the parties which cannot be settled by the Panglima are reserved for the decision of the Chief, or of the Sultan himself on their return, but on board the prahu, the Panglima has the power of life and death over the Crew. Also if one party attack a prize and a Prow of a different tribe happen to come up at the time and join in boarding and plundering it, the Panglima of the Prow first engaged brings the matter afterwards before the Sultan, who decides according to the circumstances of the case.

13. Such are the habits and mode of life of the Rayats of Johor. The Sultan of Johor can on emergency (such as a war with a neighbouring Chief) command their services. On such an occasion it is said he can assemble from the several Islands and places under his authority from three hundreds to four hundred prows. Other persons may also hire the services of the Rayat or professional Pirates: and in this respect they resemble at sea what the Penderas of India were by land.

14. The Raja of Trengganu is said to support a number of pirates. Their station is at Redang, an island not far from Trengganu. The peoples were originally from these ports, but no longer held allegiance to the Sultan of Johor. Their depredations are for the most part limited to the East side of the Peninsula and the Gulf of Siam. The Bendhara of Pahang, I have reasons to believe, holds no intercourse of this nature with the Orang Rayat, but being himself an Officer and subject of the Johor Government he would not likely to take any active measures in suppressing the Rayats in their predatory excursions. With regard to the other Malay States in the Straits of Malacca, I am informed that the Rajas of Salangor and Perak afford shelter and protection to the marauding Rayats and that the Pirates which infest the Dindings proceed from the Johor islands. The Raja of Siak also employs his own subjects in the same nefarious practises.

15. Besides the Orang Rayats of Johor the Lanun people infest these Seas with their piratical visits. These people come from the [Soloh] Seas; their principal Country is Maggindaro and the adjacent Islands. In making their visits to these parts, which take place annually for piratical purposes they are guided by the monsoon. In sailing from their own seas they first touch at Tompassok on Borneo, a Lanun Colony. From Tompassok they next proceed to Karamata, whence they disperse themselves in different directions. Some scour the Straits and Coasts of [.....] and ports thereto adjacent- some the East Coast of the Peninsula extending their depredations as far north as Siam. Others

proceed up the Straits of Malacca and penetrate northward of Quedah. Those destined for the Straits usually touch, at Rettah on the Sumatran shore where a colony of these people settled about 15 years ago. The Lanun Prows appear on these shores, in the months of August, September and October. By the middle of October the monsoon becomes too strong to permit of their pirating successfully, and is favourable to their return to their own country with their booty. They are more feared at sea by the Native trader than the Orang Rayat, which is owing to their prows being of a larger class and better manned than those of the latter. Many of the Lanun Boats have crews of 100 to 150 men, the usual complement is from 50 to 100 and mount 8 or 10 large guns of the swivel or Rantaka Kind. They are said to treat their captives with greater mildness than the Rayat and never kill any who do not resist. Each prow is commanded by a Panglima with three subordinate officers. The first is called Amir Ally. In dividing the plunder the cargo of the prize is portioned into thirds, one of which goes to the Amir Ally. Gold and Silver or Jewels under the value of 100 dollars are the property of the Seizer. If above that, it is divided into 1/3 rd, one to the Amir Ally, 1/3rd to the Seizer- and 1/3rd to the general concern. All other things are the right of the Seizer, with the exception of the female captives, which are the right of the Commander.

16. The Lanuns while cruising in these ports meet with no countenance or support from the Chiefs or people, except what they derive from the Colony of their country men at Rettah. The Malay Rayats and Lanuns entertain the greatest inveteracy towards each other so much so that if a Lanun Prow appear in sight at the moment the former are in the act of taking a prize their enmity must be gratified before the appetite for plunder is indulged.

17. The Commanders of Native Boats arriving at Singapore are not required to produce at this office any papers, certificate or manifest, showing where or how they obtained their cargoes. Such a regulation I fear would have little effect in checking piracies, and [would] at the same time be a considerable impediment to Native Traders, considering the state of places whence they bring their traffic and the consequent difficulty of their procuring [a document] of the sort on which we could place [any reliance.]

18. With regard to the best means [calculated] to remove an evil so prevalent and injurious, these must of course depend upon the authorities who alone have the power to apply them, but if the foregoing particulars shall contribute anything towards the easier application of such a remedy, whatever it may, I trust, I shall not be deemed to have entered into unnecessary details. My design has been to show the real nature and extent of the [web,] its origins, and the causes which keep it in operation, in order that, these being known, the remedy may be sought for and applied with a certainty and precision which may ensure, if not entice, at least, a much greater degree of success than has hitherto been attained towards a radical cure of the evil.

Singapore

5 December 1828

I have the:

Signed / E. Presgrave

Regr of Imp: & Exp:

(Memorandum referred to in the 5th paragraph)

	Places	Market Price	Price to the gatherer
Trong	50	40	6
Sugi	20	30	6
Moroh	40	45	6
Palampang	30	<u>60</u>	6
		155	
	140 at \$38.75	.....	\$5425
	Deduct prime cost	.....	<u>840</u>
	The Temenggong's profit	Sp. Dollars	<u>4585</u>

ANNEX MM 28

**Letter from the Government Secretary to the Resident Councillor,
Fort Cornwallis, 22 December 1829**

To

The Honorable H Murchison Esquire
Resident Councilor
Singapore

Sir

I am directed by the Honorable the Governor in Council to acknowledge the receipt of your letter of the 7 instant respecting certain circumstances relative to the Schooner Helen, the property of a Chinese Merchant at Singapore having been seized on Tree Island, where she together with her cargo was seized by a certain person named Raja Jaffer, and conveying for the information of government your proceedings connected therewith, and further your subsequent letter of the 9 instant propounded for the consideration of government certain question having reference to your Judicial and Executive capacity in connection with the committal of Raja Jaffer, on a charge of Piracy.

In reply to this communications I am directed by the Honorable the Governor in Council to convey to you his sentiments on the case in general together with such remarks as your letters above alluded to seem to call for.

It appears that a vessel under Dutch Colors with a cargo said to be British property is wrecked on Tree Island a place beyond our Jurisdiction and within the scope of Political control of the Dutch. The Master of the Vessel comes to Singapore for assistance and return with 3 boats to the wreck from which he lands part of the cargo. The Vessel is then seized by one Jaffer stating himself to be a servant of the Rajah Mudah of Rhio, who manages at the Carimons. A letter is then produced brought by one Abdul Latif from the Raja Mudah directing Jaffer to take possession of the Vessel, and allow nothing to be carried away from her. Report is made to the Resident of Singapore who acting under the Deposition given and concluding from the known character of those concerned, that the whole is an act of Piracy, seizes the Vessel and also Rajah Jaffer and brings him to Singapore, where being delivered to the Magistrates, he is detained on a charge of Piracy.

When a flagrant act of Piracy is committed, Property seized and endangered thereby, the intervention of public authority is certainly highly proper and necessary though the affair might happen beyond our own limits. Pirates being the Enemies of all Nations, it might in such case be presumed that the neighboring state in amity with us, would rather approve than object to the act of preserving property so situated, and seizing the offenders but it is to be feared that however circumstances might have seemed to warrant interference on this view of the case it will turn that Rajah Jaffer was the agent of the Rajah Moodah of Rhio, that the Rajah Moodah acting under the orders of the Resident of Rhio had seized the Vessel not for plunder, but in all probability by the general directions of the authorities at Rhio to seize all property so situated reporting the circumstances to them, which indeed in the letter brought by Abdul Lattif, Jaffer is directed to do. The

Vessel is under the Dutch flag, wrecked on an Island politically under Dutch authority. The protection of the Property vested with them, and the appeal for redress against the plundering should have been made to them. And if British authority interfered it could only be warranted by the urgency of the case and the immediate protection of the property until the agents of the proper Authority took charge. Raja Jaffer then therefore should have been immediately sent to the Resident of Rhio.

The Honorable the Governor in Council does not perceive how that person could have been committed for Piracy for seizing a ship under their own Colors or immediately under the dutch authority and therefore quite out of our Jurisdiction, but even if the case had amounted to Piracy, it would have been better to have left the whole to the Netherlands Government they have probable powers to prevent piracy which we have not. As the demand for the delivery of Jaffer to the Resident of Rhio is anticipated, it becomes necessary that some opinion should be given on the question propounded in your second letter. That person it is presumed is now committed until release in due course of law. The only process by which he could be released would be by appointing some person in behalf of the Resident of Rhio or of his Government to apply to the Judge for a Writ of Habeas Corpus or and affidavit that he is detained on a charge not under the Jurisdiction of the Court. The answer to that Writ would probably to that he was duly committed and the point to be argued before the Judge would be whether the act was done within our Jurisdiction. If not the discharge of the prisoner would follow. The necessity of such proceeding however would much depend on the manner and style on which the Resident might make his reclamation of the person.

As is not expedient that the common course of law should be interfered with by application from the executive except in the case of necessity, there is nothing to prevent Jaffer himself making the application. Proof that he had the authority of a recognize state for what he did, would of itself do away the charge of piracy, and leave political question to be settled between the two States concerned.

Fort Cornwallis
22nd December 1829

[Signed (illegible)]

SOURCE : SSFR (K 14)ff:197,22nd December, 1829

ANNEX MM 29

**"Missing Vessels – Navigation to China", *Singapore Free Press*, 13
October 1836 (extract)**

Singapore Free Press

Dated: 13 October 1836

Missing Vessels-Navigation to CHINA

To the Editor of the Singapore Free Press

Sir,

I observe in the last published *Singapore Chronicle*, a statement that the *Hormasjee Bomanjee* and *Margaret Graham* were spoken by the *Ahmoody* in Lat. 13' 51 N. And Long. 110' 58 E. I have no doubt of the fact; but it affords not the slightest ground for any hope of the safety of these vessels- on the contrary it is quite clear that if any thing short of being totally lost had occurred to any of the three she must have arrived in China previous to the date of our last advices from thence; (the 3rd Sept.) but it has been ascertained that not *one* of them had reached their destination at that date and there can be little doubt therefore, that all three are lost.

.....

.....

.....

I am inclined to believe indeed, that if those engaged in the trade both at home and in the East were true to their own interests, much more than I have yet ventured to suggest might and would be done for the improvement of the navigation in question. At a very little expence- at a cost which could be a mere drop in that ocean of the great capital embarked in the trade, the navigation of the Streights for example might rendered perfectly safe, by a floating light on the edge of the North Sand and a light on the Rabbit and Conie- and I think it would not be impracticable to establish a light on Pulo Supata in the China Seas and perhaps also on some of the islets of the Paracels shoals. The light on Supata would be of the highest importance to the safety of vessels running down in the North East monsoon, as you may ascertain by a reference to Horsburgh's Directory in which he relates the narrow escapes which even whole fleets have had of being wrecked, owing to thick weather and currents which prevail at that season, when it is not uncommon for vessels to be without observations for several days consecutively. Of course the lighting Supata, would involve the necessity of taking possession of the island and placing an establishment there. I apprehend there would be no great difficulty, moral or physical as to either: but at any rate no objection of the kind can be made to the improvement of the Streight's navigation in the manner proposed. The fund for defraying the expense might be derived from a trifling duty on tonnage and on the most valuable export, say, opium, for example, combined. The rate required for the purpose would be so very insignificant in amount as to afford no just ground of objection to it: and the Government of India would be fully warranted in levying a tax so small for an object so important, to that numerous lives and large amount of property embarked in a most extensive and valuable trade.

I have been led by a natural connection of ideas to address you at much greater length than I intended, but I submit my communication entirely to your editorial discretion and shall be quiet satisfied with the exercise of it, whether that be manifested in the alteration, curtailment, or even suppression of my lucubrations.

I have the honor to be, &c.

A Traveller

Singapore, 9th Oct. 1836

ANNEX MM 30

The Canton Press, Canton, 26 November 1836

The Canton Press

Dated: 26th November 1836.

CANTON PRESS

26th November 1836

CAPTAIN HORSBURGH

We give in another column the proceedings of a meeting, held on the 2nd inst. and which was very numerously attended, particularly by such whose vocations led them to take a more immediate interest in the subject of the meeting, in which it was proposed that a fitting monument should be erected to the memory of the lately deceased Capt. James Horsburgh. From no spot could the proposal to do honor to the memory of Capt. Horsburgh come with more propriety than from Canton, where there is not a foreigner resident but is indebted to that eminent Hydrographer for the safety perhaps of his person and for the property floating at Sea, or which has at previous periods, under Horsburgh's directions, been safely taken from, or brought to Canton. We are therefore glad to see the proposal come from Canton first, and as the European community in Calcutta as well as in every part of India and the Straits shares equally with us the debt of gratitude, we doubt not that the call upon the public there will be equally effectual, and that there also a part of the sum requisite to carry into execution the monument the several Committees shall decide on, will be collected; nor do we think that in the commercial cities of England, and perhaps Europe, the call to do honor to the illustrious dead will be unresponded to.

It is unnecessary to explain in detail of what nature are the benefits Capt. Horsburgh has conferred upon the shipping of all nations; his labours are too well known to every one for us to comment on, and thousands are daily on the wide ocean, consulting him on their voyages. Every one connected with trade is more or less under obligations to Horsburghs directions; the seaman for lessening the dangers of his adventurous calling; the merchant and ship owner for the saving of time in and comparative safety of his enterprise; and the underwriter for lessening the risk he protects the merchant from. All therefore ought to contribute to a testimonial of gratitude to this distinguished man nor ought such a testimonial to be raised merely by his countrymen but by individuals of all civilized nations, for to all in proportion to the magnitude of their shipping interests has he been a benefactor.

At the meeting these opinions were very properly expressed, and unanimously agreed to and gentlemen resident here, of as many different nations as could be found were named as Trustees to carry into execution any plan that should be agreed on hereafter.

To erect a merely ornamental monument to the memory of a man whose whole life was devoted to useful sciences, & who leaves behind him memorials more lasting than the purest marble would however gratifying to his friends, be but a poor comment of his exertions. Such monuments well befit the winner of many battles, the results of which generally are as fleeting as his short span of life; they are becoming to the memory of the Statesman whose exertions can only be partially appreciated by his successors, who may be reminded by them, that to such a man their forefathers were indebted for a more or less lasting prosperity of their country; they may suit the memory of the less gifted poet, whose marble effigy may peradventure outlive his works or the language in which he wrote, now become obsolete; but let Horsburgh's memory be honored by the erection of some durable monument, which may, while it proves that his services are gratefully remembered, continue to be beneficial to the seafaring, whose interests when living he had so much at heart.

The meeting held on Tuesday last appeared to be nearly unanimous in similar sentiments, and Capt. Hine proposed that in memory of Capt. Horsburgh, a lighthouse should be erected on a rock called Pedra Branca situated at the eastern entrance to the Singapore Straits in about 1. 20 North Latitude and 104. 24 west Longitude. No project appears to us more happily conceived, and none which, with moderate means could be more easily achieved. From it's position, it would be of very great advantage to all ships bound eastward of Singapore and most of the valuable shipping to and from China would be benefitted by it, the want of a similar beacon having long been felt, it being now, we believe, the practice of ships about to enter the straits from the eastward, not to attempt it during the night. This rock is peculiarly favorably situated, and from the great numbers of ships annually passing it, the light upon it would be of service to a great many. The expense of a Light-house on Pedra-branca would probably not be much, and quite within the reach of the probable amount to be raised by subscription, and we even hope, that, after it's erection shall have been determined on, such subscribers as put their names to very moderate sums only, as not knowing to what purpose they were to be employed, will then come forward more liberally. As it is, the subscriptions at the meeting only, from which on account of it's being a very busy day in most of the Offices, a great many of the resident merchants were absent, amounted to about \$1500, and considerably more will no doubt have since been collected.

We can course make only a very rough guess at the probable expense of the lighthouse, but seeing that no expensive foundations are necessary; that the rock at all times is above water; that the weather in the Latitude of its position is almost at all times fair, so as seldom or never to interrupt the communication between the rock and the shore, and that its distance from Singapore, where building materials are almost cheaper than any where else, is only about forty miles, that moreover, the rock being about 30 feet about the level of the Sea, and that therefore the light to be effective in that singularly clear and placid atmosphere would not require to be more than perhaps 25 feet higher, or altogether 55 feet above the level of the sea, we come to the conclusion that the building of the lighthouse with its lamp would not probably cost much above \$ 2,000, if so much, as only a substantial round brick tower is needed. The warder and his family might, we think not cost more than \$20 a month, or \$240 per annum, and, supposing that a Picul of Oil at \$7 was consumed every three days, the total expense per annum would not exceed \$ 1100. This annual expense might be raised partly by the interest on the amount of

subscriptions not expended in the building of the lighthouse, and partly by levying at Singapore, Bombay and Calcutta, Lightmoney, say \$5 per annum on every ship about to proceed to China.

These suggestions we beg, may be taken only as a speculation of our own, which we believe not to be incorrect in the main, but which, not having any data to rest on, may require correction.

We merely notice two other proposition made at the General meeting; the first by Mr. Clarke, to found with the proceeds of the subscription a scholarship or professor-ship of Navigation in England, which proposal was opposed by Captain A. Smith as contrary to the objects of the meeting, it being not one of a national but of a cosmopolitan character; all nations being invited to do honor to the memory of Capt. Horsburgh, the monument to be raised to it should not be confined to England alone. Mr. Clarke thereupon withdrew his proposal.

The other motion was by Mr. Layton, seconded by Mr. Matheson, as will be seen in our account of the meeting. We do not quarrel with the motives of this proposal; they are not doubt praiseworthy; but we much doubt it's feasibility. It would be necessary to establish a nautical board; this would necessarily consist of the commanders of ships as annually visit China; they would have to be elected annually, and would perhaps not be very willing to prepare themselves to enable them to examine the youngsters, besides we are afraid that in practice, however well it may look in theory, any thing but the good expected, would arise from it.

PUBLIC MEETING HELD AT MARWICK'S HOTEL

For the purpose of taking into consideration the measures proper to be pursued, to render a lasting tribute of respect to the memory of the late Capt. HORSBURGH.

W. JARDINE ESQ. , *in the Chair*

November 22nd 1836

The meeting was opened by Capt. Hine who briefly stated it's object and suggested that if sufficient funds could be raised, the purpose would be best answered by the erection of some work of public utility, as a light house on Pedra Branca, in the Straits of Singapore.

Mr. Clarke suggested the founding a Scholarship or Professorship of Navigation, but it was determined by the sense of the meeting, that, as subscriptions were to be invited from all parts of the world, a merely national institution was not to the purpose.

Proposed by Mr. Innes, seconded by Capt. Grant, that the following Gentlemen be appointed as a Committee to carry into effect the objects of the meeting - with power to add their number - viz. Mr. Jardine, - Mr. Dent, - Mr. Wetmore, Captn. Hine, - Mr. Van Basel, - Mr. Astell, - Mr. Fox, Framjee Pestonjee, - Capt. Young.

Proposed by Mr. Layton, seconded by Mr. Matheson, that it be suggested to the Committee.

“The propriety of establishing an annual examination of the junior Officers, Midshipmen and apprentices of ships trading to China, in theoretical and practical Navigation, Algebra, Arithmetic, Practical Astronomy, Naval Mechanics, and other useful subjects - such examinations to be conducted by a Committee of Commanders and Resident Merchants.

Proposed and carried, - That a subscription list be now opened and afterwards to lie at different Mercantile Houses.

Proposed and carried, - That the thanks of the meeting be given to the Chairman.”

ANNEX MM 31

The Canton Press, Canton, 10 December 1836

The Canton Press

Dated: 10th December 1836.

CAPT. HORSBURGH

On the news reaching China, of the late Captain HORSBURGH's death, a meeting was held, to consider in what most suitable manner Honor might be done to the memory of a man, from whose labours and research, commerce and navigation at large, but particularly that with the East, has derived so much and such lasting benefit.

It was at once resolved to commence a subscription, and in order that it's object might be in the spirit of that usefulness to which the life of the deceased was ever devoted, a Lighthouse was suggested, as an appropriate memorial, and PEDRA BRANCA at the entrance of Singapore Straits, named as the site of one of a Series, (should funds enough be collected to extend the number.)- The whole to bear his name.

The Undersigned were appointed to act as Committee in furtherance of the general object, and as the Services of HORSBURGH, were confined to no country, but belonged to the world at large, it's member were selected from the various nations, who trade to Canton

Our first step has been to endeavour by correspondence, to obtain a general cooperation in every quarter of the Globe, from whence the pages of his Directory have pointed the way to the East.

Canton may be considered one of the main cocentering points of Eastern Commerce, and as the China Sea, with it's neighbourhood has been, in a degree, illustrated by his own Original Directions, drawn from personal observation, it may, not inaptly, be called the principal scene of his Glory.

It was natural that an unprompted proposal, of the kind, alluded to, should immediately follow the melancholy news of his death, in a place where his worth and great experience and his strict fidelity as a Guide, are so well known and have been so beneficial by felt; but if, as is not improbable, the idea has occurred to others, of perpetuating one of the brightest names in the Calendar of Scientific Navigation, (a name as good as it was great,) by any common object of general utility, we are anxious to make known our earnest desire to concur in whatever may hereafter be determined on.

While a lasting memento might be afforded of the dead, by some durable record-fitting companion to his imperishable work- most important benefits to the living and to all posterity, may be connected with it.- The suggestion of the Light house arose out of this consideration.

The numbers are so large, who might be induced to contribute, embracing a considerable portion of the Shipping interests of the world, and his work having been translated into the languages of most nations that have any extended commerce, a zealous cooperation on the part of all HORSBURGH'S friends and admirers, seems alone wanting to ensure success.

This cooperation we feel assured will be cheerfully afforded, and if the appeal sent forth by the Public Press of Canton, shall be as zealously seconded by the same powerful arm, in every other quarter, and be as promptly responded to, as in this small community, we cannot for a moment doubt the issue.

We have the honor to remain,

Your obedient Servants,

W.JARDINE

LANCT. DENT

JOHN HINE

W.S WETMORE

J.H ASTELL

M.J.S. VAN BASEL

THS FOX

FRAMJEE PESTONJEE

Wm. HAYLETT.-Hon Secretary

Canton, Dec. 1836

ANNEX MM 32

The Canton Register, 10 January 1837

SUPPLEMENT TO THE CANTON REGISTER.

diffusing happiness from his stores, which would have sustained him equally as much as what at the eleventh hour he did. Let this lesson induce those similarly circumstanced, and who are still amidst the living, to see the example which has been given them, and think that however meritorious an act of mercy on a deathbed may be, that the pleasant music from the voices of those relieved by his bounty is no weak stimulant to a man, however superior he may be to the passions of ordinary mortals, "to cast," in the words of Holy Writ, "his bread upon the waters" in the firm hope that "after many days it will return unto him." - Gazette September 17.

CAPTAIN HORSBURG.

PUBLIC MEETING HELD AT MAREWICK'S HOTEL.

For the purpose of taking into consideration the measures proper to be pursued to render a lasting tribute of respect to the memory of the late Captain Horsburgh. WILLIAM JARDINE ESQ. in the Chair. November 22nd, 1836.

The meeting was opened by Captain Hine who briefly stated its object, and suggested that if sufficient funds could be raised, the purpose would be best answered by the erection of some work of public utility, as a light house on Pedra Branca, in the Straits of Singapore.

Proposed by Mr. James, seconded by Captain Grant that the following Gentlemen be appointed as a Committee to carry into effect the objects of the meeting - with power to add to their number - viz.

Mr. JARDINE - CAPTAIN HINE - MR. FOX - MR. DENT - MR. VAN BISEL - FRANCIS PESTONJEE - MR. WETMORE - MR. A TELL - CAPT. YONGE.

Proposed and carried - That a Subscription list be now opened, and afterwards to lie at the different mercantile Houses.

Proposed and carried - That the thanks of the meeting be given to the chairman.



Subscription List, to which further contributions are now Solicited

MESSRS. JARDINE, MATHIESON & Co. Treasurers.

Table listing subscribers and their amounts. Includes names like W. Jardine, Aaron Smith, Henry Lever, and various amounts such as 500, 25, 10, etc.

Table listing subscribers and their amounts. Includes names like A. Grant, R. Lyall, Thomas Fox, and various amounts such as 50, 100, 50, etc.

Total4191

WILLIAM HAYLETT. Hon. Secretary.

Canton, 8th January, 1837.

Plate xiii. A facsimile of the original list of the subscribers in Canton. "The Canton Register - 10th January 1837."

ANNEX MM 33

Singapore Free Press, 9 February 1837

Singapore Free Press

9th February, 1837

As we are now publishing from the Asiatic Journal for last September, a brief sketch of the industrious and useful career of the late lamented Mr. Horsburgh, the occasion seems to invite us to return, as we intimated our intention in a former number of doing, to the proposed scheme for erecting a light-house, or series of Light-houses, as well in commemoration of the name and services of that eminent hydrographer, as to impart additional value to the important information which he has communicated to the world. Our countrymen at Canton, among whom the design originated, are, we think, entitled to claim not only the merit of merely proposing a public tribute to his memory, but also of suggesting at the same time a plan in itself of the highest utility, and calculated to ensure success by the interests which it can scarcely fail to engage in contributing to its accomplishment. The primary intention, in fact, and secondary object become so intimately blended, that it cannot be said to be more a plan to confer honor on the dead, than to provide for the safety of the living by the important aids to navigation which it contemplates and embraces. The project however, as it derives its origin from the services rendered to mankind at large by Mr. Horsburgh, will no doubt, ever continue when carried into effect, to be associated with his name; and the Horsburgh Light-Houses may thus also serve to proclaim to a future and distant generation the esteem in which exertions in the cause of humanity were held in this, and that the example of a benefactor of his age has not been in vain. But calculations of a more business-like nature here interpose, and in recalling us from any dreams of the future remind us that, in imitation of the sagacious Mrs. Glass while engaging in a much more humble undertaking, we must begin with the beginning and "*first catch*" our light-houses. Towards the attainment of this grand object the sums already subscribed in Canton promise well, amounting as they do to about Sp. dollars 4,200 by the latest accounts; but this we trust and believe is only a nucleus around which contributions as worthy of the name and cause which inspired the undertaking are yet destined to accumulate. The liberal spirit evinced in that quarter is well worthy of imitation, and we hope that the earnest feeling with which the Canton Committee appear to be imbued in furthering the undertaking will extend itself to those whom they have appointed to cooperate with them in other places – "in every quarter of the globe," as they themselves say, "from whence the pages of the *Directory* have pointed the way to the East." Projects of this description require to be pushed forward with vigour by those to whom the care of advancing them is entrusted, and nothing, as we believe experience amply testifies, is more conducive to their failure than that long delay in setting about their accomplishment which affords entrance to the languid indifference which so often succeeds an opposite temper of mind. We should not of course, recommend any degree of haste inconsistent with due enquiry on every essential point- but the most eligible sites on which to construct a chain of lights in this neighbourhood would no doubt be determined

among nautical men, acquainted with the intricacies of its navigation, without dispute or difficulty. Respecting *Pedra Branca*, which has been proposed or rather fixed upon for one, there is not likely to be any difference of opinion- and we think the next step ought to be to settle the other points on which it would most conduce to the security of navigation in the Straits to have lights established. A very competent judge residing in this Settlement has we understand suggested a floating light on the 2 ½ fathom bank, on the North Sands- and a stationary light-house on *Barn Island*, as sufficient to render the navigation of the Straits of Malacca easy to all – an opinion which consists with what we have ourselves before heard expressed by others. In addition to this, a light on *Pulo Sepatu*, in the China Sea, as suggested by a correspondent of this paper some months ago, would prove of the highest importance, as the thick weather and currents which prevail in the North East monsoon, place vessels running down from China at that season of the year, in imminent danger of being wrecked upon the coast of that Island. The establishment of a light house in that situation may however, be for some causes, impracticable- and it is of course to those quarters were their feasibility is beyond all dispute that the public attention should in the first place be directed.

The next important question connected with the establishment of light-houses, in the Straits is of course the expenses attending their erection and maintenance. On this point we are without any guide- but we have heard the cost rated at about 7,500 dollars for one on *Pedra Branca* - 3,000 Drs. for that on *Barn Island* – and 10,000 Drs. for the floating light on the North Sands. These however are mere rough estimate, framed upon no particular data and, we should say, rather under than above the mark. But no just approximation can we presume be made without reference to those whose particular avocation it is to superintend such undertakings – more particular in the case of a floating light. It is desirable, we should think, that estimates by a competent person should be laid before the public with as little delay as possible; and every requisite means taken to shew within what limits the undertaking may be finally and successfully completed. With respect to the expenses of maintenance and superintendence after the light-houses should be constructed, there is no doubt we believe that the Government in India would provide the requisite funds by imposing a tonnage duty, upon the numerous vessels which annually pass through the Straits, and partly perhaps by a small tax upon the Opium Trade, which to such an immense value is yearly conveyed down the Straits of Malacca. The tonnage duty on vessels would require to be very moderate in order to provide a very considerable fund for that purpose – and would besides be more than fully made up by saving the time and trouble of nightly anchoring as they now do on a voyage down the Straits- that being a precaution which the presence of lights on the places mentioned would enable them with the utmost safety to dispense with. To raise a sum by subscription which would suffice as well to construct light-houses on the sites above specified, as also to leave a surplus of which the annual interest would be sufficient to defray the expenses of keeping them up, must we imagine be beyond the expectations even of the most sanguine- if that would require, as we believe it would, not less than an annual outlay of Sp.drs. 5,000 and probably more. We entertain, however, no apprehensions on that score- the establishment of these lights would prove, of such inestimable advantage to shipping that a general voluntary contribution for the purpose from that source would, we are sure, not be wanting even if Government should not interpose with regulations to secure it.

THE SINGAPORE FREE PRESS AND MERCANTILE ADVERTISER.

THURSDAY MORNING, 9th FEBRUARY, 1837.

Vol.

As we are now publishing from the Asiatic Journal for last September, a brief sketch of the industrious and useful career of the late lamented Mr. HORSBURN, the occasion seems to invite us to return, as we intimated our intention in a former number of doing, to the proposed scheme for erecting a Light-house, or series of Light-houses, as well in commemoration of the name and services of that emi-

nent hydrographer, as to impart additional value to the important information which he has communicated to the world. Our countrymen at Canton, among whom the design originated, are, we think, entitled to claim not only the merit of merely proposing a public tribute to his memory, but also of suggesting at the same time a plan in itself of the highest utility, and calculated to ensure success by the interests which it can scarcely fail to engage in contributing to its accomplishment. The primary intention, in fact, and secondary object become so intimately blended, that it cannot be said to be more a plan to confer honor on the dead, than to provide for the safety of the living by the important aids to navigation which it contemplates and embraces. The project however, as it derives its origin from the services rendered to mankind at large by Mr. HORSBURN, will no doubt, ever continue when carried into effect, to be associated with his name; and the HORSBURN LIGHT-HOUSES may thus also serve to proclaim to a future and distant generation the esteem in which exertions in the cause of humanity were held in this, and that the example of a benefactor, of his age has not been in vain. But calculations of a more business-like nature here interpose, and in recalling us from our dreams of the future remind us that, in imitation of the sagacious Mrs. Glass while engaging in a much more humble undertaking, we must begin with the beginning and "first catch" our light-houses. Towards the attainment of this grand object the sums already subscribed in Canton promise well, amounting as they do to about Sp. dollars 4,200 by the latest accounts; but this we trust and believe is only a nucleus around which contributions worthy of the name and cause which inspired the undertaking are yet destined to accumulate. The liberal spirit evinced in that quarter is well worthy of imitation, and we hope

that the earnest feeling with which the Canton Committee appear to be imbued in furthering the undertaking will extend itself to those whom they have appointed to cooperate with them in other places—"in every quarter of the globe," as they themselves say, "from whence the pages of the Directory have pointed the way to the East." Projects of this description require to be pushed forward with vigour by those to whom the care of advancing them is entrusted, and nothing, as we believe experience amply testifies, is more conducive to their failure than that long delay in setting about their accomplishment which affords entrance to the languid indifference which so often succeeds an opposite temper of mind. We should not of course, recommend any degree of haste inconsistent with due enquiry on every essential point—but the most eligible sites on which to construct a chain of lights in this neighbourhood would no doubt be determined among nautical men, acquainted with the intricacies of its navigation, without dispute or difficulty. Respecting *Pela Brauca*, which has been proposed or rather fixed upon for one, there is not likely to be any difference of opinion—and we think the next step ought to be to settle the other points on which it would most conduce to the security of navigation in the Straits to have lights established. A very competent judge residing in this Settlement has we understand suggested a floating light on the 2) fathom bank, on the North Sands—and a stationary light-house on *Isan Island*, as sufficient to render the navigation of the Straits of Malacca easy to all—an opinion which consists with what we have ourselves before heard expressed by others. In addition to these, a light on *Pulo Sepatu*, in the China Sea, as suggested by a correspondent of this paper some months ago, would prove of the highest importance, as the thick weather and currents which prevail in the North East monsoon, place vessels running down from China at that season of the year, in imminent danger of being wrecked upon the coast of that Island. The establish-

ever, be from some causes, impracticable—and it is of course to those quarters where their feasibility is beyond all dispute that the public attention should in the first place be directed.

The next important question connected with the establishment of light-houses, in the Straits is of course the expenses attending their erection and maintenance. On this point we are without any guide—but we have heard the cost rated at about 7,500 dollars for one on *Pedra Branca*—3,000 Drs. for that on *Barn Island*—and 10,000 Drs. for the floating light on the North Sands. These however are mere rough estimates, framed upon no particular data and, we should say, rather under than above the mark. But no just approximation can we presume be made without reference to those whose particular avocation it is to superintend such undertakings—more particularly in the case of a floating light. It is desirable, we should think, that estimates by a competent person should be laid before the public with as little delay as possible; and every requisite means taken to shew within what limits the undertaking may be finally and successfully completed. With respect to the expenses of maintenance and superintendance after the light-houses should be constructed, there is no doubt we believe that the Government in India would provide the requisite funds by imposing a tonnage duty, upon the numerous vessels which annually pass through the Straits, and partly perhaps by a small tax upon the Opium Trade, which to such an immense value is yearly conveyed down the Straits of Malacca. The tonnage duty on vessels would require to be very moderate in order to provide a very considerable fund for that purpose—and would besides be more than fully made up by saving the time and trouble of nightly anchoring, as they now

do on a voyage down the Straits—that being a precaution which the presence of lights on the places mentioned would enable them with the utmost safety to dispense with. To raise a sum by subscription which would suffice as well to construct light-houses on the sites above specified, as also to leave a surplus of which the annual interest would be sufficient to defray the expenses of keeping them up, must we imagine be beyond the expectations even of the most sanguine—if that would require, as we believe it would, not less than an annual outlay of Sp. Drs. 6,000 and probably more. We entertain, however, no apprehensions on that score—the establishment of these lights would prove of such inestimable advantage to shipping that a general voluntary contribution for the purpose from that source would, we are sure, not be wanting even if Government should not interpose with regulations to secure it.

ANNEX MM 34

"The Horsburgh Memorial", *Singapore Free Press*, 5 April 1838

Singapore Free Press

Dated : 5 April 1838

CHINA

THE HORSBURGH MEMORIAL

TO WILLIAM STANLEY CLARKE, ESQ. AND THE MEMBERS OF THE
COMMITTEE TO THE HORSBURGH MEMORIAL, LONDON.

Canton, 19th January, 1838

Gentlemen,

The active and judicious means you have taken to further the view of the General Committee in raising funds for the purpose of erecting a lasting tribute to the memory of one who toiled through a long life for the benefit of his fellow creatures, meets with the sincere thanks and warmest approbation of your fellow labourers at Canton in so pleasing a task. The only point on which our feelings appear not to be unanimous is respecting the manner on which that tribute should be paid. Your purpose that it should be a monument erected in *St. Paul's or Westminster Abbey*, - we, that it should be a *Light House* on one of those spots through which, surrounded with all its difficulties, he has traced a safe and comparatively easy navigation. It is true that, by placing his monument with those of our illustrious dead, you accord him that place which he held among the living, but there it would end. The Chisel of the artist would be admired while the deeds of the man would be passed over in silence and neglect. We have already invited all nations to join us in our undertaking, and we look to America, Holland, and France with the most sanguine hopes. We submit then our opinion to you ; whether we should not take into consideration the character of the man who has immortalized himself, and to whose memory we can only add a tribute of esteem; and if so would it not be a greater testimony of gratitude to follow a course in unison with the feelings which animated that benevolent being while alive by building a *Light House* on some spot where ships are constantly going on shore, that he may still be instrumental for the benefit of mankind in saving many a ship from destruction. By this you will perceive it is our wish to adhere to the plan which we originally proposed, but as a proof of our anxiety to co-operate with you, we will originate a subscription for the furtherance of your views in hopes that many of this community will join in it, and, in return, we beg to solicit that you will use your influence to procure subscribers to co-operate with us in the view we have taken. In reply to the apprehension expressed in your letter of not being able to procure sufficient funds for the object we have in view, we venture to call your attention to the extent of the subscription already received and to remind you that even upon your plan of limiting subscriptions from individuals to one guinea, leaving firms and public bodies unlimited, there will be no occasion for supposing that a sufficient sum will not be procured for the erecting of one light house at least. The spot we propose for the first is *Pedra Branca*, and the list of vessels which have been lost and stranded there in a short space of time, the names of

which we subjoin for your information, will, we think, influence you considerably in giving us all the aid you can, and fully explain the motives which guide us.

We have the honor to remain,

Your most obedient Servants,

(Signed)

William Jardine,

John Hine,

William Bleakin

Lancelot Dent,

E.C.Bridgman,

Dadhabhoy Rustomjee,

J.Archer,

List of vessels above referred to: Nova Desada, Sylph, Pascoa, Lord Amherst, Ruby, Lord W. Bentinck, Glenelg, Ardasseer.

The Horsburgh Memorial. In another column we have copied the letter recently addressed by the Committee for the Horsburgh Memorial here to that in London, in answer to one received by the former from the latter. It will be seen from this letter that the Committee in London differ in opinion from that in Canton as to the manner in which the memory of Horsburgh is to be honored, and that in London it is proposed to erect a monument either in, St. Paul's church or Westminster Abbey, while here the Committee persist in the wishes expressed at the meeting where the first collections for the memorial were made, viz. of erecting a Light House at Pedra Branca, and if sufficient funds can be obtained, others at spots equally dangerous to navigators in the straits of Malacca. We have, from the beginning espoused the view of the matter taken not only by the Committee alone but by all the Chinese subscribers in general with but few if any dissentients, nor do we see reason to change our opinion on the subject. We are well aware that few can have stronger claims than Horsburgh, whose life was devoted to the benefit of not only his own country but that of every nation, to have a monument erected to the honor of his memory among the most illustrious of his countrymen, and will think the call of the Committee upon the residents here to give their aid to that purpose will be willingly responded to, but we do not think that, to effect this, the original intention of the subscribers ought to be relinquished, nor do we think can any thing be devised more in consonance with the tenor of the life of the illustrious dead, than to render, through the respect shewn to his memory, even by his death, a lasting and signal benefit to navigation which owes so much to his knowledge and zeal when alive. The Horsburgh light house will recall the memory of the departed hydrographer oftener to the mariner than his stately marble in St. Paul's, and call to his mind the gratitude he owes to a man whose memory even has lessened the dangers of his adventurous calling. Besides the advantages which the plan of the Committee at Canton has over that in London as far as utility is concerned, we may also point out that some additional weight is due to their opinions, as in Canton the project of a Horsburgh memorial was first conceived, and found such favor with the community in general that, though our society is so very limited in numbers, the subscriptions already collected here amount to the respectable sum of drs 4,220 – a sum alone sufficient to cover a considerable part of the building of a light house on Pedra Branca, & much greater, in proportion, we believe, than those collected at any other place.

From the *Canton Press* of the 10th ultimo, we insert in a preceding column a letter addressed by the Canton Committee for the HORSBURGH MEMORIAL, to a similar body for the same purpose in London; from which it appears that the latter give the preference to the erection of a monument in St. Paul's or Westminster Abbey, in commemoration of the great hydrographer, instead of Light-houses to aid navigation in this part of world, as first suggested by the Committee of Canton, where the scheme for a Memorial was originated. In the views expressed in the letter we fully concur, as also in the observations on the subject by the Editor of the *Canton Press*, which we also quote. Further contributions may be made for the erection of, "storied urn, or animated bust," but the primary object we think should be the establishment of Light-houses as originally proposed, and as according so well with the character of HORSBURGH's services to mankind at large. Probably so large a sum would not have been contributed at Canton, except upon the understanding that the subscription was to be applied to the latter purpose, which must, we presume, be more expensive than any tribute in marble which would be deemed necessary or appropriate. Subscriptions to a considerable amount have also been made at Bombay for the purpose announced by the Canton Committee for the Memorial, - and besides, what interest have subscribers in France, Holland and America, where the Committee are so sanguine of support, in the erection of a monument to HORSBURGH in St Paul's or Westminster Abbey, compared with the establishment of Light-houses to facilitate navigation in dangerous seas which their ships are constantly traversing?

CHINA.

THE HORSBURGH MEMORIAL.

TO WILLIAM STANLEY CLARKE, ESQ., AND THE
MEMBERS OF THE COMMITTEE TO THE HORS-
BURGH MEMORIAL, LONDON.

Canton, 19th January 1838.

Gentlemen,

The active and judicious means you have taken to further the views of the General Committee in raising funds for the purpose of erecting a lasting tribute to the memory of one who toiled through a long life for the benefit of his fellow creatures, meets with the sincere thanks and warmest approbation of your fellow labourers at Canton in so pleasing a task. The only point on which our feelings appear not to be unanimous is respecting the manner in which that tribute should be paid. You purpose that it should be a monument erected in *St. Paul's* or *Westminster Abbey*;—we, that it should be a *Light House* on one of those spots through which, surrounded with all its difficulties, he has traced a safe and comparatively easy navigation. It is true that, by placing his monument with those of our illustrious dead, you accord him that place which he held among the living, but there it would end. The chisel of the artist would be admired while the deeds of the man would be passed over in silence and neglect. We have already invited all nations to join us in our undertaking, and we look to America, Holland, and France with the most sanguine hopes. We submit then our opinion to you, whether we should not take into consideration the character of the man who has immortalized himself, and to whose memory we can

only add a tribute of esteem; and, if so, would it not be a greater testimony of gratitude to follow a course in unison with the feelings which animated that benevolent being while alive by building a *Light House* on some spot where ships are constantly going on shore, that he may still be instrumental for the benefit of mankind in saving many a ship from destruction. By this you will perceive it is our wish, to adhere to the plan which we originally proposed, but as a proof of our anxiety to co-operate with you, we will originate a subscription for the furtherance of your views in hopes that many of this community will join in it, and, in return, we beg to solicit that you will use your influence to procure subscribers to co-operate with us in the view we have taken. In reply to the apprehension expressed in your letter of not being able to procure sufficient funds for the object we have in view, we venture to call your attention to the extent of the subscription already received and to remind you that even upon your plan of limiting subscriptions from individuals to one guinea, leaving firms and public bodies unlimited, there will be no occasion for supposing that a sufficient sum will not be procured for the erecting of one light house at least. The spot we propose for the first is Pedra Branca, and the list of vessels which have been lost and stranded there in a short space of time, the names of which we subjoin for your information, will, we think, influence you considerably in giving us all the aid you can, and fully explain the motives which guide us.

We have the honor to remain,

Your most obedient Servants,

(Signed.)

William Jardine,

John Hine,

William Blenkin,

Lancelot Dent,
E. C. Bridgman,
Dadhahoy Rustomjee,
J. Archer,

List of vessels above referred to :

Nova Desada, Sylph, Pascoa, Lord Amherst, Ruby, Lord W. Bentinck, Glenelg, Ardasseer.

The Horsburgh Memorial. In another column we have copied the letter recently addressed by the Committee for the Horsburgh Memorial here to that in London, in answer to one received by the former from the latter. It will be seen from this letter that the Committee in London differ in opinion from that in Canton as to the manner in which the memory of Horsburgh is to be honored, and that in London it is proposed to erect a monument either in St. Paul's church or Westminster Abbey, while here the Committee persist in the wishes expressed at the meeting where the first collections for the memorial were made, viz. of erecting a Light House at Pedra Branca, and if sufficient funds can be obtained, others at spots equally dangerous to navigators in the straits of Malacca. We have, from the beginning espoused the view of the matter taken not only by the Committee alone but by all the Chinese subscribers in general with but few if any dissentients, nor do we see reason to change our opinion on the subject. We are well aware that few can have stronger claims than Horsburgh, whose life was devoted to the benefit of not only his own country but that of every nation, to have a monument erected to the honor of his memory among the most illustrious of his countrymen, and we think the call of the Committee upon the residents here to give their aid to that purpose will be willingly responded to, but we do not think that, to effect this, the original intention of the subscribers ought to be relinquished, nor do we think can any thing be devised more in consonance with the tenor of the life of the illustrious dead, than to render, through the respect shewn to his memory, even by his death, a lasting and signal benefit to navigation which owes so much to his knowledge and zeal when alive. The Horsburgh light house will recall the memory of the departed hydrographer oftener to the mariner than his stately marble in St. Paul's, and call to his mind the gratitude he owes to a man whose memory even has lessened the dangers of his adventurous calling. Besides the advantages which the plan of the Committee at Canton has over that in London as far as utility is concerned, we may also point out that some additional weight is due to their opinions, as in Canton the project of a Horsburgh memorial was first conceived, and found such favor with the community in general that, though our society is so very limited in numbers, the subscriptions already collected here amount to the respectable sum of drs. 4,226—a sum alone sufficient to cover a considerable part of the building of a light house on Pedra Branca, & much greater, in proportion, we believe, than those collected at any other place.

From the *Canton Press* of the 10th ultimo, we insert in a preceding column a letter addressed by the Canton Committee for the HONSHUNGH MEMORIAL to a similar body for the same purpose in London; from which it appears that the latter give the preference to the erection of a monument in St. Paul's or Westminster Abbey, in commemoration of the great hydrographer, instead of Light-houses to aid navigation in this part of the world, as first suggested by the Committee of Canton, where the scheme for a Memorial was originated. In the views expressed in the letter we fully concur, as also in the observations on the subject by the Editor of the *Canton Press*, which we also quote. Further contributions may be made for the erection of "storied urn, or animated bust," but the primary object we think should be the establishment of Light-houses as originally proposed, and as according so well with the character of HONSHUNGH's services to mankind at large. Probably so large a sum would not have been contributed at Canton, except upon the understanding that the subscription was to be applied to the latter purpose, which must, we presume, be more expensive than any tribute in marble which would be deemed necessary or appropriate. Subscriptions to a considerable amount have also been made at Bombay for the purpose announced by the Canton Committee for the Memorial,—and besides, what interest have subscribers in France, Holland and America, where the Committee are so sanguine of support, in the erection of a monument to HONSHUNGH in St. Paul's or Westminster Abbey, compared with the establishment of Light-houses to facilitate navigation in dangerous seas which their ships are constantly traversing?

ANNEX MM 35

**Letter from Jardine Matheson & Co., Treasurer to the China Fund
for a testimonial to the memory of the late James Horsburgh
Esqre, care of Messrs. John Purvis & Co, Singapore, to Governor
S.G Bonham Esqre, Governor of Prince of Wales Island, Singapore
and Malacca, 1 March 1842**

*The Hon'ble S. G. Bonham Esqre.
Governor etc etc
Singapore*

Hon'ble Sir,

We beg to acquaint you that we hold in our hands a sum amounting with interest to Spanish Dollars Five thousand five hundred and thirteen 50/100 (\$ 5513.50/100) arising from a public Subscription collected in China with some small additions from India, In the years 1836 - 37, for the purpose of erecting a testimonial to the memory of the late celebrated Mr. James Horsburgh.

At a general meeting of the subscribers, a wish was expressed that the contributions should, if possible, be devoted to the building of a Light House, bearing the name of Horsburgh, on Pedra Branca, at the entrance of the China Sea, but nothing definitive was resolved on.

As this is a design which can only be carried into effect and maintained under the immediate auspices of the British Government, we beg to express our readiness to hand over the above amount to you in the hope that you will have the goodness to cause a Light House (called after Horsburgh) to be erected either on Pedra Branca, or on such other locality as the Government of the Hon'ble East India Company may deem preferable.

The amount is far from adequate; but we trust the well known munificence of the Hon'ble Company will supply what additional funds may be wanting for an object of such eminent public utility, intended at the same time, to do Honor to the memory of one of the most meritorious of their servants.

*Macao }
1st March 1842 }*

*We have the honor to be etc
(Signed) Jardine Matheson & Co.
Treasurer to the China Fund for a testimonial to the
memory of the late James Horsburgh Esqre.
Care of Messrs John Purvis & Co. Singapore*

*Source: Military Department (Marine Branch)
 Consultation 15 February 1845, No. 5
 NAI, New Delhi India*

ANNEX MM 36

**Letter from Governor S.G. Bonham, Governor of Prince of Wales
Island, Singapore and Malacca to Jardine Matheson & Co.,
Treasurer to the China Fund for a testimonial to the memory of
the late James Horsburgh, 4 April 1842**

[No. 13 of 1842]

No. 13

To Messrs Jardine Matheson & Co.

*Treasurer to the China Fund
for a testimonial to the memory
of the late James Horsburgh Esqre.*

Gentlemen,

I have the honor to acknowledge the receipt of your letter of the 1st Ultimo, and in reply to inform you that a copy thereof will be forthwith transmitted for the information of the Right Hon'ble the Governor General of India in Council, with a recomunication on my part, that a Light House to be called the Horsburgh Light be erected on Tree Island or on some other adjacent spot which may be deemed by Mariners more desirable with funds of which the contribution so obligingly offered by you should form a part, to be afterwards kept up at the expenses of the Hon'ble East India Company.

A Light House on Pedra Branca would no doubt form a more thrilling object than one on Tree Island - but an edifice of this description would nevertheless be much more useful on the latter than on the former site can be maintained with greater certainty and at a smaller expense - advantages which will I hope be admitted as fully counterbalancing the more prominent locality afforded by Pedra Branca.

Singapore, }
4th April 1842. }

*I have etc
(Signed) S.G. Bonham
Governor*

*(True Copies)
(Signed) S.G. Bonham
Governor.*

Source: *Military Department (Marine Branch)
Consultation 15 February 1845, No. 5
NAI, New Delhi India*

ANNEX MM 37

**Letter from J.T. Thomson, Government Surveyor to Governor S.G.
Bonham, Governor of Prince of Wales Island, Singapore and
Malacca, 1 May 1842**

To The Hon'ble S.G. Bonham Esqre.
Governor of Prince of Wales Island
Singapore and Malacca

Sir,

I beg to have the honour of laying before you plans Nos. 1, 2 and 3 for a Light House proposed to be erected on Barn Island, which considering the distance from Town, from whence all the materials must be sent, together with the difficulty of getting carpenters and masons who are so fully employed at the numerous works carrying on at Singapore, cannot cost less than Twenty Thousand, Twelve Thousand and Five Thousand respectively. These different sums do not include the making of the framing for the light room windows and lamps. As it would be better for Government to order these from England, I have written out the following description of them:-

The framing of Light rooms and windows ought to be glazed with the best Plate glass accompanied with duplicates in Case of Breakage.

The light should be from oil with Argand burners, placed in the focus of silver plated reflecters, hollowed with accuracy to the parabolic curve. These reflecters of which there are six, ought to measure 18 to 24 inches over the lips, and the lights would be powerful enough to be seen seven leagues in clear weather.

In order to distinguish the light from the many fires that are kept burning on the adjacent Islands by Malays, the lamp should be made to revolve by machinery alternately showing a light of bright yellow and red. This is effected by placing plates of stained glass before the lamp and thus showing a light of the same color as the glass interposed to the observer.

Singapore	}		<i>I have the honour to be etc</i>
	}		<i>(Signed) J.T. Thomson</i>
1st May 1842	}	<i>(True Copy)</i>	
		<i>(Signed) S.G. Bonham</i>	
		<i>Governor</i>	

Source: *Military Department (Marine Branch)
Consultation 15 February 1845, No. 5
NAI, New Delhi India*

ANNEX MM 38

**Letter from Governor S.G. Bonham, Governor of Prince of Wales
Island, Singapore and Malacca to G.A. Bushby, Secretary to
Government, Fort William, 23 July 1842**

[No. 93 of 1842]

(Copies)
No. 93 of 1842

*From The Governor of Prince of Wales Island,
Singapore and Malacca.*

*To G.A. Bushby Esqre.
Secretary to Government,
Fort William,*

Dated Singapore 23d July 1842.

Sir,

Genl. Dept.

Referring to letters from your Office dated 6th February and 13th November 1839, I have the honor to forward for the information and Orders of the Hon'ble the President in Council, Copy of a letter to my address from the Treasurer to the China Fund for a testimonial to the Memory of the late J. Horsburgh Esqre, together with my reply thereto.

2d. The sum placed at the disposal of the Government from the China Horsburgh Fund amounts to 5513 Dollars, the estimated expense of the Turret forwarded in Mr. Commissioner Young's letter of the 9th November 1838, amounted to 3650, Dollars which, should the Plan suggested by that Gentleman be adopted will leave a balance of 1863 Dollars for the purchase of a Lantern or Revolving Light.

3d. As however the sum subscribed in China was intended for the erection of a handsome Building in honor of the Memory of the deceased Mr. Horsburgh, I may be perhaps espoused in proposing that the whole sum subscribed should be entirely set a part for that purpose, and that the Inhabitants of this Settlement, be required to find funds for the Lantern or revolving Light and that the Government afterwards undertake to uphold it at the expense of the State.

4th. Barn Island, the site where it is proposed to erect the Building is about 16 miles from Singapore, and the Inhabitants of the neighbouring

Islands might, if the Establishment for its Superintendence was not tolerably strong be induced to attempt to plunder it, and again as the knowledge of the existence of this Light will doubtly induce Ships to come thro' the narrow Straits at night, it is absolutely essential that the Light should every night be in perfect Order. I am of opinion therefore that if the Government is pleased to undertake the erection of the proposed Light House, and to maintain the Light at the expense of the State, an Establishment of the following extent will be necessary:-

<i>1 Superintendent</i>	<i>Rs. 75.00</i>
<i>6 Natives ... @ 12 each</i>	<i>" 72.00</i>
<i>Oil Cotton etc etc</i>	<i>" 53.00</i>
<i>Company's Rupees</i>	<u><i>200.00</i></u>

5th. Under this view of the case, I have directed three other Plans to be prepared which I herewith forward, the most suitable in my opinion being that Estimated to Cost 5000 Dollars, the balance of the sum subscribed in China Viz. 513 Dollars might be expended in procuring a suitable Lantern from England, and if found insufficient, subscriptions should be set on foot at this place to make up the deficiency.

6th. Should Government be pleased to receive the Funds now tendered from China, the expense of upholding it ought certainly to be borne by the Inhabitants of this place which might be collected by the imposition of a charge of 4 Rupees for the Port Clearance of each square Rigged Vessel anchoring in the Roads as well as Junks from China and Siam and one half the amount on Native Boats graduated to their respective sizes.

7th. I have been unable to submit this matter for the consideration of the Government earlier as I have only this day received the reply of the Chamber of Commerce at this Settlement.

Singapore }
23d July 1842 }

I have the honor to be etc.
(Signed) S.G. Bonham
Governor of Prince of W. Island
Singapore and Malacca.

Source: Military Department (Marine Branch)
Consultation 15 February 1845, No. 5
NAI, New Delhi India

ANNEX MM 39

**Letter from G.A. Bushby, Secretary to the Government of Bengal
to Governor S.G. Bonham, Governor of Prince of Wales Island
Singapore and Malacca, 31 August 1842**

[No. 852 of 1842]

(No. 852)

To S.G. Bonham Esqre

Governor of Prince of Wales Island
Singapore and Malacca

Sir,

I am directed to acknowledge the receipt of your letter No. 93, dated the 23d July last, and enclosures, relative to a proposition for the erection of a Light House at Barn Island, as a testimonial to the memory of the late Mr. James Horsburgh, with your recommendation that the Government be at the expense of maintaining the Light, and that for this purpose a fund be collected by a duty on Vessels anchoring in the Roads, Junks etc. at Singapore - the Building to be erected with the money subscribed in China for the Testimonial, and the Lantern, or revolving Light, to be found by the inhabitants of Singapore.

2. The Hon'ble the Deputy Governor directs me to refer you to the opinion of the Court of Directors as expressed in Para: 20 of a Dispatch in the Marine Department, dated 4th September 1839, copy of which accompanied Mr. Secretary Prinsep's letter dated the 13th November quoted by you in your present letter, and to state that the objection expressed there, and in other communications from the Hon'ble Court to the levying of Harbour and Anchorage duties, and the importance which the Hon'ble Court and the mercantile community of Great Britain attach to the preservation of perfect freedom of Trade at Singapore, preclude His Honour from entertaining the proposition now submitted for imposing a Port Duty on vessels visiting Singapore.

3. The three plans received with your letter are herewith returned.

Fort William }
The 31st August 1842 }

I have the honour to be etc
(Signed) G.A. Bushby
Secy to the Govt. of Bengal

Source: Military Department (Marine Branch)
Consultation 15 February 1845, No. 5
NAI, New Delhi India

ANNEX MM 40

Singapore Free Press, 25 May 1843

Singapore Free Press

Date: 25th May, 1843

PIRACY.—The frequent and regular occurrence of acts of Piracy in the immediate neighbourhood of Singapore, and the serious loss of life and property with which they are almost invariably attended seems to call for some means being adopted without delay for putting a stop to such practices, which must otherwise, if unremedied, inflict a serious injury on the native trade of the port. During the last three months we have recorded five cases of piracy, but for aught we know they may not be half of what have taken place—indeed we think it highly probable that many cases are never made known to the authorities here at all. Out of the five Junks attacked there were six men killed & 13 wounded, a large number when we consider the smallness of the Crews with which these Junks are generally manned. The places and Islands near which these piracies are most frequently committed and where the pirates go for shelter and concealment, such as Pulo Tinghie, Batu Puteh, Point Romania &c, are all within the territories of our well beloved ally and pensionary, the Sultan of Johore, or rather of the Tomungong of Johore, for he is the real Sovereign. Indeed we believe that it is well known beyond a doubt that all the pirates whose proceedings almost weekly cause so much vexation and trouble to the Authorities here are subjects of the Kingdom of Johore. The proper course to be pursued is therefore plain and obvious. Let the Tomungong be called upon by the Government to prevent his subjects for continuing their piratical practices and to punish those who cannot but be known to him as pursuing this avocation. He can have no difficulty in ascertaining the identity of the Pirates, if he does not know them already, and his power over them is sufficient for prevention or punishment. If he pretends that he cannot do he would, put a stop to their proceedings from their independence of his rule, then in proof

of the sincerity of his desire to aid the British Authorities in crushing the pirates let him authorise this government to take the necessary measures and give them free ingress to his territories with the requisite force. A few visits to some of the most noted haunts of the pirates, and the establishment of a small station with a few sepoy or police, at one or two of the Islands and places on the Johore coast would soon effectually repress and extirpate piracy. But if the Tomungong will not, either by taking measures himself or by authorising the Government here to take measures in his name and under his sanction, put a stop to the piratical proceedings of his subjects, then we would advise that the Government hold him personally responsible, and by stopping his monthly allowance, or if necessary by otherwise coercing him teach him that in an ally and one who is drawing the bounty of the Government practices on his part or that of his subjects will not be tolerated, which if done by one who was unconnected with us by treaty or any other tie would be speedily checked, and punished. If the Tomungong cannot be brought to co-operate cordially and effectually with us in the measures for putting down piracy then the next best plan will be that which we mooted some weeks ago—namely to have one or two small Iron steamers in place of the present Gun-boats constantly cruising along the coast of Johore and visiting the different Islands and overhauling any suspicious looking boats they may see. But if his Highness should by his unwillingness or indifference put us to this expense, we venture to hint that as the whole mischief is occasioned by the malpractices of his subjects, it would be only fair and proper that he should contribute towards the cost which would necessarily be incurred, and would therefore propose that so long as the Steamers &c should be found necessary, his monthly allowance should be applied towards defraying the expense thereof. There is no doubt that the Tomungong could if he pleased at once put an end to the pirates, and this Government having the means in their power ought to insist on his doing so.

It has been suggested to us that a *Police Tannah* at Tnojong Changi, beyond the 2nd Red Cliff would be of considerable advantage as a check on the pirates who reside in that quarter. We recommend this to the attention of the authorities who we know are exceedingly anxious that every means in their power should be applied to the repression of piracy. The formation of a good road along the coast in this direction would also materially promote the desired object, and we therefore hope that the line of road at present making in that district will be continued as speedily as possible.

ANNEX MM 41

Letter from Edward Belcher, Captain of HMS Samarang to W.J. Butterworth, Governor of Prince of Wales Island, Singapore and Malacca, 1 October 1844

*B

Her Majesty's Ship Samarang,
October 1st 1844

Sir,

In reply to your communication No. 109 and bearing date April 20/44, requesting an opinion upon the most eligible position for a Light House in the Straits of Singapore.

I have after very mature consideration, and also from a recent special survey come to the conclusion: That in pursuance of the intent of the note "to erect a Testimonial to the Hydrographer James Horsburgh Esqre." I am firmly of opinion that it would tend more to the general interests of navigation if such Testimonial stood upon a position where its benefit would be generally useful to the navigation of the China Seas as well as these straits.

For the latter object, nature specially presents the Romania outer Island as the most eligible site, by affording the means of distinctly avoiding night dangers, and thus enabling vessels to sail to and from Singapore with confidence as well as security.

From a slight inspection of the Chart of the Straits, you will perceive that a line drawn from the centre of the outer Romania Island to the tail of Johore Bank would nearly eclipse the light by the intervention of the nearer Land. Vessels have no business near this line, but, as is frequently practised in our recent British Light Houses, it is very easy to screen the light to the safe line, so as to warn vessels in time to shape a safe course. The law being, either on entering or quitting the straits, to "Keep the Light in Sight"

The Navigation immediately past the Light on the Cardinal points within a short distance is secure. But the vicinity of dangers is easily made known by the lower panes of the Lantern being formed of red glass, at the angle of depression, which would warn in time to haul off.

The Rail of a Lantern might even be adapted to the same object, by slightly obscuring the Light by a wire Gauze. If this is placed to meet the danger of the "Rock awash" the reappearance of the Light after the passing the danger will reassure the Navigator.

The Island affords good superficial extent for the construction of a Light House, which should be based as a Martells Tower, and any chance of surprise from Pirates be obviated by clean scraping to low water mark. This Lower Tower should be furnished with a small gun either for signals or defence. The towers of the Light House springing from its centre. This would prevent the necessity of any force beyond the Light Keepers and it is very doubtful if the mere knowledge of a Gun being there mounted, would not effectually prevent the Pirates from using the Channels in that vicinity.

This Lighthouse may be further rendered useful by reporting by signal to vessels passing to Singapore, either the passage of vessels up the China Sea, or any other information which may be signalled to it.

*I am etc. etc.
Sigd. Edwd Belcher Captn.*

Source: *Military Department (Marine Branch)
Consultation 15 February 1845, No. 5
NAI, New Delhi India*

ANNEX MM 42

**Letter from John Purvis & Co. to Governor W.J. Butterworth,
Governor of Prince of Wales Island, Singapore and Malacca, 31
October 1844**

*A

Singapore, 31st October 1844

To

The Hon'ble Coll. Butterworth C.B.

Governor etc. etc. etc

Sir,

We have the honor to acknowledge receipt of your letter of yesterday in which you request us to inform you whether the funds subscribed in China to the Horsburgh Testimonial are still forthcoming for the purpose of aiding in the erection of a Light House in the vicinity of Pedra Branca.

In reply we beg to state the order given to us in 1842 by Messrs. Jardine Matheson & Co. to pay the amount of subscriptions into the hands of Government here, whenever they would pledge themselves to construct a Light House in the vicinity of Pedra Branca has not been rescinded.

We have etc.

(signed) Jhn Purvis & Co.

*Source : Military Department (Marine Branch)
Consultation 15 February 1845, No. 5
NAI, New Delhi India*

ANNEX MM 43

**Report of J.T. Thomson, Government Surveyor to Governor W.J
Butterworth, Governor of Prince of Wales Island, Singapore and
Malacca, 20 November 1844**

*E

To The Honorable,
Colonel Butterworth C.B.
Governor of P. Wales Island,
Singapore and Malacca.

Sir,

In accordance with your instruction that I should proceed and examine Peak Rock Romania, in order to ascertain the probable cost of building a Light House thereon, of a construction fitted for the situation and whose price should not exceed the limited funds, that have been subscribed for its erection - also to estimate the cost of laying a substantial base suited to bear a superstructure of sheet Iron, and further to make the plans (as far as practicable with the limited sum allowed) in conformity with the recommendation of Sir Edward Belcher Viz. "that the Light House should be based as a Marbella Tower and any chance of surprise from Pirates be obviated by clean scarping to low water mark" and lastly to ascertain the position of the Rock with reference to the Romania Islands, the coast of Johore and the Island of Singapore:-

I therefore now have the honor of informing you that having proceeded to Peak Rock and surveyed the Islands and shores in the vicinity, I found it to be situated, as will be seen on reference to the accompanying Charts, about 3/4 of a mile to the Eastward of Large Romania Island, 1/2 miles from Point Romania, and 32 miles East by north from Singapore Town. The Rock is barren in height about 30 feet above high water, Spring Tides - with a length of 160 feet measured due East and West, and breadth of 130 feet measure north and south - as will be seen on reference to the sections drawn on the Chart of Romania Islands accompanying this but it extends to the length of 240 feet, if measured North East and South West. The Rock is grey granite of a very hard texture, affording excellent material on the spot for building purposes. There is no fresh water on it, but what is left in the hollows of the Rocks after rains. A landing on it is easily effected during calm weather and as this known to prevail in eight months of December, January, February and March, the landing will always be difficult, owing to the rock

when the north east monsoon prevails being exposed to the waves of the China Sea. The building therefore ought to be commenced early in April and finished if possible by the end of the following November. But as lulls during the North East Monsoon often take place in the nights, there will be frequent opportunities of landing on the rock during the morning. So that communication will never be entirely stopped even at the worst season of the year.

2. When I first visited the rock I was led to conclude from appearances that its barrenness was owing to its being washed by the waves during the North East Monsoon, which circumstance would have rendered the building of a permanent structure much more expensive and I should have wished to have seen it in the worst season before fixing upon a plan for its construction, if it had not had an opportunity of visiting the other Islands and Rocks in the vicinity when engaged for two days in surveying them, I then found North Rock to be of the same height as Peak Rock, and its formation to be in strata of soft stone, the decomposition of which has made a soil on which shrubs are growing and which has not the slightest appearance of having even touched by the waves. South Island, which is also equally exposed to the waves, and considerably lower than north and Peak Rock is covered with trees and other vegetation which could not exist in salt water - I therefore have no hesitation in ascribing the barrenness of Peak Rock to its steepness combined with the hardness of its formation, and not to the action of the wave.

3. I now come to the consideration of the best and most economical mode of constructing a Lighthouse on this position as the rock itself is of so hard a texture, the spot itself affords the best materials for building. But on the other hand the expense of chiselled granite is so great that a structure entirely formed of it would far exceed the funds subscribed. and stone cutters in Singapore are so few and bad, that the completion of it would be a matter of great difficulty. I have therefore been constrained in the Plans and Estimates to confine the use of this material to the construction of the base only, which would rise to the height of sixteen feet. This base as will be seen by the Plan will be built with granite rubble inside faced with chiselled blocks, and it will bear either a Brick or Iron Edifice above. The cost of it as per Estimate will be 2667 Spanish dollars including the Semicircular projections or Bastions, designed for the mounting of a gun on each for the defence of the

Light Keepers - above the base is the entrance to the Light House, and access will be had either by a ladder let down to the rock, or by a rope and basket suspended from the small crane at the door. These can be drawn up during the night or threatened dangers, thus affording ample security against any attack that could be made from the outside, if this should ever happen.

The foundation being laid at the height of 26 feet above high water spring tides, and this base being 16 feet, together making 42 feet, above spring tides, for the base of the brick or Iron Tower. This brick or Iron Tower will thus be raised beyond any action of the waves, and while this mass of construction carries through Sir Edward Belcher's views as to the defense of the place, tho' not entirely in the way recommended by him, the difficulty of his, lying in the expense of it, will also obviate the necessity of scarping the rock to low water mark, at least until sufficient funds be collected for that purpose - for this operations would not cost under the sum of seven thousand Spanish Dollars, a sum as will be seen by the accompanying Estimate equal to that which will be required to build the light house.

4. *With regard to the superstructures, I have after a great deal of consideration come to the conclusion, that the strongest and most durable building that can be made with the limited funds, will be of brick, using mortar in which molassus will be mixed. The whole of the rooms will have arched ceilings, and the only woodwork will be in the three partitions of the Keepers' rooms and in the stairs, doors and windows, so that there will be little danger of any from fire. The Estimated cost is 4332 Spanish Dollars exclusive of Lantern and Lamps, thus making the cost with foundations and base 7000 Dollars nearly.*

5. *As to the Lantern lamps and reflectors, as they must be made in Europe, I need say a little, and will confine myself to suggesting that the light should be stationary, as this is not only more simple than the revolving light but less subject to accident, and in case any of the machinery should be broken, there would be great difficulty in getting it repaired in this settlement. The light should also be red to distinguish it from fires on the Coast, and be sufficiently brilliant to be seen at the distance of 18 miles, so as to form a leading mark with ___ ___ Point, for the leading clear of Johore Shoal. The railings or Lantern, as recommended by Sir Edward Belcher, should be made*

to obscure the light within range of the rock awash and also South reef apparently not noticed by him, on which the Stork was lately wrecked. These being at present the only known dangers in the vicinity of Peak Rock in the way of shipping. There are also some dangers to the north and north E at a considerable distance, which could be made known to the ships during the night by obscuring the light in their direction, but when I was there, I had not sufficient time given me for ascertaining their exact position, and existing charts are not correct enough to mark them with the nicety required.

6. With regard to the best mode of proceeding with the erection of the Building, I now beg leave to offer a few remarks - it will be observed that Peak Rock as mentioned in a former part of this communication is 32 miles distant from Singapore and on reference to the chart will be seen intervening the shores of a country under the rule of independent Malay Chiefs. These shores have been long noted for the haunts of very daring Pirates, who when opportunity offers often cut off native vessels of considerable size, a work of this kind therefore could not be carried on without the protection of the Government. In drawing out these estimates I have consequently reckoned on the protection of the Gun Boat being constantly afforded from the commencement to the finishing of all the operations. But notwithstanding the protection thus given, a work of this kind would be very difficult and beyond the power of any officer of Government to accomplish under any moderate amount. I therefore at once gave up the idea of pledging my name to the furnishing of it by the modes prescribed, in the Engineer regulations of Government, under which regulations I have carried on several works in Singapore, thinking that the way proceeding hereafter mentioned of doing it by contract with Chinese would be the only way of getting it done for a fair sum, such as stated in the Estimate, and for my taking this course I trust the following reasons will be satisfactory.

7. The class of people on whom we entirely depend (with a very small exception in the few Chinese masons that are to be had) for Masonry and Carpentry work, are the Chinese, whose lower classes perhaps better than the same class of any other nation know the power that combining gives them, so much so, that the artisans of Singapore are leagued together in different Hueys or Societies in which member is bound by inviolable oaths to assist and connive with the rest. With a people of this kind to deal with, and under such

a system, an officer of Government after having once pledged his name to finish a work before having agreed with his Chinese masons etc. would entirely at their mercy, for their head men would immediately agree amongst themselves to ask double or treble the usual wages for going to this distant spot, and prevent all those under them whether willing or not from accepting less, they would also greatly exaggerate the dangers from Pirates, the unpleasantness of remaining on a barren Rock for several months. Besides a Chinese always works lazily and unsatisfactorily on daily wages, the little moral feeling of which he is professed not teaching him to see the injury he does his employer, but on the other hand if he has the prospect of gain by extra exertion, his great love of it, induces him to work both laboriously and indefatigably.

8. *Our system of building has consequently been entirely carried on by contract, a number of Chinese combining to undertake and finish works, sharing the profits and losses amongst them, and if the works be carried on under the eye of an European Oversees, they are well and substantially built in all their details.*

9. *I would therefore humbly take the liberty of recommending to your honor that this work be executed by contract, as being the most economical mode of proceeding, and if it be carried on under good superintendence provided by Government it will also be found the most satisfactory, if otherwise the building of it for the sum stated in the Estimate could not be guaranteed to Government.*

10. *Annexed to the sheet containing the Estimate will be found an agreement signed by a Chinese contractor named "Choa Allum" in which he undertakes to erect the building for the sum of 7,000 Dollars when the Government shall assent to it. This agreement of course is only preparatory to a formal one being drawn out when the orders of Government shall be made known. He has executed several of the Government works under me very satisfactorily and can give good security if required, for the due execution and finishing of the work. He tells me that tho' his portion of the contractor's profit in the building of the Light House would not be large, he would gain considerably by making the return boats carry stones to Singapore for sale and in supplying provisions etc. to the workmen, and by other ways and means not in the power of any European.*

11. *In conclusion I would beg leave to say that whilst I am fully of opinion that the sum stated in these papers would not be exceeded if carried on by Chinese contractors, but would afford them a fair remuneration for their trouble, still if the work were to be carried on by an officer of Government. making his own arrangements for the supply of materials and engagements with workmen, judging from the disadvantages that he would labour under, compared with them, that I think in such a case, the sanction of Government should be asked for double the sum.*

Singapore }
20th Novr 1844 }

I have etc.
Signed J. T. Thomson
Govt Surveyor.

Source: Military Department (Marine Branch)
Consultation 15 February 1845, No. 5
NAI, New Delhi India

Estimate of the Probable amount required to build a Light
house according to Plan dated 6th November 1844

Basement suited to bear either an Iron or a
Brick Superstructure

1568 sq. ft of chiseled granite @ \$ 5 per 10 sq.ft.	784.00
126 sq. ft - do - for platforms of	63.00
361 cub ft of Rubble stone @ \$3 per 100 cub ft	109.80
Masonry of above per one ft in height 16 ft @ \$10	160.00
Lime 40 Coyans at \$4 - sand 10 boats @ \$1	170.00
Molasses 4 piculs at \$2	8.00

Cement for outside stones made of well burnt brick
pounded with sand

810 cubic ft of Brick work 30 bricks for	
@ \$24,300 bricks at \$25 per laxa	60.75
Masonry including scaffolding \$25 per layer	60.75
Lime 4 Coyans per laxa 10 coyans @ \$4	40.00
Sand 2½ boats at \$1	2.50
Cutting and levelling Rock to receive basement	200.00
Houses and sheds for workmen	100.00
Boat hire from Singapore for D ^o	100.00
Wooden Pier of Impany or Damarlaut	185.00
Wooden gang way from Pier to Building	50.00
Contractors profit @ 20 per cent 426 76 on	2103.80
Contigencies -- " 5 " 106 bg	<u>533.45</u>

2667.25

Tower not including latern or lamps

Wall up to Railing 11,406 cub. feet

Arched Ceilings 1,766 " "

Wall round light room 346 " "

Less windows 576 13,518

" doors 336

" of light room 2% 939

30 x 12579 = 377,970 bricks

----- @ \$25 per laxa

943.42

Line 4 coyans per laxa = 152 goyans @ \$4/-	608.00	
Sand 37 Boats @ \$1 Molasses 38 Piculs @ \$2/-	113.00	
Masonry and Scaffolding 38 laxa nearly @ \$25	943.50	
16 Venetianed Windows @ \$3	<u>48.00</u>	
	Sp Dollars	2555.92 2667 25
3 Iron Doors estimated weight 12 piculs @ \$10	120.00	
1 Crane complete	20.00	
Railings round lantern complete 3 Pts. @ \$10	80.00	
50 Granite slabs round - Do - @\$5 each	250.00	
3 wooden Partitions for light keeper's rooms	100.00	
6 stairs	30.00	
Boat hire for people to and from Singapore	100.00	
Planks, Barrels etc. for holding building)		
Building materials such as Lime, Molasses etc.)	50.00	
	<hr/>	
Contractors Profit 20 per cent 693.20 on	3465.92	
Contingencies 5 " " 173 30	<u>866.50</u>	
		4332.42
	Spanish Dollars	<u>6999.67</u>

Singapore)
)
 19th Nov 1844)

E.E.
 Sgd I. I. Thomson
 Govt. Surveyor

I, Choa Allum, Chinese Contractor in Singapore, do hereby agree and bind myself to undertake and finish a light house on Peak Rock Romania according to a Plan drawn by Mr Thomson dated the 6th November 1844, and of the Materials specified in the annexed Estimate dated the 19th November 1844 when the Government shall assent to my contracting for the same for the sum of seven thousand Spanish Dollars including both Tower and base, but excluding the Lantern and Lamps or I agree to execute the base of granite to the height of 16 feet as laid down in the Plan, for the sum of two thousand six hundred and sixty seven Spanish Dollars dated in Singapore this 20th Nov 1844.

(Signed) Choa Allum
in Chinese characters

Witnesses

Sgd. I. F. Burrows and

" W. Willens

(True Copies)

Sgd: W. J. Butterworth

Governor

(True Copies)

Sgd:

Under Secy to the Govt. of Bengal

ANNEX MM 44

Letter from Sultan Allie, Sultan of Johore to Governor W.J. Butterworth, Governor of Prince of Wales Island, Singapore and Malacca, 25 November 1844, translated by T. Church, Resident Councillor

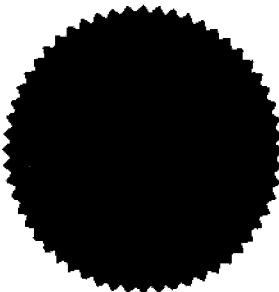
These are to Certify that the Secretary of State for Foreign and Commonwealth Affairs has in his custody a record in the Boards Collections 1844-45 no. 98792 folio 16 verso LTOR: F/4/21081

.....of which the following is a true copy:

From Sultan Allie of Johore

I have received my friend's letter, and in reply desire to acquaint my friend, that I perfectly understand his wishes, and I am exceedingly pleased at the intention expressed therein as it (a Light House) will enable Traders and others to enter and leave this Port with greater confidence.
Dated November 25th 1844

True Translation
(Sd) T. Church
Resident Councillor
Translation



In witness whereof I have hereunto set my hand, at the Oriental and India Office Collections, 197 Blackfriars Road, London, SE1, this Twentythird.....day of.....December.....in the year of our Lord One thousand nine hundred and ninety two.....

J. J. Thomas
Oriental and India Office Collections

From Sultan Allie of Johore...

I have received my friend's letter, and in reply desire to acquaint my friend, that I perfectly understand his wishes, and I am exceedingly pleased at the intention expressed therein, as it (in Light House) will enable Traders and others to enter and leave this Port with greater confidence. --

Dated November 25th 1844.

True Translation.
Signed J Church,
Resident Councillor.

Translation

ANNEX MM 45

Letter from Dattoo Tamungong of Johore to Governor W.J. Butterworth, Governor of Prince of Wales Island, Singapore and Malacca, 25 November 1844, translated by T. Church, Resident Councillor

These are to Certify that the Secretary of State for Foreign and Commonwealth Affairs has in his custody a record in the Boards Collections 1844-45 no.98792 folio 17 [IOR: F/4/2108]

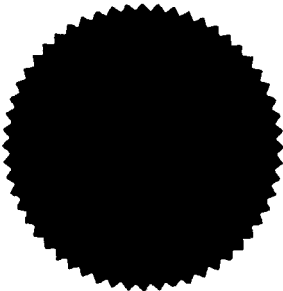
.....of which the following is a true copy:

Translation of a letter from Datto Tamengong of Johore
Compliments

I have duly received my friends communication, and understand the contents. My friend is desirous of erecting a Light House near Point Romania. I can have no possible objection to such a measure, indeed I am much pleased that such an understanding is in contemplation I wish to be guided in all matters by the Govt., so much so, that the company are at full liberty to put up a Light House there, or any spot deemed eligible.

Myself and family for many years have derived support from Singapore, our dependance is wholly on the English Government, and we hope to merit the protection of, and be favoured by the Company on all occasions consistent with propriety.

Dated New Harbour the 25th Nov. 1844
True Translation
(Sd) T. Church
Resident Councillor



In witness whereof I have hereunto set my hand, at the Oriental and India Office Collections, 197 Blackfriars Road, London, SE1, this.....Twenty Third.....day of.....December.....in the year of our Lord One thousand nine hundred and.....Ninety Two.....

J. Thomas

Oriental and India Office Collections

Translation of a Letter from Kattoo Tummyong of Sookra.
Compliments

I have duly received my friend's communication, and understand the Contents. My friend is desirous of erecting a Light House near Point Harmonia; I can have no possible objection to such a measure; indeed I am much pleased that such an undertaking is in contemplation. I wish to be guided in all matters by the Govt., so much so, that the Company are at full liberty to put up a Light House there, or any spot deemed eligible.

Myself and family for many years have derived support from Singapore, our dependence is wholly on the English Government, and we hope to merit the protection of, and be favoured by the Company on all occasions consistent with propriety. —

Dated New Harbour, the 25th November 1844.

True Translation.
(Signed) J Church,
Res^t Councillor. —

ANNEX MM 46

**Letter from Governor W.J. Butterworth, Governor of Prince of
Wales Island, Singapore and Malacca to F. Curie, Secretary to the
Government of India, 28 November 1844**

[No. 150 of 1844]

No. 150 of 1844

From

*The Governor of Prince of Wales Island,
Singapore and Malacca.*

To

*F. Currie Esqre
Secretary to the Govt. of India,
Fort William.*

Dated Singapore, 28th Novr 1844

Sir,

I have the honour very respectfully to bring to the notice of the Right Honorable the Governor General, a matter of some moment to the navigation of the Straits of Malacca in the vicinity of Singapore, and the opening of the China Sea.

Some years since, funds were raised in China, with a view of erecting a Testimonial to the memory of the late celebrated Hydrographer James Horsburgh Esquire, and at a meeting of the subscribers a wish was expressed, that the contributions should be devoted to the erection of a Light House bearing the name of "Horsburgh" on Pedra Branca, at the entrance of the China Sea, or on such other locality as might be deemed preferable by the Government of the Honorable East India Company.

The question of carrying out the above resolution by erecting a Light House on Barn Island, was submitted to the Supreme Govt under the date the 22nd July 1842 but the measure involved the necessity of a Military Guard, Special Superintendent, and a large Establishment, which it was proposed to maintain by the exaction of Harbour dues. Such a restrictive measure on the freedom of the Port was so opposed to the views of the Mercantile Community, that the proposition was at once abandoned, consequent on the previously expressed opinion of the Hon'ble East India Company in their letter No. 22 of 1839.

The funds adverted to, amounting to 5513 Dollars or 12,978, 8.4 Company's Rupees, being still forthcoming, as will be perceived by the enclosed copy of a letter from Messrs. John Purvis & Co. (A), and feeling persuaded of the very great necessity for a Light House and the advantage it would prove to the growing Trade with China, I took upon myself to submit the subject for the consideration of Captain Sir Edward Belcher C.B. in the hope that some site might be determined upon which would be free from the objections referred to, and meet the object in view. The report (B) of that Scientific Officer I desire to lay before the Right Hon'ble the Governor General of India with the Plan and Section of the Rock therein alluded to, prepared by Mr. Thomson the Surveyor, together with an outline chart, shewing its position with reference to Pedra Branca, the main land of Johore, and Island of Romania situated about 32 miles in an E by N direction from Singapore - This Rock is part of the Territories of the Rajah of Johore, who with the Tamongong (C) have willingly consented to cede it gratuitously to the East India Company.

The wreck of the Pascoa now lying in the Roads and the number of vessels, some of which are noted in the margin, lost or injured by touching on the Rock in the vicinity of the site selected,

Pascoa	_____	wrecked
Helen	_____	seriously injured
Heba	_____	wrecked
Henry Davidson	_____	Do _____
Stork	_____	Do _____

where the current sets with such extreme rapidity as to render the navigation dangerous, and difficult, in a dark night, shew the necessity of a Beacon in that quarter, but the Superintending Engineer (recently arrived from Madras) Captn. Faber, with whom I

visited the spot appeared to experience difficulty in framing an estimate of the approximate cost of the undertaking, consequent on his ignorance of the language, habits of the people, prices of materials, method of procuring them etc and to consider that an enormous outlay from a Lack to a Lack and a half of Rupees would be necessary to complete the work of Masonry. I had therefore almost given up my intention of moving in the matter, when my attention was directed to the notice (D) (which I venture to append to this communication) on the Iron Light Houses erected at Jamaica and Bermuda only a few years since at no very great cost at least not greater than with such additional aid as Government may afford, I have every hope of collecting from the Mercantile Community at home and abroad.

I accordingly deputed Mr. Thomson the Surveyor to make a chart of the entrance of the China Sea, and after a full consideration of the subject, to favor me with any observations he might have to offer. The result is shewn in the annexed document (E) from the Gentleman

who possess great knowledge of the natives, much local experience and indefatigable industry. It will be perceived that the foundation for an Iron Light House can be laid for 2667 Dollars, and that the total cost of constructing the whole building of Masonry would not exceed 7000 Dollars or about 1500 Dollars in excess of the sum in hand exclusive of the Lantern, and I am of opinion that this structure would answer every purpose.

The opening of the four Ports in China and the Establishment of a Colony at Hong Kong lends an increased importance

to the subject and may induce Her Majesty's Government to contribute to so laudable an undertaking by furnishing the Lantern. The Honorable the Court of Directors too, might consider this a favourable opportunity for marking still more permanently, their sense of service rendered to the world (under their auspices) by the celebrated Hydrographer, James Horsburgh Esquire whilst I can confidently say that a small establishment necessary to keep the Light in order, would with the Gun proposed by Captain Sir Edward Belcher tend most effectually towards the suppression of the Piracies annually committed on the Cochin China and other Traders from the adjacent countries, who from the strength of the current and difficulty of the navigation are obliged to anchor in that vicinity during the night.

Without any aid however, beyond what is forthcoming, and what will be given by Commanders of Trading Vessels, and the Mercantile Community at home and abroad, I feel confident, that sufficient Funds could be raised, for the construction of a Light House for what a respectable Chinaman has undertaken to build it, Viz. 7000 Dollars but I would fair hope that no further call on the Public may be deemed necessary and that Her Majesty's Government, and the Honorable the Court of Directors, will supply what may be wanting.

A Light House, if not properly attended, would prove infinitely more perplexing, and dangerous to the Mariner, than its total absence. I am therefore of opinion that less than two European, and Eight Natives, would barely answer the purpose of keeping watch, and working the Gun in case of need; I would therefore recommend that two steady Pensioners from the artillery might be allowed to volunteer for the service who should receive an additional salary and rations, with 8 Malays or Lascars, making the annual cost to the state including the estimated cost of materials for feeding the light 2856 Rupees per annum - should it be deemed advisable to employ 1st Class Convicts in place of the Malays or Lascars the expense would be considerably reduced.

2 Gunners	Rs. 100 per mensem
8 Malays	" 88 " "
Oil, Cotton etc	" 50 " "
	238
	<u>12</u>
	Rs. 2856 per annum

Trusting I have said sufficient to interest the Right Hon'ble the Governor General on a subject of such vast importance to the Trade of our country and the safety of the mariner, European and native, I venture most respectfully to entreat His Honor's support to the measure with the Hon'ble Court of Directors, who may then be induced probably in conjunction with Her Majesty's Govt, to furnish the additional sum required and order a Lantern to be at once constructed. In the mean time, if permitted, I will move the Trading Community in aid of a work which will perpetuate their gratitude, for the facilities afforded to the Navigation of these seas, by the indefatigable researches of James Horsburgh Esquire.

Singapore }
28th Nov 1844 }

I have etc
Sgd W.I. Butterworth,
Governor

Source: Military Department (Marine Branch)
Consultation 15 February 1845, No. 5
NAI, New Delhi India

Extract from a Marine general letter from the Honorable the Court of Directors to the Govt of Bengal dated 4th September 1839, No. 22.

Para 101 @ 103. State with reference to a proposal to erect Light House in the Straits of Singapore, that Government feel itself restrained from imposing duties for the purpose of raising the requisite Funds, without the previous sanction of Court, to whom therefore the question is now referred. - Submit also a request of the Marine Board to be furnished with two copies of a Marine Atlas.

20. As it appears that the erection of Light Houses in the straits is not essentially necessary to the safe navigation of them and that some difficulty might be found in levying the necessary funds for maintaining them, we do not feel justified in issuing any orders for the purpose, and we further add that the importance attached by the Mercantile community in this country to the preservation of perfect freedom of Trade at Singapore forbids our subjecting it to any restrictions.

21. We shall transmit by an early opportunity two complete sets of Charts for the use of the Marine Department of your Presidency.

*Source: Military Department (Marine Branch)
Consultation 15 February 1845, No. 5
NAI, New Delhi India*

ANNEX MM 47

**Letter from Governor W.J Butterworth, Governor of Prince of
Wales Island, Singapore and Malacca to Under-Secretary C.
Beadon, 22 August 1845**

No. 139

From

The Governor of P.W. Island
Singapore and Malacca

To:
C Beadon Esq.
Under Secretary to the Government of Bengal
Fort William

Dated Singapore 22nd August 1845

Sir,

I have the honor to acknowledge the receipt of your letter under date the 4th June last No. 1463 enclosing an extract/Para 71/of a dispatch from the Superintendant of Marine in Bengal dated the 23rd April 1845 No. 1502 and directing me to report on the recomunication of that officers relative to the construction of a Light House in Pedra Branca.

The number of vessels that have been wrecked in the vicinity of Pedra Branca, and Point Romania at the opening of the China Sea, imperatively rule for a Light House in that neighbourhood and there can be little doubt that the former would be the best possible position for one, so far on the light House is concerned but it is so remote from Singapore at so great a distance from the Main Land and so inaccessible at certain seasons of the year that under all circumstances, I should give the preference to the position selected by Captain Sir Edward Belcher as reported on in my letter under date the 28th November 1844 No: 110.

By a letter from the under Secretary to the Government of India dated the 18th February 1845 No: 121 forwarded to me with your endorsement dated the 24th Idem. No. 510, it would appear that the proposition for the erection of a Light House on the site selected by Captain Sir Edward Belcher C.B. viz Peak Rock the outer Romania Island has been recommended for the favorable consideration of Honorable the Court of Directors, and I trust that the time is not far distant when the work may be commenced upon as a light in that quarters is becoming daily of more paramount importance.

Singapore

22nd August 1845

I have the honor to be

/Sd/W.B. Butterworth
Governor

ANNEX MM 48

**"Erection of a Light-House on Romania Island", *Bombay Times*
and *Journal of Commerce*, 10 January 1846**

Singapore.

INSOLVENT LAWS.—It will be seen from the annexed resolution of the Chamber of Commerce, that they are again about to pronounce an opinion on the propriety or otherwise of having an insolvent law in the Settlement. We do not know whether the views and opinions of the Chamber have undergone any modifications since they last discussed the subject, but as our own have, since we treated of the question, we shall, if the hurry attendant on the despatch of the mail allow sufficient leisure, endeavour to review the question at length in our next issue.

Monday, 1st December, 1845.—Chamber of Commerce.
—As sufficient Notice was not given of the Meeting to be held this morning, it was decided that a Meeting take place on Friday the 12th current, at the Secretary's Office, at 12 o'clock, to express an opinion of the desirableness, or the reverse, of the introduction of the Bankruptcy Laws into Singapore.

ERECTION OF A LIGHT-HOUSE ON ROMANIA ISLAND.—Below, we are enabled to publish the report of a Committee of the Chamber of Commerce, regarding the erection of a Light-house on Romania Island. We are glad to see the Chamber take up the matter with so much earnestness, as we may anticipate from it the speedy accomplishment of the project. As long as the matter was left in the hands of the Indian Government we confess we saw little chance of its being carried through. It appeared to us that the same indifference actuated their conduct in regard to this as to most other matters relating to the Straits Settlements, which they can never bring themselves to regard in any other light than as remote and semi-barbarous Settlements upon which it would be beneath their dignity to bestow the trouble of a thought. They only regard them with reference to their size on the map, and can never realize to themselves the idea that they can have any importance or value attached to them as commercial stations,—as places where the commerce of the civilized world comes in contact with that of a large and semi-barbarous Archipelago, and where an interchange of commodities of these different societies takes place on a most extensive and ever increasing scale. Far otherwise is the aspect which Singapore and the other Straits Settlements presents those who view them from Europe—they see there the gratifying spectacle of desert Islands suddenly becoming the residences of thousands, and the store-houses of merchandize from every quarter of the world. They are alive to the importance of the places as commercial emporiums, and therefore are very ready to promote whatever may conduce to their permanence and increased utility. In England, objects of public utility, not

involving political differences, are no sooner broached than the fullest information bearing upon them is obtained, and the attention of the officers of Government has only to be drawn to them to ensure their being brought into operation. In India, in place of public projects being carried through in the same business style in which they are in England, we have occasional fits of energy, during which elaborate and able despatches, doing great credit to the literary abilities of the writers, are penned, followed by vast intervals when the subject reposes on the shelf. Thus when prompt action is required only words are bestowed, and the energy which should have made the scheme a reality is exhausted in the throes of composition.

In the year 1837 or shortly afterwards, funds were subscribed, adequate to the erection of a light-house;—the eight years that have since intervened, for all that we can learn, have been wasted in discussions amongst Indian Officials—as if to furnish topics for these had been the sole and ultimate object of the subscription. While the dangers have every moment remained, and ship after ship has been destroyed, and property to an enormous amount been lost, the adoption of the simple and certain means of avoiding these dangers has been postponed, until the Indian functionaries could settle trivial questions originating amongst themselves—such as whether a detachment of troops was a necessary concomitant of a light house. Our observations it will be remarked are directed against a precious system with the origin of which the Straits Authorities are not chargeable, and we must do the present Governor the justice to say that shortly after his arrival in Singapore he turned his attention to the subject and took it up with a promptitude and spirit adequate to the importance of the object.

It would appear that another discussion threatened—the Superintending Engineer of the Straits having reported that a lac and a half of Rupees would be necessary to complete the masonry alone, while only about twelve thousand were available. The Governor however seems to have settled the question, and has brought the scheme to a practical bearing, by getting an offer by a contractor to erect a building upon a less ambitious plan, designed by the Government Surveyor, after a minute examination of the locality,—and all that is now required is the sanction of the Supreme Government. This we have no doubt the interposition of the India and China Associations of London, Liverpool, and Glasgow, would at once obtain, and the Chamber of Commerce ought therefore to move these bodies without delay.

At a Meeting of the Chamber of Commerce of Singapore, held on Monday, the 1st of Dec., 1845, it was *Resolved*.—That the East India and China Association in London, the Calcutta and Bombay Chambers of

Commerce, Captain Biden of Madras, the Subscribers in America (through J. Balestier, Esq., U. S. C.) and the Subscribers in France (through the French Counsel,) be addressed with a copy of the report read this day,— and be requested to make the funds subscribed available for the erection of a Light-house as a Memorial to the late Hydrographer, James Horsburg.

T. O. CRANE, *Secretary.*

On 20th November, a deputation from the Committee of the Chamber of Commerce, waited on his Honor the Governor, to seek information as to what is being done, or likely to be done, in erecting a light house on, or adjacent to, Pedra Branca, to serve as a monument to the late eminent hydrographer James Horsburgh, and to facilitate navigation.

The Governor expressed satisfaction with the course adopted, and readily afforded the information sought. It appears that a proposition by a former Governor, involving a large establishment and the stationing a detachment of troops on a small island, had caused the scheme to be temporarily laid aside. The present Governor, shortly after his arrival at the Straits, had given his attention to the matter, and exactly twelve months ago communicated with the Indian Government on the subject. This communication, with the enclosures, with the favourable recommendation of the Supreme Government, was forwarded eight months ago to the Court of Directors, in whose hands the matter at present rests. It appears that funds subscribed in China to the Horsburgh testimonial, amounting to Drs. 5 513, are forthcoming, and will be paid into the hands of Government, whenever a pledge is given to construct a light-house in the vicinity of Pedra Branca. The Governor most judiciously availed himself of the presence of H. M. S. *Samarang*, to obtain a report from the distinguished scientific officer Capt. Sir Edward Belcher, C. B., who cheerfully gave his services to promote the erection of a testimonial to the Hydrographer Horsburgh.

Sir Edward is firmly of opinion that it would tend more to the general interests of navigation, if such Testimonial stood upon a position where its benefits would be generally useful to the navigation of the China Seas, as well as to the Straits. For the latter object, he considers the Romania Outer Island the most eligible site, as affording the means of distinctly avoiding night dangers, and enabling vessels to sail to and from Singapore with confidence and security. A line drawn from the centre of Outer Romania Island to the tail of Johore Bank, would nearly eclipse the proposed light by the intervention of the nearer land. Vessels should not be near this line, but (as frequently practised in modern British light-houses) it would be easy to screen the light to the safe line, so as to warn vessels in time to shape a safe course,—the rule being, in entering or quitting the Straits to “keep the light in sight.” The Navigation immediately past the light, on the Cardinal points, within a short distance, is

secure;—but the vicinity of danger is easily made known by the lower panes of the lanthorn being formed of red glass at the angle of the depression; which would warn in time to haul off; or the rail of the lanthorn might be adopted to the same and by slightly obscuring the light by a wire gauze. If this be placed to meet the danger of the “Rock awash,” and “Stork Reef,” which was discovered subsequent to Sir Edward Belcher’s report, the re-appearance of the light after passing this danger would re-assure the navigator. Sir Edward reports that the Island affords good superficial extent for the construction of a light-house, which he is of opinion should be based as a Martello tower, and any chance of surprise from Pirates be obviated by clean scarping to low water mark; this lower tower to be furnished with a small gun either for signals or defence; the tower of the light-house springing from its centre.—This would prevent the necessity of any force beyond the light-keepers; and it is probable that the knowledge of a gun being there mounted would hinder Pirates using the channels in the vicinity. The light-house might be further rendered useful as a signal station from the China sea.

The Malayan Authorities of Johore, in whose territory the Romania Island is situated, not only offer the Island for a lighthouse, but express satisfaction at the prospect of its erection. The Governor mentioned to the deputation of the Chamber that he had visited the proposed site in the H. C. Steamer *Diana*, having with him the superintending Engineer of public works in the Straits, whom he had instructed to make an estimate of the cost of the proposed erection.—This officer considered that about one, to one and a half, lacs of Rupees would be necessary to complete the work of masonry. This being beyond the sum likely to be available, the Governor instructed Mr. Thomson, the Government Surveyor, to submit an estimate; which had been done by that gentleman with great care and detail, and which was accompanied by an offer from a Chinese contractor to erect a granite base of 16 feet for Drs. 2667, and further, if required, a brick tower (exclusive of lanthorn and lamps) for 4,333 Drs additional, or in all, Drs. 7,000. The Governor seemed to think that an iron Tower on the granite base, would be preferable to brick, and had suggested the sending of one from England, similar to one erected at Bermuda, at a cost of £1,500. Mr. Thomson describes the proposed site as being $\frac{3}{4}$ of a mile East of large Romania Island, $\frac{1}{2}$ miles from Point Romania, and 32 miles East by North from Singapore town. The rock is barren, in height about 30 feet above high water spring tides with a length of 160 feet measured due East and West, and a breadth of 130 feet measured North and South; but extending 240 feet if measured North East and South West. The rock is hard grey granite very suitable for building; not liable to be washed by the waves in bad weather. Mr. Thomson proposes the entrance to the Light house to be by a movable ladder or basket and crane from the top of the granite basement, thereby obviating the necessity of scarping the rock to guard against surprise by pirates.

His Honor the Governor did not seem to be aware that money had been subscribed in London towards the erection of a Horsburgh testimonial, which money it is believed is still unappropriated. It is supposed also that money was subscribed at Calcutta, Madras, Bombay, in America, and on the Continent of Europe, with the same object. Possibly this money, in whole or in part, might be given towards erecting a Lighthouse as a testimonial to Horsburgh, and it rests with this Chamber to decide as to taking any and what steps in the matter. Only about £1500 is yet required to complete the Lighthouse according to Mr. Thomson's plan, which the Governor contemplated being given by the Hon'ble the East India Company. The Lanthorn might perhaps, he seemed to think, be furnished by H. M. Government, and the cost of maintaining the Light would be a local charge on the revenues of Singapore. On this point it need only be remarked, that any plan is better than encroaching on the freedom of the Port by levying even a small tax on vessels. Supposing more money to be received, it will become a question whether to erect another Light House as a Memorial of Horsburgh, or to render the one proposed on Romania Island more substantial and elegant,—paucity of means having suggested the less durable structure.

The Governor very judiciously remarks that a Lighthouse if not properly attended to, would prove infinitely more perplexing and dangerous to the Mariner than its total absence, and proposes as the lowest establishment to attend the light and work the gun in case of necessity, 2 Europeans and 8 Natives. The Europeans suggested by the Governor are pensioners from the Artillery, at a charge (in addition to pension,) of 50 Rs. each per Month; 8 Malays each 11 Rs per Month, or (if sanctioned,) 8 first-class Convicts would be cheaper than Malays. Allowing 50 Rupees Monthly for Cotton, Oil, &c. the annual charge against the Revenue of Singapore would be 2,856 Rupees.—*Free Press, Dec. 4.*

ANNEX MM 49

**"Lighthouse at Singapore", *The Times*, Thursday, 22 January
1846**

LIGHTHOUSE AT SINGAPORE.—A copy of the proceedings of a meeting of the Singapore Chamber of Commerce, held on the 1st of December last, has been forwarded to Lloyd's by the officers of the "Country Service."—On the 20th of November last a deputation from the committee of the Chamber of Commerce at Singapore waited on his Honour the Governor to know what had been, or was likely to be done, towards erecting a lighthouse on or adjacent to Pedra Branca, to serve as a monument to the late eminent hydrographer, James Horsburgh, and to facilitate navigation. The Governor expressed satisfaction with the course adopted, and readily afforded the information sought. It appears that a proposition by a former Governor, involving a large establishment, had caused the scheme to be temporarily laid aside. The present Governor, shortly after his arrival at the Straits, had given his attention to the matter, and exactly 12 months ago communicated with the Indian Government on the subject; that communication, with enclosures, and the favourable recommendation of the Supreme Government, was forwarded eight months ago to the Court of Directors, in whose hands the matter at present rests. The funds subscribed in China, by the officers before mentioned, to the Horsburgh testimonial, amounting to 5,513 dollars, are forthcoming, and will be paid into the hands of Government whenever pledge is given to construct a lighthouse in the vicinity of Pedra Branca. Captain Sir Edward Boleker, of Her Majesty's ship Samarang, was of opinion that it would tend more to the general interests of navigation if such testimonial stood upon a position where its benefits would be generally useful to the navigation of the China seas as well as to the Straits. For that latter object he considered the Romania, Outer Island, the most eligible site, as affording the means of distinctly avoiding night danger, and enabling vessels to sail to and from Singapore with confidence and security. The lighthouse would be further rendered useful as a signal station from the China seas. Sir Edward was of opinion that the lighthouse should be based on a martello tower, and any chance of surprise from pirates obviated by clear scarping to low watermark, the lower tower to be furnished with a gun, either for signals or defence. This would prevent the necessity of any force beyond the light-keepers; and the knowledge of a gun being there mounted would, probably, hinder pirates using the channels in the vicinity. The superintending engineer of public works in the Straits had estimated that from one to one and a half lak of rupees (10,000l. to 15,000l.) would complete the work of masonry. Other suggested models had been given, both upon a less and a more costly plan."

ANNEX MM 50

**Letter from N.B. Hamilton, Secretary to the Admiralty to the
Secretary to the East India Company, 18 April 1846(enclosure No.
2 to letter from Court of Directors to Governor General of India in
Council, 6 May 1846)**

[No. 4 of 1846]

*Marine Department
No. 4 of 1846*

*Our Governor General of India
in Council.*

We transmit herewith for your information copy of a letter and of its enclosure which we have this day caused to be addressed to the Governor of Prince of Wales Island, Singapore and Malacca relative to the Lighthouse proposed to be erected in the Straits of Singapore to the memory of the late Mr. Horsburgh.

*London }
6th May 1846 }*

*We are,
Your affectionate friends,
Signed.
Signed.
Signed.
Signed.
Signed.
Signed.
Signed.
Signed.
Signed.
Signed.
Signed.
Signed.
Signed.*

*Source: Marine Letter from Court of Directors 1844-46
 No. 4 dated 6 May 1846. [Pages 213-216]
 [Cons. 3 October 1846, No. 14]
 NAI, New Delhi India*

Enclosure 1.

East India House

6 May 1846

*The Governor
of Prince of Wales Island,
Singapore and Malacca.*

Sir,

I am commanded by the Court of Directors of the East India Company to transmit to you copy of a letter from Captain Hamilton R.N. the Secretary to the Admiralty relative to the Light House proposed to be erected to the Memory of the late Mr. Horsburgh at the entrance of the Straits of Singapore.

The Court apprehend that progress may have been already made in the construction of the Light House; but in the event of the work not having been commenced they desire that it may be suspended until you have an opportunity of communicating with the Government of India to whom a copy of Captain Hamilton's letter has been sent.

I have etc.

*Sigd. James C. Melvill
Secretary*

*Source: Marine Letter from Court of Directors 1844-46
No. 4 dated 6 May 1846. [Pages 217]
[Cons. 3 October 1846, No. 14]
NAI, New Delhi India*

Admiralty
18th April 1846

The Lord Commissioners of the Admiralty having recently learned from Rear Admiral Sir Thomas Cochrane, the Commander in Chief - in the East Indies, that the Chamber of Commerce at Singapore with the approbation of the Governor were exerting themselves to carry out the long proposed Horsburgh Monument or Light House at the entrance of Singapore Straits, and that Captain sir Edward Belcher having been consulted by the Governor as to the most appropriate site for it had recommended that it should be placed on the outer Romania Island instead of on Pedra Branca as originally intended.

I am commanded by their Lordships to request that you will state to the Court of Directors that the proper position of this Light is a question of great importance not only to the safety of her majesty's Fleet but also to the welfare of all Mariners that frequent the China Seas - and my Lords are inclined to think that Pedra Branca is the best point for the Light House and for the following reasons:-

- 1st Because that Islet stands nearly in the middle of the Entrance of the Straits;*
- 2nd Because it may be freely approached by running down its latitude;*
- 3rd Because its conspicuous appearance at the distance of 9 or 10 miles renders it the usual Beacon by which all vessels endeavour to make the Straits and by the addition of a Light it would be rendered equally serviceable by night; and*
- 4th Because when a vessel has passed it, the stern bearing of the Light would enable him to shape a safe course to Singapore.*

Whereas if the Light be placed on Romania Island as proposed, ships from the China Sea if the weather should be hazy, would run the risk of being entangled amongst the Reefs which surround that Island, there being but one direction in which it would be prudent to run for the light.

The means of victualling and of defending the Light House, whichever place be chosen ought certainly to be well considered, but there is no information on that part of the subject to show that either of the proposed sites have any advantage over the other in these respects.

Their Lordships however desire me to remark that the Rocks and Shoals at Romania Point seem to require some attention with a view of warning vessels from getting entangled amongst them in the dark nights.

*I have etc
Sd. N.B. Hamilton*

*The Secretary to the
Hon'ble East India Company*

*Source: Marine Letter from Court of Directors 1844-46
No. 4 dated 6 May 1846. [Pages 219- 224]
[Cons. 3 October 1846, No. 14]
NAI, New Delhi India*

ANNEX MM 51

**Letter from Governor W.J. Butterworth, Governor of Prince of
Wales Island, Singapore and Malacca to G.A. Bushby, the
Secretary of the Government of India, 26 August 1846**

No. 123

From

*The Governor of Prince of Wales Island
Singapore and Malacca*

To:

*G.A. Bushby Esquire
Secretary to the Government of India
Fort William*

Dated Singapore 26th August 1846

Sir,

I have the honor to transmit the accompanying copy of a letter to my address, from the Secretary to the Hon'ble Court of Directors, enclosing the copy of a letter from the Secretary to the Admiralty, relative to the Light House, proposed to be erected to the memory of the Hydrographer, James Horsburgh Esquire, at the entrance of the China Sea.

In my letter under date the 22nd August 1845 No. 139 I intimated my unqualified opinion that Pedra Branca should be the best possible position for a Light House, so far as the Light is concerned, but I was induced to give the preference to the Peak Rock in outer Romania Island, the position selected by Captn. Sir Edward Belcher C.B. in consequence of the former Island being so remote from Singapore, at so great a distance from the Main Land, and so inaccessible at certain seasons of the year.

*Vide my letter
to the address
of Mr. Under
Secy Beadon
under date the
4th May last
No. 63*

The recent survey of the Straits made by the Government Surveyor Mr. Thomson and Captain Congalton Commanding the Honble E.I. Company's Steamer Hoogly has led to the discovery of so many Rocks and Shoals previously unknown, that I only waited to learn the decision of Government touching the erection of a Light House to institute further enquiries regarding the two sites viz Pedra Branca & Peak Rock

On receipt of Mr. Melvill's communication I forthwith call upon the above officers for their Report, which I have the honor to enclose, and by which the President in Council will at once perceive that Pedra Branca is the only true position for a Light House at the entrance of the China Sea.

My letter under dates the 20th November 1844 No. 150, and 22nd August 1845 No. 139 will have pointed out the glaring necessity of a Light House in the

} The former to the address of Mr. Secy [Currie] and the letter to Mr. Under Secy Beadon.

position above indicated, but I need hardly observe that the work has not been commenced upon as anticipated by the Secretary to the Hon'ble East India Company – I earnestly trust however that the question will receive early consideration, and that the accompanying copy of a letter with its enclosures, just received from the Chamber of Commerce at Singapore will induce the Hon'ble the President in Council to move the Hon'ble Court of Directors to order an Iron Light House from England for erection on Pedra Branca – the whole of the details for the case of Light Houses as set forth in my letter under date the 28th November 1844, with reference to its being erected on Peak Rock will be equally applicable to the new Position.

It will be observed by the letter from Mr. A. Gordon, that an Iron Light House can be delivered at the site selected for £ 3000, or about 30,000 Rupees and by the other letters adverted to in the Communication from the Chamber of Commerce that there is forthcoming from

Madras	RS. 780
and from Bombay.....	" 4300
which with that from China.....	" <u>12,378</u>

previously reported gives a total of 17,458 Rupees available for a Light House and this I have no doubt will be added to when it becomes known that Government have decided upon carrying out the views and wishes of the Mercantile Community.

In conclusion I beg to annex a copy of my reply to the Secretary to the Hon'ble E.I. Company which I trust will be approved of by the Hon'ble the President in Council.

Singapore

26th Aug 1846

I have the honor to be
Sir
Your Most Obedt. Servant
(Sgd)

Governor

ANNEX MM 52

**“Presentation of a Sword to H.H. the Tomongong Sree Maharajah
of Johore”, *Straits Times*, 5 September 1846**

Dated: 5th September 1846

PRESENTATION OF A SWORD TO H.H THE TOMONGONG SREE MAHARAJAH OF JOHORE- Tuesday last being the day fixed for the ceremony of presenting to the Tomongong, a Sword, the gift of the Government of India, a mark of approbation for His Highness' conduct in aiding the suppression of piracy, that part of the town in the neighbourhood of Government Hill, presented a scene of unusual gaiety. On the side of the Hill fronting the sea, several tents were pitched for the accommodation of Spectators. Three six-pounders were placed in front of the verandah of Government House, from which salutes were fired. As early as 11 o'clock, crowds of natives were seen assembling on the Esplanade, Government Hill, &c. the Malays, followers of the Tomongong, being all armed with the Kris, and amounting in number to about 500. The hour, 2 P.M fixed for the presentation of the Sword was not a convenient one, owing to the oppressive heat of the sun; the present time is also the season for fasting amongst the Malays, but notwithstanding these lets, a great number of persons were collected together and apparently all in good humour.

At Government House, active preparations had been in progress, a day or two previous. An excellent "Spread" was prepared in the shape of a substantial tiffin on which, to fall back so soon as the ceremony of presentation had concluded. Colonel BUTTERWORTH, C.B. Governor of the Incorporated Settlements had invited several European guests to give eclat to, and witness, the ceremony.

Two flank Companies of the 21st M.N.I. were ranged along the Road leading directly to Government House. All the officers were present, as also the Regimental Band. A few minutes before 2 o'clock, His Highness the Temongong, accompanied by their Highnesses Sultan ALI ISKANDAR SHAH of Johore, the Sultan of Linggin, TUANKU JAFFER, Minister of the Tomongong, and some European Gentlemen, quitted the Court House and proceeded to Government House. On reaching the foot of the Hill, the Tomongong and Suite got into the Governor's carriage and passed up the Hill as far as where the Body Guard were stationed, when His Highness alighted. The reception then took place, under a salute of 15 guns from the six-pounders in front of the Verandah. After Sundry presentations had taken place in the Verandah, where the followers of the Tomongong were placed, so as to observe what occurred, His Honor, the Governor, in a clear voice then delivered the following speech, which, as His Honor proceeded, was interpreted in Malay by Mr. HEWETSON:-

It is almost superfluous to mention the purpose for which we are assembled here this morning, and more so to enter into details of the rapine and murders

formerly committed in these Seas, by formidable bodies of what are justly termed the Enemies of all mankind-Pirates, - now for the most part subdued, and dispersed, by the gallantry of our Navy, ever first and foremost to brave danger and difficulty in every shape.

Happily for some time past, Piracy has been rarely heard of in the vicinity of own shores, and when isolated cases, have occurred, the perpetrators have generally been apprehended, through the exertions of the Local Authorities, and the able and willing assistance afforded by the neighbouring Chieftains of Pahang, Tringanu, and Lingin, but more especially by the powerful aid of His Highness Sree Maharajah, the Tamongong of Johore, to whom I am directed to present this Sword, in testimony of the estimation in which his service in the suppression of Piracy are held, by the Government of India.

I congratulate you Sree Maharajah, on the high compliment that has been paid to you, and I can assure you that I experience the most deep and heart-felt satisfaction in being called upon to present you with this token of the esteem of our most just and ever generous Government.

Let me say a word or two, to one and all of the Malayan and Chinese people here assembled. The sole desire of the Government of India is, that you should live in peace and happiness, enjoying the benefit of the Traffic which is carried on with all parts of the Eastern Archipelago; but this is impossible if Piracy prevail, and I would therefore urge you to exert yourselves to discover, and give information of the haunts of these Enemies of all mankind, these Pirates, if any, still there be located at Singapore, assuring yourselves in so doing of the protection and reward of Government.

The last paragraph of the Governor's Speech was addressed to the Malays and other spectators present. The Governor then presented the Sword to His Highness, when a salute of 19 guns- the Governor General's salute- was fired from the temporary battery. The Sword is of the form used by Malays, but beautifully made of Damascus Steel, with a yellow velvet Scabbard and gold mounted- the handle is of gold, ornamented with filagre work. On the blade is the following inscription:-

"PRESENTED in the year 1846 to the Tomongong of Johore, Sree Maharajah, by Lieut. Col. BUTTERWORTH, C.B Governor of Prince of Wales Island, Singapore and Malacca, as a testimony of the high estimation in which the services of the Sree Maharajah in the suppression of Piracy are held by the Government of India"

On the observe, a similar inscription appears in Malay. The Tomongong received the mark of approbation of the Indian Government with manifest feelings of regard and then replied as follows, each sentence being interpreted into English by Mr. HEWETSON.

COLONEL BUTTERWORTH

In laying at your feet my sincere thanks for the high distinguished honor which you have conferred upon me, I am much pleased that my conduct should have met with the approbation of Government and that my humble exertions should have been conducive to the welfare of this community. Highly do I value this splendid testimonial of your approbation, with pride shall I wear it and as an heirloom it will be handed down to my posterity. My gratitude for the good wishes which you have now uttered it is difficult for me to express and the kind consideration which you have always shewn towards me is engraven in my heart, with pleasure have I witnessed the zeal with which you have carried out so many Public Improvements and with admiration will future ages view these splendid monuments of your fostering care over all classes of this community. You govern wisely, may you govern long, and may he who rules the destinies of Mahometans and Christians watch over and aid you in all your wise and good works.

The ceremony of presentation being over, the Tomongong shook hands. With the Governor and others assembled under the Verandah and then took his departure, under a Salute of 15 guns- the mark of honour, due to his rank. The European visitants that remained then sat down to the very ample and excellent entertainment provided by the Governor, and thus terminated the pleasures of the day. Amongst all classes the utmost decorum was observed. We ought not to omit mentioning that during the day several appropriate musical pieces were performed by the Band.

The influence which the Tomomgong at Teluk Blangah has over the Tambo-boys in the River and others is surprising; and were the extraordinary hold he possesses over their minds directed as it might, and as it should be there would be good grounds to award praise where censure is at present in some way deserved. From all we have been able to learn, it would hitherto be elected, and that somewhat indirectly. The receiving of a mark of honour from the British government ought to convey to the Malays, who pay allegiance to the Tomongong, that their respected chief has in the most open and decided manner for ever repudiated the practice of piracy; the sword presented by the Governor and accepted by the Tomongong ought to break the spell which the Malays consider as binding them to a piratical course of life- *That* is the Moral effect which is designed by the presentation.

ANNEX MM 53

**Internal Minute of Governor W.J. Butterworth, Governor of Prince
of Wales Island, Singapore and Malacca, 30 September 1846**

Home 1846 Dept
Marine

(4 encl)

From

Governor, Prince of Wales Island
Singapore & Malacca.

Cons. 3rd Oct. from

I/26 Aug) No. 9
) No. 123.
rf. 30 Sept)

This had better go home I approve Pedra Branca as the site.

Signed.

Transmit copy of a corresp. with the Secy. to the Court of Drs. together with other papers relative to the Light House proposed to be erected to the memory of the late Mr. James Horsburg in the Straits of Singapore, Recommends for reasons assigned, Pedra Branca at the entrance of the China Sea as a site for the Light House in preference to Peak Rock, and as the work has not yet been commenced upon, suggests that Ct. of Drs. may be moved to send out an Iron Light House from England, when it has been ascertained wd. Cost (at the site selected) 30,000 Rs – of which 17, 458 had already been subscribed.

Home 1846 Dept
A Marine

4 1/2 m

From
Governor, Prince
of Wales Island
Singapore & Malacca
Comd. S. Co. S. J. M.

2/26 Aug 1849
2/30 Sept 1849

It is better
to home I approved
Pera's name as the
site. The M.
document copy of a copy
with the Secy. to the Comd. of
D. together with other papers
relative to the Light House
proposed to be erected to the
memory of the late Mr James
Lushington in the Straits of
Singapore. Recommends
for reasons a figure, Pera Point
at the entrance of the China
Sea as a site for the Light
House in preference to Rock
Rock, and as the work has
not yet been commenced
upth, suggests that the O.
S. H. M. S. 13 1/2 by 1/2 S. L.

of D's may be moved to
land with an Iron Light
House from England, which
it has been ascertained w.
cost (at the site selected)
30,000 R - of which 17,458
have already been subscribed.

ANNEX MM 54

**Letter from Government of India, 3 October 1846 & attachments:
British Library, India, Marine Department Collection, F/4/2166**

Ms. A. 10. 1. 10
507. 110
Draft of ...

India

Marine Department Collection

Letter from dated 3rd October 1846 #5

Reports that Pedra Branca has been approved as the position for erecting the Florsburgh Light. Requesting consideration of the proposition for sending an Iron Light House from England.

Secretary's Office
Marine Branch
1846

1	2	3	4	5
cms.				
ins.		1	2	

F/4/2166

Copy Marine Letter from the Govt of India
dated 3^d October 1846 J^o 5.

With reference to your letter dated the 6th May J^o 6 of 1846 in the Marine Department and its enclosure we have the honor to transmit for the information of your Hon^{ble} Board, copy of a Despatch from the Governor of Prince of Wales' Island Singapore and Malacca dated 26th August to which we have replied that we approve of Pedro Branco for the position of the Horsburgh Light House, to be erected at the entrance of the Singapore Straits from the China Sea and shall request your Hon^{ble} Board to take into consideration the proposition that an Iron Light House be
sent

F/4/2166

sent from England —

2 We have directed the
Governors to notice the observation
in the last Para: of Mr Hamiltons
Letter dated 18th April to Mr Secretary
Melville respecting the rocks and
shoals at Romania Point which
in the opinion of the Lords Commis-
sioners of the Admiralty require
some attention with a view to
warning vessels from getting
entangled amongst them in
dark nights —

F/4/2166_1

Copy Marine Letter to the Govt. of India
dated 15th October 1845 J#6

Para 1 We have had under consideration your letter J#3 dated 15th February 1845 on a subject of a proposal to erect a Light House on Peak Rock near the outer Romaria Island in the Straits of Singapore —

2 It appears that the cost of the building, which it is proposed should be called the Horsburgh Lighthouse, is estimated at 7000 Dollars, of which 5513 have been raised by public subscription, and you recommend that the deficiency should be supplied by the Government of India, which should likewise take upon itself the future current expenses of the Lighthouse, estimated at Rs 2855 annually. —

3 We readily admit the propriety of affording all possible facilities to navigation in the Straits of Singapore

F/4/2166

Singapore, and entrance to the China Seas, more especially on account of the daily increasing importance of the trade with China, and we are also of opinion, that the opportunity now offered of constructing at a very trifling expense to the Public, a Light house in a very desirable situation should not be neglected.

4 We are however opposed upon principle to the appropriation of any further sum, however small, from the general revenues of India to purposes which apply with equal — advantage to all shipping frequenting the Straits of Malacca and China Seas, and we think that the additional funds required for the construction and maintenance of a Light house near Singapore, should according to the practice in all other parts of the world, be raised at the expense of the shipping interest for whose special benefit it is designed. —

5

5 Having therefore ascertained that no objection will now be made by Her Majesty's Government to the levy of moderate Light House dues at Singapore, We authorize you to impose on vessels entering that Port a charge not exceeding one Rupee for every hundred tons of burthen and a proportionately reduced charge on vessels of less than one hundred tons

6 We also authorize the levy of similar duties in India on all vessels clearing out for China or other places to the eastward of Singapore, but such ships on production of receipts for the payment of the Light House dues in India are not of course to be subjected to a repetition of the charge at Singapore during the same voyage — If necessary Her Majesty's Residents or Consuls at Ports to the Eastward of Singapore might be empowered to demand)

F/4/2/66

Demand from Masters of vessels, receipts
for payment of the dues either in India
or at Singapore —

The Fund arising from
these imposts is to be strictly appro-
priated to the reimbursement of
any sums advanced by your
Government for the construction of
the Light house, and to the payment
of the current expenses of the Building
and in case the proceeds of the Light
House dues should prove at any
time to be more than the amount
needed for these purposes, a corresponding
reduction must be made in the rates
of charge —

F/4/2166

No. 150 of 1844

From The Governor of Prince of Wales Island

Singapore and Malacca,

To F. Currie Esq^r

Secy to the Gov^r of India,

Fort William

Malacca Singapore, 25th Nov 1844

Sir,

I have the honor very respectfully to bring to the notice of the Right Hon^{ble} the Governor General, a matter of some moment to the navigation of the Straits of Malacca in the vicinity of Singapore, & the opening of the China Sea -

Some years since, Funds were raised in China, with a view of erecting a Testimonial to the memory of the late celebrated Hydrographer James Horsburgh Esq^r, and at a meeting of the Subscribers, a wish was expressed that the contributions should be devoted to the erection of a Light House bearing the name of Horsburgh on Pedra Branca or the entrance of the China Sea, or on such other locality as might be deemed preferable by the Gov^r of the Hon^{ble} East India Company -

The question of carrying out the above resolution

F/4/2166

resolution by erecting a Light House on Barnet Island, was submitted to the Supreme Gov^{ts} on date the 25th July 1842, but the measure involved the necessity of a military Guard, special Establishment, & a large Estab^l, which it was proposed to maintain by the taxation of Merchants. Such a restrictive measure on the freedom of the Port was so opposed to the views of the Mercantile Community, that the proposition was at once abandoned, consequent on the previously expressed opinion of the Hon^{ble} East India Company in their Letter No 22 of 1839.

The funds available to amounting to 5518 Lollars or 12,378, 2. 4 Company's Revenue, being still forthcoming, as will be perceived by the enclosed copy of a Letter from Messrs John Poirer & Co^{rs}, and feeling persuaded of the very great necessity for a Light House & the advantage it would prove to the growing Trade with China I had upon myself to submit the subject for the consideration of Capt^l Sir Edward Belcher C. B. in the hope that some site might be determined upon which would be free from the objections referred to, & meet the object in view. The report of that Scientific Officer I desire to lay before the Right Hon^{ble} the Gov^{ts} of India with the Plan & Section of the Rock therein alluded to.

Enc^l
A

* B

F/4/2166

attributed to, supposing by Mr. Thomson the Surveyor,
 together with an outline Chart, showing its position
 with reference to Sierra Leone, the main land
 of Johor, & Island of Komania. Situated about
 37 miles in an e. by n. direction from Singapore.
 This Reek is part of the Territories of the Rajah
 of Johor, who with the Yamonging have willingly
 consented to cede it gratuitously to the East India
 Company.

The wreck of the Pascoa, now lying in
 the sands, & the number of Vessels, some of which have
 notes in the margin, lost or injured by touching
 the Reek in the vicinity of the Tide rocks,
 where the current sets with such extreme rapidity,
 as to render the navigation dangerous, & difficult,
 in a dark night, shew the necessity of a Beacon in
 that quarter, but the surprising language pre-
 sently arrived from a Native (Capt. Folger, with
 whom I visited the spot, appears to be so
 difficult in forming an estimate of the approximate
 East of the river to King, consequent on his ignorance
 of the language, habits of the people, prices of ma-
 terials, method of procuring them, &c. &c. &c.
 that an enormous outlay from a Lack to Lack
 & a half of Rupees would be necessary to complete
 the work of masonry. I have therefore almost given
 up my intention of moving in the matter, when
 my attention was directed to the notes (which
 I venture to append to this communication) of the
 French

some - written
 in - various
 in - numbers
 of - position - 12
 10

27

Two Light Houses erected at Jamaica & Bermuda
only a few years since, at no very great cost, at least
not greater than with such additional aid as Govt.
may afford, I have every hope of collecting from
the Mercantile Community at home & abroad.

I accordingly deputed Mr Thomson the Sur-
veyor to make a Chart of the entrance of the China
Sea, & after a full consideration of the subject, to
favor me with any observations he might have
to offer. The result is shown in the annexed do-
cument from that Gentleman, who possesses great
knowledge of the natives, much local experience,
& indefatigable industry. It will be perceived that
the foundation for an Iron Light House can be
laid for 2657 Dollars, & that the total cost of
constructing the whole building in masonry would
not exceed 4000 Dollars or about 1500 Dollars
in excess of the sum in Vancouver's plan of the
Lantern, & I am of opinion that this Structure
would answer every purpose.

The opening of the four Ports in China &
the Establishment of a Colony at Hong Kong lends
an increased importance to the subject, & may
induce Her Majesty's Govt to contribute to so
laudable an undertaking by furnishing the
Lantern. The Honble the Comrs of Directors too
might consider this a favorable opportunity for
marking still more permanently their Sense
of the Services rendered to the West (under their

care)

auspices) by the celebrated Hydrographer, James
Hansburgh Esq., which I am in doubtless
that the small Estable necessary to keep the
Light in order, would with the Gun proposed by
Capt. Sir Edmund Belcher tend most effectually
towards the suppression of the Piracies among the
Coasts of the (Cochin China) & other Trades from
the adjacent Countries, who from the Strength
of the Current & difficulty of the navigation are
obliged to anchor in that vicinity during the
night.

Without any Air however, beyond what is
forth coming, I what will be given by Commanders
of Trading Vessels, & the mercantile Community
at home & abroad, I feel confident, that sufficient
Funds could be raised, for the construction of a
Light House, for what a respectable Chinaman
has undertaken to build, vizt 70000 Dollars, but
I would gain Hope that notwithstanding the
Public may be eluded necessary, & that Her Majesty's
Gov. & the Honble the Court of Admirals, will
Supply what may be wanting.

a Light House, if not properly attended,
would prove infinitely more prejudicial than
any other to the Commerce, than its total Omission
I am therefore of opinion that less than two European
& eight Natives, would barely answer the purpose
of keeping watch & maintaining the Gun in case
of need, I would therefore recommend the two being
Pensioners

F/4/2166

Extract from a letter from the Hon. Secy of the Bengal Govt. dated 15th March 1859, No. 22

18th March 1859, Secy to the Govt. Bengal

The Hon. Secy of the Bengal Govt. has the honor to acknowledge the receipt of your letter of the 15th inst. in relation to the proposed amendment in the Bill for the purpose of providing for the better regulation of the Press in the Province of Bengal. The Hon. Secy is pleased to observe that the Bill is generally well received, and that the Hon. Secy of the Bengal Govt. has the honor to acknowledge the receipt of your letter of the 15th inst. in relation to the proposed amendment in the Bill for the purpose of providing for the better regulation of the Press in the Province of Bengal.

238
12

The Hon. Secy is pleased to observe that the Bill is generally well received, and that the Hon. Secy of the Bengal Govt. has the honor to acknowledge the receipt of your letter of the 15th inst. in relation to the proposed amendment in the Bill for the purpose of providing for the better regulation of the Press in the Province of Bengal.

F/14/2166

The first thing I have done since I came back is to write a letter to you and to tell you how much I love you. I have been thinking of you every day and I have been wondering how you are getting on. I hope you are well and happy. I have been very busy here but I have managed to find a few moments to write to you. I have been thinking of you every day and I have been wondering how you are getting on. I hope you are well and happy. I have been very busy here but I have managed to find a few moments to write to you.

The first thing I have done since I came back is to write a letter to you and to tell you how much I love you.

I have been thinking of you every day and I have been wondering how you are getting on.

I hope you are well and happy. I have been very busy here but I have managed to find a few moments to write to you.

I have been thinking of you every day and I have been wondering how you are getting on.

I hope you are well and happy. I have been very busy here but I have managed to find a few moments to write to you.

I have been thinking of you every day and I have been wondering how you are getting on.

I hope you are well and happy. I have been very busy here but I have managed to find a few moments to write to you.

I have been thinking of you every day and I have been wondering how you are getting on.

I hope you are well and happy. I have been very busy here but I have managed to find a few moments to write to you.

given to us in 1842. by a Mr. (James) ...
... the amount of subscription
into the hands of ... whenever they will
... themselves to construct a Light House
in the vicinity of Pedra Branca, has not been
received.

We have &c.

Sig^{to} Inc. Parris & Co.

*B

Her Majesty's Ship Samarang

October 1st 1844.

Sir,

In reply to your communication
No. 109 and bearing date (April 26th 1844, requesting
an opinion upon the most eligible position
for a Light House in the Straits of Singapore.

I have after very mature consideration
and also from a recent Special Survey, come
to the conclusion: That in pursuance of the
intent of the vote "to erect a Sectional Lighthouse
Hydrographer James Horsburgh Esq. I am
firmly of opinion that it would be more to the
general interests of navigation if such Sectional
Lighthouse were upon a position where its benefit would be
generally useful to the navigation of the China
Sea as well as these Straits.

For the latter object, nature specially
presents

presents the Romanias outer Island as the most eligible site, by affording the means of distinctly avoiding night dangers, and thus enabling Vessels to sail to and from Singapore with confidence as well as security.

From a slight inspection of the Chart of the Straits you will perceive that a line drawn from the centre of the outer Romanias Island to the tail of Johor Bank, would nearly eclipse the light by the intervention of the rearer Sand. Vessels have no business near this line, but as is frequently practised in our recent British Light Houses, it is very easy to screen the light to the safe line, so as to warrant vessels in time to shape a safe course. The line being either on entering or quitting the Straits to "keep the Light in sight."

The navigation immediately past the light on the cardinal points within a short distance is secure. But the vicinity of danger is easily made known by the Lower panes of the Lantern being formed of red glass, and the angle of depression, which would warn in time to haul off.

The Rack of a Lantern might even be adapted to the same object, by slightly obscuring the light by a wire gauze. If this is placed to meet the danger of the "Red a wash," the reappearance of the light after passing the danger will reassure the Navigator.

The Island affords good superficial extent for the construction of a Light House, which should be built as a Martello Tower, and any chance of Surprise from Pirates be obviated by clean scarping to low water mark. This Lower Tower should be furnished with a small Gun, either for Signals or defence. The Tower of the Light House springing from its centre. This would prevent the necessity of any force beyond the Light Keeper, and it is very doubtful if the mere knowledge of a Gun being there mounted, would not effectually prevent the Pirates from using the Channels in that vicinity.

This Light House may be further rendered useful by reporting by signal, to vessels passing to Singapore, either the passage of Vessels up the China Sea, or any other information which it may be signalled to it.

I am &c
S^t of Edward Belcher Captain

From Sultan Allie of Johore

I have received my friend's letter, and in reply desire to acquaint my friend, that I perfectly understand his wishes, & am exceedingly pleased at the intention expressed therein, as it (a Light House) will enable Traders and others to enter and leave this Port with greater confidence.

Sultan's November 25th 1824

True Translation
S^t of T. Church
Resident Councillor

F/4/2166

Translation of a Letter from Datto Jamungong of Labore-
Compliments.-

2
C

I have duly received my friend's communication and understand the contents. My friend is desirous of erecting a Light House near Saint Romania; I can have no possible objection to such a measure, indeed I am much pleased that such an undertaking is in contemplation. I wish to be guided in all matters by the Government, so much so, that the Company are at full liberty to put up a Light House there, or any spot deemed eligible.-

Myself and family for many years have derived support from Singapore; our dependance is wholly on the English Govt, and we hope to merit the protection of, and be favoured by the Company, on all occasions consistent with propriety.-

Dated New Harbour, the 21st November 1844.-

True Translation
Signed J. Church
Res^t. Councillor.-

D

F/4/2166

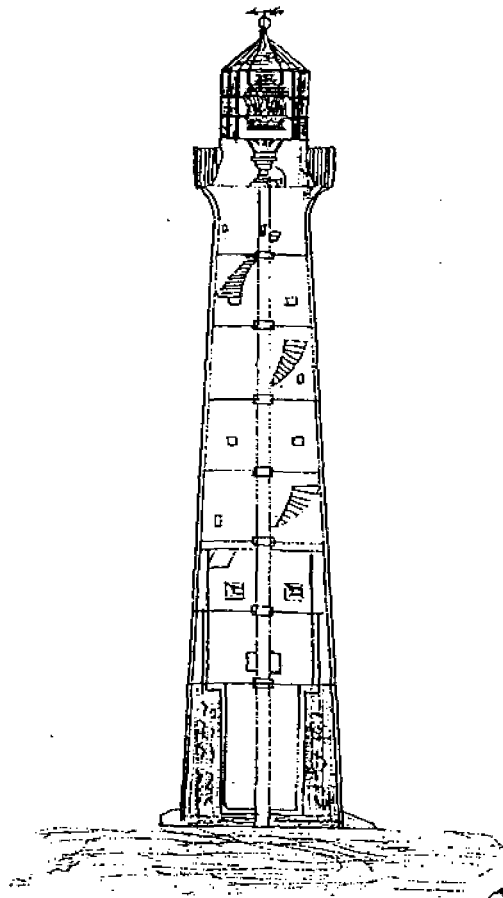


Fig. 1.

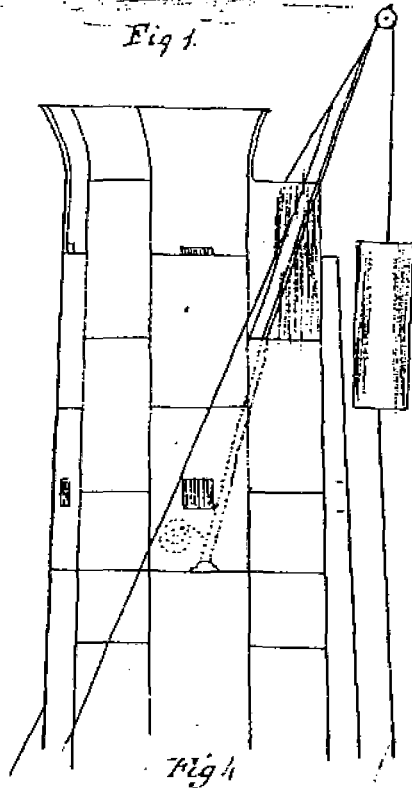


Fig. 2.

F/4/2166

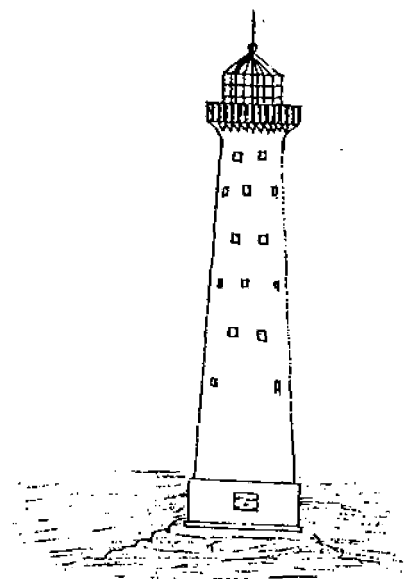


Fig. 2.

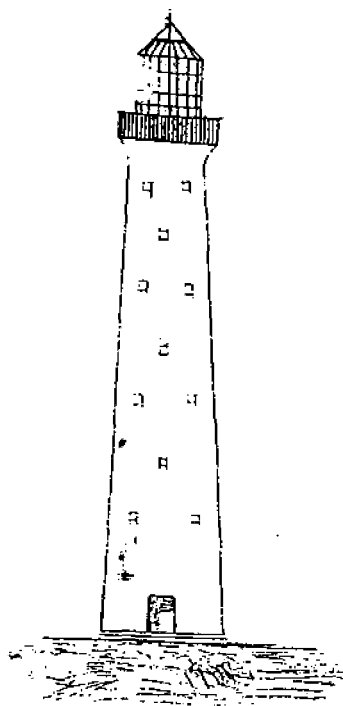


Fig. 3.

D

— The Bermuda Light House —

We gave in our journal of the 4th May last a brief description of the Iron Light House then erecting by Messrs Cottam and Co^{rs} under the able superintendence of Mr. Alex Gordon C. C. for the Island of Bermuda, and which now in its complete state forms a very striking object among the Towers and Towers on the sunny side of the Thames, opposite to the Adilphe Terrace and Temple Gardens, whence it will in a few weeks be removed and shipped to its permanent site in the western hemisphere. We are now enabled, through the kindness of Mr. Gordon to present our readers with the accompanying pictorial illustrations.

Fig. 1. is a sectional elevation of the structure, in the state in which it will be when finally erected.

osw.

F/4/2166

on the top of Gibb's Hill towering to an altitude of 368 feet above the level of the sea, and Fig 2 & 3 are external elevations on a diminished scale, both of this Light House and of that previously erected by Mr. Gordon on Morant's Point, Jamaica, showing the difference in height between the two edifices - Fig 4 - represents the manner in which both of these Towers have been raised from the inside, without scaffolding -

The Jamaica Light House was first proposed, to be of Masonry, but the cost of such a structure would have been from 25,000 £ to 30,000 £ it would have taken a long time to erect it, it would have been necessary to send out European workmen for the purpose, many of whom must have perished from the unhealthiness of the climate, and when complete, the first severe earth quake or thunder storm might have caused it to share the common fate of all lofty stone structures in tropical regions - The iron Tower which was substituted on the recommendation of Mr. Gordon, did not cost as many hundreds, it was constructed at home, and sent out in parts ready for fitting together, within five months after the order for it was given, within five months more it was erected at Morant's Bay (1st November 1842) and though it has been since shaken by several earthquakes, and been twice actually struck by Lightning, it remains to this day uninjured -

The greater height of the Bermuda Light House and the more exposed position of its intended site

for

for Gibb's Hill, on which it is to be erected, is a natural eminence
of considerable elevation, and Morant Point is a long low point
:mantory, has made it necessary, to make it of much greater
strength, but in this as in all other particulars it is so well
planned and executed, that we have no doubt of its giving equal
satisfaction with the other. At top there is a lightning rod
so fixed that in the event of the Tower being struck by the
electric fluid, it will lead it off down the sides of the Tower,
and thus prevent its doing any damage to the valuable calcu-
:ulated apparatus within, which is of "Tresnet's first order"
of excellence. At bottom the conductor will terminate in
four radiating iron chains sunk in the Rock, which will
prevent any electric discharge from affecting the foundation.

E

To The Honorable Colonel Butherworth C. B.
Governor of P. Wales Island,
Singapore and Malacca.

Sir,

In accordance with your instructions --
that I should proceed and examine Peak Rock Roman
in order to ascertain the probable cost of building a
Light House thereon, of a construction fitted for the
situation and whose price should not exceed the limited
funds, that have been subscribed for its erection, also to esti-
:mate the cost of laying a substantial base suited to bear
a superstructure of sheet Iron, and further to make the plan
(as far as practicable with the limited sum allowed) in conform-
:mity with the recommendation of Sir Edward Belcher) viz
"that the Light House should be based as a Martello Tower,
"and any chance of surprise from Pirates be obviated by

F/4/2166

clear scarping to low water mark" and lastly to ascertain the position of the Rock with reference to the Romania Islands, the coast of Johore and the Island of Singapore.

I therefore now have the honor of informing you that having proceeded to Peak rock and surveyed the Islands and shores in its vicinity, I found it to be situated, as will be seen on reference to the accompanying charts, about $\frac{3}{4}$ of a mile to the eastward of Large Romania Island, $\frac{1}{2}$ miles from Point Romania, and 32 miles east by north from Singapore Town. The Rock is barren, in height about 30 feet above high water, spring Tides - with a length of 160 feet measured due east and west, and a breadth of 130 feet measured north and south - as will be seen on reference to the sections drawn on the chart of Romania Island accompanying this. but it extends to the length of 240 feet, if measured north east and south West. The Rock is Grey granite of a very hard texture, affording excellent material on the spot for building purposes. There is no fresh water on it, but what is left in the hollows of the Rock after rains. a landing on it is easily effected during calm weather, and as this is known to prevail in eight months of the year, there will be little difficulty in landing building materials, and this operation may be further facilitated by the construction of a wooden Pier. But during the months of December, January, February, and March, the landing will always be difficult, owing to the rock when the north east Monsoon prevails being exposed to the waves of the china sea. The building therefore ought to be commenced early in april and finished if possible

F/4/2166

possible by the end of the following November. But as little during the north East Monsoon often to be felt in the night there will be frequent opportunities of landing on the rock during the mornings. So that communication will never be entirely stopped even at the worst season of the year.

2. When I first visited the rock I was led to conclude from appearances that its barrenness was owing to its being washed by the waves during the north East Monsoon, which circumstances would have rendered the building of a permanent structure much more expensive, and I should have wished to have seen it in the worst season before fixing upon a plan for its construction, if I had not had an opportunity of visiting the other Islands and Rocks in its vicinity when engaged for two days in surveying them, I then found North Rock to be of the same height as Peak Rock, and its formation to be in strata of soft stone, the decomposition of which has made a soil on which shrubs are growing and which has not the slightest appearance of having ever been touched by the waves - South Island, which is also equally exposed to the waves, and considerably lower than north and Peak Rocks, is covered with Trees and other Vegetation which could not exist in salt water. - I therefore have no hesitation in ascribing the barrenness of Peak Rock to its steepness combined with the hardness of its formation, and not to the action of the waves. -

3. I now come to the consideration of the best and most economical mode of constructing a Light house on this position as the rock itself is of so hard

structure, the spot itself affords the best materials for building
but on the other hand the expense of chissled granite is so
great that a structure entirely formed of it would far exceed
the funds subscribed, and stone cutters in Singapore are so
few and bad, that the completion of it would be a matter
of great difficulty. I have therefore been constrained in the
Plans and Estimates to confine the use of this material to
the construction of the base only, which would rise to the
height of sixteen feet. This base as will be seen by the Plan
will be built with granite rubble inside faced with chissled
blocks, and it will bear either a Brick or Iron Edifice above.
The cost of it as per Estimate will be 2667 Spanish Dollars,
including the semicircular projections or Bastions designed
for the mounting of a Gun on each for the defence of the Light
Keepers above the base is the entrance to the Light House,
and access will be had either by a Ladder let down to the
rock, or by a rope and basket suspended from the small
crane at the door. These can be drawn up during the night
or threatened dangers, thus affording ample security against
any attack that could be made from the outside, if this
should ever happen.

The foundation being laid at the height of 26 feet above
high water spring tides, and this base being 16 feet together
making 42 feet above spring tides, for the base of the brick
or Iron Tower. This brick or Iron Tower will thus be raised
beyond any action of the waves, and while this mode of
construction carries through Sir Edward Belcher's views
as to the defence of the place, tho' not entirely by his
recommendation, by him the difficulty of his being so

As to the lantern lamps and reflecting
 as they must be made in Europe, unless they will, and
 will compare myself to suggesting that the light should
 be stationary, as this is not only more simple than the
 revolving light but less subject to accident and in case
 any of the machinery should be broken, there would
 be great difficulty in getting it repaired in this little
 mouth. The light should also be so, as to distinguish it from
 fire on the coast, and be sufficiently brilliant to be
 seen at the distance of 18 miles, so as to form a danger

5.
 nearly
 making the cost with foundations and four 7000 dollars
 Spanish dollars exclusive of lantern and lamps, this
 little danger if any from fire - the estimated cost is 4332
 in the above, does not include the lanterns and
 will be in the three partitions of the Tupper rooms and
 room will have arches ceilings, and the only wood work
 in which partitions will be made? The rest of the
 made with the kind of wood, with the of brick, using mortar
 that the strength and most durable building that can be
 after a great deal of consideration come to the conclusion
 4.
 With regard to the superstructure, I have

flight house -
 regard to that which will be required to build the
 as shown as will be seen by the accompanying estimate
 each under the sum of seven thousand Spanish dollars
 be called for that purpose - for this operation would not
 the work to be made, at least with sufficient
 the expense of it, will also oblige the necessity of being

mark with - - - Paint, for the leading clear of Johore
shoal. The railings or Lantern, as recommended by Sir
Edw^d Belcher, should be made to obscure the light within
range of the Rock awash, and also South's reef apparently
not noticed by him, on which the stork was lately
wrecked. These being at present the only known dangers
in the vicinity of Peak Rock in the way of shipping -
There are also some dangers to the north and north east
at a considerable distance, which could be made known
to ships during the night by obscuring the light in their
direction, but when I was there, I had not sufficient time
given me for ascertaining their exact position, and existing
charts are not correct enough to mark them with the nicety
required.

b. With regard to the best mode of proceeding
with the erection of the Building, I now beg leave to offer
a few remarks. It will be observed that Peak rock as
mentioned in a former part of this communication is 32 Miles
distant from Singapore, and on reference to the chart will be
seen intervening the shores of a Country under the rule of inde-
pendant Malay chiefs. These shores have been long noted
for the haunts of very daring Pirates, who when opportunity
offers often cut off native Vessels of considerable size, a
work of this kind therefore could not be carried on without
the protection of Government. In drawing out these Estimates
I have consequently reckoned on the protection of the Gun
boat being constantly afforded from the commencement to the
finishing of all the operations. But notwithstanding the
protection thus given a work of this kind would be very

difficult and beyond the power of any officer of Government to accomplish under any moderate ... Therefore at once gave up the idea of pledging my name to the furnishing of it by the mode prescribed in the Engineer regulations of Govt. under which regulations I have carried on several works in Singapore, thinking that the way of proceeding hereafter mentioned of doing it by contract with Chinese would be the only way of getting it done for a fair sum, such as states in the Estimate, and for my taking this course I trust the following reasons will be satisfactory.

7. The class of People on whom we entirely depend (with a very small exception in the few Sing masons that are to be had; for Masonry and Carpentry work, are the Chinese, whose lower classes perhaps better than the same class of any other nation, know the power that combining gives them, so much so, that the artisans of Singapore are leagued together in different Bunches or Societies in which ^{each} member is bound by inviolable oaths to assist and connive with the rest. - With a people of this kind to deal with, and under such a system, an officer of Govt. after having once pledged his name to finish a work before having agreed with his Chinese masons &c. would be entirely at their mercy, for their head men would immediately agree amongst themselves to ask double or treble the usual wages for going to this distant spot, and prevent all those under them whether willing or not from accepting less. They would also greatly exaggerate the dangers from Pirates, the unpleasantness of remaining on a barren Rock for several months &c. Besides a Chinese always works lazily and unsatisfactorily.

rely on daily wages, the little moral feeling of which he is possessed not teaching him to see the injury he does his employer, but on the other hand if he has the prospect of gain by extra exertion, his great love of it, induces him to work both laboriously, and indefatigably. -

8. Our system of building has consequently been entirely carried on by contract, a number of Chinese combining to undertake and finish works, sharing the profits and losses amongst them, and if the works be carried on under the eye of an European Overseer, they are well and substantially built in all their details. -

9. I would therefore humbly take the liberty of recommending to your honor that this work be executed by contract, as being the most economical mode of proceeding, and if it be carried on under good superintendance provided by Govt. it will also be found the most satisfactory, if otherwise the building of it for the sum stated in the estimate could not be guaranteed to Government. -

10. Annexed to the sheet containing the estimate will be found an agreement signed by a Chinese contractor named "Choa allum," in which he undertakes to erect the building for the sum of 7000 Dollars when the Govt. shall assent to it. - This agreement of course is only preparatory to a formal one being drawn out when the orders of Government shall be made known. He has executed several of the Govt. works under me very satisfactorily, and can give good security if required for the due execution and finishing of the work. He tells me that tho' his portion of the contract is for the building of the Light House, he does not

be large, he would gain considerably by making the return
boats carry stores to Singapore for sale and in supplying
provisions &c. to the workmen, and by other ways and
means not in the power of any European.

11. In conclusion I would beg leave to say,
that whilst I am fully of opinion that the sum stated in
these papers would not be exceeded if carried on by Chinese
contractors, but would afford them a fair remuneration
for their trouble, still if the work were to be carried on
by an officer of Govt. making his own arrangements for the
supply of materials and engagements with workmen, judging
from the disadvantages that he would labour under,
compared with them, that I think in such a case, the
sanction of Govt. should be asked for double the sum.

I have &c.

Singapore }
20th Nov. 1844 }

Signed J. T. Thomson,
Govt. Surveyor

Estimate.

F/4/2166

Estimate of the Probable amount required to build a Light house according to Plan dated 6th November 1844.

<p>Reassment suited to bear either an Iron or a Brick superstructure</p>		
1568 sq. ft. of chisselled granite @ 11 5 per 10 sq. ft.		784 00
126 " " " " for platforms for guns "		63 00
2666 Cub. ft. of Rubble stone @ 11 3 per 100 Cub. ft.		109 80
Masonry of above per one ft. in height 16 feet @ 11 10		160 00
Lime 40 Coyans at 11 4 - Sand 10 Loads @ 11 1		170 00
Molasses 4 Piculs at 11 2		8 00
<p>Reament for outside stones made of well burnt brick pounded with sand</p>		
810 Cubic ft. of Brick work 30 bricks per C. ft. 24,300 bricks at 11 25 per Laxa		60 75
Masonry including scaffolding \$ 25 " " "		60 75
Lime 4 Coyans per Laxa 10 Coyans @ 11 4		40 00
Sand 2 1/2 Loads @ 11 1		2 50
Cutting and Levelling Rock to receive Reament		200 00
Fences and sheds for workmen		100 00
Boat hire from Singapore for 30 "		100 00
Wooden Pier of Tempeny or Damailaut " Gang way from Pier to Building		185 00 50 00
Contractors profit @ 20 per Ct. - 426 76 on		2133 80
Contingencies " 5 " " 106 69		533 45
		2667 25
<p>Tower not including Lantern or Lumps</p>		
Wall up to Railing 11,406 Cub. feet		
Arched ceilings 1,766 "		
Wall round Light room 346 "		
Less windows 576		13518
" Doors 336		
" D. of light room 27		939
30 x 125 79 - 377370 bricks @ 11 25 per Laxa		943 42
Lime 4 Coyans per Laxa 152 Coyans @ 11 4		608 00
Sand 37 Loads @ 11 1 Molasses 38 Piculs @ 11 2		113 00
Masonry and Scaffolding 38 Laxa nearly @ 11 25		943 50
16 Venetian or blinds @ 11 3		48 00
		2655 92
Sp. Dollars		2667 25

No. 2

Home Department
Marine

India Mar. Com. 15th Feb'y 1845
Part of No. 5

From The Governor of China
of Malacca Island Singapore
Malacca

To His Secy to the Govt of India
By 28th Nov. 1844

Proposing the creation of
a Hydrographic Office
at Malacca

RECEIVED
NOV 26
1844

F/4/2166

No. 109

From

The Governor of P. W. India,
Singapore and Malacca.

To the Hon. Secy:

India Secy to the Govt of Bengal.

Fort William.

Date Singapore 17th August 1845

Sir

I have the honor to acknowledge the receipt of your letter under date the 4th June last No 1463 enclosing an Extract (Para 71) of a Despatch from the Superintendent of Marine in Bengal dated the 23rd April 1845 No 1502 and directing me to report on the recommendation of that Officer relative to the construction of a Light House in Sura Banca.

The number of Vapels that have been wrecked the vicinity of Sura Banca and Point Manca at the opening of the China Sea imperatively calls for a light house in that neighbourhood and there can be little doubt that the former would be the best possible position for one so far as the Light is concerned but it is so remote from Singapore at great a distance from the main land and so inaccessible at certain seasons of the year that under all circumstances I should give the preference to the position selected by Captain Sir Edward Belcher as reported on in my letter under date the 24th June 1845 No 1460.

By a letter from the Hon. Secy to the Govt of India dated the 15th February 1845 No 107

F/4/2166

with your endorsement dated the 24th Idem. No 510
it would appear that the proposition for the erection of a
Light House on the site selected by Captain Sir Edward
Belcher to B. viz. Peat Hook the outer Phoenix Islands
has been recommended for the favorable consideration of
the Honorable the Court of Directors, and I trust that the
time is not far distant when the work may be com-
menced upon as a light in that quarter is becoming
daily of more paramount importance.

Singapore }
24th Aug^r 1845 }

I have the honor to be Sir

/s/ W. B. B. Buttsworth

Governor

W. B. B. Buttsworth

F/4/2166

No 3

Rome Department
Marine

Bengal Mar. Pro. 17th Oct. 1865
No 5.

From the Gov. of Prince of Wales
Singapore & Malacca
To Under Secy to the Gov. of Bengal
By 22nd Aug. 1865

States that a Light House
imperatively required at Port
Blanco between your prop
erly to Port Rock the East
Holland Island



F/4/2166

No. 133

Sir,

The Governor of Princes of Wales Islands
Singapore and Malacca.

To G. A. Buxley Esq.

Secretary to the Court of Directors
West. Williams

Dated Singapore 21st August 1826

Sir,

I have the honor to transmit the accompanying copy of a letter to my address from the Board to the Honble. Court of Directors enclosing the copy of a letter from the Secretary to the Admiralty relative to the Light House proposed to be erected to the memory of the late Hydrographer, James Horsburg Esq. at the entrance of the Colina. See ..

In my letter under date the 22^d August No. 139 I intimated my unqualified opinion that the proposed would be the best possible position for a Light House, so far as the Light is concerned, but I did not wish to give the preference to that position, either in the Islands, the position selected by Captain de La Pernelle in 1813, or any other, of the former Island, being so remote from Singapore at a distance of 10 miles.

... and ... of the
year.

The recent survey of the Strait made by the
Government through Mr. F. Thomson and Captain Conyatt
Commanding the H.M.S. G. J. Company's steamer *Keogah* ^{* Under my letter}
has led to the discovery of so many Rocks and Shoals ^{the address of Mr.}
previously unknown, and that I only waited to learn the ^{Warden - Long Island}
decision of Government time being the erection of a Light ^{under date 1st Dec 51}
House, to institute further enquiries regarding the time ^{May last No. 63}
wishes might Pedro, Brown and Peck's Rocks.

On receipt of Mr. McNeill's communication -
for which I called upon the above Officers for their Report ^{* B}
which I have the honor to enclose, and by which the
President in Council, with a view to the fact that Pedro
Brown is the only true position for a Light House, at
the entrance of the harbor, above.

My letters under dates 1st Nov^r 1851
No. 150 and 22d August 1855 No. 159 ^{* The former to the}
with the glowing necessity for a Light House in the ^{address of Mr. Wm}
position above indicated, but I need hardly observe ^{Conyatt and the}
that the world has not been commencing to ^{letter to Mr. Wm}
be satisfied by the necessity to ^{Wm. Borden}
with the necessity to ^{...}
with the necessity to ^{...}

14/2166

The accompanying copy of the letter with the
 just received from the Chamber of Commerce at
 -port will indicate the details of the President's
 Council, to answer the Honorable Board of Directors
 address how light houses from England, for
 on Pedro Barroca. The whole of the details of the
 cases of light houses are set forth in my letter
 dated the 28th November 1821. with reference to its
 contents in the 1st volume will be equally applicable
 to the new positions.

It will be observed by the letter from
 -port that our light houses can be obtained
 at the rate selected for £ 3000. or about 30000
 and by the other letters extracted to the
 communication from the Chamber of Commerce that

there is for the same from Madras	£ 780 -
and — from Bombay	" 1300 -
which with that from London	" 12378

previously reported gives a total of " 17658
 Papes available for light houses and it is
 have no doubt will be adopted do as heretofore
 known that Government have decided upon
 ing out the means and means of the
 community.

By the President in Council
I have the honor to acknowledge the receipt of your
letter of the 10th inst. in relation to the
Army which I trust will be a permanent one by the
Honorable the President in Council.

Singapore
11th August 1846

I have the honor to be
Yours truly
Wm. Raffles Esq
Governor

14/2166

Best Copy

No 4

Home Department
Marine

India Mar. Cons. 3^d Part 1045
A

From the Gov. of Province of Malacca
Island Singapore & Malacca
To the Secy to the Gov. of India
Of 26th Aug^r 1845.

Transmits Copy of Correspondence
with the Secy to the Gov. of India
with other papers and reasons
Pedra Branca as a site for the
Raffles Light in preference
to Peak Rock. Requests that
Govt of Directors may be requested
to send out our own Light from
from England.

F/4/2166

A

East India House
6th May 1846

From

James C. Melville Esq
Secretary to the Honble the
Court of Directors

To

The Governor of Prince of Wales' Island,
Singapore & Malacca.

Sir,

I am Comanded by the Court of
Directors of the East India Company to transmit
to you copy of a letter from Capt. Hamilton Res
the Sect. to the Admiralty relative to the Light
House proposed to be erected to the Memory
of the late Mr. Horsburgh at the entrance of
the Straits of Singapore

The Court apprehend that progress may have
been already made in the construction of the
Lighthouse, but in the event of the works not
having been commenced they desire that it may
be suspended until you have an opportunity
of communicating with the Govt of India
to whom a copy of Capt. Hamilton's letter has
been sent.

I am &c
J. C. Melville

F/4/2166

Admiralty

18th April 1840.

From

Capt. W. B. Hamilton R. N.
Secretary to the Admiralty.

To

The Secretary to the
Honble East India Company.

The Lords Commissioners of the Admiralty
having recently learned from Rear Admiral
Sir Thos. Cochrane the Commander in Chief in
the East Indies that the Chamber of Commerce at
Singapore with the approbation of the Governor
were exerting themselves to carry out the long pro-
posed Horsburgh Monument or Light House at
the entrance of Singapore Strait, and that Capt.
Sir Edward Belcher, having been consulted by
the Governor as to the most appropriate site for it
had recommended that it should be placed on the
outer Romanial Island instead of, on Pedra Branca
as originally intended.

I am Commanded by their Lordships to request
that you will state to the Court of Directors that the
proper position of this Light is a question of great
importance not only to the safety of Her Majesty's Fleet
but also to the welfare of all Mariners that frequent
the China Seas and my Lords are inclined to think
that Pedra Branca is the best point for the Light
House, and for the following reasons:-

Reasons that Sela stands nearly in the middle
of the entrance of the Strait.

E/4/2166

2^d Because it may be freely approached by
running down its Latitude.

3^d Because its conspicuous appearance at the
distance of 9 or 10 Miles renders it the usual Beacon
by which all Vessels endeavour to make the Strait
and by the addition of a Light it would be rendered
equally serviceable by night (viz)

4th Because when a Vessel has passed it, the Short
bearing of the Light would enable her to shape
a safe course to Singapore.

Whereas if the Light has placed in Ramanian
Island as proposed, Ships from the China Sea if
the weather should be heavy, would run the risk
of being entangled amongst the Shoals which surround
that Island there being but one direction in
which it would be prudent to run for the
Light.

The means of erecting and of defending
the Light House, which ever place has chosen
ought certainly to be well considered but there is
no information on that part of the subject to show
that either of the proposed sites have any advantage
over the other in those respects.

Their Lordships however desire me to remark
that the Rocks & Shoals at Ramanian Point being
so requires some attention with a view of
warning Vessels from getting entangled amongst
them in dark nights.

I have &c

Jos W. B. Hamilton

Jos W. J. Beckwith

Governor

From

Capt. J. Congalton

Comd'g. N. E. I. Co's Steamer *Haughly*

(and)

J. J. Thomson Esq.

Government Surveyor

To

The Hon^{ble}

Colonel Buxterworth C. B.

Governor of S. M. Islands,

Singapore and Malacca.

of the 25th August 1846.

Sir,

We have the honor of acknowledging the receipt of your letter N. 112 of 14th August 1846 with enclosures from the Admiralty & East India House relative to the position of a Light House proposed to be erected to the Memory of the late Mr. Horsburg at the Eastern entrance of the Straits of Singapore.

In reply we beg leave respectfully to state to your Honor that we are decidedly of opinion that Pedra Branca is the only proper position for a Light to be placed there for the safety of Shipping whether entering or departing from the Straits of Singapore & in advancing an opinion on the subject contrary to the recorded views of so eminent a Surveyor as Capt. Sir Ed. Belcher it will be necessary for us to state for the information of your distant Authorities that we do so after having completed a careful survey of the Straits & which being under all the circumstances the Light would

F/4/2166

extend whether it may be placed on *Pedra Branca* or on *Pedra Branca*, and in favour of us has had the advantage of an experience of nearly five years of almost constant Cruising in the vicinity during all weathers in the Honble Company's Vessels both Sailing and Steam.

It is during the prevalence of the North East Monsoon that the want of a Light is most felt by Ships passing through the Straits for at that time they have a fair share on the Malaya Peninsula and Islands of Bintan with a Current from the Northward driving them on to the dangers that are situated along their Coasts. Thus if night should come on before a Ship has passed clear of all dangers inwardly or outwardly being prevented from Anchoring by the high sea running and driven out of her anchorage by the strong Currents her safety becomes very precarious when in the darkness no known mark can be seen, and it has been under these circumstances that most of the lamentable Shipwrecks have taken place within these few years. In considering the question therefore the guiding of Ships during the North East Monsoon, should be held amongst other objects that of most paramount importance.

Pedra Branca as mentioned in the enclosure from the Lords Commissioners of the Admiralty has been originally intended to bear the Light. As will Sir Edward Batcher reported in favour of *Pedra Branca* (and while we fully concur with the Opinions set forth in the enclosure from their Lordships we will at the same time give as succinct a view as possible of the relative merits of each position so that your Honors may judge of the correctness of our views yourself.

This Beacon is situated in the middle of the
Strait and is the most advanced position towards
the China Sea: So that it is the first object that Vessels
make in steering for the Straits of Singapore & supposing
the light to be placed on it to be seen in all directions
fifteen miles only, for a further distance could not be
safely relied upon, however brilliant the light during
rainy or heavy weather it will be noticed on reference
to the Chart that the light would extend to all the dangers
in the way of Vessels whether on the Coast of Bintang
the Romanas Shoal or adjoining the Coast of Johore and
that Vessels coming from the China Sea whether from
the Northward or Eastward, would only require to
shape a direct course to the light, and by passing to
the Northward of it, where it is steep too, and free
of all dangers, and consequently can be safely approached.
A direct bearing would carry Vessels into the Straits.
At Poak Rocks on the contrary supposing its light to
be of the same magnitude and brilliancy it
would not extend to the principal of the dangers to be
apprehended (Viz. those on the North East point of
Bintang where Ships are so liable when making out of
the Straits to be driven by the Current which as formerly
stated sets from the Northward on that shore where the
most advanced point is not only low and difficult to
be discerned, but has dangerous Rocks & Sunken Rocks
extending from it a Mile & a half into the Sea. This
great number of Lights for Poak Rocks of no use to Ships
going out or coming in from the Eastward & Ships
coming from the Northward would be equally of no use
in consequence of the numerous Sunken Rocks & Shoals

lie off the Romanian Islands they cannot be readily approached. Ships would consequently be forced continually to alter their bearings of the light and not approach with one direct course as in the case of Pedro Branca. Another objection against Peak Rock which appears to us insuperable is, that in so narrow a Channel, Ships in heavy weather would not apt to be run among the broken Rocks which extend a mile into the Channel, by their Commanders judging the Light to be more distant, while in clearer weather the opposite is danger would be incurred on the Romanian Shoal by the Light being estimated to be too near. —

The distance of Peak Rocks from Singapore is 28 Miles and of Pedro Branca 34, and with regard to navigating and communicating with them, we think in this respect there would be no differences as they are equally exposed to the force of the waves in the North East Monsoon. Both Rocks are equally barren and devoid of fresh water (and are nearly of the same size & height 150 feet above high water 150 feet before the commencement of the Stormy Months of Decr. Jan. and February a supply of Provisions and water for the Keepers would require to be laid in, as the Rocks are seldom then accessible but at other times as the Sea is always smooth, a small supply would suffice.

Singapore
August 1846.

Yours &c
J. S. Gough
Comd'g R. N. S. S. Steamer *Hoop*
" " S. J. Thomson
Government Surveyor

True Copy
J. S. Gough
Governor

Chamber of Commerce

Singapore 19th August 1846

From

J. A. Craun Esq

Secretary Chamber of Commerce

To

The Honble Col. Buxworth C. B.

Governor &c &c &c

Sir,

I am directed by the Chamber to forward to you copies of letters received by the Chamber in relation to funds available for the erection of a Light House as a Memorial to the late Mr. J. H. Hensburgh.

No. 1. From Capt. C. Bixson of Madras with copy of an Account Current showing a Balance of Receipts Rs 700.0.0 available for the above purpose.

No. 2. From the Secretary of the Bombay Chamber of Commerce, advising that Rs 1,300.0.0 had been subscribed in Bombay & accompanying a letter from the Members of a Committee for the management of the Funds, stating their readiness to hand over the amount under the proviso that the Light House in question be called the Hensburgh Light.

No. 3. A letter from Mr. A. Gordon with his remarks relative to Light Houses and accompanying a plan of a wrought Iron Light House which he transmitted to the Chamber, as well adapted for Singapore.

I beg to state that these documents have been forwarded earlier, but the Chamber

[14] 2166

was in hopes of receiving further support from the
Bodies that were addressed on the same subject.

I have the honor also to enclose Copy of a Letter
from the Manchester Chamber acknowledging receipt
of the Tabular Statements presented in your name.

I have &c
J. C. Crane
Secretary

No.

Madras 9th February, 1856.

From

Captain G. Bider
Master Attendant

To

Thos. M. Micking Esq.
Chairman of the Chamber of Commerce
at Singapore

Sir,

With reference to your letter of the 5th
December (and the copy of a report read at a Meeting
of the Singapore Chamber of Commerce on the 1st
Inst. regarding the erection of a Light House, on
or adjacent to Pora Branca. As a testimonial in
Memory of the late Hydrographer Captain James
Horsburgh; together with your request that I should
render my assistance in ascertaining what amount
has been subscribed in Madras and whether such
amount of subscriptions is available to carry into
effect that desired object. I have the honor to
acquaint you, that on enquiry I have ascertained
that a subscription for such a purpose as that you
have described was raised at this Presidency
in 1838 and that Messrs Parry, Barr & Co. received

The amount thereof, and the enclosed statement which I have been furnished with by Messrs Parry & Co. is for the sum of Pounds 787 and annas 8, and that the same was remitted to Mr. J. Bruce Esq. as agent to L^{ts} H. & C. on the 9th March 1838.

As one of the subscribers to the Horsburgh Memorial at Canton, I do most cordially assent to the proposition set forth by the Singapore Chamber of Commerce and flattered as I am, by their request that I should render any aid in my power towards the attainment of an object well worthy the memory of so good and talented a man as the late Captain Horsburgh. I shall at all times be most ready and willing to cooperate with the Chamber in furtherance of the design they have in contemplation.

They leave to state that in Sept. last, I had some conversation with Mr. Lacombe Esq. respecting the amount subscribed at Canton for the foregoing object and from his observations I am led to believe the sum amount collected at Canton has borne interest for some years - I know that a subscription was started by the Commanders and Officers of the East India Company's late Maritime Service, and I think it was limited individually to one Guinea; I trust therefore such an aggregate sum will be realized as may enable the Chamber of Commerce to erect a substantial and elegant structure as a lasting monument of national gratitude to one whose meritorious services continue to be the pride and admiration of every Merchant and every Seaman & Navigator throughout the Globe.

In my humble opinion the whole
of subscriptions should be devoted to one Light
House and that it should surpass in stability
and design every other Light House in the World.

In the event of a further sum being required
than that which (from every quarter) may now
be available I feel confident so soon as it is
known when, and where a Newburgh Light House
is to be erected, that increased donations will
be most cheerfully contributed.

I have &c.

(Sd) L. Biden

(Adm. Copy)

(Sd) Thos. O. Crane

Secretary

F/4/2/66

No. 113 of 1876

From

M. A. Scott Esq.

Secretary Chamber of Commerce

Bombay

To

J. M. Micking Esq.

Chairman of the Chamber of Commerce

Singapore

dated the 20th Feb.

Sir,

I am directed by the Committee of the Bombay Chamber of Commerce to acknowledge the receipt of your Letter of the 5th December last relative to the amount subscribed in Bombay towards the Morelough Memorial and to inform you in reply that a sum of upwards of Rupees 4,300 is lying in the hands of Messrs Rannington & Co of Bombay and will be available for the purposes specified, and that they learn that the surviving members of the Committee of the Fund have addressed a letter to you on the subject.

I have &c.

M. A. Scott

Secy. C. C.

Bombay

Chamber of Commerce

21st February

Thom

F/4/2/66

London
21st January

Remarks upon the proposal for
erecting a Light-house at Singapore
to the Memory of James Warburgh

I have referred in my letter which accompanies
these remarks to the success which has attended my
introduction of Iron Light Houses. -

A perusal of my evidence before the Select Com-
mittee of the House of Commons on Light-houses / 17th Aug^t
1845 / and the Report of that Committee thereon and a
perusal of the accompanying Report from the House of
Assemblies in Jamaica will obtain for me a measure of
Confidence, and I venture to suggest an arrangement for the
proposed Light House at Singapore which differs in many
particulars from my former Works in order to comply with
the usual Conditions of security from danger to the Tower
the Light and the Light Keepers in case of a surprise from
Privateers and offering the advantages of a signal station and
for mounting a Gun or Guns for signal or defence as sug-
gested by Sir Edward Boscawen of Her Majesty's Ships
'Samarang' :-

Permit me to say that I am prepared to submit
designs, Drawings, Specifications, Estimates, and all
details for a circular wrought Iron Tower 18 Feet Diameter
at the base and ten feet diameter at the top showing a
light for the whole or any required portion of the Circle
which can be easily erected and tried in London removed
packed and delivered either at Pedro Bances the Romania
Island or at any other site near Singapore. The

expense

The Altitude of 100 feet above the sea is sufficient
for raising the light visible to ships on a ship
at any where within 20 miles

5/4/2166

Expense of this Tower Lantern and Light Apparatus
not to exceed £3000 delivered - 11 - 10

Such a Tower can be placed upon any well
draped Table of Rock or other foundation and have
Cores of Concrete hastily thrown in to the lower Compartments
for a small additional sum of money. -

I have arranged that the lower Room of the Tower
shall be 20 or 25 feet above the base and there is space
in it for two or three Coronades or Stairways. -

The Tower being constructed of wrought Iron Plates
will be perfectly secure against all shelling & the experience
had in the recent practice of Her Majesty's Ship Excellent
against Steam-boat funnels shows that even heavy shot will
be a long time making much impression against it. -

The whole could be erected and lighted in Britain
within three months time and the erection and lighting
in Singapore (on the point or on the Island) could be
accomplished within two months from the arrival on shore.
It will at once be seen that such a Light house is
cheap, easily erected strong to resist vibration in
Hurricanes, cannot be injured by lightning and is
safe in cases of Earthquakes or fire. - The lining
of the Tower and the Ventilation give it a convenient
(and) uniform temperature all of which advantages are
fully stated in the Report of the Select Committee of
the House of Commons on Light Houses 5th August
1845. -

Mr. George Street Whitcomb
London 31st January 1846

J. A. Gordon

1st Attns Copy

J. O. Crane

1st True Copy

J. S. Buxtonworth
Governor

No 22

From
The Governor of S. M. Islands
Singapore and Malacca

To
James C. Melville Esq.
Supt. to the M. E. S. Co.
dated Singapore 20th August 1846.

Sir,

I have the honor to acknowledge the receipt of your letter of the 6th May last with its enclosures from Capt. Hamilton, the Secretary to the Admiralty, relative to the Light House proposed to be erected to the memory of the late Mr. James Horsburgh, at the entrance of the Straits of Singapore.

In reply I beg very respectfully to intimate that no progress has been made in the construction of a Light House (and) that I have this day communicated further to the Govt. of India on this subject with reference to the communication under acknowledgment.

Singapore
20th Aug. 1846.

I have &c
W. S. Burkerworth
Governor

1 True Copy
W. S. Burkerworth
Governor.

[Faint signature or stamp]

F/4/2166

1864

N^o 5

Home Department
Marine

India Mar. Com. 3^d Oct. 1865
S^t.

Enclosure.

RECEIVED
2 DEC 1865
INDIA MARINE

Documents accompany
N^o 4

F/4/2166

No.

From G. A. Buskby Esq^r

Secretary to the Govt of India in the
Home Department

To

The Governor of Prince of Wales Island

Singapore and Malacca

Dated 3rd October 1846.-

Home Dept -
Singapore

Sir,

In reply to your letter No. 123 dated 26th August last I am directed to inform you that the President in Council approves of Pedro Branco for the position of the Hoorsburg Light House to be erected at the entrance of the Singapore straits from the Chinese end and proposes to address the Council the result of his request to take into consideration the proposition that an Iron Light House be sent from England.

I am directed to request that you will notice the observation in the last para of Mr. Keen's letter dated 18th April to Mr. Secy. Melville respecting the rocks & shoals at Romania Point which in the opinion of the Lords Commissioners of the Admiralty require some attention with a view to warning vessels from getting entangled amongst them in dark nights -

Yours faithfully
G. A. Buskby

Signed G. A. Buskby
Secy to the Govt of India

F/4/2166

No. 6

Home Department
Marine

Home Marine Com. 3^o October 1846
a/c

From Capt. the Gov. of India
To the Gov. of Prince of Wales
Island Singapore & Mal
Dy 3^o October 1846

Approving of Pedro's
as a candidate for the Harbours
light & stating that the prop
ities for allowing out and
light house from England to
have a light on the coast of
the island of Singapore to
assist in navigating the
harbour of Singapore.

F/4/2166

ANNEX MM 55

**Internal Minute of Governor W.J Butterworth, Governor of Prince
of Wales Island, Singapore and Malacca, Minute No. 14, 3
October 1846**

157

Mar: Lt. No. 5 d/3rd Octr. 1846.

Home 1846. Dept.

Marine

To Govr. of P.W. Island

Singapore & Malacca.

d/3rd Octr. 1846.

Cons: 3rd October.

No. 14

Approves of Pedra Branca as a position for the
Horsburg Light House & informs that the Court of
Drs. will be addressed relative to the proposition
that an Iron Lighthouse be sent from England.

ANNEX MM 56

**Letter from Governor W.J Butterworth, Governor of Prince of
Wales Island, Singapore and Malacca to the Worshipful Master of
the Lodge "Zetland in the East", 23 April 1850**

No. 127

To:

The Worshipful Master
M.F. Davidson Esq.
Of the Lodge Zetland in the East

From

Governor Butterworth.

Dated : 23rd April 1850

Sir,

You will doubtless have heard that through the exertion of the mercantile community in China and the Indian seas and by the aid of the Honourable East India Company a light house is about to be erected on Pedra Branca to be dedicated to the memory of that celebrated hydrographer James Horsburgh F.R.S. by whose labour the navigation of these Seas has been so greatly facilitated.

The philanthropic justification for which this building is to be erected viz the safety of the mariner appears to render the occasion most fitting for the exercise of your craft and I shall esteem it a favour of you the worshipful master and the members of the Lodge Zetland in the East will take upon yourselves the pleasing task of laying the foundation stone of the light house at Pedra Branca.

The architect of this most useful work reports that measures will be so far in progress that the foundation stone of the light house may be laid on the anniversary of the Birthday of Our Most Gracious Majesty the Queen, when should you consent to meet my wishes I shall be prepared to carry to Pedra Branca as many officers and members of the Lodge Zetland in the East as may desire to be in attendance on that auspicious occasion.

23rd April 1850

I have & ccc.
/Sd/W.J. Butterworth
Governor

Source : Straits settlements Factory Records
Series : V 16
Date: 23rd April 1850.

ANNEX MM 57

"The Horsburgh Light-House", *Straits Times*, 28 May 1850

STRAITS TIMES.

AND SINGAPORE JOURNAL OF COMMERCE.

WAYS OF SUBSCRIPTION
 Annually, Sp. Lvs. 18
 Half Yearly, " 10
 Quarterly, " 6
 Monthly, " 3
 Single Copy—One Rupee.

Printed and Published by
 LONDON: W. THOMSON
 CALCUTTA: THACKER and
 CHENNAI: WILLIAM PEARCE
 BANGALORE: LANGE & CO.

11. 6TH PUBLISHED, EVERY (TUESDAY, MAY, 28TH, 1850.) TUESDAY, MORNING NO. 4

THE HORSBURGH LIGHT-HOUSE—The Hon-
 ble the Governor of the Straits Settlement, Lieut-
 enant Colonel W. J. Butterworth C. B. having
 requested the Brethren of "Lodge Zeland in
 the East No. 718" to lay the Foundation Stone
 of the Horsburgh Testimonial, or Light-House
 for all Nations, with the honours of their craft
 on the 24th inst.—the anniversary of Her Maje-
 sty's Birth-day,—the Worshipful Master and Bre-
 thren of the above Lodge, in number about thir-
 ty, accompanied by several visiting Brethren,
 started for Pedro Branca on the morning of the
 24th in the H. C.'s steamer Hooghly and the
 barque Ayrshire, in tow of Her Majesty's steamer
 Fury. Several distinguished visitors, including
 His Excellency Rear Admiral Sir F. Austin C. B.
 Naval Commander-in-chief and suite, the Hon-
 ble Thomas Church Esqr. Lieut. Colonel Mes-
 siaser, several of the foreign Consuls, and Mer-
 chants of Singapore availed of His Honor the Go-
 vernor's invitation to witness the ceremony, and
 accompanied him in the Hooghly. The party
 arrived at Pedro Branca about 11½ hours A. M.,
 and having disembarked, the Masonic Body mar-
 ched in the following order of Procession to the
 summit of the Rock:—

- The Band
- Tyler with drawn Sword
- Brethren not members of the Lodge
two and two.
- Members of the Lodge out of Office
two and two.
- Cornucopia with Corn
borne by the Wor. Past Master Bro. J. B. CUMMING
- Two cups with Wine and Oil
- The Wine borne by Bro. T. O. CAVE and the Oil by Bro. GREENFIELD
- The Organist Bro. G. H. BROWN
- The Inner Guard Brother THO. HEWETSON
bearing the INSCRIPTION PLATE
- The Secretary Brother T. H. CAMPBELL
bearing the Book of Constitutions on a silk cushion
- The Treasurer Bro. J. C. SMITH
bearing a purse containing Coins to be deposited in the Stone
- The Corinthian Light
borne by Brother H. MICHEN SIMONS
- Brother W. PATTERSON bearing the Mallet.
- The Junior Warden Bro. R. BAIN
bearing the Plumb Rule
- The Banner of the Lodge
- The Senior Warden Bro. J. JARVIS
bearing the Level
- The Chaplain Bro. the Rev. F. W. LINSTEDT
bearing the Sacred Law on a cushion
- Senior Deacon | The Worshipful Master | Senior Deacon
bearing his Wand | Bro. M. P. DAVIDSON | bearing his Wand

Having halted and formed a street for the
 Worshipful Master to pass through, the
 Chaplain, the Pastmaster with the cornucopia, the
 Senior and Junior Wardens, the Brethren with
 the wine and oil, and the Deacons with their
 wands followed the Worshipful Master to the
 Foundation-stone, where they were received by
 the Governor, who, in the following words, request-
 ed them to proceed at once with the ceremony:—

*Worshipful Master and Gentlemen of the
 Lodge Zeland in the East.*—I have solicited the
 favour of your laying, on this the anniver-
 sary of our beloved Queen's Birth-day, the foun-
 dation stone of the Light-house to be erected
 on this spot for the safety of the Mariner,
 and in commemoration of that celebrated hy-
 drographer James Horsburgh F. R. S. to
 whose labours the mercantile world is so much
 indebted for the easy navigation of these seas.
 The philanthropic object of the building appears
 especially to call for the exercise of that craft
 which has charity and goodwill to all mankind
 as its ground work; and it affords me deep and
 unfeigned gratification to see so large an assem-
 bly of Masons here this day from the newly
 formed "Lodge Zeland in the East" at our lit-
 tle emporium Singapore, for the purpose of ta-
 king part in this day's ceremony, to which gen-
 tlemen I will thank you to proceed with the least
 practicable delay.

The Worshipful Master having taken up his
 position on the East side of the stone, with the
 Lodge Chaplain the Rev. Bro. F. W. Linstedt
 on his right, and on his left the Past Master
 with the Senior and Junior Wardens, Treasurer,
 Secretary and other Office Bearers immediately
 around him, requested the Chaplain to open the
 ceremony with prayer, which he did in a suit-
 able and appropriate form. The architect of the
 building, J. T. Thomson Esq. now submitted
 his plans of the construction for the Worship-
 ful Master's inspection, and having received his
 approval, they were returned to the architect for
 his guidance. The Worshipful Master received
 from the Treasurer and Secretary a Bottle con-
 taining the current English coinage, also an ori-
 ginal edition of Horsburgh's Director
 the Straits Times, and the other
 Singapore; he deposited the bottle with

cavity prepared for its reception.* The Inner Guard then presented the Worshipful Master with a copper plate bearing the following inscription:—

In the year of our Lord 1830

and
in the 18th year of the reign of

Queen of Great Britain and Ireland;

The Most Noble

James Andrew, Marquis of Dalhousie, K. T.,

being Governor General of British India;

The Foundation Stone

of the Light-house to be erected on Pedro Branca and dedicated to

the memory of the illustrious Hydrographer

James Horsburgh, P. R. S.

was laid on the 5th day of May

the anniversary of the birth day of

Her most Gracious Majesty,

by the

Worshipful Master M. F. Davidson Esq.

and the

Brethren of the Lodge Zealand in the East

No. 714.

In the presence of the Governor of the Straits Settlements, and
many of the British and Foreign Residents of Singapore

J. T. Thomson

Architect.

The inscription plate having also been placed in the cavity, the Worshipful Master received from the architect a silver trowel with some cement, with which he proceeded to close the cavity; this having been done, and the stone lowered into its bed, he directed the Architect to see that it was properly adjusted. The Square, Level and Plumb Rule were then handed to the Worshipful Master, who applied each instrument successively to the stone, and having struck it three times with his mallet, said: "May the Great Architect of the Universe grant a blessing on this stone which we have now laid, and by His Providence enable us to finish this and every other virtuous undertaking." The Brethren replied "So mote it be," and gave the usual Masonic salute. The Worshipful Master next called for the cornucopia containing corn, and the cups with the wine and oil, and having poured the contents of each successively over the stone, said: "May the All Bounteous Author of Nature bless our Island, of which this Rock is a dependency, with Corn, Wine and Oil, and with all the necessary comforts and conveniences of life." The Brethren again responded "So mote it be" and saluted as above. The chaplain pronounced an appropriate prayer, and the Worshipful Master then addressed the Governor and gentlemen present in the following neat speech:—

It will be impossible to convey to you in adequate terms, the very high sense entertained by myself and brethren of the honor you have done us, in having thus publicly called upon us to assist with our Masonic art, in laying the foundation stone of the Light-House, about to be constructed on this spot, in commemoration of the services of that distinguished Hydrographer, James Horsburgh, by whose enterprising genius, and surpassing zeal, the navigation of these intricate seas, has been so greatly facilitated. As a body, we feel justly proud of the distinction thus conferred upon us in having committed to our care, the commencement of a work of such vast importance to every maritime nation in the world, and so perfectly accordant with those principles of philanthropy which form the basis of our Ancient institutions; and I shall ever esteem it one of the happiest circumstances of my life that the Brethren of Lodge Zealand in the East have been called upon to exercise their Craft in so laudable and great an undertaking during the period that I enjoy, through their kind suffrages, the honor of occupying the Master's chair.

All present must regard it as a most auspicious event that this noble work has been begun on a day held in the highest veneration by every British subject, as being the anniversary of Her Most Gracious Majesty's birth day; and to you, Hon'ble Sir, is the credit due of having selected this most fitting mode of testifying our loyalty to our beloved sovereign on the occasion, who I feel assured could desire no greater and more pleasing proof of our attachment to her royal person, than our being engaged, as we are this day, laying the foundation of a structure which will tend to promote the welfare of so many of her subjects. It would, perhaps, be no very difficult task to foresee the extent of usefulness to the dominions of our own country and to that of equally civilized powers; but when we contemplate its effect in fostering our intercourse with the semi-barbarous nations of Eastern Asia which surround us, whose want of skill in the art of navigation render them so frequently a prey to the mysteries of the mighty deep, and tends so materially to restrict their advancement, we shall be lost in a maze of conjecture and surmise.

The disastrous effects resulting from the absence of a Light-House in this locality, in the loss of human life and the extensive destruction of property, have been too frequently and too severely felt within late years not to render it a matter of the deepest concern to all who feel an interest in the prosperity of commerce and the welfare of their fellow creatures that this work, which, under your auspices we have now so happily begun, should have been so long deferred. I should therefore be doing you a great injustice, were I to refrain from noticing how much the world is indebted to you, Hon'ble Sir, for having brought the necessary arrangements to a conclusion, which but for your unceasing and strenuous advocacy of the cause, might have still been protracted to an indefinite period. Nor can I permit this opportunity to escape me of offering you my most hearty congratulations that your long and useful career as the chief authority in the Straits of Malacca, which has tended so much to the improvement and embellishment of the settlements under your rule, should be crowned by a labor calculated to be an era in their history, and to reflect everlasting honor on yourself.

The silver pieces were, a Crown, half crown, shilling, sixpence, penny, half penny, farthing, rupee, half and quarter rupee; the copper coins consisted of a penny half penny, farthing, eighth, and sixteenth of a penny, Anna, half and quarter, cent, half and quarter cent.

The following statement of the trade was also deposited in the cavity:--
The Trade for the year 1848-49 of Prince of Wales Island, Singapore and Malacca, aggregated the sum of Company's Rupees 48,828,727 in Merchandise and Company's Rupees 12,194,872 in Bullion and Treasure, making a Grand Total of 61,121,099 Rupees (exclusive of the Trade between the three Settlements) as follows:

	Imports	Exports	
P. W. Island	Rs. 6,618,347	6,424,067	12,082,416
Singapore	" 23,401,689	22,670,005	46,071,694
Malacca	" 607,982	409,037	1,017,019
			<hr/>
			Grand Total Co. Rs. 61,121,099

Singapore
23d April 1850

W. J. BUTTERWORTH
Governor P. of W. Island
Singapore and Malacca

The Revenue and Charges for the year 1848-49 of Prince of Wales Island, Singapore and Malacca including Civil, and Military, Marine, Judicial, convicts &c. &c. were as follows, the Stations being under the direction of the Hon'ble E. A. Blundell Esq. The Hon'ble T. Church Esq. and the Hon'ble Captain I. Ferrier respectively.

	Charges	Revenue	
P. W. Island Co's. Rs.	411,787-15 7		
Singapore	" 820,827-5-2		
Malacca	" 221,804 15-2		Rs. 1,281,620-8-11
			<hr/>
P. W. Island Co's. Rs.	196,779-9-2		
Singapore	" 281,232-4-8		
Malacca	" 126,546-3-6		Rs. 716,550-1-6

Total deficit at the 3 Settlements Co's. Rs. 537,870-2-6

Singapore
28th April 1850

W. J. BUTTERWORTH
Governor of E. W. Island
Singapore and Malacca

• N. B. 1 Company European artillery, 1 Company Colundause, 1 Regiment Native Infantry under the command of Lieutenant Colonel Messier 61st regt. M, N, 1, 2817 convicts, 1 steamer and 4 Gun Boats.

Doubtless the recollection of this day's proceedings will form in after years, when you may be removed from the scene of your present labours, not the least pleasing of your reminiscences, and that you may long live to enjoy the contemplation of your past useful and honorable career is my sincere wish.

I feel that I should ill acquit myself of the task you have assigned me were I to omit to pay a just tribute to the munificence of those merchants and mariners to whose liberality we are indebted for the nucleus of the fund raised for the erection of the edifice of which we have this day laid the foundation stone.

Thanks are also due to the Hon'ble the Court of Directors of the East India Company for having advanced the remaining sum necessary to effect this desirable object.

The merits of the distinguished man to whose memory the Light-House is to be dedicated, are too universally acknowledged, to need any lengthened panegyric on my part. His comprehensive charts, and elaborate and invaluable sailing directions, the labor of years of untiring exertion and devotion, stamp him as a man of almost unexampled genius and industry. To the navigator of these seas the name of Horeburgh is almost as familiar as his own, and among those who are engaged in commerce in this quarter of the Globe, who is there that does not feel and acknowledge the deepest debt of gratitude to him. To the memory of one so devoted to the cause in which almost his whole life was spent, what more appropriate testimonial could be offered than the edifice now to be erected. And I supplicate the Supreme Architect of the Universe so to bless the work that it may long withstand the ravages of time, and bid defiance to the billows of destruction that surround it, to be a tower by day and a light by night to guide the mariner in his course for ages to come, and that succeeding generations, whilst they admire the genius of him to whose memory it is raised, may have cause to regard with gratitude those to whom its erection is due.

The Governor replied as follows:—

*Worshipful Master and Gentlemen of the Lodge
Zotland in the East.*

I thank you for the able manner in which you have been pleased to perform this day's most interesting ceremony. I have ever honored the Craft of Masonry and the solemnity which has characterized this day's proceedings; has made me feel the deepest respect for what I had previously honored.

The kind terms in which you, Gentlemen Masons, have been pleased to speak of myself cannot fail to be deeply gratifying; and what has passed this day will indeed have a most prominent place amongst the many pleasing recollections which I shall take with me to my native land, when leaving the Straits, where, I may truly say, I have honestly labored to the utmost of my ability for the advancement of the three stations.

I should be wanting in justice to the mercantile community and mariners in China if I omitted to notice what you mention of their liberality, for their donations towards the Horsburgh testimonial, magnified by the munificence of Messrs. Jardine, Matheson and Co. in allowing compound interest on the sum raised in 1842, most certainly enabled me to call upon the Government of India for aid in this matter. The call was readily responded to and favorably received by the Honorable Court of Directors, as our presence here this day bears evidence. But, gentlemen, there is one other person whose zeal in this cause must not be lost sight of. I allude to one of the oldest and most respected Residents in Singapore, John Purvis Esquire who has narrowly watched & earnestly aided the authorities on this occasion, and whose able suggestions for the more safe and speedy navigation of the Straits of Malacca, subsequently enlarged upon and recommended by that excellent body the Singapore Chamber of Commerce, I hope eventually may be carried into effect.

Gentlemen, I entrust the completion of the building, of which you have now laid the foundation stone, to that valuable and indefatigable public servant and able architect, Mr. Thomson, with the utmost confidence, and I again thank you most sincerely for the labors of this day and for the impressive manner in which you have exercised your Masonic Craft on the occasion, accompanied by the warmest expressions of loyalty to our most Gracious Majesty Queen Victoria, who, whilst some of the greatest Potentates of the Earth have either fallen from or tottered on their Thrones, has remained firmly seated, supported solely by the affections of her people—and how far spread and deep rooted are those affections—the sentiments promulgated by the little Band here collected on this isolated spot will still further testify to the World at large. Let us now unite in three hearty cheers to the health, prosperity & long continued reign of our Queen, God bless her!

The Brethren then opened a passage to allow the Governor to return, and the Party embarked at 2 P. M. on board the Hooghly, where a most sumptuous *dejeuner* was prepared, to which His Excellency the Naval commander-in-chief, the Governor and his guests did ample justice, displaying their loyal attachment to our beloved sovereign and acknowledging the kindness of their host by enthusiastic acclamations. Her Majesty's Steamer *Fury* took the Hooghly and Ayrshiro in tow, and in the dashing high service like character of that ship, brought both vessels into Harbour by half past six in the evening, after, as we assured, a most delightful and pleasant excursion, the felicity of which was heightened not only by the benevolent object they had compassed but by the hearty cooperation and aid afforded by His Excellency the Naval Commander-in-chief, and the gallant Commander of the *Fury*.

ANNEX MM 58

**Letter from J.T. Thomson, Government Surveyor to T. Church,
Resident Councillor, Singapore, 2 November 1850**

To,
 The Honourable Thomas Church Esq.,
 Resident Councillor

Sir,

On the completion of this season's operations at the Horsburgh Lighthouse now in the course of erection on Pedra Branca I do myself the honour of reporting thereon to you for the information of government.

It will not I presume be necessary for me at this stage of the works to trespass on your time and attention in detailing the obstacles and difficulties encountered during the progress of this unusual engineering undertaking in which I and my assistants have been engaged. I will therefore merely confine myself to laying before you a statement of work executed and what it is proposed to be done next season for completing the whole.

The masonry of the building has nearly been finished and this places the early and successful completion of the remainder beyond a doubt. The highest course laid is 80 feet above the level of high water spring tide- 59 feet above the first entire course of masonry and 64 ½ feet above the lowest stone in the foundation. 11 ½ feet in height remain to complete the total elevation to the tower which will be 91 ½ feet above NW spring tides. The original proposed height was 90 feet but 1 ½ feet will unavoidably have to be added to the height of the Light room wall to conform to the plans of the Lighting apparatus designed by Messrs Stevenson of Edingburgh.

The total sum expensed on the works (exclusive of superintendance) this season amounts at this date to the sum of 9061 Sp Dollars and 23 Cents and the following is an estimate of the probable cost of the remainder.

Ashlar Stone work of Capital including

<i>Parapet and light room wall</i> -----	<i>1200.-</i>
<i>-do- of out offices</i> -----	<i>180.-</i>
<i>Granite pavement to rooms</i> -----	<i>250.-</i>
<i>Labour in erecting-do</i> -----	<i>300.-</i>
<i>Tackle and machinery</i> -----	<i>100.-</i>
<i>Windows doors stairs and all fixtures</i>	
<i>including labour</i> -----	<i>500.-</i>

Temporary houses for workmen -----	100.-
Hoisting and placing lantern & setting up Lamp Machinery -----	200.-
Repairs to Tongkangs -----	100.-
Pay of her crew for 3 months -----	192.-
2 Iron Rings let unto masonry -----	30.-
Nails baskets saws chisels hammers and other small articles -----	100.-
8 barrels cement -----	64.-
Cash Keeper and watchmen 10 [months] -----	<u>150.-</u>
	3466.-
Contingencies & unforeseen expenses 10% -----	<u>346.60.-</u>
	3812.60.-
Amount already expended -----	<u>9061.23.-</u>
Total	<u>12873.83.-</u>

The original estimate amounted to 13,101 sp dollars 78 cents it may therefore with confidence be anticipated that the work according to the original plans and specifications if not somewhat less in cost will not be exceeded.

The sum expended for superintendence amounts to 527.22- 454.50 having been paid to Mr. Bennett the foreman for 10 months services at of 100 dollars and 72.72 to the temporary extra foreman Mr. Lewis at Pulo Ubin for 1 month and 20 days. The anticipated remaining cost on this head will be

My own deputation allowance for 2 years @150 \$	1636.08
Mr Bennett's salary for 1 year @150 \$	808.04
Mr. Lewis salary for 1 month @100 \$	45.45
My table allowance when on board the Hooghly	<u>227.25</u>
	2726.72
Amount already expended	<u>527.22</u>
Total: Sp Drs.	3253.94

Adding the cost of works to the cost of superintendence the total anticipated cost of works already sanctioned exclusive of lantern and machinery will be 16,127 Sp Dollars 77 cents.

The experience of a seasons operations at the work has shown one the necessity of some additions to the original plans which I could not possibly have anticipated as being required for the comfort and safety of the light keepers having only had prior to the commencement of operations a few cusory visits when any peculiarities in the formation of the rock did not strike me as being possible to be taken advantage of also the action of the waves around the rock have proved considerably different to what I had expected. The arrangements that I had designed for the landing have thereby proved ineffectual.

The first addition I would humbly propose is a platform of stone 18 feet. by. 20 feet to be constructed near the entrance to the light house where stones and water could be laid preparatory to their being hoisted into the building. The rock being rugged and uneven makes the construction of a platform extremely desirable.

The second addition I would propose tho' not necessary- I feel convinced will meet your ready sanction is in having a small garden – which it happens can easily be made in a gully between two of the highest rocks. The size will be in miniature only 14 feet by 20 feet but the recreation and occupation of mind not to say relief to the eye by giving it something green to rest upon in the surrounding expanse of sea will I hope be accorded to the solitary beings that will tenant the rock.

The third is in a new landing place to be cut out of the North east rock: this I find is the only place that a landing can be effected during the strength of the South West Monsoons. In the light where I had made the present landing stairs the influx and reflux of the Sea is so great that unless in calm weather it is unapproachable.

The fourth is for channels for collecting rain water. The utility of this I need hardly dilate upon.

And the last in the construction of a wooden pier of the best timber on the South side of the rock so that by its means a landing may be effected during the calmer days of the North East Monsoon its mode of construction cannot yet be determined upon until I have an opportunity of viewing the force and play of the waves round the rock- during the strongest part of the NE Monsoon for which purpose it would be of great consequence that I frequently visit the rock in these coming months.

The following is the probable cost of the above additions.

Platform	388
Garden	86
Landing place	100
Channels to catch rain water	50
Wooden pier on South of rock	<u>200</u>
	824
Contigents and unforeseen expenses, 10%	<u>82.40</u>
Sp. Dollars	<u>906.40</u>

I would humbly solicit the early decision of Govt. regarding these additions as in order to have them finished in good time next year. The stone part should at once be commenced be upon at Pulo Ubin- If these additions be sanctioned they will render the works at the rock as complete as could be desired. The construction of proper landing places as experience of the actions of the waves have pointed out in the passed SW monsoon and will point out in this coming NE monsoon, I conceive will be a great desideratum to obtain, and they will obviate much expense trouble and accidents in future times and they cannot be more easily and unexpectedly executed, than while the other works are progressing these will complete the permanent works.

I would next beg your kind attention to the furniture and movable articles which tho not in the original estimate are essential to the completion of arrangements for showing the light and the works could not be handed over with safety by me to the functionary who will be entrusted with the maintenance of the light until everything has been satisfactorily put into regular routine. I can scarcely anticipate every minute article that will be required but will enumerate the following article and fittings- which I think will include nearly the whole

1 clock	30. -	brought- forward	192.00
1 [...] lamp	10. -	20 water barrels	100.-
3 [...]	9. -	6 brass wash basons	12.-
Tackle for	} 100. -	1 boat	90.-
having up			
provisions			
9 bed steads	27. -	Davits for -do-	40.-
1 telescope	<u>16.</u> -	8 chairs	8.-
	192	3 tables	<u>12.-</u>
			454.-
		Contingencies 10 %	<u>45.40</u>
		Sp. Dollar	<u>499.40</u>

Regarding the requisite establishment of keepers etc I did myself the honour to offer some suggestions in my letter No. 20 of 1848. In that I proposed that the gunboat should be charged with the duty of carrying out stores and provisions and that 3 Europeans and 3 natives should be employed to watch the light. Subsequent experience and close attention to the subject which I then had not had opportunity to obtain have considerably modified my opinions. I therefore now take this opportunity to lay before government the alterations that I would humbly suggest in this department with such information as bears on the point. The objections that occur to me against the former proposed arrangements are in the smallness of the party of keepers left on so solitary and distant a position without protection at hand. And the great length of time they would be debarred communication in case of sickness or accidents to any of them. In similar

situations in Britain the greatest care is taken that the keepers should never be debarred from communication with the shore - thus the Bell rock light house has its shore station 12 miles distant at Abroath where a party is always on the watch for a signal from the lighthouse denoting that communication is required. Where a vessel that is kept solely to tend that light house immediately puts to sea. The same is the case at Kerrysore and I believe at every other lighthouse of kindred nature such as the Eddystone, Tuscas, Earlingsford, Napline and one or two others, the Horsburgh Lighthouse which is as distant as any of these from the nearest shore namely 10 English miles on a rock as barren situated in a position most important to the valuable trade of the east where cargoes of the richest and vessels of the largest and most valuable will depend for their safety on uninterrupted showing of the light- I trust that it will appear to government, should have all the care and attention paid it that such structures have in the mother country. The employment of a large body of men at the lighthouse on another account which does not exist on British shores is in the number of Pirates that continually infect these Seas I need hardly recall the many instances that seems to prove the extent of Piracy. I may mention one in the plunder of the town and the capture of the inhabitants of Singkil by the Lamuns two years ago, a place situated only 90 miles from Singapore. It may be true that the building as constructed would hold out against most of the piratical vessels that would attempt to molest it if they should be so inclined- but I would humbly suggest that means should be taken to prevent altogether such an occurrence. Point Romania the nearest land to Pedra Branca is the best situated for such a station as are always attached to British Light Houses. It is also the point most notorious for the piracies committed in its proximity and consequently the most dreaded by native traders. The fact that as piracies had been committed at the spot this year where one or the other of the gunboats was always stationed strongly convinces me that a station there would be eminently subservient for two purposes viz the protection of the native trade from pirates and the tending of the Light house. Were I not aware from previous conversations with you that there are insuperable objections to erecting a station there I would have earnestly recommended to your favourable consideration the erection of a station on that point in which an armed party of not less than 14 men and two boats could be placed- one a fast pulling boat for inshore duty and the other a safe built boat for sea duty. Here a constant watch could be maintained on the light house and their rapid presence could be had at the rock in case of need. If such an arrangement could be made I would not advise more than 3 men being stationed at the Light House at one time viz 1 European and 2 natives which would render a total establishment of 2 Europeans and 3 natives sufficient. The Europeans changing duty monthly and the natives every two months by turns in having a small establishment at the rock a great desideratum is gained in the small quantity of water and provisions required to be sent out. In case of this arrangement being found inadmissible as the next best course I would humbly propose that a gunboat be always stationed at Point Romania and in case of her absence to be relieved by another but in case of the absence of both- a boat crew of 6 men to be left with the light keepers who would thus form a party that would prevent the risk of any molestation. The lighthouse boat of course would be there to carry off the 6 men in case of necessity-such as the want of water and provisions. The third and last proposal that I would trespass on your consideration should the other two be found impracticable is in the augmenting the party at the rock to 1 European and 8 natives- 2 of the latter would be

light keepers and the others to form a boat crew for a boat which should always be hoisted upon the rock this would render a total establishment of 2 Europeans and 12 natives necessary the former to change monthly and the latter every two months but a serious objection against this proposal is in the large quantity of water and provisions that would be required but it appears to me to be the smallest scale that could safely be maintained to carry out the permanent object of the service viz the steady maintenance of the light where once shown. Under this arrangement it would be only necessary for the gunboat or steamer to carry out provisions and water monthly to the rock and for the changing on the watches.

Where the lantern is to be of valuable metal and the lamps and reflectors to be of the finest and latest improved constructions in which much silver and copper is used I hardly need suggest that strict rules should be carried out against those half fishing half piratical sect called the orang Ryot or Laut, being allowed to obtain admittance into the building - they frequently visit the rock so their visits should never be encouraged nor any trust be put in them as they would be sure to pillage the building if they found themselves strong enough. In the straits and islets of the neighbouring shores and islands many are the lives taken by these people when the object to be obtained is only a bag of rice or other articles of little more than one or two dollars value.

It remains for me to state what is proposed to be done now and next season. The capital of the Pharos Pillar is now in the hands of the Stone Cutter at Pulo Ubin. It is to be of superior style of workmanship to accord with the beautiful design for the lanterns sent out by Messrs. Stevenson. Mr. Bennett the foreman is now here engaged on that work. I would also propose to place in hand immediately the extra stone work required for the platform if sanctioned. The tongkang boats etc are also undergoing repairs at Pulo Ubin. These were much damaged against the rocks at the Lighthouse. In Singapore the stair mouldings, doors windows, copper and brass work and all other fittings & finishing will [...] I have leisure from other duties have to be commenced upon and finished before we proceed out to the Rock again. The repairs to the gunboat "Nancy" should also be completed as early as possible, has reported crazy state was a constant source of anxiety to use during the last season. It is of the greatest importance that we should now be well informed of the state of the weather out at the rock during the North East monsoon. Such as the times that the monsoons set in, cease for a time and when it blows strongest. Also the action of the waves on the rock should be narrowly watched so that the requisite arrangement may be made for the construction of the landing pier etc- for that purpose I would propose keeping the "Charlotte" stationed at Point Romania to put out to the rock as opportunity offered and to register facts connected with the above points. It would also be extremely desirable that I should go out at least once every month to judge for myself- for upon these facts when ascertained will depend all concluding arrangements & plans which could scarcely be made without a thorough knowledge of them.

By the first of March next year the gunboats should proceed to point Romania to prepare spaces, watering places etc and to be ready to report when a landing can be effected. Where a landing is reported possible I would first propose after our water and provisions have been got on shore landing with only Malays, convicts and Chinese carpenters. The foremen to prepare the attap sheds and the the convits to bore and blast

the rocks at the new landing place and the carpenters to erect our temporary house and also a temporary pier. These arrangements would be sufficiently forwarded in 14 days to receive the stone cutters and masons, when the building and artworks can be at once commenced on. We would have the building ready for the Light apparatus and lantern by the middle of June to the artworks etc during July and if no accident occurs everything would be completed in September. The showing of the light could probably take place in October. For this purpose it would be necessary to have the light keepers and their establishment ready in August so that they might undergo two months instruction before having the duties left to their sole charge.

I have the honour to be &c

Sd/J.T. Thomson

Government Surveyor

Singapore

2nd November 1850

SOURCE : Straits Settlements Factory Records

Series : AA 18

Date : 2nd November 1850

ANNEX MM 59

**Letter from T. Church, Resident Councillor of Singapore to
Governor W.J. Butterworth, Governor of Prince of Wales Island,
Singapore and Malacca, 7 November 1850**

[No. 128 of 1850]

No. 128 of 1850

From The Resident Councillor at Singapore

*To The Hon'ble the Governor of Prince of
Wales Island, Singapore and Malacca.*

Dated Singapore, 7th Novr. 1850

Sir,

*I have the honor to annex, transcript of a Report
from Mr. Thomson, the Government Surveyor, on the completion
of this Season's operations at Pedra Branca.*

Dated 2d Nov. No. 28

2. *Mr. Thomson's communication is extremely
satisfactory, the Horsburgh Light House so auspiciously
commenced and successfully prosecuted during the past season
may be viewed as an earnest that, under so able and energetic
an officer as the present Government Surveyor, this most
important work will be finished within the ensuing year.*

3. *It will be seen, that Mr. Thomson recommends
certain additions, the aggregate expense will be under 1000 Dls.
they are obviously extremely desirable and I would beg to
recommend that Mr. Thomson be authorized to carry them into
execution.*

4. *I observe Mr. Thomson advocates the
Establishment of a station near Point Romania, for the purpose
of offering assistance to the inmates of the Light House in case
of need, and also to suppress Piracy, an armed party of the
strength suggested would, doubtless, be of some service, but I
doubt whether such is absolutely necessary, or commensurate
with the permanent expense which such an Establishment must
necessarily occasion, Romania moreover belongs to the
Sovereign of Johore, where the British possess no legal*

jurisdiction, it will, of course be necessary for the Steamer or Gun boats to visit Pedro Branca weekly, some benefit would also accrue by requesting His Highness the Tamoongong to form a village at Romania under the control of a respectable Panghooloo to render assistance to the inmates of the Light House in a case of emergency.

5. *A short time prior to the withdrawal of the workmen, I visited Pedro Branca, and was equally surprized and gratified at the vast rapidity with which the operations had been carried forward, and the substantial and imposing aspect of the Edifice, it was distinctly seen at a distance of 12 miles.*

<i>Singapore</i>	}	<i>I have etc.</i>
	}	<i>Sgd. T. Church</i>
<i>7th Nov. 1850</i>	}	<i>Resident Councillor</i>

*(True Copies)
W. Seton-Karr
Under Secy to Govt of Bengal*

*Source: Military Department (Marine Branch)
Consultation 27 December 1850, No. 2
NAI, New Delhi India*

ANNEX MM 60

**J.T. Thomson, "Account of the Horsburgh Lighthouse", (1852) 6
Journal of the Indian Archipelago and Eastern Asia, Series 1, 430
(extract)**

THE
JOURNAL
OF
THE INDIAN ARCHIPELAGO
AND
EASTERN ASIA.

ACCOUNT OF THE HORSBURGH LIGHT-HOUSE.

By J. T. THOMSON, P. R. G. S., Government Surveyor at Singapore.

rents that prevailed, so that they preferred dropping their anchors to mooring at it, and its loss was consequently not repaired.

I returned to the rock on the 2nd of June, having in a measure got rid of my attack of illness, and visited the Pulo Ubin quarries in the way. On the same day his highness the Tomungong of Johore visited the rock, accompanied by 30 of his followers. He is the most powerful native chief in these parts, allied to British interests. He remained at my house for two days, employing his leisure in fishing, to which sport he is greatly devoted; he and his followers were very successful with the hook and line. He would have made a longer stay had not the mosquitoes been so numerous, a singular circumstance, seeing that the rock is so exposed to all winds. At first we were unable to account for the troublesome phenomenon, but soon found that they bred in immense numbers in our water barrels. The first water that we had obtained had not been spring water, but was obtained from a running stream, which had contained the germs of the insect; they now issued from these barrels in millions and infested every nook and corner of the houses and chinks of the rock, neither night nor day brought any relief from them, it was almost impossible to sit, and the only refuge, if rest were required, was under the mosquito curtains. These his highness had not brought, so he did not stop to experience the tortures of another night. At first flies bred in great numbers, this I ascribed to the filthy habits of the stone-cutters and to the saltfish and half decayed preserved vegetables that they were constantly laying out to dry, but they disappeared greatly after the departure of the stone-cutters. To alleviate the sufferings of the men from mosquito bites, for they, being without curtains, could not obtain sleep at night, I caused all the bung-holes of the barrels to be constantly kept shut and the water when wanted to be drawn by a small plug hole below; in time this perceptibly decreased their numbers but not entirely. The strong winds of the S. W. monsoon which was now setting in also blew our tormentors away and only on calm days were their irritating bites afterwards much felt. On the evening of the 3rd of June, the Tomungong took his departure. He came in a beautiful fast sailing sampan belonging to the Governor of the Straits Settlements which was rigged with graceful latteen sails. About ten other small sampans composed his fleet, which with their mat sails as they stretched over to the coast of Bintang, produced rather a picturesque effect. The Singapore sampan is famed over the world for its fleetness in either pulling or sailing; manned with the orang laut (men of the sea) they have successfully competed with the fastest gigs or wherries from England, brought out on purpose for the contest.

On the 10th of June I set sail on board the "Charlotte" for Singapore. The slackness of operations at Pulo Ubin now began seriously to interfere with the operations at the rock requiring imme-

ANNEX MM 61

**“Rules for Light-keepers”, in J.T. Thomson, “Account of the
Horsburgh Lighthouse”, (1852) 6 *Journal of the Indian
Archipelago and Eastern Asia*, Series 1, Appendix V**

THE
JOURNAL
OF
THE INDIAN ARCHIPELAGO
AND
EASTERN ASIA.

ACCOUNT OF THE HORSBURGH LIGHT-HOUSE.

By J. T. THOMSON, F. R. G. S., Government Surveyor at Singapore.

APPENDIX V.

Rules for Light-keepers.

1st.—The lamps shall be kept burning bright and clear every night from sun-set to sun-rise; and in order that the greatest degree of light may be maintained throughout the night, the wicks must be trimmed every four hours or oftener if necessary, and the keeper who has the first watch, shall take care to turn the oil valves so as to let the oil flow into the burner a sufficient time before lighting.

2nd.—The light-keepers shall keep a regular and constant watch in the light-room throughout the night. The first watch shall be from sun-set till eight, the next from eight to twelve, the next from twelve to four and the last from four till sun-rise. The keeper that has the first watch one night shall take the second watch the next.

3rd.—Immediately after sun-rise it shall be the head light-keeper's duty to cleanse and polish the reflectors and refractors till they are brought into a proper state of brilliancy, he shall carefully cleanse the lamps and dust the chandelier. He shall supply the burners with cotton, the lamps with oil, and shall have everything connected with the apparatus in a state of readiness, as early in the day as possible, for lighting in the evening.

4th.—The assistant light-keeper shall cleanse the glass of the lantern, lamps, glasses, copper and brass work and utensils, the walls, floors, and balcony of the light-room, and the apparatus and machinery therewith connected. The tindals shall keep watch during the day, the first watch being from sun-rise to 8, the next from 8 to 12, the next from 12 to 4 and the last from 4 to sun-set. Their duty will be to observe what ships or other vessels pass or approach the rock, and report any remarkable occurrence to the head light-keeper that may take place; the station on watch will be the balcony of the light-room; their watches shall change alternately daily so that he who has the first watch one day shall have the second the next.

5th.—The tindal that is not on the watch shall with the lascars at sun-rise clean and polish the stair rails, the dwelling rooms and out offices, all of which must be finished before eight o'clock; after eight the tindal off watch with the lascars shall attend on the head light-keeper in getting out the stores and water, or attend to the landing of these and execute whatever other desultory employment there may be.

6th.—The light-keeper on duty shall on no pretence whatever leave the light-room and balcony when on watch at night. In case of his being forced to leave the light-room then he shall first call the other light-keeper, for which purpose a lascar will sleep in the light-room or balcony, and who can go and fetch the other light-keeper. The lightkeeper on duty shall at his peril remain on guard till he is relieved by the other light-keeper in person, either on such occasions or at the changing of the watch.

7th.—In case of the sickness of one of the light-keepers, then one of the tindals must take charge of the duty, and for which he will be paid extra 30 cents a night, which sum shall be deducted from the pay of such light-keeper, until he be either relieved by another light-keeper or resume his duties, a note of such an occurrence must be daily entered in the Light-house journal as long as it continues.

8th.—The principal light-keeper is held responsible for the safety and good order of the stores, utensils and apparatus of whatever kind, and for every thing being put to its proper use, and kept in its proper place. He shall take care that none of the stores or materials are wasted and shall observe the strictest economy and the most careful management, yet so as to obtain the best possible light.

9th.—The principal light-keeper shall daily serve out the allowance of oil and other stores for the use of the light-room. The oil to be measured by the assistant at the sight of the principal light-keeper. The water shall also be daily served out by him at the rate of two gallons per man so long as the water in the outer vault lasts, and at the rate of one gallon per man when water is taken from the inner vault.

10th.—The light-keepers shall keep a daily journal of the quantity of oil expended, the routine of duty and state of the weather, embodying any other remarks that may occur. These shall be written in the journal books at the periods of the day that they occur and they on no account must be trusted to memory. A copy of the journal must be ready by the end of each month for transmission to the superintendent.

11th.—The principal light-keeper is held responsible for the good order and condition of the household furniture belonging to the Light-house. This duty extends also to the cleanliness of the several apartments, passages, stairs, roofs, store-rooms, privies and ash pits, landing places, piers and brass work.

12th.—When stores of any kind are to be landed for the use of the Light-house, the light-keepers shall attend and give their assistance. The principal light-keeper must upon these occasions satisfy himself as far as possible of the quantity and condition of the stores received, which must be duly entered into the store book and monthly return book.

13th.—The principal light-keeper shall monthly examine the

stores of oil and provisions and report to the superintendent any damage.

14th.—Should the supply of any of the Light-house stores at any time appear to the principal light-keeper to be getting short, so as thereby to endanger the regular appearance of the light, he shall immediately intimate the same to the superintendent, and he must be guided by prudence in reducing the stated number of burners until a supply be received.

15th.—The principal light-keeper shall keep the keys of all stores, and it is only on his being incapacitated by sickness that they shall be delivered to the assistant.

16th.—The light-keepers are required to be sober and industrious, cleanly in their persons and linens and orderly in their families. They must conduct themselves with civility to strangers, by showing the premises, it being expressly understood that strangers shall not be admitted into the light-room after sun-set. But no money or other gratuity shall be taken from strangers on any pretence whatever.

17th.—No natives of the *Orang laut* tribe should on any account be admitted into the house. Their character is piratical and they might take advantage of the opportunity to pillage the building.

18th.—As it is the sole duty of the keepers to attend to the Light-house, the whole must be kept in the most perfect order and any filthiness in the public or private rooms will be most severely punished; any spitting on the floor, throwing refuse over the window, cleaning the fingers against the walls, or any like habits must be carefully avoided. There is no excuse for this as all conveniences have been furnished.

19th.—The Light-house door must be barred at 8 P. M. and not opened on any account till 5 A. M. next day.

20th.—The breach of any of the foregoing rules and instructions shall subject the light-keepers to dismissal or such other punishment as the nature of the offence may require, on their becoming known to the superintendent. If not reported by the offender, it will be the duty of the other light-keepers to do so, who will be considered equally culpable if they join in concealing the offence.

ANNEX MM 62

**Sultan of Selangor-Governor of the Straits Settlements,
correspondence concerning Cape Rachado lighthouse, October-
November 1860**

From
Sultan Abdool Samad of Salangore

To,
The Hon'ble
The Colonel Orfeur Cavenagh
Governor of the Straits Settlements
Dated Salangore, 7th October 1860

After Compliment

We have dispatch these short lines to inform our friend with many respect. In this we have to inform that Tuanko [Pouan] having delivered charge of the Country of Salangore to us with every great cheer to our high subjects as well as to all people in general.

The receipt of our friend's letter addressed to Tuanko [Pouan] regarding the Land called Tanjong Tuan for the purpose of building a Light House which we are very glad to hear so far as our friend would seem suitable for its benefit we cannot prohibit it .

Salangore
7th October 1860

SOURCE: Straits Settlements Factory Records

Series: W 36

Date: 7th October 1860

From,
Sultan, Abdul Samad of Salangore
To,
The Hon'ble
The Colonel Orfeur Cavanagh
Governor of The Straits Settlements
Dated Salangore 27th October 1860

After Compliments

We are to inform our friend with regard to Tanjong Tuan (Cape Rachado) whatever our friend say if it is good and beneficial to have a Light-House there, we also think it so, it will also be good and beneficial to us.

Salangore
7th October 1860.

SOURCE: Straits Settlements Factory Record

Series: W 36

Date: 27th October 1860

From,

[Yam] Tuan Selangore

To,

The Hon'ble the Governor

who governs the three Settlements

We have to inform our friend that we send this letter in order to inform our friend that his letter has reached us, we have opened and perused it from beginning to end with great joy and have understood its contents. The request contained therein we have also listened to with much pleasure and now request our friend that we can accede to the [...], expressed by our friend and give our seal to make the matter settled. On this point our friend need not be all at ease.

Since the grant is not of many acres we concur with our [friend] in his [opinion] that to have a light [present] thereon prove a great benefit, now in order to have the matter clearly and definitely settled we give this letter with our Seal thereto affixed with great joy and pleasure what we have said we cannot retract and what we have given we have [...] for ever.

To the truth [...] is above stated we do hereby affix this our Seal.

Written on the 12th of Jamadil Awal 1277 at 9 o'clock a.m. corresponding with the 26th day of November.

True Translation

Signed.

SOURCE: Straits Settlements Factory Record

Series : W 36

Date : 26th November 1860

From

Sultan Abdul Samad
of Selangor.

The Honble

GOVERNMENT OF PENANG,
PENANG,
FEDERATED MALAYA,
KUALA LUMPUR

The Colonel of our Viceroy
Governor of the Straits Settlements.
Dated: Selangor 7th October 1860

After compliments,

We have dispatched these
short lines to inform our friend ~~and~~ many
respect. In this we have to inform that ~~that~~
Dewan having delivered Charge of the
Country of Selangor to us, with every great
cheer to our high subjects as well as to all
people in General.

The receipt of our friend's letter addressed
to Tuan He Samin, regarding the Land called
Kanjong Samin for the purpose of Building
a Light House, which we are very glad to
hear so far as our friend would deem
suitable for its benefit we cannot prohibit
it.

Selangor
7th October 1860

From

Sultan, Abdul. Samud
of Salangore.

To

The Honble

KETUA,
JABATAN PENGAJIAN ASIA TENGGARA,
UNIVERSITI MALAYA,
KUALA LUMPUR

The Colonel Orfeur Bannenberg
Governor of the Straits Settlements

Dated Salangore 27th October 1860.

[Handwritten signature]

After compliments
We are to inform our friend with regard to Yanfou
Yuan (Bapu Raehado) whatever our friend say if
it is good and beneficial to have a light house
there. we also think it so. it will also be good
and beneficial to us.

From

Francis Isaac Seton

To

The British Consular
who resides at the three
Settlements

KETUA,
JABATAN PENYAJIAN DIA TENGGARA,
UNIVERSITI MALAYA,
KUALA LUMPUR

We have to inform our
friend that we found this
letter in order to inform our
friend that his letter has
reached us; we have opened
and perused it from beginning
to end with great joy and
have since looked at its contents.
The request contained therein
we have also hastened to put
in a pleasant and warm
reply to our friend that
we can accede to the wish
expressed by our friend and
give our seal to make the
matter settled. On this point
our friend need not be

all at once.

Since the question is not primarily a religious one, we are in his opinion that to a light touch there will prove a great benefit, & we intend to have the matter clearly & definitely settled by giving this letter with our seal & signature affixed with great joy & pleasure of what we have said we cannot retract and what we have given we have bestowed for ever.

To the truth of what is above stated we do hereby affirm this our Seal.

Written on the 12th of Sa'adatul Awwal 1277 at 9 o'clock a.m. corresponding with the 26th day of November

By the President
R. W. L.

SEKRETARIAT PERKEMBANGAN ASIA TENGGARA
UNIVERSITI MALAYA,
KUALA LUMPUR

ANNEX MM 63

**Letter from the Sultan of Johore to the Earl Granville, Principal
Secretary of State to the Colonies, 20 March 1886**

42 Queens Gate Gardens S.W.

20th March 1886.

My Lord,

1. In view of the possibility of any other Power making, as under its protectorate, any of the Islands in the open Seas and Straits belonging to the State of Johore, I shall feel much obliged if your Lordship will kindly arrange for a Register of these appanages to be preserved by Her Majesty's Secretary of State for the Colonies as well as by His Excellency the Governor of the Straits Settlements – By this plan the interests of any country will be safeguarded under the provision of the Agreements recently made.
2. The Islands in question range themselves around the Coast of Johore : all those on the Western side, and a large number on the Eastern side, being in the immediate vicinity of Johore; but of the latter a large proportion also extends further out, stretching to even as far as the neighborhood of Borneo.
3. These most distant Islands consist principally of what are commonly called by the Malays the "Pulau Tujoh" (the "Seven Islands") with their respective groups of islands, but classified by Europeans under the three headings of the Natunas, the Anambas, and the Tambelans, as undermentioned:

1. Boonboran	-	Great Natuna	}	The Natunas
2. Pulau Laut	-	North Natuna		
3. Soobi	}	South Natunas	}	The Natunas
4. Serapan				
5. Jimaja			}	The Anambas
6. Siantan				
7. Tambelan	-			The Tambelans

4. Having regard to recent acquisitions by Foreign Powers, and to the loss of time which a reference by the Governor to your Lordship for direction on may occasion, I have deemed it expedient before returning to Johore, to communicate in the first instance with your Lordship; and I trust I may have your concurrence in this and that your Lordship may be good enough to adopt measures which may avoid such reference and loss of time.

5. I propose later on to forward to your Lordship a detailed list of all the Islands with an alphabetical index.

The Right Honorable Earl Granville Esq.
Her Majesty's Principle Secretary of State
for the Colonies Downing Street

I have the honor to be,
your Lordship's Obedient Servant.

(sgd)
Sultan of Johore

Memorandum

Charts of the Islands belonging to Johore General Charts

795	}	Western Coast of Johore
796		
403		Western, Southern, & Eastern Coast of Johore
041		Eastern coast of Johore (immediate vicinity)
660A		Eastern Coast of Johore (across to Borneo), shewing the "Pulau Tujoh" or the "Seven Islands".

**Charts of Groups
- of the -**

Pulau Tujoh or the Seven Islands

348	North and Great Natunas
104	South Natuna
371	<i>Anambas</i>
361	Tambelans

20th March 1886

Abdul Rahman

(sgd)

Secretary of the Sultan of Johore

ANNEX MM 64

**Letter of Governor, Straits Settlements to Colonial Secretary, 21
May 1901, with file attachments**



C. O.
2500
GOVERNMENT HOUSE
SINGAPORE.
500

Straits Settlements.

21st May, 1901.

No. 237

DEPARTMENT OF PENANGJIAN ASIA TENGGARA
MALAYA

Sir,

With reference to my predecessor's despatch

No. 220 of the 14th June, 1900, with regard to the erection of a Lighthouse on the Pulau Aor group, I have the honour to inform you that I have obtained from His Highness the Sultan of Johore a lease of Pulau Pinang, one of the Pulau Aor group, on which a site for a Lighthouse has been selected.

2. I do not, however, propose to proceed with the work during the current year. It is admitted that though a Lighthouse on these islands would be a convenience to ocean going steamers approaching Singapore from the East, there is no urgency in the matter and nothing but the fact that there is a large surplus from light dues over expenditure

The Right Honourable

Joseph Chamberlain, M.P.,

do. do. do.

Colonial Office.

expenditure for lighting would justify this Government in

incurring the cost of erecting a Lighthouse beyond our

territorial waters merely for the convenience of the

Masters of ocean going steamers.

3. My reasons for postponing this work are that the Public Works Department is undermanned at present and that owing to unforeseen expenditure the Estimates will be largely exceeded unless certain works which are not urgent are delayed.

I have the honour to be,

Sir,

Your most obedient, humble
servant,

KETUA,
JABATAN PENGAJIAN ASIA TENGGARA,
UNIVERSITI MALAYA,
KUALA LUMPUR

SEPARATES
No. 20886

20886
1901 JUN 9

No. 233
1901
May

(Subject.)
~~Light~~ Lighthouse on Pulau Nor
Group

Previous Paper.
CA
34 134
80

lease of Pulau Pinang as site for - has
been offered from Sultan of Johore: work will
not be proceeded with during current year.

1
Ackd - 190 21 June
Subsequent Paper.

(Minutes.)
Mr Lucas.
\$ 20,000 account appeared
in the Estimates, but it is not
proposed to proceed with the work this
year.

KETUA,
JABATAN PENGAJIAN ASIA TENGGARA,
UNIVERSITI MALAYA,
KUALA LUMPUR

2 Auk F.S.
19/VI
etc.

C.P.D. 19
at once

223
Officer Administering the Government

21st May, 1901.

Erection of a Lighthouse on
the Pulau Aor group.

States that it is not pro-
posed to proceed with the work during
the current year.

KETUA,
JABATAN PENGAJIAN ASIA TENGGARA,
UNIVERSITI MALAYA,
KUALA LUMPUR

The Right Honourable

Joseph Chamberlain, M.P.,

&c. &c. &c.

Colonial Office.

DRAFT

Straits

no 190

the ~~AG~~

1916

in the ~~thing~~ of 19/11

FEDERATION OF MALAYA
KUALA LUMPUR

[Signature]

27 June 1911

his

I have the honor
to acknowledge the receipt
of your despatch to
nos 3 of the 21st ultimo
stating that it is
not proposed to proceed
with the construction of
a light-house in the
Palau Aor Group
during the current
year.

ANNEX MM 65

**Federated Malay States, Proceedings of the Federal Council,
8 July 1913, pp. A1-A2, B8**

FEDERATED MALAY STATES.
MINUTES OF THE MEETINGS
OF THE
FEDERAL COUNCIL.

No. 1.

TUESDAY, 8TH JULY, 1913.



PRESENT:

- H.E. the High Commissioner (Sir ARTHUR HENDERSON YOUNG, K.C.M.G.)
H.H. the Sultan of Perak (Sir IDRIS MERSID-EL AAZAM SHAH, G.C.M.G., G.C.V.O.)
H.H. the Sultan of Selangor (Sir ALAEDIN SULEIMAN SHAH, K.C.M.G.)
H.H. the Yang di Pertuan Besar of Negri Sembilan (TENKU MUHAMMAD, C.M.G.)
The Chief Secretary (Sir EDWARD LEWIS BROCKMAN, K.C.M.G.)
The Dato Imam Prang Indra Stia Raja ('CHE USUF BIN 'CHE TUKANG) representing
H.H. the Regent of Pahang.
The Hon'ble the Resident of Perak (Mr. REGINALD GEORGE WATSON, C.M.G.)
The Hon'ble the Resident of Selangor (Mr. EDWARD GEORGE BROADRICK.)
The Hon'ble the Resident of Negri Sembilan (Mr. ARTHUR HENRY LEMON.)
The Hon'ble the Resident of Pahang (Mr. EDWARD JOHN BREWSTER.)
The Hon'ble the Legal Adviser (Mr. FREDERICK BELFIELD.)
The Hon'ble Mr. EDMUND BECHER SKINNER.
The Hon'ble Mr. EU TONG SEN.
The Hon'ble Mr. WALTER FREDERICK NUTT.
The Hon'ble Mr. GEORGE HAROLD DAY.

1. On the motion of the PRESIDENT the minutes of the last meeting which have been circulated to the members are confirmed.
2. Mr. FREDERICK BELFIELD, Legal Adviser, and Mr. GEORGE HAROLD DAY make the affirmation and take their seats as members of the Council.
3. The CHIEF SECRETARY TO GOVERNMENT lays the following papers on the table:
 - (i) Report by Mr. L. Wray, t.s.o., on the British Malayan Section at the New York Rubber Exhibition.
 - (ii) Schedule of additions to the Estimates during the third quarter ended 30th September, 1912.
 - (iii) Schedule of additions to the Estimates during the fourth quarter ended 31st December, 1912.
 - (iv) Report by Treasurer, Federated Malay States, on the Planters' Loan Account for the year 1912.
 - (v) Report on the Agricultural Loan Fund (Perak) for the year 1912.
 - (vi) Report of the Committee appointed to inquire into the applicability of the Ceylon Discharge Ticket System to the Federated Malay States.
 - (vii) Schedule of additions to the Estimates during the quarter ended 31st March, 1913.
 - (viii) Resolutions passed at Meetings of the different Chambers in the Federated Malay States.
 - (ix) Actuary's Report on the Federated Malay States Widows and Orphans' Pension Fund.
 - (x) Letter by the President, Perak Chamber of Mines, and memorandum by the Senior Warden of Mines on the Draft Machinery Enactment.

4. Mr. E. B. SKINNER asks the twelve questions of which he has given notice.

The CHIEF SECRETARY TO GOVERNMENT replies.

5. Mr. W. F. NUTT asks the twelve questions of which he has given notice.

The CHIEF SECRETARY TO GOVERNMENT replies.

6. Mr. G. H. DAY asks the seventeen questions of which he has given notice.

The CHIEF SECRETARY TO GOVERNMENT replies.

7. The CHIEF SECRETARY TO GOVERNMENT moves:

- (i) That this Council approves the special appropriation of a sum of \$4,136,000 to meet the cost of purchasing the Singapore Railway.

The RESIDENT OF PERAK seconds the motion, which is agreed to unanimously.

- (ii) That this Council approves the special appropriation of a sum of \$110,000 to meet the rent due to the Johore Government in respect of the leasing of the Johore State Railway for the year 1912.

The RESIDENT OF PERAK seconds the motion, which is agreed to unanimously.

- (iii) That this Council approves the special appropriation of a sum of \$20,000 to meet a share of the cost of maintaining the One-Fathom Bank Light, off the coast of Selangor, and Cape Rachado on the coast of Negri Sembilan.

The RESIDENT OF NEGRI SEMBILAN seconds the motion, which is agreed to unanimously.

- (iv) That this Council approves the special appropriation of a sum of \$31,500 to meet the purchase price of site for a hostel for Federated Malay States students at the Medical School, Singapore.

The RESIDENT OF PERAK seconds the motion, which is agreed to unanimously.

- (v) That this Council approves the special appropriation of a sum of \$109,700 to meet the cost of a hostel for Federated Malay States students at the Medical School, Singapore.

The RESIDENT OF PERAK seconds the motion.

The PRESIDENT puts the question that the motion be passed.

Mr. E. B. SKINNER addresses the Council.

Mr. EU TONG SEN addresses the Council.

Mr. W. F. NUTT addresses the Council.

Mr. G. H. DAY addresses the Council.

The CHIEF SECRETARY replies.

The PRESIDENT addresses the Council.

The motion is withdrawn by leave of the Council.

Mr. E. B. SKINNER addresses the Council.

The CHIEF SECRETARY again moves:

- "That this Council approves the special appropriation of a sum of \$109,700 to meet the cost of a hostel for Federated Malay States students at the Medical School, Singapore."

The RESIDENT OF PERAK seconds the motion, which is agreed to unanimously.

- (vi) That this Council approves the special appropriation of a sum of \$14,572 to meet the cost of a model of H.M.S. "Malaya."

Mr. W. F. NUTT seconds the motion, which is agreed to unanimously.

- (vii) That the provision of \$400,000 appearing as Item 222, Federated Malay States Railways, Construction Department, Railway from Pudooh to Ampang Construction, on the 1913 Federal Estimates, be supplemented by a further appropriation of \$241,000.

The RESIDENT OF SELANGOR seconds the motion, which is agreed to unanimously.

- (viii) That the provision of \$1,000,000 appearing as Item 212, Federated Malay States Railways, Construction Department, Kedah Railway Extension, Bukit Mertajam to Alor Star, on the 1913 Federal Estimates, be supplemented by a further appropriation of \$1,250,000.

The RESIDENT OF PERAK seconds the motion, which is agreed to unanimously.

I can assure the Council that the valuation is a very fair one. The land which the Colonial Government had acquired when the railway was constructed has been handed over at cost price. This is now worth a much larger sum than was paid. There is no doubt that the valuation as regards the line itself is a high one, but we have to take it as it stood in the books of the Railway Department, and it was not possible to arrive at a fairer valuation.

About the time the matter came up before the Council at Singapore certain observations were made expressing a doubt as to whether we had made the best bargain we could. There is no question of making a bargain. In dealing with the question in Singapore the Colonial Secretary mentioned the cost of the construction only so far as it concerned the line from Woodlands to Tank Road, and, by some extraordinary oversight, omitted the cost of the line from Tank Road to the docks. I don't think I can say more.

The General Manager went thoroughly into the question. We are satisfied that we only paid a fair price, and the purchase is from our point of view a very desirable one.

The motion was carried.

The CHIEF SECRETARY moved :

- (ii) That this Council approves the special appropriation of a sum of \$110,000 to meet the rent due to the Johore Government in respect of the leasing of the Johore State Railway for the year 1912.

He stated : This is more or less a formal motion because the amount has already been approved at a previous meeting by the unofficial members of Council, and the reason why it was not put into the Estimates this year was that negotiations have been going on with the Johore Government for the purchase of the railway ; and these negotiations are not yet completed. It is possible that they may not go any further. The amount for which the railway would be leased, if a lease was granted, was fixed at \$110,000, and I ask Council to formally approve of this.

The motion was agreed to.

The CHIEF SECRETARY moved :

- (iii) That this Council approves the special appropriation of a sum of \$20,000 to meet a share of the cost of maintaining the One-Fathom Bank Light, off the coast of Selangor, and Cape Rachado on the coast of Negri Sembilan.

He stated : This is quite a new departure so far as the Federated Malay States Government is concerned. In the past, these two light-houses, which are off the coast of this country, have been entirely maintained by the Colonial Government. Up till the end of last year the Colonial Government derived revenue from collecting dues from ships passing up and down the Straits to defray the cost of maintaining them, but a new policy has been decided upon in the Colony. It has been decided to abolish the light dues altogether, thereby conferring considerable benefit on all shipping passing through the Straits. I think it is an international obligation that each country should bear the cost of maintaining all lights considered necessary on its coasts, and I think there can hardly be any question now that we should not be doing our duty if we did not come forward and offer to maintain these two very useful light-houses.

So long as the Colonial Government were reaping the benefit of the light dues it was only right that they should maintain them, but now, as they are giving up the dues, it is hardly fair to expect them to continue maintaining them. Therefore, subject to the approval of Council, we propose to assume responsibility for these two light-houses off the coasts of Selangor and Negri Sembilan, respectively. There were two courses open to us. One was to actually assume the responsibility for maintaining the lights, to provide crews and provide for their relief and keep up the lights themselves. It would be rather difficult for us to do this at once because light-houses required constant expert attendance, and in Singapore they have an official whose duty it is to look after light-houses and see that everything is in proper order.

It was accordingly decided that instead of actually transferring the maintenance of the lights we should let the Colonial Government go on maintaining the lights, as they have done in the past in a very efficient condition, and to contribute towards the cost of them. It was decided, subject to the approval of Council, to offer a sum of \$20,000 a year. I think this is a very fair amount, but at the same time we reserve to ourselves to take over the two lights.

The motion was agreed to.

The CHIEF SECRETARY moved :

- (iv) That this Council approves the special appropriation of a sum of \$31,500 to meet the purchase price of site for a hostel for Federated Malay States students at the Medical School, Singapore.

He stated : This vote is connected somewhat with the next vote, number (v), but it is more convenient to take them separately. The question of building a hostel for students

ANNEX MM 66

**Colony of the Straits Settlements, *Blue Book for the Year 1914*,
Singapore, Government Printing Office, 1915, pp. v2, v3, c24, c52, c57,
g10, g15, g22, g35, g38, κ1, κ28, κ102**



BLUE BOOK

FOR THE YEAR

1914.



SINGAPORE:

Printed at the GOVERNMENT PRINTING OFFICE, SINGAPORE,
by J. E. TYLER, Government Printer.

1915.

LIGHT-HOUSES.

STRAITS SETTLEMENTS.

The Lights in the Settlements are fifteen in number, (not including Lighted Buoys), viz.:-

* The *Horsburgh Lighthouse* on Pedra Branca, about 36 miles to the East of Singapore marks the Eastern entrance of the Singapore Straits. The light, white of the first order, shows a flash every 10 seconds, visible 16 miles. It is elevated 100 feet above high water. Latitude $1^{\circ} 20'$ North; Longitude $104^{\circ} 24'$ East. C. P. 103,000.

The tower is painted with alternate black and white bands at equal distances apart.

* *Fort Canning Light, Singapore*, is a dioptric occulting light of the first order, with one eclipse every 20 seconds, light 17 seconds, eclipse 3 seconds, showing red from North 13° West to North 25° West; white from North 25° West through West to South 84° West; red from South 84° West to South 74° West and obscured elsewhere; elevation 202 feet above high water visible 18 miles, exhibited from a Steel Tower painted white. Latitude $1^{\circ} 18'$ North; Longitude $103^{\circ} 51'$ East. C. P. 20,000.

* *Raffles Lighthouse* on Coney Island, about 13 miles to the South-West of Singapore marks the Singapore Main Straits. It exhibits a group-flashing white light of the second order showing groups of 3 flashes in quick succession every 10 seconds, visible 16 miles. It is elevated 103 feet above high water. Latitude $1^{\circ} 10'$ North; Longitude $103^{\circ} 44'$ East. C. P. 66,000.

* *Pulau Pisang Lighthouse* is situated on the highest part of that Island in Latitude $1^{\circ} 28'$ North, and Longitude $103^{\circ} 15'$ East. It exhibits a first order white light, flashing every 5 seconds, elevated 510 feet above high water, visible 30 miles. C. P. 103,000.

The structure is a circular tower 40 feet in height, of a red brick colour. The balcony and lantern are white, the quarters and out-buildings a grey colour.

The *Sultan Shoal Lighthouse* is built on the Sultan Shoal, in Latitude $1^{\circ} 14'$ North, and Longitude $103^{\circ} 39'$ East. It is a catoptric white light 60 feet above high water showing a flash every 30 seconds, visible 13 miles.

The structure consists of a tower surrounded by the keeper's dwelling-house, two stories in height, and reaching to within 18 feet of the lantern.

* *Pulau Undan Lighthouse* on the summit of that Island, exhibits a group-flashing white light of the third order:—Light $2\frac{1}{2}$ seconds; eclipse 5 seconds; light $2\frac{1}{2}$ seconds; eclipse 20 seconds and is visible 20 miles. It is elevated 155 feet above high water. Latitude $2^{\circ} 3'$ North; Longitude $102^{\circ} 20'$ East. C. P. 35,000.

* *Cape Rachado Lighthouse* on the bluff of the cape is 27 miles North-East of Malacca. The light is a group-flashing white light of the second order, showing a group of three flashes in quick succession every 10 seconds, visible 26 miles. Latitude $2^{\circ} 25'$ North; Longitude $101^{\circ} 51'$ East. It is elevated 388 feet above high water. C. P. 140,000.

* The *One-Fathom Bank Lighthouse* on the One-Fathom Bank, Straits of Malacca, is approx. 18 feet of water is of re-inforced concrete (natural grey) octagonal in form, on vertical piles. Light supported on raking columns. The dome of lantern is painted red. The light is a group-flashing white light of the second order, showing a group of four flashes in quick succession every 15 seconds, visible 15 miles. C. P. 64,000. It is elevated 92½ feet above high water. Latitude approx. $2^{\circ} 53'$ North; Longitude 101° East.

Malacca Light on St. Paul's Hill is a fixed white light of the fourth order, visible 13 miles. It is elevated 180 feet above high water. Latitude $2^{\circ} 12'$ North; Longitude $102^{\circ} 15'$ East.

Pulau Rimau Light is an occulting light of the third order, with one eclipse every 20 seconds, light 17½ seconds, eclipse 2½ seconds showing white in the channel to the Southward, from North 52° East to North 23° East, and red elsewhere, except where obscured by land. It is elevated 129 feet above high water, and is visible 13 miles. The Lighthouse is on the Southern point of Pulau Rimau and is painted white. Latitude $5^{\circ} 14'$ North; Longitude $100^{\circ} 17'$ East.

Penang Harbour Lighthouse on the North-east bastion of Fort Cornwallis, exhibits a group-occulting white light of the third order with red sector:—light 2½ seconds; eclipse 3 seconds; light 3 seconds; eclipse 3 seconds. Red sector South 42° East to South 29° East. The light is of 9,000 candle power, elevated 87 feet above high water and is visible 13 miles. The structure is an iron framework tower 70 feet in height, painted white.

* The *Muka Head Light*, at the Northern end of Penang Island, is a first order light flashing every 20 seconds. It is elevated 795 feet above high water, and is visible 30 miles. It is placed on a summit of a hill, which is 750 feet high. Latitude $5^{\circ} 23'$ North; Longitude $100^{\circ} 11'$ East. It is connected by telephone with George Town and the Hill Station. C. P. 206,000.

Tanjong Hantu Light on the cliff on the extreme point, is an occulting white light every 10 seconds. Light 7 seconds, eclipse 3 seconds. It is elevated 130 feet above high water, and is visible 10 miles. Situated in Latitude $4^{\circ} 19'$ N., Longitude $100^{\circ} 33'$ East in Northern approach to the Dindings Channel.

LABUAN.

* *Kuraman Lighthouse* situated on the summit of that Island marks the Southern approach to Labuan. It exhibits a flashing white light every five seconds. It is a third order light, power 70,000 candles and is visible 21 miles. Elevation 215 feet above high water. The structure is an iron framework tower 50 feet in height, painted white, dome red. Latitude 5° 13' North; Longitude 115° 8' East.

* *Papin Island Lighthouse*, situated near the west point of that Island, exhibits from a white iron framework tower a fourth order occulting light every 10 seconds, visible 14 miles. The light is elevated 79 feet above high water and has red and white sectors. Latitude 5° 18' North; Longitude 113° 16' East.

N.B.—Those with an asterisk (*) are Incandescent Oil Burners.

TABLE SHOWING THE COST AND MAINTENANCE OF THE STRAITS LIGHTS.

Station.	When Built.	Cost.	Salaries per annum.	Oil and Buoys, etc.		Rations.		Total Cost of Maintenance. (Annual.)
				\$ c.	\$ c.	\$ c.	\$ c.	
† 1. Hornburgh Light, Singapore	1850	‡ 52,607 00	1,784 00			974 80		
† 2. Fort Lanning Light, Do.	1908	§ 68,238 00	1,423 00			772 63		
3. Raffles Light, Do.	1856	¶ 47,201 84	1,784 00			863 09		
† 4. Pulau Pisang Light, Do.	1884	|| 48,604 00	1,878 80	5,217 97		1,011 44	26,680 84	
5. Sultan Shoal Light, Do.	1896	¶ 4,150 00	1,394 00					772 63
† 6. Pulau Undan Light, Malacca	1880	** 20,223 00	1,972 63			1,018 70		
7. Cape Rachado Light, Do.	1843	†† 60,412 36	1,972 63			846 18		
8. One-Fathom Bank Light, Do.	1907	‡‡ 246,963 31	1,972 63			910 80		
9. Harbour Light, Do.	1841	772 00	772 00	222 66			1,001 65	
10. Pulau Riman Light, Penang	1884	§§ 11,144 08	1,366 00	470 04		831 30	2,546 34	
11. Harbour Light, Do.	1913	10,224 00	1,064 00	449 42			1,504 42	
† 12. Muks Head Light, Do.	1883	¶¶ 42,229 00	1,513 00	506 57		929 85	2,011 42	
13. Tanjong Hantu Light, Do.	1901	6,991 87	1,011 00	267 96		624 30	1,912 18	
14. Kuraman Island Light, Labuan	1913	39,828 87	1,044 00	873 43		508 30	2,419 43	
15. Papan Island Light, Do.	1911	13,000 00	939 61	616 69		418 93	1,971 94	
		713,100 85	21,661 48	8,844 46		10,207 56	41,020 82	

† These lighthouses were fitted with Incandescent Oil Burners in 1914. ‡ The original cost was \$28,626. The cost of new alterations and light, etc., was \$28,782. § The original cost was \$64,418. The cost of new light, etc., was \$4,410. ¶ The original cost was \$3,291. The cost of improvement was \$43,910 36. || The original cost was \$41,434. The cost of new Incandescent Oil Burners was \$4,264. ** The original cost was \$16,423. The cost of new Incandescent Oil Burners was \$5,500. †† The original cost was \$16,454. The cost of alterations and new light was \$52,968 76. ‡‡ The original cost was \$4,715. The cost of alterations was \$6,431. §§ The original cost was \$37,929. The cost of new Incandescent Oil Burners was \$4,240.

STRAITS SETTLEMENTS—DETAILED STATEMENT OF ESTIMATED AND ACTUAL EXPENDITURE, 1914.

HEADS AND SUB-HEADS OF EXPENDITURE	ESTIMATED.		ACTUAL.		OVER THE ESTIMATE.		UNDER THE ESTIMATE.	
	\$	c.	\$	c.	\$	c.	\$	c.
<i>Brought forward</i> ...	1,404,984	00	1,295,380	95	20,876	61	130,479	66
12—MARINE—Continued.								
<i>Brought forward</i> ...	225,779	00	214,869	50	...	...	10,909	50
B—OTHER CHARGES—Continued.								
I.—ANNUALLY RECURRENT—Continued.								
<i>Brought forward</i> ...	20,266	00	14,581	36	...	...	5,684	64
Harbours, Shipping Office, Etc.—Continued.								
Steam Launches, Etc., Maintenance—S., \$13,223.26; L., \$748.15; P., \$5,836.94; M., \$999.11 ...	21,800	00	20,907	46	...	...	692	54
Steam Launches, Fuel and Water—S., \$10,823.50; L., \$1,593.89; P., \$9,668.91; M., \$667.34 ...	25,500	00	22,753	64	...	...	2,746	36
Time Balls, Maintenance—S. ...	850	00	596	95	...	...	253	05
Tin, Paint, Etc., (Boat Registration)—S., \$1,398.92; P., \$1,014.45; M., \$126.86 ...	3,100	00	2,540	23	...	...	559	77
Transport and Travelling Allowances—S., \$649.33; P., \$137.42; M., \$268.76 ...	990	00	1,053	51	63	51	...	...
Up-keep of Boats—L. ...	100	00	94	81	...	...	5	19
LIGHT-HOUSES, ETC.—								
Fuel and Water, Lighthouse Tender—S. ...	5,000	00	4,147	50	...	...	852	50
Gas, Harbour Lights—S. ...	200	00	159	99	...	...	40	01
Maintenance of Buoys, and Light-house Plant—S., \$2,621.28; L., \$586.57; P., \$1,242.65; M., \$223.65 ...	7,350	00	4,774	13	...	...	2,575	87
Miscellaneous—S., \$459.07; P., \$100.58; D., \$57.88; M., \$29.20 ...	780	00	648	71	...	...	133	29
Maintenance of Lighter—L. ...	350	00	322	82	...	...	27	18
Oil and Stores—S., \$4,973.52; L., \$1,747.25; P., \$1,252.98; D., \$232.04 ...	10,040	00	8,210	79	...	...	1,829	21
Rations and Clothing—S., \$4,970.71; L., \$917.20; P., \$2,038.75; D., \$731.49; M., \$2,306.30 ...	14,088	00	10,964	45	...	...	3,123	55
Stores—S. ...	1,000	00	692	67	...	...	307	33
Substitutes for Light-keepers and Men—S., \$75.35; P., \$140; L., \$15.50 ...	370	00	231	15	...	...	138	85
MARINE SURVEYS:—								
L—ANNUALLY RECURRENT.								
Miscellaneous—S., \$470.90; P., \$59.33 ...	450	00	530	23	...	...	...	...
Transport, Travelling and Personal Allowances—S., \$1,480.72; P., \$240.87; M., \$252.84 ...	3,240	00	1,974	45	...	...	1,265	57
Motor Car Allowance—P. ...	840	00	837	66	...	...	2	34
<i>Carried forward</i> ...	115,914	00	96,019	49	111	73	19,893	25
<i>Carried forward</i> ...	225,779	00	214,869	50	...	...	10,909	50
<i>Carried forward</i> ...	1,404,984	00	1,295,380	95	20,876	61	130,479	66

STRAITS SETTLEMENTS—DETAILED STATEMENT OF ESTIMATED AND ACTUAL EXPENDITURE, 1914.

HEADS AND SUB-HEADS OF EXPENDITURE.	ESTIMATED.	ACTUAL.	OVER THE ESTIMATE.	UNDER THE ESTIMATE.
	\$ c.	\$ c.	\$ c.	\$ c.
<i>Brought forward</i> ...	9,111,423 00	9,123,111 35	761,685 39	749,997 01
29.—PUBLIC WORKS, EXTRAORDINARY—Continued.				
<i>Brought forward</i> ...	223,350 00	57,797 29	4,720 46	170,273 17
(A)—BUILDINGS AND MISCELLANEOUS WORKS—Continued.				
<i>Brought forward</i> ...	1,081,256 00	411,459 48	43,209 59	713,006 11
-SINGAPORE.—Continued.				
Police Station, Sepoy Lines, Quarters for 10 married men including fencing ...	...	9,364 67	a 9,364 67	...
Master Attendant's Office, Additions and alterations to ...	...	3,825 00	a 3,825 00	...
Victoria Bridge School, Extension to ...	...	3,596 31	a 3,596 31	...
Prison, Criminal, New boilers for kitchen ...	...	707 11	a 707 11	...
District Court, New ...	...	5,953 34	a 5,953 34	...
Pulau Pisang Lighthouse, Extending coral pier ...	...	711 66	a 711 66	...
Hosburgh, Fort Canning and Pulau Pisang lighthouse, Improving the illuminating apparatus of the ...	...	10,462 23	a 10,462 23	...
Colonial Secretary's office, additional storage accommodation ...	...	110 00	a 110 00	...
Colonial Secretary and Assistant Colonial Secretary's Bungalow, Electric Lighting Installation at the ...	...	2,406 51	a 2,406 51	...
Sultan Shoal, Repairs to pier ...	...	1 65	a 1 65	...
Tan Tock Seng's Hospital, Drainage of the valley at the back of ...	...	210 55	a 210 55	...
Government House, Raising water main, repairs to ...	...	300 00	a 300 00	...
Quarters, erection of 19 Clerks' at Kandang Kerbau ...	...	52,979 77	a 52,979 77	...
Government House, extension of drain near Underley's quarters ...	...	219 35	a 219 35	...
	1,081,256 00	502,307 63	134,057 74	713,006 11
LABUAN.				
Anti-Malarial Works ...	2,000 00	1,991 38	...	3 62
Buffaloes, Purchase of three ...	114 00	75 00	...	39 00
Buffalo Cart, Purchase of five ...	250 00	240 00	...	10 00
Cemeteries, Renewal of fencing ...	750 00	594 33	...	155 67
Gaul, Renewal of fencing ...	2,000 00	274 39	...	1,725 61
Government Offices, New roof ...	1,000 00	...	...	1,000 00
Government Offices and Court-house, Painting ...	1,000 00	...	...	1,000 00
Hospital, Contagious Ward, Concrete floor ...	600 00	600 00	...	...
Hospital, Civil, Water supply ...	1,750 00	24 05	...	1,725 95
Quarters for Clerks, Repairs to ...	600 00	600 00	...	...
<i>Carried forward</i> ...	10,061 00	1,000 15	...	1,000 35
<i>Carried forward</i> ...	1,304,606 00	560,104 92	133,209 53	353,279 18
<i>Carried forward</i> ...	9,111,423 00	9,123,111 35	761,685 39	749,997 01

a. Estimated.

STRAITS SETTLEMENTS—DETAILED STATEMENT OF ESTIMATED
AND ACTUAL EXPENDITURE, 1914.

HEADS AND SUB-HEADS OF EXPENDITURE.	ESTIMATED.	ACTUAL	OVER THE ESTIMATE.	UNDER THE ESTIMATE.
	£ c.	£ c.	£ c.	£ c.
<i>Brought forward</i> ...	9,111,433 00	9,123,111 38	761,685 39	749,997 01
29.—PUBLIC WORKS, EXTRAORDINARY—Concluded.				
<i>Brought forward</i> ...	1,925,685 00	794,003 46	172,365 21	1,304,046 75
(B)—BUILDINGS AND MISCELLANEOUS WORKS—Concl.				
<i>Brought forward</i> ...	55,550 00	33,513 17	...	22,036 83
MALACCA—Continued.				
Police Department, Quarters for Clerk and Interpreters at Jasin, Central and Alor Gajah Stations ...	6,000 00	5,999 97	...	0 03
Post Office, Malacca, Extension of ...	2,000 00	...	...	2,000 00
Reclamation, Extra filling to widen quay ...	3,000 00	2,999 99	...	0 01
Revetment wall to reclamation ...	38,000 00	38,000 00	...	...
Survey Office, Improvements to ...	3,000 00	3,000 00	...	...
Vernacular School, Merlimau, Enlarge- ment of and removal of Teachers' Quar- ters ...	1,100 00	1,099 85	...	0 15
Vernacular School, Sebati, Enlargement of and removal of Teachers' Quarters ...	1,100 00	1,099 72	...	0 28
Vernacular Schools, Renewing attap roofs and tiles at Semabok, Tanjong Minyak, Bukit Bruang and Pringget ...	6,000 00	4,299 49	...	1,700 51
Durian Daun Hospital, Additions, alter- ations and repairs including European Wards and Nurse's Quarters ...	...	35,970 78	a 35,970 78	...
Pulau Undan Lighthouse, Improving the illuminating apparatus of the ...	...	4,391 16	a 4,391 16	...
Vernacular School, Kelemak, Re-building ...	...	1,700 00	a 1,700 00	...
	115,750 00	132,074 13	42,061 94	25,737 81
Total, Public Works, Extraordinary ...	2,041,435 00	926,077 59	214,427 15	1,329,784 56
WAR EXPENDITURE.				
Repatriation of Chinese (Colony's Share) ...	...	90,162 52	a 90,162 52	...
Repatriation of Indians do. ...	...	10,934 78	a 10,934 78	...
Special Police P. ...	...	1,454 37	a 1,454 37	...
Miscellaneous ...	...	28,448 33	a 28,448 33	...
Total War Expenditure ...	...	131,000 00	131,000 00	...
Grand Total ...	11,152,858 00	10,180,188 97	1,107,112 54	2,079,781 57
			Deduct Excess ...	1,107,112 54
			Net Saving ...	972,669 03

a. Unestimated.

Return of all Public

Describe the Work and where situated.	Whether Constructing or under Repair.	Estimated Expenses :	Authority under which it is executed.
SINGAPORE—Continued.		\$ c.	
PUBLIC WORKS, EXTRAORDINARY.— <i>CLJ.</i>			
(B).—BUILDINGS AND MISCELLANEOUS			
WORKS— <i>Concluded.</i>			
<i>Brought forward</i>		1,119,495 00	
Police Station, Sepoy Lines, Quarters for 10 Married men including fencing		9,467 60	
Pulau Pisang Light-house, Extending Coral Pier		714 00	} Wt. No. 197 of 1914.
Building on Pearls Hill for the accommodation of the Sikh Police, Alterations to		12,500 00	
Light-house, Sultan Shoal, Repairs to pier		1,310 00	} Wt. No. 310 of 1914.
Colonial Secretary's and Assistant Colonial Secretary's Quarters, Electric Lighting Installation at		2,466 00	} Wt. No. 341 of 1914.
Horsburg, Fort Canning and Pulau Pisang Light-houses, Improving the illuminating apparatus of the		12,700 00	} Wt. No. 484 of 1914.
Government House, Raising water main, repairs to		300 00	} Wt. No. 497 of 1914.
Prison, Criminal, New Boilers for Kitchen		710 00	} Wt. No. 572 of 1914.
Tan Tock Seng's Hospital, Drainage of the Valley at the back of		500 00	} Wt. No. 380 of 1914.
Government House, Extension of drain near Orderley's Quarters		240 00	} Wt. No. 719 of 1914.
Post Office, Electric Fans, Installation of		131 00	} Wt. No. 800 of 1914.
TOTAL		1,160,433 60	
MISCELLANEOUS SERVICES.			
OTHER CHARGES.			
I.— <i>Annually Recurrent.</i>			
Municipal Assessment		9,500 00	} Budget for 1914.
Surrey School		4,000 00	
Tamil Immigration Fund Ordinance, S.S.		9,590 00	
Water Supply to Public Buildings		2,590 00	
TOTAL ANNUALLY RECURRENT		25,680 00	
II.— <i>Special Expenditure.</i>			
Furniture for Government Quarters, S.		5,000 00	} Budget for 1914.
TOTAL SPECIAL EXPENDITURE		5,000 00	

[G 15]

STRAITS SETTLEMENTS.

PUBLIC WORKS.

PENANG.

1914.

Return of all Public

Describe the Work and where situated.	Whether Constructing or under Repair.	Estimated Expenses.	Authority under which it is executed.
PENANG.—Continued.			
PUBLIC WORKS, EXTRAORDINARY.—Continued.			
(B).—BUILDINGS AND MISCELLANEOUS WORKS.—Continued.			
<i>Brought forward</i> ...			
	...	448,490 00	
27. Quarters for Government Officers, Class III	} Constructing.	7,500 00	}
28. Quarters for Senior Subordinate Officers, Class IV, six, including purchase of site ...		35,000 00	
29. Residence for His Excellency the Governor...		46,500 00	
30. School, Girls, at Northam Road ...		69,158 00	
31. School, Girls, Northam Road, Boundary Wall, Raising and Levelling Roads ...	Raising Roads.	3,000 00	} Budgets of 1912, 1913 and 1914.
32. Treasury, Gates and Grilles for ...	Constructing.	1,600 00	
33. Vernacular School, Chowrastra, New Roof ...	Re-roofing.	1,200 00	} Budget 1913 and Wt. No. 597 of 1914.
34. Waterfall Gardens, Quarters for Staff and Coolie Lines ...	Constructing.	5,000 00	
35. Fort Cornwallis Light, Improvements to ...	Improving.	40,000 00	} Budget 1913 and Wt. No. 597 of 1914.
36. Lighthouse Keeper, Fort Cornwallis, Erection of New Quarters ...	Constructing.	1,300 00	} Wt. No. 257 of 1914.
37. Muks Head Lighthouse, Improving the illuminating apparatus of the ...	Improving.	4,300 00	} Wt. No. 197 of 1914.
38. Quarantine Station, Pulau Jerejak, Quarters for Lay Superintendent ...	Constructing.	5,000 00	} Budget 1913 and Wt. No. 197 of 1914.
39. Quarantine Station, Pulau Jerejak, Improvement of accommodation ...	Improving.	14,550 00	} Budgets of 1912, 1913 and Wt. No. 197 of 1914.
40. Quarters for crew of Disinfecting Launch ...	} Constructing.	4,500 00	} Wt. No. 197 of 1914.
41. Screw pile beacon in the South Channel ...		4,850 00	
42. Saint George's Church, Marble Flooring ...		Re-flooring.		3,600 00
TOTAL, PENANG ...	...	696,548 00	
Dindings.			
43. District Office, Lumut, Extending and Re-roofing with Shingles ...	Extending and Re-roofing.	2,000 00	} Budget of 1914.
44. Sea Wall and Crane at Landing, Lumut ...	Constructing.	3,500 00	
45. Water Gates, Lumut ...	Providing.	1,600 00	
46. New Beacon, Dindings River ...	Providing.	4,000 00	} Budgets of 1913 and 1914.
47. Telephone Line between Brass and Lumut Police Stations, Repairs to ...	Repairing.	1,300 00	} Budgets of 1913 and 1914.
TOTAL, DINDINGS ...	...	12,400 00	

STRAITS SETTLEMENTS.

PUBLIC WORKS

MALACCA.

1914.

Describe the Work and where situated.	Whether Constructing or under Repair.	Estimated Expenses.	Authority under which it is executed.
MALACCA.—Continued.			
PUBLIC WORKS,			
EXTRAORDINARY.—Continued.			
BUILDINGS AND MISCELLANEOUS WORKS.			
1. Chinese Protectorate, Enlargement of Office	Constructing.	2,000 00	Colonial Estimates 1914.
2. Dispensary, Banda Kaba Street, Erection of	Do.	22,000 00	
3. Government Buildings, Installation of Electric Light	Do.	2,000 00	
4. High School, Malacca, Improvement to roof	Do.	3,000 00	
5. Hospital, Durian Daun, Renewing main pipe of water service	Do.	3,250 00	
6. Hospital, Durian Daun, Renewing latrines to Ward	Do.	3,000 00	
7. Hospital, Durian Daun, New Cells and Locks	Do.	3,500 00	
8. Malacca River, Dredging Channel for Reclamation	Do.	15,000 00	
9. "Po Loung Kuk," Construction of boundary wall	Do.	300 00	
10. Police Barracks, Alor Gajah, Two additional rooms	Do.	1,000 00	
11. Police Department, Quarters for Clerks and Interpreters at Jasin, Central and Alor Gajah Stations	Do.	6,000 00	
12. Post Office, Malacca, Extension of	Do.	2,000 00	
13. Reclamation—Extra filling to widen Quay	Do.	3,000 00	
14. Revetment Wall to Reclamation	Do.	38,000 00	
15. Survey Office, Improvement of	Do.	3,000 00	
16. Vernacular School, Merlimau, Enlargement of and removal of Teachers' Quarters	Do.	1,100 00	
17. Vernacular Schools, Sebati, Enlargement of and removal of Teachers' Quarters	Do.	1,100 00	
18. Vernacular Schools, Renewing attap roof with tiles at Semabot, Tanjong Minyak, Bukit Bruang and Pringget	Do.	6,000 00	
19. Pulau Udan Light-house, Improving the illuminating apparatus of the	Do.	...	
20. Durian Daun Hospital, Additions, alterations and repairs including European Ward and Nurses' Quarters	Do.	...	
21. Hospital, Jasin, New, including purchase of site	Do.	...	
22. Vernacular Schools, Kelemak, Re-building	Do.	...	
TOTAL EXTRAORDINARY		115,700 00	

[K 1]

STRAITS SETTLEMENTS.

ESTABLISHMENTS.

1914.

ESTABLISHMENTS.

OFFICE.	NAME.	Date of Appointment.	By whom selected, and whether appointed under any Instrument.	Annual Salary.
MARINE DEPT.—Continued.				
HARBOUR DEPT.—Continued.				
	Woon Hong On ...	8th July, 1911.	Governor.	\$540
	Tan Theam Bin ...	1st July, 1914.	Do.	480
Clerks, Class III	Tharumalingam Gopal ...	2nd Oct., 1913.	Do.	420
	Nagappan Saminathan ...	1st Nov., 1913.	Do.	420
	Malavacayar Thampiah ...	1st Jan., 1906.	Do.	720
	Tan Kim Heng ...	11th May 1914.	Do.	300
Usher ...	Sabahan Osman ...	17th June, 1909.	Do.	960*
Petroleum Inspector	Francis Emanuel Decker ...	1st Dec., 1912.	Do.	840
	Alexander Rozelle ...	8th Feb., 1908.	Do.	720
	Stanley McKendray ...	15th Feb., 1908.	Do.	720
	De Cruz Monteiro ...	3rd April, 1907.	Do.	720
	Francis Rosario ...	1st Aug., 1908	Do.	660
Light-keepers ...	Charles Hochstadt ...	1st Jan., 1909.	Do.	660
	Alfred Rozelle ...	2nd Dec., 1912.	Do.	600
	John Rodrigues ...	26th Jan., 1913.	Do.	600
	Arthur Gomes ...	18th Aug., 1913.	Do.	600
	Alfred de Costa ...	20th Jan., 1914.	Do.	600
	Samuel Harding ...	23rd Jan., 1914.	Do.	600
Store-keeper ...	Teo Guan Quee ...	3rd Dec., 1908.	Do.	780
STREAM-LAUNCHES.				
	Abdoe ...	15th Sept., 1881.	Do.	396
	Drahman ...	5th Feb., 1883.	Do.	396
	Ahmat bin Ripin ...	1st Jan., 1907.	Do.	540
	Mohamad bin Aripin ...	9th July, 1913.	Do.	450
Engineers ...	Lep ...	1st Jan., 1904.	Do.	396
	Lebar ...	1st Jan., 1905.	Do.	396
	Suleiman ...	1st Jan., 1907.	Do.	396
	Semau bin Haji Mohamed Noor	1st April, 1908.	Do.	396
	Tanby bin Abdul Karim ...	1st Feb., 1907.	Do.	396

ESTABLISHMENTS:

OFFICE.	NAME .	Date of Appointment.	By whom selected and whether Appointed under any Instrument.	Annual Salary.
MARINE DEPARTMENT—				
<i>Concluded.</i>				
HARBOUR DEPT.—Concluded.				
STEAM-LAUNCHES—Contd.				
<i>Booby.</i>				
Engineer	Mat Saman bin Mahat	1st Aug., 1911	Governor.	330
Sorang	Darus bin Mat Saman	1st Jan., 1910.	Do.	206
<i>Albatross</i>				
Engineer	Mat bin Ibrahim	19th Oct., 1912	Do.	360
Sorang	Daud bin Kassim	1st June, 1911.	Do.	336
<i>Stella.</i>				
Engineer	Ali bin Haji Taib	19th Oct., 1912	Do.	334
<i>Penguin.</i>				
Engineer	Kamis bin Mohamed Jusoh	1st Aug., 1911.	Do.	290
Sorang	Ibrahim bin Haji Salam	1st Feb., 1911.	Do.	334
<i>Kite.</i>				
Engineer	Long bin Hussain	17th Jan., 1914.	Do.	520
Sorang	Mohamed bin Omar	9th Feb., 1914.	Do.	274
LIGHTHOUSES.				
<i>Kube Head.</i>				
Light-keeper	Lucas Maurice Nieukey	1st June, 1914.	Do.	600
<i>Pulau Rindu.</i>				
Light-keeper	Albert Edward Karl	1st Oct., 1912.	Do.	440
<i>Tanjong Hantu.</i>				
Light-keeper	(Vacant)			
GOVERNMENT SURVEYOR OF SHIPS.				
Surveyor of Ships	Henry Muir	12th Apr., 1908.	Do.	2640
Temporary Surveyor of Ships	John Mitchell Kidd	31st May, 1914.	Do.	300
Clerk Class II	Peristamby Ponoosamy	1st Jan., '914.	Do.	1040
SUPREME COURT.				
<i>Judges.</i>				
Senior Puisne Judge	His Honour	15th Sept., 1912.	Governor. (By Letters Patent under the Public Seal of the Colony)	
Puisne Judge	His Honour Thomas Sercombe Smith	23rd Apr., 1907.	Do.	1500

(a) Drawn Exchange Compensation Allowance.

ANNEX MM 67

**Letter from J.D Higham for the Colonial Secretary, Singapore, to
the British Adviser, Johor, and appendices, 12 June 1953**

12th June,

1953

The Honourable
The British Adviser,
JOHORE.

Sir,

I am directed to ask for information about the rock some 40 miles from Singapore known as Pedra Branca on which the Horsburgh Lighthouse stands. The matter is relevant to the determination of the boundaries of the Colony's territorial waters. It appears this rock is outside the limits ceded by Sultan Hussain and the Dato Tunjunggong to the East India Company with the island of Singapore in the Treaty of 1824 (extract at 'A'). It was however mentioned in a despatch from the Governor of Singapore on 28th November 1844 (extract at 'B'). The lighthouse was built in 1860 by the Colony Government who have maintained it ever since. This by international usage no doubt confers some rights and obligations on the Colony.

2. In the case of Pulau Pisang which is also outside the Treaty limits of the Colony it has been possible to trace an indenture in the Johore Registry of Deeds dated 6th October, 1900. This shows that a part of Pulau Pisang was granted to the Crown for the purposes of building a lighthouse. Certain conditions were attached and it is clear that there was no abrogation of the sovereignty of Johore. The status of Pisang is quite clear.

3. It is now desired to clarify the status of Pedra Branca. I would therefore be most grateful to know whether there is any document showing a lease or grant of the rock or whether it has been ceded by the Government of the State of Johore or in any other way disposed of.

4. A copy of this letter is being sent to the Chief Secretary, Kuala Lumpur.

I am, Sir,
Your obedient servant,

WILLIAM D HIGHAM
(J.D. Higham)
for Colonial Secretary,
Singapore.

The Honourable
The Chief Secretary,
Federation of Malaya,
KUALA LUMPUR

Extract from Mr. John Crawford's treaty of 1824.

JOHORE, 1824

A TREATY of FRIENDSHIP and ALLIANCE between the HONOURABLE THE ENGLISH EAST INDIA COMPANY on the one side, and their HIGHNESSES the SULTAN and TUMUNGONG of JOHORE on the other, concluded on the Second day of August, One Thousand Eight Hundred and Twenty-four (1824).

ARTICLE II.

Their Highnesses the Sultan Hussain Mahomed Shah and Datu Tumungong Abdul Rahman Sri Maharajah hereby cede in full sovereignty and property to the Honourable the English East India Company, their heirs and successors for ever, the Island of Singapore, situated in the Straits of Malacca, together with the adjacent seas, straits, and islets, to the extent of ten geographical miles, from the coast of the said main Island of Singapore.

Extract from a despatch by the Governor of Singapore to the
Governor-General in Bengal, 28.11.1844.

[ie Pedra Branca]

This Rock is part of a territory of the Rajah of Johore
who with the Tumungong has willingly consented to cede it gratuitously
to the East India Company.

Comment by Attorney-General of Singapore

The above handwritten words in parenthesis: "ie Pedra Branca" were not part of the original despatch by the Governor of Singapore to the Governor-General in Bengal dated 28 November 1844. A facsimile of the original despatch from the Governor of Singapore to the Governor-General in Bengal is at Appendix 2. It is not clear who added the handwritten words in parenthesis in the above extract. Scrutiny of the original despatch clearly shows that the Rock referred to is not Pedra Branca but Peak Rock, which is 1.3 nautical miles from the Johor coastline, and within Johor's territorial waters. This is evident from the fact that the location of Peak Rock is mentioned in relation to the position of Pedra Branca in the despatch from the Governor of Singapore to the Governor-General in Bengal. Hence, the Rock cannot be Pedra Branca.

ANNEX MM 68

**Letter and attachments from A.G.B. Colton, for the Colonial
Secretary, Singapore, to the Deputy Commissioner General for
Colonial Affairs, Singapore, July 1953**

C.S.O.11293/52

July 1953

2A

CONFIDENTIAL

The Deputy Commissioner General
for Colonial Affairs,
Phoenix Park,
SINGAPORE.

Sir,

Territorial Waters

I am directed to refer to the Secretary of State's savingram No.946 to the Officer Administering the Government of Singapore and to previous correspondence on the effects of the Anglo-Norwegian Fisheries judgment of 1952.

2. In general the new methods of defining the limits of territorial waters can have little effect on the Colony whose coasts are mainly within six miles of the coasts of neighbouring States. In the first place the extent of the sovereignty of Singapore over nearby islets is set out in Article 12 of the Treaty of Holland, 1824, and in John Crawford's treaty of 1824 with Johore (Attachments A & B). The greater part of the southward boundary of the Colony's territorial waters is therefore the mid-channel line between the most southerly of these islets and the most northerly Indonesian islets. A mid-channel line has similarly to be drawn between the most northerly coasts of the Colony and the coast of the State of Johore. This latter mid-channel line was precisely defined by an Agreement of 1927 (Attachment C). There remain only two short stretches of the boundary of the Colony's territorial waters which can extend to three miles from the coast. The position is illustrated in the chart attached 'D'.

3. The application of the judgment in the Anglo-Norwegian Fisheries case would allow little or no change from the former methods of drawing base lines at those parts where the boundary can stretch to the full three miles when Singapore alone is considered. If Singapore and Johore were considered together base lines could be drawn across the mouths of the Straits of Johore and a joint boundary could be pushed further out to sea than is now done. Joint consideration in this way is however probably unacceptable in view firstly of the existence of the Treaty of 1824 and the Agreement of 1927 with Johore and secondly of the fact that the boundaries in these localities have in the past been taken as drawn from the coasts of Singapore and Johore considered separately. In any case the territorial advantage of joint consideration would be very small.

4. The conclusion is therefore that the application of the new principles could result in no extensive or important alteration of the territorial waters of the Colony. For this reason little advantage in respect to such matters as fisheries, policing and control would be gained.

5. On the other hand an application of the new principles by neighbouring countries might result in their claiming jurisdiction over large areas now regarded as the high seas. This could only result in an undesirable restriction to the fishing grounds normally used by Singapore fishermen. For general reasons also any enclosure of the high seas by foreign States is contrary to the interest of this densely populated maritime Colony dependent on sea-borne trade. In this connection an understanding on the former methods of defining territorial waters was reached with Indonesia in an exchange ending in July, 1951, with Foreign Office despatch No.159 to Djakarta. The tolerable relationship which now exists between this Colony and Indonesia rests to some extent on this understanding which could not be advantageously disturbed.

I am, Sir,

Your obedient servant,

Sgd.(A.G.B. COLTON)

for Colonial Secretary.

Extract from HANDBOOK OF COMMERCIAL TREATIES 1931

NETHERLANDS

TREATY BETWEEN THE UNITED KINGDOM AND THE NETHERLANDS
RESPECTING TERRITORY AND COMMERCE IN THE EAST INDIES—
Signed at London, March, 17, 1824.

XXXXXXXXXXXXXXXXXX

9. The factory of Fort Marlborough, and all the English possessions on the Island of Sumatra, are hereby ceded to His Netherland Majesty: and His Britannic Majesty further engages that no British settlement shall be formed on that island, nor any treaty concluded by British authority, with any native prince, chief or State therein.

10. The town and fort of Malacca and its dependencies are hereby ceded to His Britannic Majesty; and His Netherland Majesty engages, for himself and his subjects, never to form any establishment on any part of the Peninsula of Malacca, or to conclude any treaty with any native prince, chief or State therein.

11. His Britannic Majesty withdraws the objections which have been made to the occupation of the Island of Billiton and its dependencies, by the agents of the Netherland Government.

12. His Netherland Majesty withdraws the objections which have been made to the occupation of the Island of Singapore by the subjects of His Britannic Majesty.

His Britannic Majesty, however, engages that no British establishment shall be made on the Carimon Isles, or on the Islands of Battam, Bintang, Lingin, or on any of the other islands south of the Straits of Singapore, nor any treaty concluded by British authority with the chiefs of those islands.

XXXXXXXXXXXXXXXXXX

JOHORE, 1824

A Treaty of Friendship and Alliance between the HONOURABLE THE ENGLISH EAST INDIA COMPANY on the one side, and their HIGHNESSES THE SULTAN AND TUMUNGONG OF JOHORE on the other, concluded on the Second day of August, One Thousand Eight Hundred and Twenty-four (1824).

ARTICLE II

Their Highnesses the Sultan Hussain Mahomed Shah and Datu Tumungong Abdul Rahman Sri Maharajah hereby cede in full sovereignty and property to the Honourable the English East India Company, their heirs and successors for ever, the Island of Singapore, situated in the Straits of Malacca, together with the adjacent seas, straits, and islets, to the extent of ten geographical miles, from the coast of the said main Island of Singapore.

STRAITS SETTLEMENTS GOVERNMENT GAZETTE
AUGUST 17, 1928

No.1580 - THE Straits Settlements and Johore (Territorial Waters) Agreement dated the 19th October, 1927, is published for general information.

(The Agreement Bill having passed both Houses of Parliament received Royal Assent on the 3rd of August, 1928).

By Command,
G. Hemmant, M.C.S.
Acting Colonial Secretary,
Straits Settlements,
(No.7335/28).

AGREEMENT MADE BETWEEN His Excellency Sir HUGH CHARLES CLIFFORD, M.C.S. Knight Grand Cross of the Most Distinguished Order of Saint Michael and Saint George, Knight Grand Cross of the Most Excellent Order of the British Empire, Governor and Commander-in-Chief of the Colony of the Straits Settlements, on behalf of His Britannic Majesty and His Highness IBRAHIM, Knight Grand Cross of the Most Distinguished Order of Saint Michael and Saint George, Knight Commander of the Most Excellent Order of the British Empire, bin Almarhum Sultan ABU BAKAR, Sultan of the State and Territory of Johore:

WHEREAS by Article II of the Treaty of the 2nd day of August, 1824, made between the Honourable the English East India Company on the one side and Their Highnesses the Sultan and Tumungong of Johore on the other, Their said Highnesses did cede in full sovereignty and property to the said Company, their heirs and successors for ever, the Island of Singapore together with certain adjacent seas, straits and islets:

AND WHEREAS His Britannic Majesty in token of the friendship which he bears towards His Highness IBRAHIM bin Almarhum Sultan ABU BAKAR, Sultan of the State and Territory of Johore, is desirous that certain of the said seas, straits and islets shall be retro-ceded and shall again form part of the State and Territory of Johore:

NOW, THEREFORE, it is agreed and declared as follows:-

ARTICLE I

The boundary between the territorial waters of the Settlement of Singapore and those of the State and Territory of Johore shall, except as hereafter specified in this Article, be an imaginary line following the centre of the deep-water channel in Johore Strait, between the mainland of the State and Territory of Johore on the one side and the Northern Shores of the Islands of Singapore, Pulau Ubin, Pulau Tekong Kechil and Pulau Tekong Besar on the other side. Where, if at all, the channel divides into two portions of equal depth running side by side, the boundary shall run midway between these two portions. At the Western entrance of Johore Strait, the boundary, after passing through the centre of the deep-water channel Eastward of Pulau Merambong, shall proceed seaward, in the general direction of the axis of this channel produced, until it intersects the 3-mile limit drawn from the low water mark of the South Coast of Pulau Merambong. At the Eastern entrance of Johore Strait, the boundary shall be held to pass through the centre of the deep-water channel between the mainland of Johore, Westward of Johore Hill, and Pulau Tekong Besar, next through the centre of the deep-water channel between Johore Shoal and the mainland of Johore, Southward of Johore Hill, and finally turning Southward, to intersect the 3-mile limit drawn from the low water mark of the mainland of Johore in a position bearing 192 degrees from Tanjong Sitapa.

The boundary as so defined is approximately delineated in red on the map annexed hereunto and forming part of this Agreement. Should, however, the map, owing to alterations in the channels, etc., appear at any time to conflict with the text of this Agreement, the text shall in all cases prevail.

ARTICLE II

Subject to the provisions of Article I hereof, all those waters ceded by Their Highnesses the Sultan and Tumungong of Johore under Treaty of the 2nd of August, 1824, which are within three nautical miles of the mainland of the State and Territory of Johore measured from low water mark shall be deemed to be within the Territorial waters of the State and Territory of Johore.

ARTICLE III

All islets lying within the Territorial waters of the State and Territory of Johore, as defined in Articles I and II hereof, which immediately prior to this Agreement formed part of His Britannic Majesty's dominions, are hereby ceded in full sovereignty and property to His Highness the Sultan of the State and Territory of Johore, his heirs and successors for ever.

ARTICLE IV

This Agreement shall remain without force or effect until it has received the approval of the British Parliament.

IN WITNESS whereof His Excellency Sir HUGH CHARLES CLIFFORD, M.C.S., Knight Grand Cross of the Most Distinguished Order of Saint Michael and Saint George, Knight Grand Cross of the Most Excellent Order of the British Empire, and His Highness IBRAHIM, Knight Grand Cross of the Most Distinguished Order of Saint Michael and Saint George, Knight Commander of the Most Excellent Order of the British Empire, bin Almorhom Sultan ABU BAKAR, have set their respective seals and signatures.

Dated at Singapore, this 19th day of October, 1927.

L.S. HUGH CLIFFORD,
M.C.S.
GOVERNOR AND COMMANDER-IN-CHIEF.

IBRAHIM L.S.

Witnesses:-

J.D. Hall (Signed) ABDULLAH bin JAAFAR,
Dato' Nentri Besar, Johore

J. HUGGINS (Signed) HAJI MOHAMED SAID bin HAJI SULEDMAN,
Capt.,
Private Secretary to H.H. the Sultan.

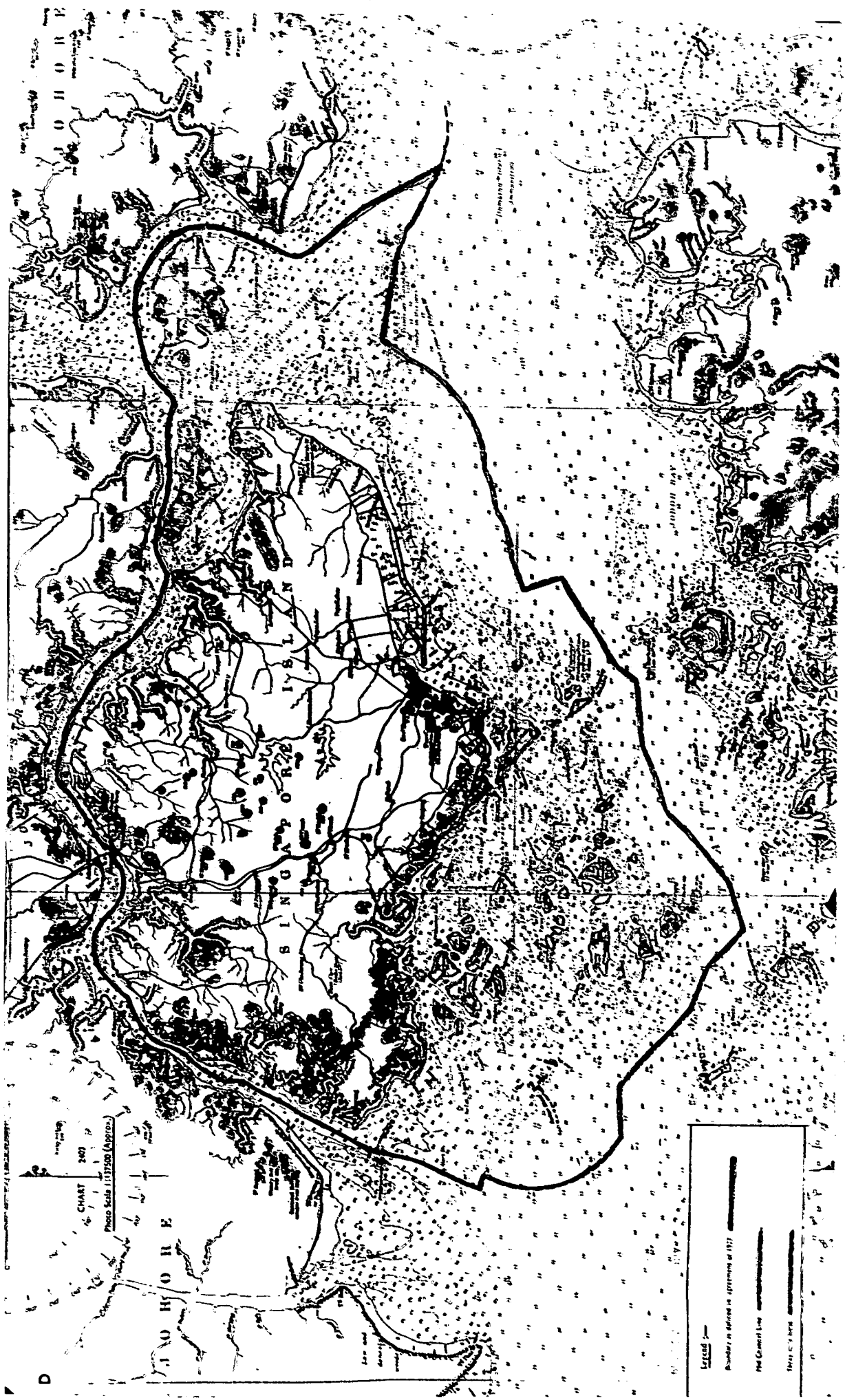


CHART 2497
 Photo Scale 1:17500 (Approx.)

Legend

Boundary as defined in Agreement of 1977

Red Control Line

Blue Control Line

T A O H O H E

S L I N G O I S L A N D S

ANNEX MM 69

**Letter from the Acting State Secretary, Johor to the Colonial
Secretary, Singapore, 21 September 1953**

S. Secy. 8.

It is requested that the following number be quoted in reply to this letter.

No. SSJ.1120/53/6

Tel. N.B. 99616 or 92301 Ex. 24
U.B. 99644 or 92301 Ex. 24
A.B. 92301 Ex. 24



STATE SECRETARY'S OFFICE,
JOHORE,

21st Sept.

JOHORE BAHRU, 19

114

53

Sir, COLONIAL SECRETARIAT
RECEIVED

9

I have the honour to refer to your letter No. CSO.11692/52 dated 12th June 1953, addressed to the British Adviser, Johore, on the question of the status of Pedra Branca Rock some 40 miles from Singapore and to inform you that the Johore Government does not claim ownership of Pedra Branca.

I have the honour to be,
Sir,
Your obedient servant,

(M. SETH BIN SAAID)
AG: STATE SECRETARY
JOHORE.

To:
The Hon'ble
The Colonial Secretary,
Singapore.

TA:B.

ANNEX MM 70

**Internal Memorandum from the Colonial Secretary, Singapore to
the Attorney-General, Singapore, and reply, 1[2 sic] October 1953**

C.S.O. 11692/5 x/15

A.S. (Marine) to Under Secy 22. 1. 53

Reference (9), pl. see (14).

K.R. Dyer.

A.S.

Phil. on the strength of (14), we can claim Peta Branca as Singapore territory.

JM 2/x

OCT 2 1953

S.S.
Laguer

I. A. Maloney
to J.A. P.G.
1.10.53

AS/M

Please inform MA.

JM 9/x

ANNEX MM 71

***Annual Report of the Rural Board Singapore 1953, Singapore,
Government Printing Office, Chapter One, p. 1***



COLONY OF SINGAPORE

ANNUAL REPORT OF THE RURAL BOARD SINGAPORE

1953

BY

E. V. G. DAY, C.M.G.
*Chairman, Rural Board
Singapore*

CHAPTER ONE

GENERAL REVIEW

THE AREA controlled by the Board was enlarged during the year, vide *Gazette Notification No. S 188* published on 19th June, 1953, to include all the other small neighbouring islands whether inhabited or not, falling within the territorial waters of the Colony of Singapore. The Rural Board area at the end of the year comprised the following, the additional islands brought into the Rural Board area during the year being shown in italics: that portion of Singapore Island outside Municipal Limits and also the outlying islands of Pulau Ubin, Pulau Tekong, Pulau Brani, Pulau Sebarok, Pulau Blakang Mati, Pulau Sudong, Pulau Pesek, Pulau Merlimau, Pulau Ayer Chawan, Pulau Sakra, Pulau Seraya, Pulau Seburus Luar, Pulau Seburus Dalam, Pulau Mesemut Darat, Pulau Mesemut Laut, Pulau Bukom Kechil, Pulau Bukom Besar, *Pulau Hantu, Pulau Batu Berduan, Pulau Chichir, Pulau Damar Laut, Pulau Peropok, Pulau Semulun, Pulau Merawang, Pulau Pergam, Pulau Sarimbun, Pulau Seletar, Pulau Serangoon, Pulau Kitam, Pulau Sekudu, Pulau Tekong Kechil, Pulau Sajahat, Pulau Sunjungkong, Pulau Unum, Pulau Semecheck, Pulau Batu Belalai, Pulau Selegu, Pulau Tekukor, Pulau Sakijang Bendera, Pulau Sakijang Pelepah, Pulau Tembakul, Pulau Subar Laut, Pulau Subar Darat, Pulau Busing, Pulau Ular, Pulau Jong, Pulau Sakeng, Pulau Semakau, Pulau Salu, Pulau Berkas, Pulau Pawai, Pulau Senang, Pulau Biola and Pulau Satumu* including the foreshore contiguous to the said portion and to the said islands, the whole subject to specified sections of the Municipal Ordinance (Chapter 133) and the whole of the main Island outside City Limits together with the Islands of Pulau Tekong and Pulau Ubin—the Building Control area—to additional sections.

COMPOSITION AND MEMBERSHIP

The Board was composed of the following:—

1. The Chairman, Rural Board (Mr. E. V. G. Day, C.M.G.).
2. The Director of Education.
3. The Chief Health Officer.
4. The Secretary for Social Welfare.
5. The Senior Executive Engineer, Rural.
6. The Senior Assistant Commissioner of Police 'Areas'.
7. The Honourable Che' Ahmad bin Mohamed Ibrahim.
8. Mr. A. L. B. Swaine.
9. Che' Mahmood bin Abdul Wahab, J.P.
10. Dr. W. A. Nicholas.
11. Mr. C. D. Yarrow.
12. The Honourable Mr. H. J. C. Kulasingha, representing Pasir Panjang Rural District Committee.
13. Mr. Goh Tong Liang, S.C.H., representing Bukit Panjang Rural District Committee.

ANNEX MM 72

***Annual Report of the Rural Board Singapore 1956, Singapore,
Government Printing Office, Chapter One, p. 1***



COLONY OF SINGAPORE

ANNUAL REPORT OF THE
RURAL BOARD SINGAPORE
1956

BY

P. H. MEADOWS, M.C.
*Chairman, Rural Board
Singapore*

CHAPTER ONE

GENERAL REVIEW

THE RURAL BOARD AREA of Singapore at the end of 1956 comprised the same area as at the end of 1955, namely:—

That portion of Singapore Island outside City limits and also the outlying Islands of *Pulau Ubin, Pulau Tekong, Pulau Brani, Pulau Sebarok, Pulau Blakang Mati, Pulau Sudong, Pulau Pesek, Pulau Merlimau, Pulau Ayer Chawan, Pulau Sakra, Pulau Seraya, Pulau Seburus Laut, Pulau Seburus Dalam, Pulau Mesemut Darat, Pulau Mesemut Laut, Pulau Bukom Kechil, Pulau Bukom Besar, Pulau Hantu, Pulau Batu Berduan, Pulau Chirchir, Pulau Damar Laut, Pulau Peropok, Pulau Semulun, Pulau Merawang, Pulau Pergam, Pulau Sarimbun, Pulau Seletar, Pulau Serangoon, Pulau Kitam, Pulau Sekudu, Pulau Tekong Kechil, Pulau Sajahat, Pulau Sunjungkong, Pulau Unum, Pulau Semecheck, Pulau Batu Belalai, Pulau Selegu, Pulau Tekukor, Pulau Sakijang Bendera, Pulau Sakijang Pelepah, Pulau Tombakul, Pulau Subar Laut, Pulau Subar Darat, Pulau Busing, Pulau Ulur, Pulau Jong, Pulau Sakeng, Pulau Semakau, Pulau Salu, Pulau Berkas, Pulau Pawai, Pulau Senang, Pulau Biola and Pulau Satumu* including the foreshore contiguous to the said portion and to the said Islands, the whole subject to specified sections of the Municipal Ordinance (Chapter 133) and the whole of the main Island outside City Limits together with the Islands of *Pulau Tekong* and *Pulau Ubin*—the Bulding Control area--to additional sections.

COMPOSITION AND MEMBERSHIP

The Board was composed of the following:—

1. The Chairman, Rural Board

{	Mr. S. G. Burlock, January 1956.
	Mr. A. E. Goodwin, February to December 1956.
2. The Director of Education.
3. The Chief Health Officer.
4. The Director of Social Welfare.
5. The Senior Executive Engineer, Rural.
6. The Senior Assistant Commissioner of Police "Areas".
7. Mr. A. L. B. Swaine.
8. Che Mahmood bin Abdul Wahab, J.P.
9. Dr. W. A. Nicholas.
10. Mr. C. D. Yarrow.
11. Mr. R. S. Boswell.
12. Mr. H. J. C. Kulasingha, O.B.E., representing Pasir Panjang Rural District Committee.
13. Mr. Goh Tong Liang, S.C.H., M.L.A., representing Bukit Panjang Rural District Committee.
14. Mr. Cheong E. Peng, representing Bukit Timah/Jurong Rural District Committee.

ANNEX MM 73

Letter from the Director of Marine, Malaya, to the Director of Marine, Singapore, 1 May 1964, and reply, 13 May 1964

(145) dlm.Mar.181/57

145

11b. Mei, 64.

Director of Marine,
Singapore.

Television for Lighthouses

I would be grateful if you could supply me with particulars of your sets, and whether purchase outright or rented, in order that I may take action for the 1965 Light Dues Estimates.

(Sgt.) R. E. Gee

Director of Marine,
Malaya.
(R. E. Gee)

REG/si.

~~DISPATCHED~~

-1 MAY 1964
64

146

Box 747
Telegraphic Address:
"SINGPORT"
Telephone: 92091

MARINE DEPARTMENT,
1st FLOOR, FULLERTON BUILDING,
SINGAPORE I.

Ref. No. L.D.B. 5/63

13th May, 1964.

The Director of Marine,
Marine Headquarters,
P.O. Box. 445,
Penang,
Malaysia.

TELEVISION FOR LIGHTHOUSES

I refer to your letter reference (145) dlm. Mar.181/57 dated 1st May, 1964.

2. When we decided to put Television sets at the lighthouses, we made a number of inquiries to rent these sets, but were unable to arrive at any satisfactory agreement with rental companies. We therefore decided to purchase the sets and the details of these and approximate costs are as follows :-

Horsburgh Lighthouse

Hitachi Mains T.V. set 14". Cost \$398.00, plus 12 element Channel Master Aerial (wiring etc.) at \$200.00.

Pulau Pisang, Raffles & Sultan Shoal lighthouses

Fitted with 8" Sony battery T.V. sets. Net cost was \$420.00 each set, plus \$150/- for 12 element Channel Master Aerial for Po. Pisang, and 10 and 5 element aeriels for Raffles and Sultan Shoal at a cost of \$60/- and \$35/- respectively.

~~DESPATCHED~~

1. 18/5/64
MA

Y 14/5

(J.A.L. Pavitt)
Director of Marine,
Singapore.

Inclu Chuan Wo
To note for 1965
19/5

F.A.
Noted please.

16 MAY 1964

KIU for info 2. 19/5
PA

See.
9/6

ANNEX MM 74

J.A.L. Pavitt, *First Pharos of the Eastern Seas: Horsburgh Lighthouse*, Singapore Light Dues Board, Singapore, 1966, p. 51

**FIRST PHAROS
OF THE
EASTERN SEAS
HORSBURGH LIGHTHOUSE**

A Chronicle Compiled
by
J. A. L. Pavitt

Published for
The Singapore Light Dues Board
by
Donald Moore Press Ltd

Singapore Light Dues Board

Horsburgh is one of the group of 5 lighthouses operated by the Singapore Light Dues Board.

The Board, formed by statute in 1957, is responsible for the provision and upkeep of all ship navigational aids in Singapore waters, and for the outlying stations at Pedra Branca (Horsburgh) in the South China Sea and Pulau Pisang in the Malacca Strait. Within Singapore waters, the Board maintains Raffles, Sultan Shoal and Fullerton Lighthouses, 33 light beacons, 29 unlit beacons, 15 light buoys, and 8 unlit buoys. Operational expenditure is met from the income derived by way of Light Dues paid by ships calling at Singapore; these dues being one cent (Malayan) per net registered ton for ships calling for bunkers, stores and water and two cents (Malayan) per net registered tons for vessels calling to load/discharge cargo or embark/disembark passengers. During 1965, the Board derived an income of M\$701,565.10 from dues and interest on reserves and expended M\$644,152.81 on the provision and upkeep of navigational aids.

Members of the Board are appointed by the Deputy Prime Minister and represent the interests of port users, the Port of Singapore Authority and the Singapore Government.

ANNEX MM 75

Straits Times, 17 April 1968

Oil prospecting pact is signed by US firms



SIGNING the agreement, from left, Esso Exploration president, Mr. E. C. Salmon, Esso director, Mr. G. J. Brough, the Solicitor-General, Justice Mohamed Salleh, the Parliamentary Secretary to the Finance Ministry, Jaheh Ali bin Haji Ahmad, Tun Tan, and Dato Haji Abdul Rahman Ya'akub. — Straits Times picture by Seong Hon Sin.

By ELIZABETH WONG; Kuala Lumpur, Tuesday

MALAYSIA today granted rights for the prospecting of oil over the entire continental shelf of the east coast of West Malaysia to two American companies.

They are Esso Exploration of Malaysia Inc. and Continental Oil Co. of Malaysia.

At a ceremony this morning to mark the signing of the first petroleum agreement between the Government and the oil companies, the president and director of Esso Exploration, Mr. E.C. Salmon, announced that his company would start exploration work next month.

Continental Oil would begin operations soon after.

A new era

Representing the Government at the signing ceremony were the Finance Minister, Tun Tan Siew Sin, and the Minister of Lands and Mines, Dato Haji Abdul Rahman Ya'akub.

Esso Exploration of Malaysia Inc. was represented by its president, Mr. E. Salmon, a director, Mr. G.J. Brough, and the company's assistant secretary, Mr. W.H. Dittmar.

The vice-president and director of Continental Oil Co. of Malaysia, Mr. A.R. Ratti, signed for his company.

Speaking before signing the agreement, Tun Tan said this morning's ceremony marked a new era in the economic history of Malaysia in which oil could become an important Malaysian product and export.

"Let us hope that this agreement will lead to bigger and better things to come. And let us hope too that in the next few years we can hold another ceremony when oil begins to flow," Tun Tan said.

Full praise

Replying, Mr. Salmon expressed his company's gratitude to the Malaysian Government for being among the first to be granted concessions in West Malaysia. He said that Esso would approach its work "with diligence and without delay."

Mr. Ratti, for Continental Oil, praised the Government for the co-operation and dedication shown by its officials throughout all stages in the "negotiating of this most complex agreement."

This was Continental Oil's first venture in Malaysia.

political climate and stability of the Government in Malaysia," he said.

The agreement signed this morning is for a 40-year period to be divided into an exploration phase of 10 years (extendable to 15 years) and a development phase of 30 years.

Esso Exploration has been granted a concession of 28,000 square miles while Continental Oil has 24,000 square miles. The agreement stipulated that 50 per cent of the area allotted shall be surrendered to the Government after the first five years and another 25 per cent after the second five years.

Under the agreement, the companies undertake to spend not less than \$109 million over the next 10 years of the exploration phase.

During the exploration phase they are required to pay the Government fixed yearly payments of \$20 a square mile during the second five-year period and \$50 a square mile a year during the subsequent five years should the exploration phase be extended.

Similar fixed yearly payments are also required during the development period — at the rate of \$50 a square mile for the first five-year period, \$1,000 a square mile for the second five-year period and \$2,000 a square mile for each of the subsequent years.

Royalties

At the same time, the companies will pay the Government royalties of 12.5 per cent of the value of the crude oil produced.

Tun Tan also signed a special agreement on income tax with the two companies this morning. Taxation, in this case, is payable according to the provisions of the Petroleum (Income Tax) Act, 1967.

The income tax agreement stipulated that royalties paid in respect of any crude oil would be allowed as a deduction in arriving at the chargeable income of the companies.

It also allowed all "intangible expenses" to be deducted in computing adjusted income. Such expenses are incurred in drilling appraisal and in the development of wells — whether productive or not — during the exploration, development and production periods.



MR. A. R. RATTI, vice president of Continental Oil Co. of Malaysia, signs the agreement. This is the first venture undertaken by Continental Oil in Malaysia. — Straits Times picture.

ANNEX MM 76

**Letter of Promulgation from Commodore K. Thanabalasingham to
Naval Staff Division, Ministry of Defence, Kuala Lumpur, 16 July
1968**

SULIT-CONFIDENTIAL

(71)

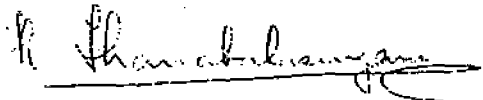
Naval Staff Division,
Ministry of Defence,
Jalan Padang Tembak,
Kuala Lumpur.

Ref: KP/LAUT 1255

16th July, 1968.

LETTER OF PROMULGATION

1. The attached chartlets showing the outer limits of Malaysian Territorial Waters and foreign claimed waters in West Malaysia are promulgated for the information of Senior and Commanding Officers.
2. As can be seen, there are certain areas in which these limits have never been properly determined or negotiated and those promulgated are basically a determination with strict regard to the 1958 Geneva Convention.
3. Strict attention is to be paid to the Notes on certain chartlets which are also reproduced after the Index.



(K. THANABALASINGAM)
Commodore, R.M.N.,
Ketua Turus Tentera Laut.

RPFM/AB

Copy to: KP/LAUT 1222

SULIT-CONFIDENTIAL

INDEX AND NOTES

INDEX

A complete set of chartlets is comprised of the following :

West Malaysia

<u>Chart No</u>	<u>Title</u>
793	Butang Group to Pulau Berhala (part of)
3944	Pulau Pinang to Sembilan Islands
3945	Sembilan Islands to Port Swettenham
3946	Port Swettenham to Malacca
3947	Malacca to Iju Kechil
3833	Singapore Strait - Western Portion
2403	Singapore Strait
3839	Horsburgh Light to Jason Bay
769	Sungei Sedili Besar to Kuala Pahang
770	Kuala Pahang to Trengganu
771	Trengganu to Tumpat

NOTES

Due to production difficulties, the amplifying notes on some of the chartlets are not clear and are reproduced below :

Chart No. 793 - Butang Group to Pulau Berhala

Note. The pecked line round the north of Pulau Langkawi is the true median line separating Thailand and Malaysia drawn in accordance with Article 12 (1) of the 1958 Geneva Convention. Under the terms of Article 12 (3) of this Convention this line should have been published but no trace of this ever having been done can be found. Its acceptance by Thailand is thus not certain and R.M.N. vessels must act with discretion.

Chart 2403 - Singapore Strait

Note 1. The boundary between Singapore and Malaysia would seem to be still based on a 1923 Treaty between the British and Johore Governments which specifies the centre of the deep water channel of the Johore Strait as the dividing line. As far as can be ascertained, the exact line has never been officially drawn and published. As the treaty can be interpreted more than one way south of Calder Harbour, the dividing line in that area has been omitted on this chartlet. The pecked line south of the Johore Shoal Bay represents the outer limit of Singapore/ Malaysian Territorial Waters.

Note 2. The pecked line south of the Horsburgh Light represents the outer limit of Malaysian Territorial Waters as authorised by the 1958 Geneva Convention i.e. a three mile circle around South Ledge flattened at the southern end by the true median line between South Ledge and the isolated rock close north of Tanjong Sading. R.M.N. vessels are to comply with S.O.A.I. 107 in regard to this area.

ANNEX MM 77

**H.W. Dalton, "Petroleum Developments in Far East in 1968", (1969) 53
Bulletin of the American Association of Petroleum Geologists 1789,
at pp. 1792, 1793, 1798**

THE AMERICAN ASSOCIATION of PETROLEUM GEOLOGISTS BULLETIN



VOLUME 53/8 . . . AUGUST 1969

The President's Page. Our Profession	KENNETH H. CRANDALL	1561
Foreign Development Papers	K. ANTHONY SNOW	1563
1968 Developments in Foreign Fields		
Mexico	RICARDO ACOSTA-ESTÉVEZ	1564
South America, Central America, and Caribbean	C. H. NEFF	1578
Europe	ROBERT E. KING	1649
North Africa	GRANT HEATZIG AND ROLAND MICHEL	1700
Central and Southern Africa	LARRY D. LITTLEFIELD	1728
Middle East	JOHN F. MASON AND QUENTIN M. MOORE	1764
Far East	HOWARD W. DALTON	1789
Southwest Pacific	ERIC A. RUDD AND HANS R. KATZ	1808
Association Round Table		
GCAGS and GCS-SEPM 19th Annual Meeting, Oct. 29-31, 1969, Miami Beach, Florida		1821
Planning AAPG Geological Highway Map No. 4		1823
Depletion Allowance		1823
President's Award Revised		1824
Membership Applications Approved for Publication		1824
Check List of 1969 Field Trips in United States, Canada, and Selected Foreign Areas	Daniel F. Merriam	1825
The Bulletin Board		1830
At Home and Abroad		1831

Petroleum Developments In Far East in 1968¹

HOWARD W. DALTON²
 Chicago, Illinois, 60680

Abstract In 1968, oil production from non-Communist countries of the Far East increased 13% to 316 million bbl; gains were registered in nearly all countries. A direct comparison of geologic and geophysical activity could not be made with the previous year because data were lacking, but generally an increase in such exploration was noted. A total of 309 wells, exploratory and development, was drilled for an aggregate of 1,131,535 ft. Phillips recorded a second gas discovery in the Gulf of Papua, Shell testbed gas in the Java Sea, and Caltex announced 3 oil discoveries in central Sumatra. Several areas were opened to concession during the year, principally the Gulf of Thailand, the Java Sea, and the South China Sea. At year end several companies had initiated exploratory programs there.

INTRODUCTION (Figs. 1-2; Tables 1-3)

For the purpose of this report, the Far East is defined as the area from West Pakistan eastward to the International Date Line, but excluding Australia and New Zealand (Fig. 1).

No direct comparison of exploratory activity other than wildcat drilling (Table 1) could be made with 1967 because data are lacking for 1968. Available information however, shows that surface geologic work and seismic surveys generally increased from the level reported in 1967, with Indonesia and Papua-New Guinea registering the most significant increase in activity. Six companies executed contracts for exploration rights in the Gulf of Thailand. Eleven companies, not previously active in Indonesia, initiated operations there in 1968, principally offshore in the Java Sea and the South China Sea.

The total number of exploratory and development wells drilled in 1968, 309 wells, surpassed that reported in 1967 by about 15%; Japan was again clearly the leader with 206 wells totaling 1,131,535 ft (Table 2). Of particular interest was Phillips' second gas discovery in the Java Sea. Shell drilled 17 wildcats offshore Brunei and Sabah, but the results were not reported. Caltex announced 3 oil discoveries out of 5 wildcats drilled in central Sumatra.

In 1968, oil production in non-Communist countries of the Far East was estimated to be

316 million bbl, an increase of approximately 15% from that estimated for 1967, with all countries except Japan and Pakistan registering gains (Table 3). Production from those 2 countries was only slightly less than that reported in 1967. The most dramatic increase was recorded in Taiwan, where production rose 69%, reaching 415,000 bbl for the year.

ACKNOWLEDGEMENTS

Information on petroleum developments in the Far East is gratefully acknowledged from the following sources.

BRUNEI-	Continental Oil Company, New York
MACALAYSIA	Société Nationale des Pétroles D'Aquitaine, Paris Sun Oil Company, Tulsa Harry Wassall and Assoc., Geneva
BURMA	Harry Wassall and Assoc., Geneva
CHINA-	Chinese Petroleum Corporation,
TAIWAN	Taipei Harry Wassall and Assoc., Geneva
INDIA	Burmah Oil Trading Limited, London Harry Wassall and Assoc., Geneva
INDONESIA	AGIP, Milan Amoco Japan Oil Company, Tokyo Asamora Oil Corp. Ltd., Calgary, Canada Atlantic Richfield Company, New York Caltex Petroleum Corporation, New York Cities Service Oil Company, Bartlesville, Okla. Continental Oil Company, New York Gulf Oil Company, Pittsburgh Idemitsu Kosan Co., Ltd., Tokyo Phillips Petroleum Company, Bartlesville, Okla. Union Oil Company of California, Los Angeles Harry Wassall and Assoc., Geneva
JAPAN	Amoco Japan Oil Company, Tokyo Geological Survey of Japan, Kawasacki Idemitsu Kosan Co., Ltd., Tokyo Japan Gas and Chemical Inc., Tokyo Bureau of Mines, MITI, Tokyo Natural Gas Assoc., Tokyo Nippon Mining Company, Tokyo Nishi-Nihon Sekkyu Kaisha Co. (Mitsubishi-Shell group), Tokyo Operations Headquarters Petroleum Development Corp., Tokyo

¹Manuscript received and accepted, May 12, 1969.

²American International Oil Company.

Table 1. Geologic and Geophysical Party-Months in Far East, 1968

COUNTRY	SURFACE GEOLOGY	SEISMIC WORK	GRAVITY METER	MAGNETOMETER	UNSPECIFIED GEOPHYSICAL WORK	TOTAL
Brunei - Malaysia	-	12*	-	2	-	14+
China, Taiwan	26	28	12	-	-	66
Indonesia*	1	61.2	5.4	-	3	70.6+
Japan	46.0	34.7	5.4	10.1	1.2	97.4
Pakistan	3 crews	4 crews	4 crews	1 crew	-	12 crews
Papua - New Guinea*	18	3	?	?	?	21+
Portuguese Timor	-	5	-	-	-	5
Thailand	2	9	-	-	-	11+
GRAND TOTAL	93	152.9	22.8	12.1	4.2	285.0+

* Estimated.

+ Data Incomplete.

	Teikoku Oil Company, Tokyo Harry Wassall and Assoc., Geneva
PAKISTAN	Amoco Pakistan Oil Company, Karachi Burmah Oil Trading Limited, London Dr. Bilal R. Husain, University of Karachi, Karachi Harry Wassall and Assoc., Geneva
PAPUA- NEW GUINEA	Continental Oil Co. of Australia Ltd., Sydney General Exploration Co. of California, Los Angeles Marathon International Oil Co., Findlay, Ohio Phillips Petroleum Company, Bartlesville, Okla. Société Nationale des Pétroles d'Aquitaine, Paris Union Oil Company of California, Los Angeles Harry Wassall and Assoc., Geneva
PHILIPPINES	Harry Wassall and Assoc., Geneva
PORTUGUESE TIMOR	Timor Oil Limited, Sydney Harry Wassall and Assoc., Geneva
THAILAND	American International Oil Company, Chicago The British Petroleum Company Ltd., London Continental Oil Company, New York Gulf Oil Corporation, Pittsburgh Union Oil Company of California, Los Angeles Harry Wassall and Assoc., Geneva

BRUNEI-MALAYSIA

Production of oil and natural gasoline continued to increase to about 132,000 b/d in 1968 compared with 106,416 b/d in 1967. In Brunei, the output of the Seria field was 55,000 b/d and production from the southwest Ampa

field offshore reached 70,000 b/d. In Sarawak, production from the Miri field, 800 b/d, continued to decline. Two new fields, W. Lutong offshore and Baram, were reported to have been put on stream during the year.

The Royal Dutch Shell group reportedly drilled 17 exploratory wells offshore during the year; the results of which were not reported. Party-months of geophysical work were not available, but 1 land and 2 marine seismic parties were in operation during 1968. Brunei Shell Petroleum Co. was granted additional acreage around the Seria field and the offshore concession was extended to the 100-fm isobath.

Esso Exploration conducted approximately 4 party-months of marine seismic work during the year. In April 1968 the company was awarded rights to 25,984 mi² off the eastern coast of Malaya.

Sunray DX conducted no exploratory work during the year; however, a 10,000-ft wildcat was planned for 1969.

In April 1968 Continental Oil Co. obtained exploration rights to 24,000 mi² off the east coast of West Malaysia. A marine seismic program, sparker and vibroseis, of more than 1,000 line-mi was completed by year end. No exploratory drilling was done.

Aquitane Petroleum Co. carried out 5 weeks of detailed marine seismic work off the north-east coast of Sabah.

Sabah Teiseki Oil Co. conducted a 2-month airborne magnetometer survey during the year. In May the company acquired rights to 7,171 mi², bringing their total holding to 7,372 mi².

In November 1968 Ashland Oil Co. acquired

Table 2. Well Completions in Far East, 1968

Country	Total	Oil	Gas	Dry	Total Footage
Brunei-Malaysia Explor.	17	NA	NA	NA	NA
China-Taiwan Explor.	10		4	6	126,358
Devel.	7		7	—	78,832
Indonesia Explor.	19	4	1	14	44,374
Devel.	34*	28	—	6	103,884*
Japan Explor.	71	5	22	44	497,447
Devel.	135	16	109	10	601,282
Pakistan Explor.	5	3	1	1	59,986
Devel.	2	—	2	—	8,074
Papua Explor.	9	—	2	7	71,235*
Total Explor.	131	12	30	72	799,398
Devel.	178*	44	118	16	792,071
Grand Total	309*	56	148	88	1,591,469*

NA = Not Available.
* = Data Incomplete.

Table 3. Oil Production in Far East, 1967 and 1968

Country	Total Bbl		Daily Average Bbl		Cum. Bbl 12/31/38
	1968	1967	1968	1967	
Brunei-Malaysia*	48,312,000	38,842,000	132,000	106,416	865,523,000
Burma	7,173,600	4,270,000	19,600	11,700	346,718,600
China-Taiwan	415,044	245,000	1,134	672	2,651,044
India	47,580,000	45,625,000	130,000	125,000	93,205,000**†
Indonesia*	203,575,330**	181,451,000	556,216**	497,400	3,683,644,330**
Japan	5,466,015	5,511,000	14,936	15,230	214,345,015
Pakistan	3,228,637	3,285,000	8,821	9,000	59,937,637
Thailand*	292,800	14,000	800	40	580,800
Grand Total	316,043,426	279,243,000	863,507	765,458	5,266,605,426

* Estimated.
** Data Incomplete.
† Data for 1967 and 1968. Prior data not available.

exploration rights to 1,139 mi² onshore and territorial water offshore.

Oceanic Exploration and Development Co., a U.S. independent, obtained exploration rights to 502 mi² offshore in northwest Sabah.

BURMA

During 1968 the People's Oil Industry, a Burmese government agency, reportedly discovered a new field, Shwepyitha, where 8 wells were drilled during the year; 5 of the wells produced at a total rate of 1,500 b/d. Further information was not available. Other exploratory

drilling was done with 2-3 rigs in the central Irrawaddy basin and the Prome area. Development drilling also continued during the year with 4-5 rigs in the Yenanguang and Yenangyat areas in the central Irrawaddy basin and 2 rigs in the Prome area on the south in the Taunggyigwe and Maynaung fields. Other exploratory activity was not reported.

Oil production in 1968 was reported to be 19,600 b/d, an increase of more than 50% from that estimated for 1967. Natural gas production for the year was estimated to be 8,000 MMcf/d.

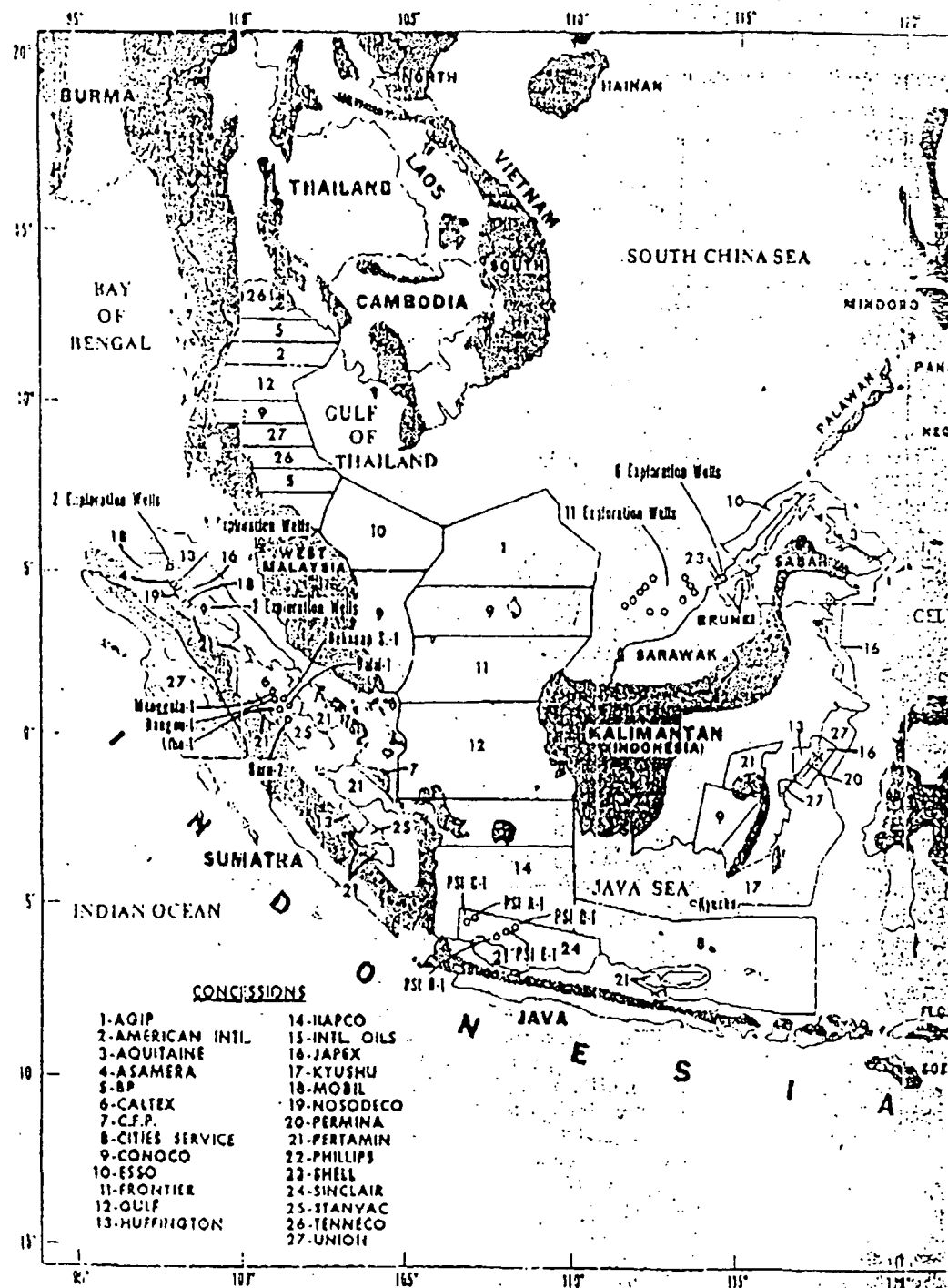


FIG. 3.

ANNEX MM 78

**Press Statement by the Indonesian and Malaysian Delegations to
the Talks on the Delimitation of the Continental Shelves Between
Malaysia and the Republic of Indonesia, Kuala Lumpur, 22
September 1969**

PRESS STATEMENT BY THE INDONESIAN AND MALAYSIAN
DELEGATIONS TO THE TALKS ON THE DELIMITATION OF
THE CONTINENTAL SHELVES BETWEEN MALAYSIA AND
THE REPUBLIC OF INDONESIA

The negotiation to delimit the Continental Shelves between Malaysia and Indonesia began in Kuala Lumpur on 9th September, 1969. The Indonesian delegation was led by Professor Dr. Mochtar Kusumaatmadja of Departmen Pertambangan (Ministry of Mining) and the Malaysian delegation was led by Dato Mohamed Salleh bin Abas the Solicitor-General.

The negotiation was carried out in a friendly and cordial manner. Both sides fully recognised the need to delimit the Continental Shelves between the two countries as early as possible.

Both delegations were guided, in the course of the negotiation by the need to seek an equitable, fair and reasonable basis for agreement.

The two delegations after two weeks' deliberations and in the spirit of co-operation which prevails between their two countries have reached agreement on the delimitation of the continental shelf boundaries between the two countries in the Straits of Malacca, off the East Coast of West Malaysia and off the Coast of Sarawak. The Agreement on this delimitation has been initialled to-day for the approval of the respective Governments.

Both delegations also recognised the need for their Governments to discuss related problems of territorial sea boundaries and the use of the seas between their two countries.

Kuala Lumpur.

22nd September, 1969.

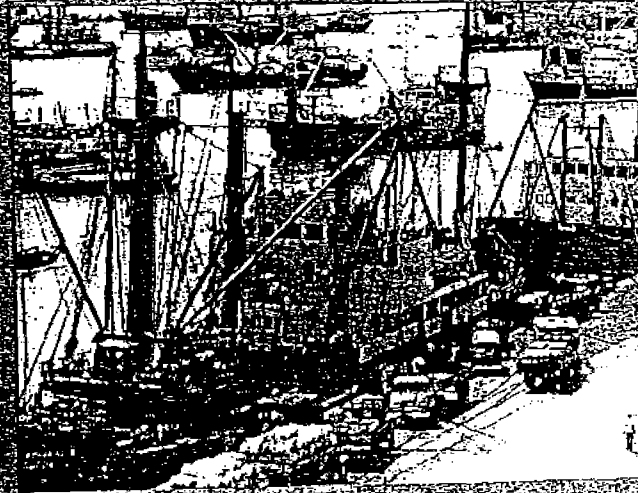
ANNEX MM 79

***Singapore Facts and Pictures, 1972, Singapore, Ministry of
Culture, 1972, pp. 1-3, 148-150***

SINGAPORE

FACTS AND PICTURES

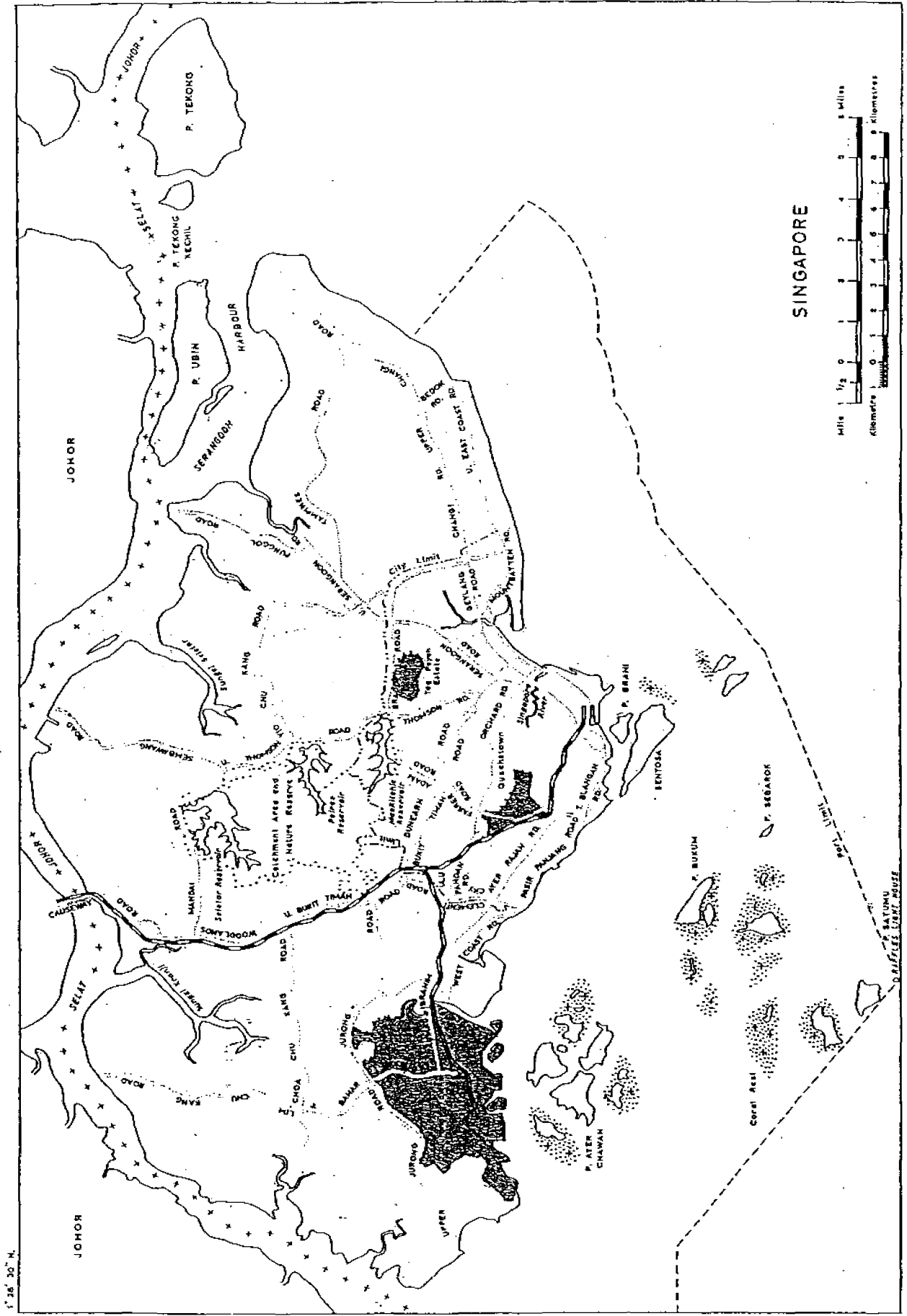
1972



MINISTRY OF CULTURE PUBLICATION

All money is stated in Singapore dollars. One dollar is worth US\$0.33 and Sterling 13.7 p. approximately.
Figures in brackets are for the whole of 1970.

Price: \$1.00



SINGAPORE



COUNTRY AND PEOPLE

The Country

Singapore consists of the Island of Singapore and some 54 small islands* within its territorial waters. It is situated between 1° 09' N and 1° 29' N latitude and 103° 38' E and 104° 06' E longitude, approximately 85 miles or 136.8 kilometres north of the Equator.

The Island is about 26 miles or 41.8 kilometres in length, 14 miles or 22.5 kilometres in breadth and 225.6 square miles† or 584.3 square kilometres in area, including the small islands, and has an 83-mile or 133.6-kilometre coastline.

Singapore, linked to West Malaysia by a 3,465-foot or 1,056-metre causeway, is flanked by Malaysia to the north, the Philippines to the northeast and Indonesia to the south.



Picturesque houses on stilts on some of the larger islets

* Appendix I.



The City of Singapore, area approximately 37.6 square miles or 97.4 square kilometres, is situated at the southern part of the Island, at latitude 1° 18' N and longitude 103° 50' E.

About two dozen of the small islands within the territorial waters are sizeable and inhabited. The major ones are Pulau Tekong Besar, 6.92 square miles or 17.92 square kilometres; Pulau Ubin, 3.92 square miles or 10.14 square kilometres; Sentosa, formerly Pulau Blakang Mati, 712 acres or 288.15 hectares; and Pulau Bukom Besar, 265 acres or 107.65 hectares.

Physical Features

The Island can be divided into three distinct regions: the central hilly region with massive deposits of granite in Bukit Timah, 581 feet or 177.1 metres; Bukit Gombak, 437 feet or 133.2 metres; Bukit Panjang, 434 feet or 132.3 metres; and Bukit Mandai, 422 feet or 128.7 metres; the southwest region of shale and sandstone forming a succession of scarps and vales and the eastern region of poorly consolidated sand and gravel, extending from Katong to the Bedok and Changi areas.

Much of the primary jungle and swamps of the Pandan, Kranji and Seletar-Tampines areas has now been cleared and reclaimed for industrial and residential purposes. A central plateau of about 12½ square miles or 33.0 square kilometres is marked off as a catchment area and a nature reserve.

Sungei Seletar, the longest river system, is about nine miles or 14.5 kilometres long from its source through Seletar Reservoir to the sea.

Climate

The climate is essentially equatorial with uniformly high average daily temperature and relative humidity. Generally, the climate is equable and pleasant because of the modifying effects of the seas. The average daytime maximum temperature is 87°F or 30.6°C and it drops to an average minimum of 75°F or 24°C at night. The highest temperature recorded in the last ten years was 93.8°F or 34.3°C and the lowest 68.1°F or 20.1°C.

† Island of Singapore 209.5 square miles or 542.6 square kilometres, small islands, 15 square miles or 38.9 square kilometres; and reclaimed land, 1.1 square miles or 2.9 square kilometres.

The relative humidity is highest at night when 95 per cent relative humidity is frequently exceeded in the early hours of the morning shortly before sunrise. On dry afternoons, the relative humidity is usually around 65 per cent.

There is no distinct wet or dry season as rain falls all the year round, but during the first half of the northeast monsoon, from November to January, rainfall tends to be heaviest. The mean annual rainfall is 96 inches or 2,438 millimetres. The highest rainfall recorded in the last ten years was 115 inches or 2,921 millimetres and the lowest 62 inches or 1,575 millimetres.

The highest rainfall ever recorded at the Meteorological Station was on December 9, 1969 with 16.99 inches or 431 millimetres or about 19 per cent of the total rainfall for the year.

The previous highest rainfall occurred in 1954, also on December 9.

July is usually the sunniest month with a daily average of 6.32 hours of sunshine and December, often the rainiest month, has a daily average of 4.56 hours of sunshine.

Flora and Fauna

Some 6,911 acres or 2,797 hectares of the Island's original vegetation are preserved as Nature Reserves, where destruction or removal of any plant or animal is strictly prohibited. Only a very small proportion of areas thus protected carries primary vegetation.

The Bukit Timah Nature Reserve, which occupies 163 acres or 66 hectares on the highest hill on the Island, is the only place in Singapore where many indigenous species still flourish.

The Water Catchment Area consisting of some 6,714 acres or 2,717 hectares at the centre of the Island has been totally protected since 1951. It is for the larger part accessible to the public. The vegetation is mainly secondary and in various stages of regeneration.

On the north coast of the Island is the Kranji Nature Reserve which contains the last remaining area of protected mangrove. Its area of 35 acres or 14 hectares is principally covered with secondary and regenerating mangrove forest where plants typical of the transition from mangrove to dry land flora are found.

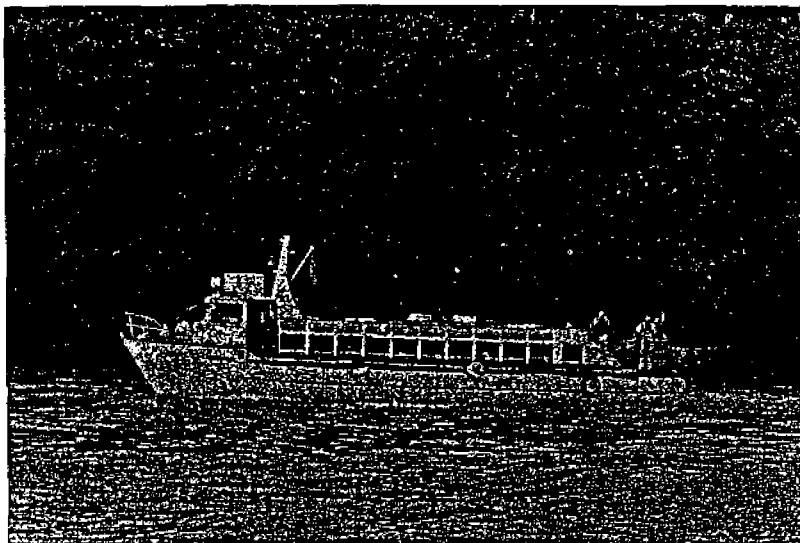
Generally, the natural vegetation is that of the tropical evergreen. The indigenous higher plants of Singapore number over 2,000 species.

I

ISLANDS WITHIN TERRITORIAL WATERS

The Southern Islands comprising 40 islands are under the administration of a District Officer (Islands). The Northern and other islands are under the administration of the Commissioner of Lands.

The reclamation work in Pulau Bukom Besar and Pulau Bukom Kechil is in progress and when completed would increase the area of the two islands by 98.75 acres or 399,627.43 square metres and 49.85 acres or 201,737.97 square metres respectively.



The outlying islands of Singapore are well-known for their scenic beauty

<i>Name of Island</i>	<i>Area in Acres</i>	<i>Area in square metres</i>
Pulau Brani	123	497,763.34
Sentosa	712	2,881,361.77
Pulau Selegu (Sarong Island)	2	8,093.71
Pulau Hantu	8½	34,398.28
Pulau Sekijang Pelepah	65	263,045.67
Pulau Sekijang Bendera (St. John's Island)	83	335,889.08
Pulau Kusu (Peak Island)	3	12,140.57
Pulau Tekukor	9	36,421.71
Pulau Bukom Besar	265	1,072,416.95
Pulau Bukom Kechil	74	299,467.38
Pulau Ular	1	4,046.86
Pulau Busing	10½	43,503.71
Pulau Hantu Besar	5	20,234.28
Pulau Hantu Kechil	1	4,046.86
Pulau Semakau	175	708,199.87
Pulau Sekeng	18	72,843.42
Pulau Jong	1½	6,070.28
Pulau Sebarok	24	97,124.55
Pulau Sudong	25	101,171.41
Pulau Pawai	170	687,965.59
Pulau Biola	1	4,046.86
Pulau Satumu	1	4,046.86
Pulau Salu	1½	6,070.28
Pulau Berkas	negligible	—
Pulau Senang	202	817,465.00
Pulau Seraya	127	513,950.77
Pulau Seburus Dalam	13	52,609.13
Pulau Seburus Luar	17	68,796.56

<i>Name of Island</i>		<i>Area in Acres</i>	<i>Area in square metres</i>
Pulau Mesemut Laut	...	4	16,187.43
Pulau Mesemut Darat	...	12	48,562.28
Pulau Ayer Merlimau	...	310	1,254,525.49
Pulau Pesek	...	121	489,669.63
Pulau Meskol	...	15	60,702.85
Pulau Buaya	...	5	20,234.28
Pulau Ayer Merbau	...	246	995,526.68
Pulau Ayer Chawan	...	404	1,634,929.99
Pulau Sakra	...	82	331,842.23
Pulau Bakau	...	25	101,171.41
Pulau Semulon	...	42	169,967.97
Pulau Damar Laut	...	39	157,827.40
Sisters' Islands (2)	...	4	16,187.43
		2	8,093.71
Northern and Other Islands			
Pulau Tekong Kechil	...	220	890,308.41
Pulau Tekong Besar	...	4,429	17,923,527.10
Pulau Pergam	...	6	24,281.14
Pulau Merawang	...	4	16,187.43
Pulau Seletar	...	67	271,139.37
Pulau Serangoon	...	28	113,311.98
Pulau Ketam	...	83	457,294.77
Pulau Sanyongkong	...	5	20,234.28
Pulau Sajahat	...	3	12,140.57
Pulau Ubin	...	2,506	10,141,422.11
Reef Islands			
Sajahat Kechil	Bajau (formerly Bajan)	Malang Siajar	
Sekudu		(formerly Melang Siajao)	
Unum (formerly Umin)	Malang Panpan Batu Belalai		

ANNEX MM 80

**Note, Ministry of Foreign Affairs, Singapore to Office of the High
Commissioner for Malaysia, 14 February 1980**

MFA 30/80

The Ministry of Foreign Affairs presents its compliments to the Office of the High Commissioner for Malaysia and has the honour to refer to the conversation on 21 December 1979 at Wisma Putra, Kuala Lumpur, between the Singapore High Commissioner to Malaysia and the Malaysian Deputy Secretary-General at which the Government of the Republic of Singapore was informed of the new territorial waters and continental shelf map (1-PPNM SYIT Sheets 1 and 2 dated 21 December 1979) published by the Director of National Mapping, Malaysia.

The Government of the Republic of Singapore is gravely concerned at what is set out in the said map. This map purports to claim the island of Pedra Branca as belonging to Malaysia. The Government of the Republic of Singapore rejects this claim. There is no premise in international law on which to found such a claim. The Government of the Republic of Singapore has since the 1840s, by virtue of both its acts and those of its predecessor governments, occupied and exercised sovereignty over Pedra Branca and the waters around it. Since that time, no other country has exercised or claimed jurisdiction or contested Singapore's sovereignty over Pedra Branca. The Government of the Republic of Singapore therefore requests that the said map be suitably amended to reflect the sovereignty of Singapore over Pedra Branca.

The Government of the Republic of Singapore also notes with equally grave concern the unilateral manner in which the territorial waters and continental shelf boundary lines of Malaysia were drawn in respect of the areas at the eastern and western approaches to Singapore. The demarcation of the boundary lines at the western

approach to Singapore intrudes into the port limits of Singapore. This again clearly violates the sovereignty of Singapore. The two said areas outside the port limits of Singapore have heretofore remained undefined, covering as they do areas where the three jurisdictions of Singapore, Malaysia and Indonesia converge. Accordingly, any demarcation of these areas can only be drawn in accordance with international law and practice, viz, consultations among the three governments of Indonesia, Malaysia and Singapore. As no such consultations have taken place, it is all the more surprising that such demarcation should have been drawn in the said map. The Government of the Republic of Singapore would therefore like to state categorically that the boundary lines as indicated in the said map in respect of these two areas are unacceptable to it, and would request that the map be suitably rectified to reflect the correct position vis-a-vis these waters.

The Ministry of Foreign Affairs avails itself of this opportunity to renew to the Office of the High Commissioner for Malaysia the assurances of its highest consideration.



Singapore
14 February 1980

Office of the High Commissioner for Malaysia
Singapore

ANNEX MM 81

**Note, Ministry of Foreign Affairs, Singapore to Malaysian High
Commission, 28 February 1989**

MFA/D1/179/89

The Ministry of Foreign Affairs of the Republic of Singapore presents its compliments to the Malaysian High Commission and has the honour to refer to the 1984 Reprint of the Malaysian map on territorial waters and continental shelf (1-PPNM SYIT (Sheet) 1 and 2), which has only recently come to the notice of the Government of the Republic of Singapore.

The Ministry also refers to its Note MFA 30/80 dated 14 February 1980 wherein the Government of the Republic of Singapore had, inter alia, requested that the Malaysian map on territorial waters and continental shelf (1-PPNM SYIT (Sheet) 1 and 2 dated 21 December 1979) be amended to reflect the sovereignty of Singapore over Pedra Branca as the Government of the Republic of Singapore has since the 1840s, by virtue of both its acts and those of its predecessor governments, occupied and exercised sovereignty over Pedra Branca and the waters around it. The Government of the Republic of Singapore notes that the rectification requested in the Ministry's Note MFA 30/80 dated 14 February 1980 in relation to Pedra Branca has not been made in the 1984 Reprint of the Malaysian map on territorial waters and continental shelf. The Government of the Republic of Singapore reiterates its position that Pedra Branca is part of the territory of Singapore and requests that the 1984 Reprint of the Malaysian map on territorial waters and continental shelf be duly amended to reflect Singapore's sovereignty over Pedra Branca.

The Government of the Republic of Singapore further notes that, notwithstanding its Note MFA 30/80 dated 14 February 1980, the 1984 Reprint of the Malaysian map on territorial waters and continental shelf still contains the unilaterally drawn territorial waters and continental shelf boundary lines in the areas at the eastern and western approaches to Singapore. In particular, the demarcation of the boundary lines at the western approach to Singapore intrudes into the port limits of Singapore. For the reasons indicated in its Note MFA 30/80 dated 14 February 1980, the Government of the Republic of Singapore requests that the 1984 Reprint of the Malaysian map on territorial waters and continental shelf be suitably rectified to reflect the correct position vis-a-vis these waters.

The Ministry of Foreign Affairs of the Republic of Singapore avails itself of this opportunity to renew to the Malaysian High Commission the assurances of its highest consideration.

SINGAPORE

28 February 1989

Malaysian High Commission

Singapore



ANNEX MM 82

**List of Diplomatic Notes from Singapore on Pulau Batu Puteh
February 1980 - January 2004**

**LIST OF DIPLOMATIC NOTES FROM SINGAPORE ON PULAU BATU
PUTEH FROM 14 FEBRUARY 1980**

Note: This list is limited to diplomatic correspondences (Protest Notes, etc.) dealing with the substance of the dispute.

1. MFA 30/80 dated 14 February 1980
2. MFA 146/80 dated 13 June 1980
3. MFA 365/81 dated 24 August 1981
4. MFA 439/81 dated 12 October 1981
5. MFA/DI/179/89 dated 28 February 1989
6. SHC 98/89 dated 16 June 1989
7. SHC 99/89 dated 16 June 1989
8. SHC 103/89 dated 22 June 1989
9. SHC 109/89 dated 1 July 1989
10. SHC 139/89 dated 11 September 1989
11. SHC 140/89 dated 11 September 1989
12. SHC 141/89 dated 11 September 1989
13. MFA 734/89 dated 11 September 1989
14. SHC 97/91 dated 28 August 1991
15. SHC 134/91 dated 15 November 1991
16. SHC 135/91 dated 15 November 1991
17. MFA/DI/858/91 dated 15 November 1991
18. MFA/DI/859/91 dated 15 November 1991
19. MFA/DI/254/92 dated 10 April 1992
20. MFA/DI/281/92 dated 22 April 1992

21. SHC 35/92 dated 23 April 1992
22. SHC 41/92 dated 15 May 1992
23. SHC 43/92 dated 25 May 1992
24. MFA/DI/396/92 dated 1 June 1992
25. MFA/DI/397/92 dated 1 June 1992
26. SHC 46/92 dated 1 June 1992
27. SHC 47/92 dated 1 June 1992
28. MFA/DI/422/92 dated 8 June 1992
29. MFA/DI/424/92 dated 8 June 1992
30. MFA/DI/475/92 dated 22 June 1992
31. MFA/DI/472/92 dated 22 June 1992
32. MFA/DI/473/92 dated 22 June 1992
33. MFA/DI/474/92 dated 22 June 1992
34. MFA/DI/490/92 dated 26 June 1992
35. MFA/DI/565/92 dated 21 July 1992
36. MFA/DI/688/92 dated 28 August 1992
37. MFA/DI/696/92 dated 7 September 1992
38. MFA/DI/0078/93 dated 30 January 1993
39. MFA/DI/0079/93 dated 30 January 1993
40. MFA/DI/0080/93 dated 30 January 1993
41. MFA/DI/0083/93 dated 30 January 1993
42. MFA/DI/0675/93 dated 30 July 1993
43. MFA/DI/0676/93 dated 30 July 1993

44. MFA/DI/0677/93 dated 30 July 1993
45. MFA/DI/0678/93 dated 30 July 1993
46. MFA/1038/93 dated 8 November 1993
47. MFA/1039/93 dated 8 November 1993
48. MFA/1094/93 dated 1 December 1993
49. MFA S072-711/23/02, MFA/1104/93 dated 14 December 1993
50. MFA 136/94 dated 22 February 1994
51. MFA 137/94 dated 22 February 1994
52. MFA/DI/554/94 dated 14 September 1994
53. MFA/815/94 dated 3 January 1995
54. MFA/057/95 dated 20 January 1995
55. MFA/200/95 dated 2 March 1995
56. MFA/223/95 dated 10 March 1995
57. MFA/661/95 dated 19 June 1995
58. MFA/797/95 dated 31 July 1995
59. MFA/1085/96 dated 12 November 1996
60. MFA/1123/96 dated 19 November 1996
61. MFA/885/97 dated 23 June 1997
62. MFA 976/98 dated 31 August 1998
63. MFA 44/99 dated 2 June 1999
64. MFA/PD1/00052/2001 dated 19 December 2001
65. MFA/PD1/00011/2002 dated 20 February 2002
66. MFA/PD1/00018/2002 dated 24 April 2002

67. MFA/PD1/00024/2002 dated 17 May 2002
68. MFA/PD1/00027/2002 dated 30 May 2002
69. MFA/PD1/00038/02 dated 11 July 2002
70. MFA/PD1/00039/2002 dated 11 July 2002
71. MFA/PD1/00054/2002 dated 28 August 2002
72. MFA/PD1/00072/2002 dated 14 November 2002
73. MFA/PD1/00074/2002 dated 14 November 2002
74. MFA/PD1/0005/2003 dated 22 January 2003
75. MFA/PD1/0006/2003 dated 22 January 2003
76. MFA/PD1/0007/2003 dated 22 January 2003
77. MFA/PD1/0008/2003 dated 22 January 2003
78. MFA/PD1/00009/2003 dated 17 February 2003
79. MFA/PD1/00010/2003 dated 17 February 2003
80. MFA/PD1/00011/2003 dated 17 February 2003
81. MFA/PD1/00019/2003 dated 2 April 2003
82. MFA/PD1/00020/2003 dated 2 April 2003
83. MFA/PD1/00050/2003 8 July 2003
84. MFA/PD1/00051/2003 8 July 2003
85. MFA/PD1/00052/2003 8 July 2003
86. MFA/PD1/00053/2003 8 July 2003
87. MFA/PD1/00063/2003 dated 8 August 2003
88. MFA/PD1/00085/2003 dated 13 November 2003

89. MFA/PD1/00086/2003 dated 13 November 2003

90. MFA/PD1/00091/2003 dated 12 December 2003

91. MFA/PD1/00001/2004 dated 8 January 2004

92. MFA/PD1/00002/2004 dated 14 January 2004

ANNEX MM 83

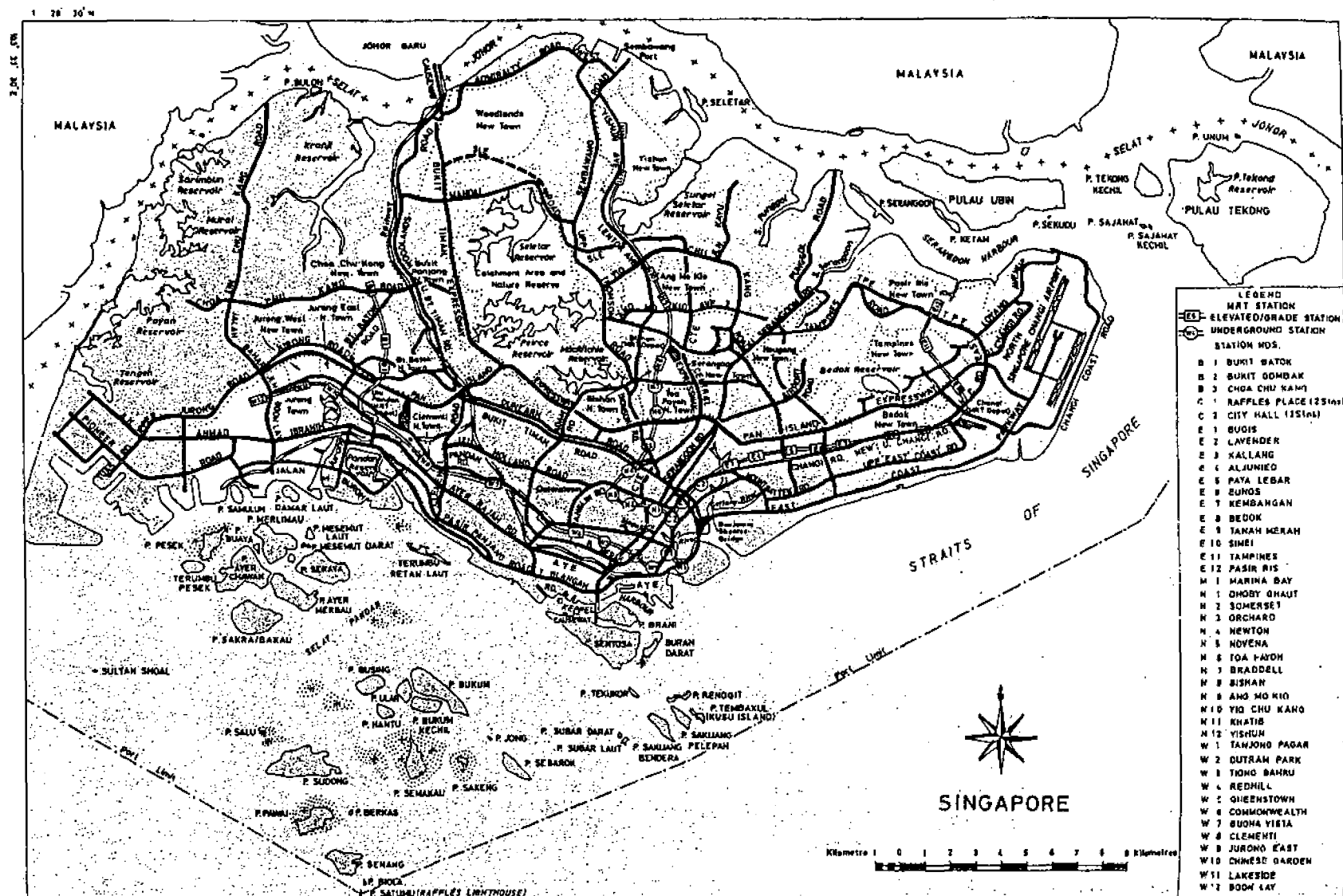
***Singapore Facts and Pictures, 1992, Singapore, Ministry of
Information and the Arts, 1992, pp. 1, 178***

SINGAPORE

FACTS AND PICTURES 1992 *

Published by the
Ministry of Information and the Arts

MAP OF SINGAPORE



Prepared by Survey Department, Singapore. (January 1982)
Govt. Copyright Reserved.

LAND AND PEOPLE

THE COUNTRY

Singapore consists of the island of Singapore and some 58 islets within its territorial waters. It is situated approximately 136.8 kilometres north of the Equator. The main island is about 42 kilometres in length and 23 kilometres in breadth, and 580.6 square kilometres in area. It has a coastline of approximately 150.5 kilometres. The total land area, including the islets, is 639.1 square kilometres.

Singapore's immediate neighbours are Malaysia (Peninsular Malaysia, to the north, Sabah and Sarawak to the east) and Indonesia to the south. Singapore is linked with Peninsular Malaysia by a 1,056-metre long causeway, which carries a road, a railway and a water pipeline across the Strait of Johor. At Putri Narrows, near the north-west corner of the island, the strait is 640 metres wide; near the causeway, it is about 914 metres wide.

Some of the islets are of economic importance. The major ones are Pulau Tekong Besar (2,388.8 hectares); Pulau Ubin (1,019.2 hectares); Sentosa (329.6 hectares); Pulau Bukom Besar (144.8 hectares); Pulau Merlimau (55 hectares); and Pulau Ayer Chawan (169.2 hectares). Pulau Seburus Dalam and Luar were merged by reclamation with Pulau Seraya, which has a total land area of 193.4 hectares.

A new causeway, when completed, will link the two closest southern islets, Sentosa and Pulau Brani with Singapore.

PHYSICAL FEATURES

The island can be roughly divided into three regions: the central hilly region of igneous rock formation in Bukit Timah, Bukit Gombak, Bukit Panjang and Bukit Mandai; the western region of sedimentary rocks, which form a succession of northwest-trending hills and valleys; and the relatively flat eastern region of sand and gravel deposits which extends from Katong to Changi.

LAND USE

	Area in sq km
Total land area (main island and offshore islets)	639.1
Built-up areas (including new industrial sites)	312.4
Farm holding areas (of licensed farms, excluding land occupied by pure rubber and coconut plantations)	6.8
Forest	28.6
Marsh and tidal waste	15.7
Others (inland waters, open spaces, public gardens, cemeteries, non-built-up areas in military establishments, quarries, rubber and coconut plantations, and unused land)	275.7

OFFSHORE ISLANDS

Buran Darat	16.5	Pulau Sakijang Pelepah (Lazarus Island)	33.7
Kusu (Peak Island)	7.8	Pulau Sakra - 48.0 ha	} 170.0
Pedra Branca	0.8	Pulau Bakau - 21.7 ha	
Pulau Ayer Chawan	169.2	Reclaimed Land -100.3 ha	
Pulau Ayer Merbau	131.3	Pulau Salu	0.6
Pulau Berkas	3.0	Pulau Samulum	30.6
Pulau Biola	0.4	Pulau Sanyongkong (Merged with Pulau Tekong Besar by reclamation)	1.2
Pulau Brani	85.6	Pulau Sarimbun	1.4
Pulau Buaya	3.1	Pulau Satumu	1.3
Pulau Bukum Besar	144.8	Pulau Sebarok	46.7
Pulau Bukum Kechil	56.4	Pulau Sekudu	3.2
Pulau Buloh	9.3	Pulau Seletar	38.5
Pulau Busing	59.4	Pulau Semakau	70.6
Pulau Damar Laut	24.1	Pulau Semechek	0.6
Pulau Damien	0.2	Pulau Senang	81.7
Pulau Hantu	12.6	Pulau Serangoon	44.7
Pulau Jong	0.6	Pulau Seraya	193.4
Pulau Keppel	4.0	Pulau Subar Darat and Pulau Subar Laut (Sisters Islands)	7.9
Pulau Ketam	30.7	Pulau Sudong	208.5
Pulau Malang Siajar	0.4	Pulau Tekong Besar (Area inclusive of Pulau Sanyongkong)	2,388.8
Pulau Mesemut Dara	5.1	Pulau Tekong Kechil	89.0
Pulau Mesemut Laut	19.4	Pulau Tekukor	4.9
Pulau Merlimau	55.0	Pulau Ubin	1,019.2
Pulau Meskol	8.7	Pulau Ular	31.7
Pulau Pawai	18.2	Pulau Unum	1.6
Pulau Pergam	2.4	Sentosa	329.6
Pulau Pesek	67.1	Sultan Shoal	0.6
Pulau Renggis	1.4	Terumbu Pesek	34.5
Pulau Renggit	12.5	Terumbu Retan Laut	24.6
Pulau Sajahat	1.1		
Pulau Sajahat Kechil	0.6		
Pulau Sakeng	7.6		
Pulau Sakijang Bendera (St John's Island)	40.5		

* Pulau Sakra and Pulau Bakau have been merged by reclamation and have a total land area of 170 hectares. It is probably to be renamed and is yet to be gazetted.

ANNEX MM 84

Act No. VI, 1852 (India), An Act for defraying the Cost of a Light-House on Pedra Branca

ACT No. VI. OF 1852.

*Passed by the Governor General of India in Council, on the
30th January 1852.*

An Act for defraying the Cost of a Light-House on Pedra Branca.

WHEREAS it has been deemed expedient, for the safety and guidance of Ships navigating the China Seas, to build a Light-House on the Island Rock called Pedra Branca, situated at the Eastern entrance of the Straits of Singapore; And whereas certain sums of money were subscribed by private individuals for that purpose, but the same were insufficient to defray the expense of building such Light-House; And whereas the East India Company agreed to build such Light-House, and to advance certain sums of money to complete the same, on condition that the said sums of money were repaid to them by the levy of a toll on Ships entering the harbour of Singapore; And whereas the said Light-House has been built by the East India Company, and it is desirable that the expense of building the same, and of maintaining a Light thereon, should be defrayed out of the monies arising from such toll; And whereas it may hereafter be deemed expedient to establish other Lights or beacons in the Straits of Malacca, or elsewhere near thereto, It is enacted as follows:

I. The Light-House on Pedra Branca aforesaid shall be called "The Horsburgh Light-House," and the said Light-House, and the appurtenances thereunto belonging or occupied for the purposes thereof, and all the fixtures,

(7022-15.)

et

tures,

ACT No. VI. OF 1852.

tures, apparatus, and furniture belonging thereto, shall become the property of, and absolutely vest in, the East India Company and their successors.

II. From the first day of March 1852, every Ship, being of the burden of fifty tons and upwards, which shall arrive at, or enter the harbour or roadstead of Singapore, from any part of the world, shall pay a toll of three cents of a dollar per ton for every ton of her registered burden or tonnage; Provided always that no Ship shall pay such toll more than once in every six calendar months.

III. All Ships of War belonging to Her Britannic Majesty, or any Foreign Government or State, and all armed Ships belonging to the East India Company, shall be exempt from the payment of such toll.

IV. The management and controul of the said "Horsburgh Light-House," and of the keeper thereof, and of everything relating thereto, is hereby vested in the Governor of the Straits Settlements.

V. The said Governor may appoint any person he may think fit, to be a Collector of the tolls, payable under this Act.

VI. Out of the funds raised by such tolls, an efficient Light shall be constantly kept up and exhibited during the night-time in and from the said Light-House, and the surplus monies arising from such tolls, after deducting the expense of maintaining such Light as aforesaid, shall, from time to time, be paid over to the said East India Company, in liquidation of the monies they have advanced towards the erection and completion of the said Light-House, and the apparatus and furniture thereof.

VII. The toll to be levied under this Act shall become due and payable immediately on the arrival of every Ship liable thereto within the
harbour

ACT No. VI. OF 1852.

harbour or roadstead of Singapore; and, immediately on the arrival of any such Ship within the said harbour or roadstead, the Collector appointed under this Act shall demand, or cause to be demanded, from the Master or other person in command of such Ship, payment of the toll of three cents of a dollar per ton for every ton of the registered burden or tonnage of such Ship, and if the same be not paid within two days after such demand made as aforesaid, or if, at any time after the arrival of such Ship as aforesaid, the said Collector shall have cause to suspect, or believe, that such Ship will immediately leave the said harbour or roadstead without paying such toll, it shall be lawful for any Justice of the Peace, upon an affidavit to that effect being made before him on oath by such Collector (which oath the said Justice is hereby authorized to administer), to issue his Warrant under his hand, directed to any Peace Officer of Singapore aforesaid, to enter on board such Ship and to seize and carry away any of the Goods, Merchandize, Guns, Tackle, Apparel or Furniture of or belonging to or on board such Ship, and to keep the same for the space of three days then next, unless the said toll shall be in the mean time paid; and in case the amount of the toll due by such Ship shall not before the expiration of such three days have been paid, then the said Collector may cause the said Goods, Merchandize, Guns, Tackle, Apparel or Furniture so seized to be sold, and out of the proceeds of such sale shall pay the amount of the said toll to which such Ship shall be liable, together with the reasonable charges of the seizure, detention, and sale, rendering to the Master or Owner, or other person having the command of such Ship, the overplus (if any) on demand.

VIII. The Officer of Government whose duty it shall be to grant a Port-clearance for any Ship clearing out of or leaving the port of Singapore aforesaid, shall refuse to grant such Port-clearance to any Ship until the Owner, Agent, Master or other person in command of such Ship shall produce a certificate from the Collector appointed under this Act that

such

67040-157

62

ACT No. VI. OF 1852.

such Ship has paid the amount of toll to which she is liable under this Act.

IX. Notwithstanding anything in this Act contained, the said Collector appointed under this Act, may sue for and recover the amount of any tolls payable to him under this Act, by action of debt or suit in Equity in any of Her Majesty's Courts in India, against the Owner, or Master, or other person who, at the time of default made in the payment of such toll, owned or had the command of any Ship liable thereto.

X. In order to ascertain the exact burden or tonnage of any Ship liable to pay the toll leviable under this Act, the Collector appointed under this Act may apply to any Justice of the Peace to require, and such Justice of the Peace shall thereupon summon and require the Owner, Master, or other person in command of such Ship, or any person having possession of the same, to produce the register of such Ship for the inspection of such Justice, and upon the refusal or neglect of any such Owner, Master, or person to produce such register, it shall be lawful for such Justice to adjudge such Owner, Master, or person to pay a fine not exceeding one hundred dollars, and in default of payment, to be imprisoned in Her Majesty's Gaol for any period not exceeding two calendar months.

XI. When and so soon as the monies to be advanced by the said East India Company towards the erection and completion of the said Light-House shall have been fully repaid and liquidated in manner herein provided for, it shall be competent for the Governor of the Straits Settlements to build, or cause to be built, one or more other Lights or beacons for the safety and guidance of Ships in such part or parts of the Straits of Malacca, or near thereto, as shall be deemed expedient, and the cost thereof, and of maintaining the same, and of keeping up and exhibiting a Light

or

ACT No. VI. OF 1852.

or Lights therefrom, shall be defrayed out of the surplus monies arising from the toll payable under this Act, after defraying the current expenses of maintaining the "Horsburgh Light-House" aforesaid.

XII. Nothing in this Act contained shall be construed to authorize the levy of a toll upon any Ship passing through the Straits of Singapore and not entering the said harbour or roadstead of Singapore aforesaid.

XIII. The word "Ship" throughout this Act mentioned, shall be held to mean and include a Schooner, Cutter, Brig, Brigantine, Barque, Junk, Steam-Boat, and every other Vessel, as well as a Ship; and words importing the singular number only shall include the plural number, and words importing the plural number only shall include also the singular number, and words importing the masculine gender shall extend to females, unless there be something in the subject or context repugnant to such construction.

ANNEX MM 85

**Act No. XIII, 1854 (India), An Act to repeal Act No. VI of 1852,
and to make provision for defraying the cost of the Light-House
on Pedra Branca...**

ACT No. XIII. OF 1854.

Passed by the Governor General of India in Council on the 7th April 1854.

AN ACT to repeal Act No. VI. of 1852, and to make provision for defraying the cost of the Light-House on Pedra Branca, and for maintaining the same, and also a Floating Light established in the Straits of Malacca, to the West of Singapore, and for the establishment and maintenance of such further Lights in or near to the said Straits as may be deemed expedient.

WHEREAS it was deemed desirable, for the safety and guidance of Ships navigating the China Seas, to build a Light-House on the Island Rock called Pedra Branca, situate at the Eastern entrance of the Straits of Singapore; and whereas certain sums of money were subscribed by private individuals for that purpose, but the same were insufficient to defray the expense of building such Light-House; and whereas the East India Company agreed to build such Light-House, and to advance certain sums of money to complete the same on condition that the said sums of money should be repaid to them by the levy of certain tolls; and whereas, since the passing of Act No. VI. 1852, a Floating Light has been established by the East India Company in the Straits of Malacca to the West of Singapore, at a place called the $2\frac{1}{2}$ -fathom bank, and it may hereafter be deemed expedient to establish and maintain other lights or beacons in or near to the said Straits, for the safety and guidance of Ships navigating the same; and whereas many Ships which derive the benefit of the Horsburgh Light and the said Floating Light established aforesaid, do not contribute to the expense thereof, and it is just and reasonable that they should be liable so to do; It is enacted as follows:

I. Act No. VI. 1852 is hereby repealed, except so far as it relates to any Act already done under the same, or to any toll now due under the provisions thereof, or to any proceedings already adopted, or hereafter to be adopted, for the recovery of any such toll.

II. The Light-House on Pedra Branca aforesaid shall continue to be called "The Horsburgh Light-House," and the said Light-House, and the appurtenances

ACT No. XIII. OF 1854.

appurtenances thereunto belonging or occupied for the purposes thereof, and all the fixtures, apparatus and furniture belonging thereto, shall remain the property of, and be absolutely vested in, the East India Company and their successors.

III. The light maintained at the Horsburgh Light-House, and the said Floating Light established as aforesaid, and such other light or lights as shall be established by the East India Company in lieu of such Floating Light, or in addition thereto, in or near to the Straits of Malacca or Singapore, shall be called "The Straits' Lights."

IV. If, after the passing of this Act, any Ship, of the burden of fifty tons or upwards, shall depart from, or enter any port, harbour or roadstead in the possession or under the Government of the East India Company, upon, or during, or at the termination of any voyage, in the ordinary course of which she would pass any of the said lights, a toll shall be paid in respect of such Ship, except in the cases hereinafter mentioned at the rates following, that is to say—

1. If the voyage be one in the ordinary course whereof such Ship would pass the whole of the said lights, at the rate of one anna for every ton of her burden.

2. If the voyage be one in the ordinary course of which she would pass any one or more of the said lights, but not all of them, at the rate of half an anna for every ton of her burden. Provided that such toll shall not be payable at any such port or place, if such toll shall have been paid at the same or any other port or place under the Government of the East India Company in respect of the same voyage, and a proper voucher for such payment shall be produced, or other satisfactory proof of such payment given. Provided also that no toll shall be payable under this Act on account of any Ship in respect of any voyage for which toll hath been already paid or become payable under the said Act No. VI. 1852, or during the period covered by such payment.

V. The return of a Ship from any port or place shall be deemed a distinct voyage within the meaning of this Act, notwithstanding toll shall have been paid in respect of her voyage to such port or place, and notwithstanding the terms of any Charter-party.

VI. All Ships of War, belonging to Her Majesty, or to any Foreign Government or State, and all Ships belonging to the East India Company shall be exempt from the payment of such toll.

VII. And

ACT No. XIII. OF 1854.

VII. And whereas there are certain Vessels of small burden, called Straits' traders, which are engaged in the trade carried on between different ports and places, within or near to the said Straits, and it is just and reasonable, that such Vessels should not be charged full toll in respect of any voyage in the course of such trade. It is therefore enacted, that in respect of any voyage which shall be made by any such Vessel in the course of such trade, toll shall be paid at only one-half of the rate at which it shall be payable in other cases under this Act.

VIII. The management and control of the said "Horsburgh Light House," and of the said Straits' Lights, are hereby vested in the Governor of the Straits' Settlements.

IX. The said Governor may appoint any person he may think fit, to be a collector of the tolls payable under this Act, at any port, harbour, or place under his Government.

X. The Funds raised by the tolls payable under this Act shall be applicable in the first place to defray the necessary expenses of maintaining and keeping up the said Light-House and the said Straits' Lights, and the establishment and maintenance of such other lights as aforesaid, as the Governor General of India in Council may think fit to establish and maintain, and all necessary expenses incidental thereto, and the surplus thereof shall from time to time, be applied in liquidation of the moneys advanced by the East India Company towards the erection and completion of the said Light-House, and the apparatus and furniture thereof.

XI. The toll to be levied under this Act shall become due and be payable in respect of any Ship clearing out or departing from any port, harbour or roadstead, in the possession or under the Government of the East India Company, upon any such voyage as aforesaid, previously to the granting of any Port-Clearance for such Ship, or in the event of her not requiring a Port-Clearance, on her preparing to leave such port, harbour or roadstead on such voyage; and in respect of any Ship entering any such port, harbour or roadstead as aforesaid, upon or during, or at the termination of any such voyage from any port or place not under the Government of the East India Company, the toll shall be payable immediately upon her entering such port, harbour or roadstead.

XII. The Collector or other Chief Officer of Customs at any port, harbour or place in the possession, or under the Government of the East India Company, or any other Officer, whom the Government to which such port, harbour

ACT No. XIII. of 1854.

harbour or place is subordinate, may appoint to receive the tolls above-mentioned, shall collect the same by himself, or by any Officer, in his establishment whom he shall appoint. The Officer to whom any such toll shall be paid, shall grant to the person paying the same a proper voucher in writing, under his hand, describing the name of his office, and the port or place at which such payment shall be made, the name, tonnage and other proper description of the Ship, and the voyage in respect of which such toll shall be paid.

XIII. The Officer of Government, whose duty it shall be to grant a Port-Clearance for any Ship clearing out of, or leaving any such port, harbour or place under the Government of the East India Company, shall not grant such Port-clearance to any Ship until the Owner or Agent of such Ship, or the Master or other person in command thereof, shall pay all tolls to which such Ship shall be liable under this Act, or produce a proper voucher for, or give satisfactory proof of the payment of such tolls at the same or some other port or place. If any Master or Owner, or other person having the charge of any Ship liable to the payment of any tolls under this Act, shall refuse or neglect to pay the amount thereof to the person authorized to collect, or receive the same, such person may distrain or cause to be distrained, any goods, or merchandize, to whomsoever the same may belong, on board such Ship, and any tackle, apparel or furniture belonging to such Ship, and may remove the same, or cause the same to be removed, to some convenient place, leaving on board such Ship notice, in writing, of such distress and of the cause thereof, and of the place of removal, if such tolls, together with the costs of such distress and removal, shall not be paid within three whole days after the seizure, exclusive of the day of such seizure, the person authorized to collect or receive such tolls may cause the goods, merchandize, tackle, apparel and furniture so seized, to be sold, and out of the proceeds of such sale shall pay the amount of the tolls to which such Ship may be liable under this Act, together with the reasonable costs of such seizure, detention, and sale, rendering to the Master or Owner, or other person having the command of such Vessel, the over-plus, if any, on demand.

XIV. Notwithstanding any thing in this Act contained, the person authorized to collect the said tolls at any such port, harbour or place aforesaid, may, in his own name, sue for and recover, on behalf of the East India Company, the amount of any tolls payable to him under this Act, by action in any of the Civil Courts of Her Majesty or of the East India Company against the Owner or Master, or other person, who, at the time of such toll becoming due, shall have the command of any Ship liable thereto.

XV. In

ACT No. XIII. of 1854.

XV. In order to ascertain the burden of any Ship liable to pay toll under this Act, the person authorized to collect such toll may require the Owner, Master or other person in command of such Ship, or any person having possession of the same, to produce the register of such Ship for the inspection of such person, if the Ship shall be a British registered Ship or a Ship registered in any part of the territories of the East India Company, and upon the refusal or neglect of any such Owner, Master or other person to produce such register, or if such Ship shall not be a Ship registered as aforesaid upon the refusal or neglect of such Owner or Master to satisfy the person authorized to collect such tolls as to what is the true burden of the Ship, it shall be lawful for such person to cause such Ship to be measured at the expense of the Master thereof, and such expense shall be receivable in the same manner as tolls payable under this Act or it shall be lawful for such person to deliver to such Master, Owner or other person in command of the Ship, or in the possession thereof, or to leave for him on board such Ship a notice in writing, specifying what, in his judgment, is the burden of the Ship, and the burden specified in such notice shall be deemed to be the real burden of the Ship and be treated as such for all the purposes of this Act, until the Owner, Master or other person having the command of the Ship shall give sufficient proof of the true burden thereof.

XVI. The Master of any Ship which shall depart from or enter any such port, harbour or roadstead as aforesaid, upon, or in the course of, or at the termination of any voyage, shall, upon demand by any person authorized to collect or receive tolls under this Act, specify upon what voyage he is bound, and if any Master of any such Ship, shall refuse or neglect so to do, or shall give a false statement, or shall endeavour to evade the payment of any tolls payable under this Act, or shall obstruct any Officer of Government in the discharge of his duty under this Act, he shall be punishable by a Magistrate in a summary manner by a fine not exceeding two hundred rupees.

XVII. If any dispute shall arise respecting the liability of any Ship, to the payment of toll under this Act, or in respect of the burden of any Ship, or the amount of toll payable, or the amount of any charges on account of any distress, removal or sale under this Act; such dispute shall be heard and determined by a Magistrate in a summary manner, and the decision of such Magistrate shall be final.

XVIII. The Governor General of India in Council may, from time to time, as he may think fit, reduce the tolls payable under this Act, in respect of all vessels or of any particular class or classes of vessels, and again raise the same to any amount not exceeding the amounts above specified.

XIX. The

ACT No. XIII. of 1854.

XIX. The word "Ship" throughout this Act shall be held to mean and include a Schooner, Cutter, Brig, Brigantine, Barque, Steam-vessel and any square-rigged Vessel. The word "Master" shall mean any person having the Command of a Ship.

The word "Magistrate" shall be deemed to include a Joint Magistrate and any person lawfully exercising the powers of Magistrate, and a Justice of the Peace.



ANNEX MM 86

Award made by Governor Sir H. St George Ord, under the provisions of the Treaty between Pahang and Johore, of 17th June, 1862, 1 September 1868

PAHANG AND JOHORE, 1868.

AWARD MADE BY GOVERNOR SIR H. ST GEORGE ORD, under the provisions of the TREATY between PAHANG AND JOHORE. of 17th June, 1862.

(Signed) H. ST. GEORGE ORD,
Governor and Commander-in-Chief.

Whereas by a Treaty entered into on the 17th day of June 1862 between His Highness the Maharajah of Johore and His Highness the Bandahara of Pahang it was agreed between the contracting parties that should any dispute or difference arise between them or their successors at any time thereafter, either with regard to the said Treaty or the matters contained in it, or with regard to any other matter or thing, whether national, political, or private, the same should be referred to the friendly mediation and settlement of the British Government whose award and decision was by the said Treaty declared to be final; and whereas differences had arisen between the said contracting parties relating to the boundary between the respective territories of Johore and Pahang and respecting the ownership of certain Islands lying off the East Coast of the Malayan Peninsula and whereas the said differences were submitted and referred by the said contracting parties to the friendly mediation and settlement of His Excellency the Governor of the Straits Settlements:

Now these are to make known that I, Sir Harry St. George Ord, the said Governor, having taken into consideration and carefully and maturely weighed the evidence and statements laid before me by both the contracting parties relating to the respective differences and claims, do hereby award and decide as follows, that is to say, 1st, that the River Indow shall be the boundary on the Mainland between the territories of His Highness the Maharajah of Johore and His Highness the Bandahara of Pahang, and that the Islands of Tioman, Aor, Pulo Tingy, Siribuat and others lying off the East Coast of the Malayan Peninsula shall be divided by a direct line from the centre of the mouth of the River Indow to the southern extreme of Pulo Raban and thence due east along the north parallel of latitude of $2^{\circ} 59' 20''$ and all the islands to the north of this line shall belong to Pahang and all to the south of this line to Johore as laid down on the chart annexed to this award.

Given at Singapore,
this first day of September, 1868. }

By His Excellency's Command,

(Signed) J. F. A. MCNAIR,
Acting Colonial Secretary, S.S.

ANNEX MM 87

Report of the Johore Boundaries Commission, 18 February 1898

*Johore Boundaries Commissioners to Colonies
Office*

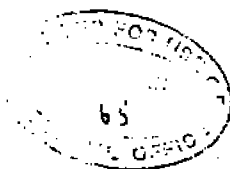
REPORT OF THE JOHORE BOUNDARIES COMMISSION.

55

TO THE RIGHT HONOURABLE THE
SECRETARY OF STATE FOR THE COLONIES.

Colonial Office,

18th February, 1898.



Sir,

Having been invited by His Highness the Sultan of Johore to take steps for the settlement of the Boundaries between Johore and the States adjacent to it, you desired the four Commissioners whose names are hereto appended to inquire into the whole subject and report for your consideration the Boundaries which they would recommend.

2. It will be convenient to place on record the circumstances and conditions under which this inquiry has been made.

3. The Sultan of Johore, by a Commission under his hand and the State Seal, bearing date the 14th day of December, 1896 (a copy of which is hereto annexed) appointed Sir Robert George Windham Herbert, G.C.B. and the Dato Sri Amar d'Raja Abdul Rahman, C.M.G. to be His Highness's joint Agents and Representatives to lay before the Queen, through Her Majesty's Secretary of State for the Colonies, His Highness's anxious desire for a speedy settlement of the questions of the Boundaries between his State and the Settlement

of

of Malacca, the State of Johol in the Negri Sembilan, and the State of Pahang respectively; and in that Commission His Highness undertook to abide by any decision for a simultaneous settlement of all these Boundaries at which you might arrive, provided that his Representatives should, after being duly consulted, have voluntarily agreed to such decision.

4. This Commission having been communicated to you, you were pleased to nominate Sir Cecil Clementi Smith, G.C.M.G. and Sir Frank Athelstane Swettenham, K.C.M.G. to be Commissioners to represent the Governments of the Straits Settlements and of the Negri Sembilan and Pahang, for the purpose of considering with the Johore Commissioners whether an arrangement of all the Boundaries in question, such as you might be advised to adopt as just and equitable to all the parties concerned, could be agreed upon. And you made a proviso (a) that any arrangement which might so be come to should be subject to your approval or disapproval, and (b) that on any points of detail on which the Commissioners might not agree your ruling should be accepted as final.

5. We accordingly held our first meeting at the Colonial Office on the 9th of November last, and, after a prolonged examination, during several sittings of the claims and contentions brought forward by each party, and of the evidence or instruments on which such claims or contentions were based, we have now agreed to recommend to you, as the Boundaries (1) between Johore and Malacca (2) between Johore and Johol
and

and (3) between Johore and Pahang the lines marked upon the accompanying map and described in the Statement also annexed.

6. We desire to explain, with reference to the Boundaries which we have thus sketched, that as the strongly asserted contentions of either side were for the most part based on oral traditions, or on ancient assertions of claim not supported by actual or admitted possessory rights, there would have been no prospect of a final settlement but for the praiseworthy determination of all the parties to abide by the final decision of an absolutely neutral authority; and that consequently, in order to enable such a decision to be declared by you, it has been our endeavour to arrive in certain disputed cases at an equitable compromise between the extreme demands placed before us, and, at the same time, to lay down Boundaries not liable to be effaced or misunderstood, and precluding as far as possible the risk of a conflict of jurisdiction at and about the frontiers.

7. The greatest divergence of claim arose in regard to the Boundaries between Pahang and Johore. In this case the frontier had been to some extent defined by a Treaty made in 1862 between the States of Johore and Pahang and by an Award made in pursuance of that Treaty by Governor Sir Harry Ord in 1868. By this Treaty and Award, constituting a settlement which the Commissioners could not allow to be re-opened, the River Endau was declared to be the inland Boundary between the two States. Up to a certain point (the
confluence

confluence of the Rivers Endau and Sembrong) no question arose; but here we were met by a contention on behalf of Pahang that the River Sembrong, running due North into the Endau, was in fact the true Endau, and that consequently a large tract of territory South of what Johore claimed to be the true Upper Endau, should fall within Pahang. On the other hand Johore has for some time claimed a boundary North of the Kratong River, and has in fact had a Police Station on the right bank of that River; while Pahang asserts that it has never abandoned its right to both banks of the Kratong and to the country watered by it. We have not been able to consider as effectually established the assertion of either State that it has had indisputable rights in this direction, and we have felt bound to lay down an intermediate line, awarding to each State only a part of its extreme claim, but securing to each the control and ownership of important rivers and the country bordering on them.

8. We have thus assigned to Johore both sides of the Rivers Upper Endau and Sembrong while allotting to Pahang both banks of the Kratong and its tributary the Fukin.

9. It is perhaps unnecessary to enter into any detailed explanation of the Boundaries laid down as between Johore and Malacca and Johore and Johol, but it should be observed that in the latter case the Commissioners were bound by your instructions that they must not consider themselves at liberty to deal with the country of the Batin Gemala.

10. You also desired that measures might be taken to secure the Colony and the Protected States concerned in these Boundary questions from being involved in any claim which might be outstanding against the State of Johore or its Government. The only claim of this nature that we are aware of is that made by a Major Studer, a citizen of the United States, to an alleged grant of land within Muar, which is now part of Johore. The land thus claimed does not lie in the Johore-Malacca frontier, from which its nearest limit is about eight miles distant; so that the Province of Malacca cannot be affected by the result, whatever it may be, of this "claim".

We have etc.,

(Signed) CECIL CLEMENTI SMITH.

▪ FRANK SWETTENHAM.

▪ ROBERT G.W. HERBERT.

▪ ABDUL RAHMAN.

The boundaries between the State and territory of Johore, and the Province of Malacca, and the State of Johol in the Negri Sembilan, and the State of Pahang respectively, shall be as follows:-

A line commencing at a point in the centre of the Kuala Kesang where it enters the sea, thence along the middle of the Sungai Kesang and the Sungai Chohong at an equal distance from either bank of the said rivers to a point near Bukit Asahan where the road to Kampong Relau crosses the Sungai Chohong, thence following a line 30 yards from the south side of the road to a point to be fixed where the road enters Kampong Relau, thence in a direct line to Lubok Kecondong, thence down the middle of the Sungai Gemeh (or Gemas) to Kuala Gemeh, thence to Kuala Chandoi on the Sungai Palong, thence to Bukit Ulu Parloh, thence to the summit of Bukit Selanchor, thence to the summit of Gunong Pukin, thence to the summit of Gunong Besar, thence to the summit of Gunong Berembun, thence by a line connecting the highest points of Gunong Berembun and Gunong Kendok, so that the line falls entirely to the north of the Sungai Endau, thence to a point on the left bank of the Sungai Endau opposite the extremity of the point on which the Kuala Sembrong Police Station stands, thence along the middle of the Sungai Endau to Kuala Endau, thence at sea to the most southern point of Pulau

Keban,

Keban, thence due East, along the North Parallel of latitude 2°35'20".

2. Where the middle of a river is the boundary the inhabitants of the State or Province on either side thereof shall have equally the right of navigating such river.

3. Where the Sungai Endau lies, by this Award, wholly within the State of Johore, persons residing in the State of Pahang shall have the free right of navigating that river, and shall have free access to it for that purpose.

All persons whether of European or Asiatic race owning or working houses, farms, mines or other properties or carrying on industries in territory which prior to this Award, has been supposed to belong to another Province or State than that to which it is hereby declared to belong shall be secured in the peaceable enjoyment of such properties or industries and shall henceforth pay to the Government under which they are now hereby placed all such dues, rents, royalties or other payments as are lawfully and customarily payable to such Government by the subjects thereof.

4. After this Award has come into operation no Government of a Province or State affected by it shall maintain any Police Stations or officers or levy any taxes or duties or purport to exercise any jurisdiction beyond its boundaries as hereby defined.

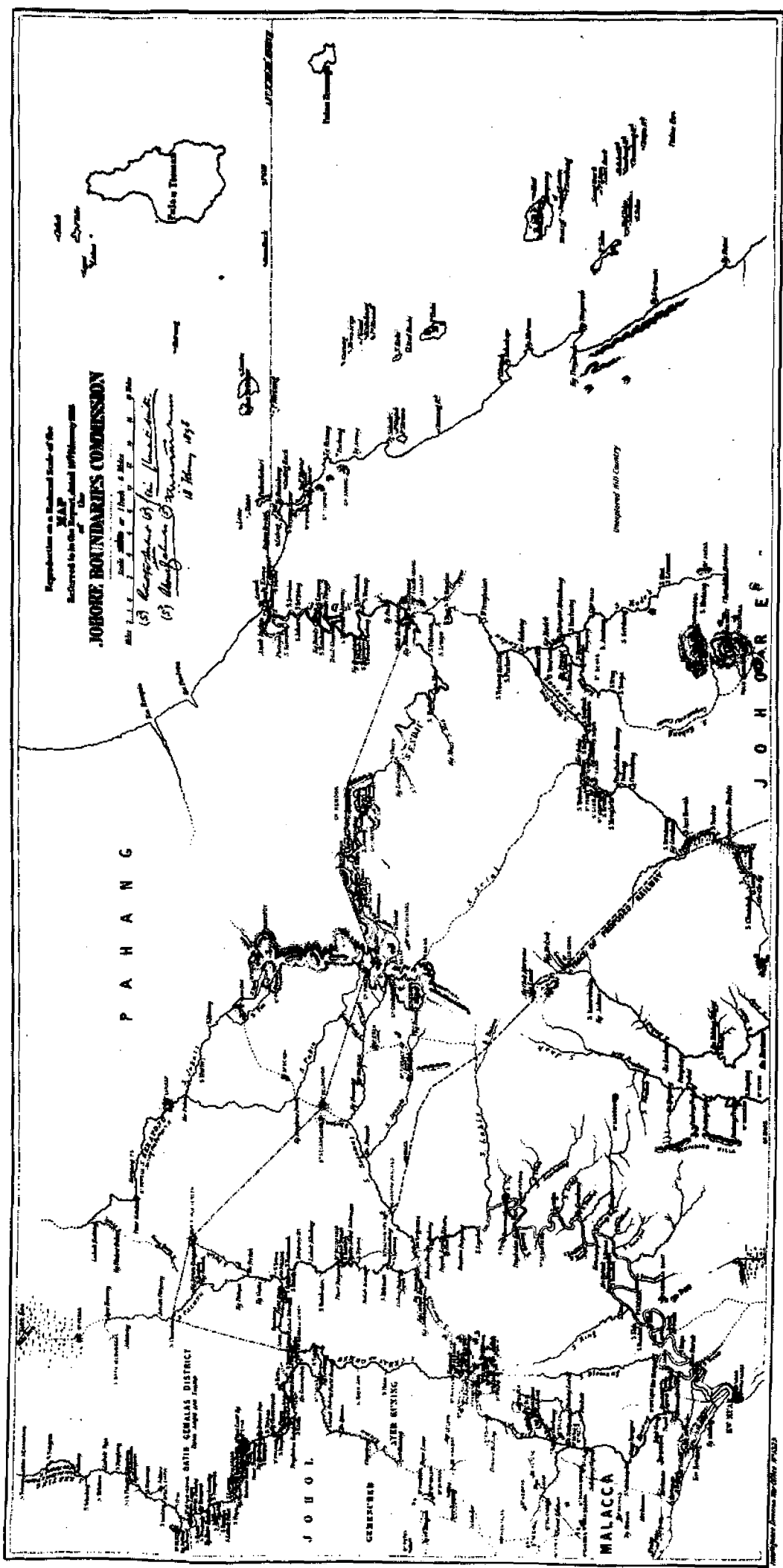
5. The various boundaries mentioned herein, and marked on the annexed map are adopted as clearly indicating the spirit and intention of this Settlement, and shall be binding upon all parties concerned.

6. Provided that in ^{the} event of any doubt or difference arising as to the precise Geographical position of any portion of the said boundaries the question shall be referred to the examination of Surveyors, one to be named by each State concerned, and a third to be appointed by the other two.

7. A report of the result of such examination shall be made to the Governments of the States concerned, and in the event of their not agreeing to abide by it such report shall be referred to the Secretary of State, whose decision as to any suggested amendment in detail of the definition of the boundaries shall be final and shall be communicated to the respective States.

8. The cost of marking out any portions of the boundaries as herein laid down, or of any revision thereof, shall be borne in equal shares by the States concerned.

9. This Award shall take effect six months after its publication in the "Straits Settlements Government Gazette."



Straits Settlements - No 30



10/10
 Salinan digital bernilai

ANNEX MM 88

**Constitution of Johore, 14 April 1895, in J. de V. Allen, A.J. Stockwell and L.R. Wright (eds.), *A Collection of Treaties and Other Documents Affecting the States of Malaysia, 1761-1963*, New York: Oceana, 1981, vol. I, pp. 77, 78, 84, 85, 101
(JOHORE DOCUMENT OF 14 SEPTEMBER 1895)**

First State Constitution^{1*}

(Translation)

Signature ABU BAKAR Johore State Seal

In the name of God, the Compassionate, the Merciful. Praise be to God, the Lord of the universe, and may the benediction and peace of God be upon Our Leader Mohamed and upon all His Relations and Friends.

By the Grace of God Abu Bakar, of the State and territory of Johore and all its Dependencies, Sultan and Sovereign Ruler, Sovereign and Chief of the Most Esteemed Family Order, and Sovereign and Chief of the Most Honourable Order of the Crown of Johore.

Preamble.

Whereas We, by the rights and powers of Our State and our prerogatives as Sovereign Ruler and Possessor of this State of Johore and its Dependencies together with the advice, concurrence and assent of all the Members of Our Council of Ministers, and of Our Council of State and other Chiefs and Elders of the country, have deliberated, considered and declared that it is proper, expedient and suitable at the present time and age that We, in Our name and on Our behalf, and for and on behalf of Our Heirs and Successors, the Sovereign Rulers or Sultans of Johore, should make, create, found and institute, and grant, give, bestow upon and present to and for the use of the Government, subjects and inhabitants of Our Country, a Law and Regulation for the administration and management of the State to be intituled "Undang-undang Tuboh-Krajaan," (the Laws of the Constitution of the State), which, enduring and continuing from generation to generation, shall become and form the Law of Our State, country,

* For footnote see p.101.

and people, and be an inheritance which cannot be altered, varied, changed, annulled, infringed, or in any way or by any act whatsoever repealed or destroyed:

Declaration.

And whereas We, in Our name, and for and on Our own behalf, and for and on behalf of Our Heirs and Successors, the Sovereign, Rulers and Possessors of this State, to wit, the Sultans of Johore, are pleased, willing and desirous to do what is above stated:

Declaration.

And whereas likewise the Chiefs and Elders of Our State, in their names and for and on their own behalf, and for and on behalf of their respective successors, and likewise all the inhabitants of Our Country and the subjects of Our State, and willing, voluntarily desirous, ready, and obediently agreeable to support and join Us in such Our intention and wish, the same being, so to say, the petition, intention and wish of all the said persons.

Declaration.

And whereas because We Ourselves and the said persons are anxiously desirous to commence to institute such "State Constitution" at this favourable time, We do therefore commence the same with the points, arrangements, and terms as stated hereunder, they being the things which We think, consider and regard to be principally and primarily requisite to be the basis, guide, and model for the firm establishment and proper arrangement of the government and administration of Our State.

Royal Command.

Now therefore Know Ye, all the subjects of Our State, of all ranks, nationalities, and religions, and Know Ye also, all who are concerned with Our country, territory, and native soil, that verily, We do make and enact the things stated hereunder as a true, real, firm, fixed and settled law of Our country and State, that is to say, it shall be unlawful, unmanly, rebellious and criminal for any person to refuse to acknowledge and neglect to obey it.

have been arrived at as to whether it is proper to wait longer for the return of the Sovereign, and if so, what length of time it is proper still to wait; or whether it is proper and necessary to take the view that he is actually not desirous to return at all and that such being the case his successor may be appointed and installed.

A new Ruler
being appointed.

XIII. If owing to the non-residence of the Sovereign in the Country and Territory of Johore for a full term of five years, as stated in Section XII, a successor to him shall have been appointed and installed, the former shall be regarded as having withdrawn himself from the State and his rights to and claims on the State, and his circumstances in respect of the State shall be the same as those of an Ex-Sovereign, and as such he shall come under the law which determines and regulates matters relating to an Ex-Sovereign.

It is not
necessary for
the new Ruler
to abdicate in
favour of the
Ex-Ruler.

XIV. If after the new Sovereign has been appointed and installed the Ex-Sovereign should return, that circumstance shall not render it compulsory on the new Sovereign to abdicate the throne and surrender the State rights to him again, if even his return should take place only one day after the appointment and installation of his successor.

The Sovereign
may not cede
the country to
another State.

XV. The Sovereign may not in any manner surrender or make any agreement or plan to surrender the country or any part of the country and State of Johore to any European State or Power, or to any other State or nation, whether because he thinks it a trouble or a burden to him to be Ruler, or because he does not care to rule, or because he desires to obtain, take and accept any payment or pension from another nation or State; and this prohibition and restraint are likewise laid and decreed on all and every one of the heirs and relatives of the Sovereign. And if this prohibition

and restraint be resisted, or an attempt made to resist them, by the Sovereign himself, he shall be treated as guilty of betraying the trust reposed in him by God, in which case the people of the country shall be under no obligation to continue any longer their allegiance to him; and if by a relative of the Sovereign, he shall be considered to have committed high treason against the Sovereign and the State, and shall be liable to any punishment which it may be deemed proper to award.

The Ministers and the Supporters of the Country may not cede the country to another State.

XVI. The Ministers and the Supporters of the Country likewise may not in any manner negotiate or make any agreement with any European or other Power or State with a view of ceding the country and State of Johore. If they should transgress or make any attempt to transgress against this prohibition and restraint, they shall be amenable to the penalty incurred by persons guilty of high treason against the Sovereign and the State, and all such offenders may be punished with a punishment suitable to their crime.

The Sovereign wishing to resign his throne.

XVII. If the Sovereign, at any time during his occupation of the throne, does not any longer wish to be Ruler, and so desires to abdicate and to relinquish his Royal rights and powers, owing to any reason whatsoever, reason which he may or may not be willing to explain, he may give up and cease to be Ruler, with the right to reside wherever he chooses, either in the Territory of Johore or in any country in a state of amity and not at war with the State of Johore.

Mode of procedure in the case of the Sovereign wishing to resign the throne.

XVIII. If at the time the Sovereign wishes to abdicate and withdraw from his Sovereignty, he is in his own country, the Royal command in regard to and the token and evidence of such act shall be made in writing, sealed with the great Seal of State, and signed with the sign manual of

Signatures ENCKU SULEIMAN (Engku and Dato Karabat)
 JAAFAR BIN HAJI MOHAMED (Dato Mentri of Johore)
 HAJI MOHAMED SALLEH (Dato and Hakim)
 SEYYID SALIM BIN AHMAD AL-ATTAS (Dato and Mufti)
 MOHAMED IBRAHIM BIN HAJI ABDULLAH MUNSHI (Dato
 Bintara Dalam)
 MOHAMED SALLEH BIN PRANG (Dato Bintara Luar)
 JAAFAR BIN NONG YAHYA (Dato Penggawa Timor)
 ABDUL SAMAD BIN IBRAHIM (Dato Penggawa Barat)
 MOHAMED YAHYA BIN AWAL-ED-DEEN (Dato)
 HAJI ABDUL RAHMAN (Dato and Kadhi)
 ABDULLAH BIN TAHIR (Dato Sri Stia Raja)
 YAHYA BIN SHAABAN (Dato)
 ANDAK (Dato)
 MOHAMED BIN MAHBOB (Dato)
 ABDU'RAHMAN BIN ANDAK (Dato Sri Amar di-Raja)

FOOTNOTE

1. There are several translations of this Constitution. This one, sent by the CO to J.A. Swettenham in 1900, is the version furnished for the Johore Advisory Board, of which J.A. Swettenham notes that it "appears to differ somewhat from the translation furnished to me from the Malay original" (Singapore National Library: Governor of Straits, Confidential Despatches of 1899, J.A. Swettenham to CO of 14 Dec. 1899 & CO Confidential Despatches to Governor of the SS of 1900, J. Chamberlain to J.A. Swettenham of 2 Mar. 1900). It may be presumed that the British Government regarded this as an "official" translation, since it was a printed copy (or so Swettenham said, although the copy he received was typed); and it appears also to be accepted as the official translation by the Government of Johore, since it forms the basis of the modern translations of the constitution, now highly emended, in the version published (in both Malay, Jawi script, and English) by the Johore Government, Johore Bahru, 1962, and in the version which appears in *Malayan Constitutional Documents*, 2nd. ed., Vol.ii, Kuala Lumpur, 1962.

ANNEX MM 89

**Indenture between Ibrahim, Sultan of Johore, and Sir James
Alexander Swettenham, Officer Administering the Government of
the Colony of the Straits Settlements, 6 October 1900**

THIS INDENTURE made the *sixth* day
of *October* 1900, Between His Highness Ibrahim,
Knight Commander of the Most Distinguished Order of Saint
Michael and Saint George, Sultan of the State and Terri-
tory of Johore of the one part and His Honour Sir James
Alexander Swettenham, Knight Commander of the Most Dis-
tinguished Order of Saint Michael and Saint George, the
Officer Administering the Government of the Colony of the
Straits Settlements for and on behalf of Her Majesty the
Queen of Great Britain and Ireland and Empress of India of
the other part.

WHEREAS in or about the month of February, 1885,
it was agreed by and between His late Highness Abu Bakar,
then Maharajah of Johore, and the Governor of the Straits
Settlements that the said Maharajah should grant to the
Government of the Straits Settlements a plot of ground in
the Island of Pulau Pisang in the Straits of Malacca as a
site for a Lighthouse and a roadway thereto from the beach
and that the said Government should build and effectively
maintain a Lighthouse upon the said Island, such grant as
aforesaid to be void if a lighthouse was not erected

within

within a reasonable time from the date of such grant or if the said Government neglected properly to keep and maintain such lighthouse when it was built.

AND WHEREAS in pursuance of the said Agreement the said Government has built a lighthouse upon the said Island and has properly kept and maintained the said lighthouse since the building thereof but no grant has yet been made to the said Government of the site of the said lighthouse and roadway. AND WHEREAS it is expedient that such a grant should be made subject to the provisos and conditions hereinafter contained. NOW THIS INDENTURE WITNESSETH that in pursuance of the said Agreement and in consideration of the premises the said Ibrahim, Sultan of Johore, doth hereby grant unto Her said Majesty the Queen of Great Britain and Ireland and Empress of India Her Heirs and Successors all that plot of land in the Island of Pulau Pisang in the Straits of Malacca containing one acre one rood and eighteen poles and marked on the ground by boundary stones and shewn on the plan endorsed hereon and also the roadway connecting the said plot of land with the beach upon the West side thereof the said roadway being of uneven width and marked out by boundary stones on the ground and shewn on the plan endorsed hereon

through

through the whole length thereof and containing by ad-
measurement one acre and five poles and also a landing
place contiguous to the beach marked by boundary stones
on the ground and shewn on the plan endorsed hereon con-
taining by admeasurement seventeen poles and also a land-
ing causeway and pier adjacent thereto as shewn on the
plan endorsed hereon the whole of which plot of land road-
way landing place landing causeway and pier and premises
are delineated upon the plan endorsed upon these presents
and therein coloured pink Together with the lighthouse and
outbuildings erected upon the said premises and all and
singular the appurtenances thereof and also full right and
liberty to enter upon all land within a radius of 300 feet
from the centre of the said lighthouse (such land being
delineated with a circle marked in pink upon the plan en-
dorsed hereon) for the purpose of cutting down polling and
trimming all trees and bushes growing within the said
radius so as to prevent such trees and bushes from in any
way obstructing the light of the said lighthouse. To hold
all and singular the said premises hereby granted Unto Her
said Majesty Her Heirs and Successors for ever.

AND the said Sir James Alexander Swettenham doth
hereby for Her said Majesty Her Heirs and Successors

covenant

covenant with His said Highness Ibrahim, Sultan of Johore, that the Governor of the Straits Settlements will at all times hereafter keep and maintain the said lighthouse in good order and condition and properly managed and worked, and will not use the lands hereby granted or suffer them to be used for any purpose whatever except for the purpose of keeping maintaining and working the said lighthouse and for the accommodation of the lighthouse keeper and servants. PROVIDED always and these presents are upon the express condition that if at any time the said Government shall cease to keep and maintain the said lighthouse in good order and condition and properly managed and worked, or if at any time the said Government shall cease to use the lands hereby granted for the purposes therein mentioned or shall use them or suffer them to be used for any other purpose whatever then it shall be lawful for the said Sultan of Johore his heirs and successors to re-enter into the said lands hereby granted or any part thereof in the name of the whole, and to re-possess and enjoy the same as if these presents had not been executed.

IN WITNESS whereof the said parties to these

presents

presents have hereunto set their hands and seals the day

and year first above written.

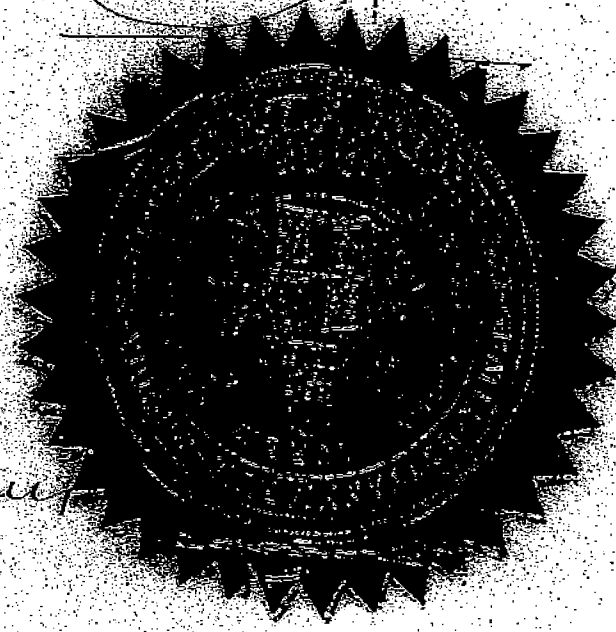
Signed, sealed and delivered

in the presence of



[Handwritten signature]

Signed, sealed and delivered



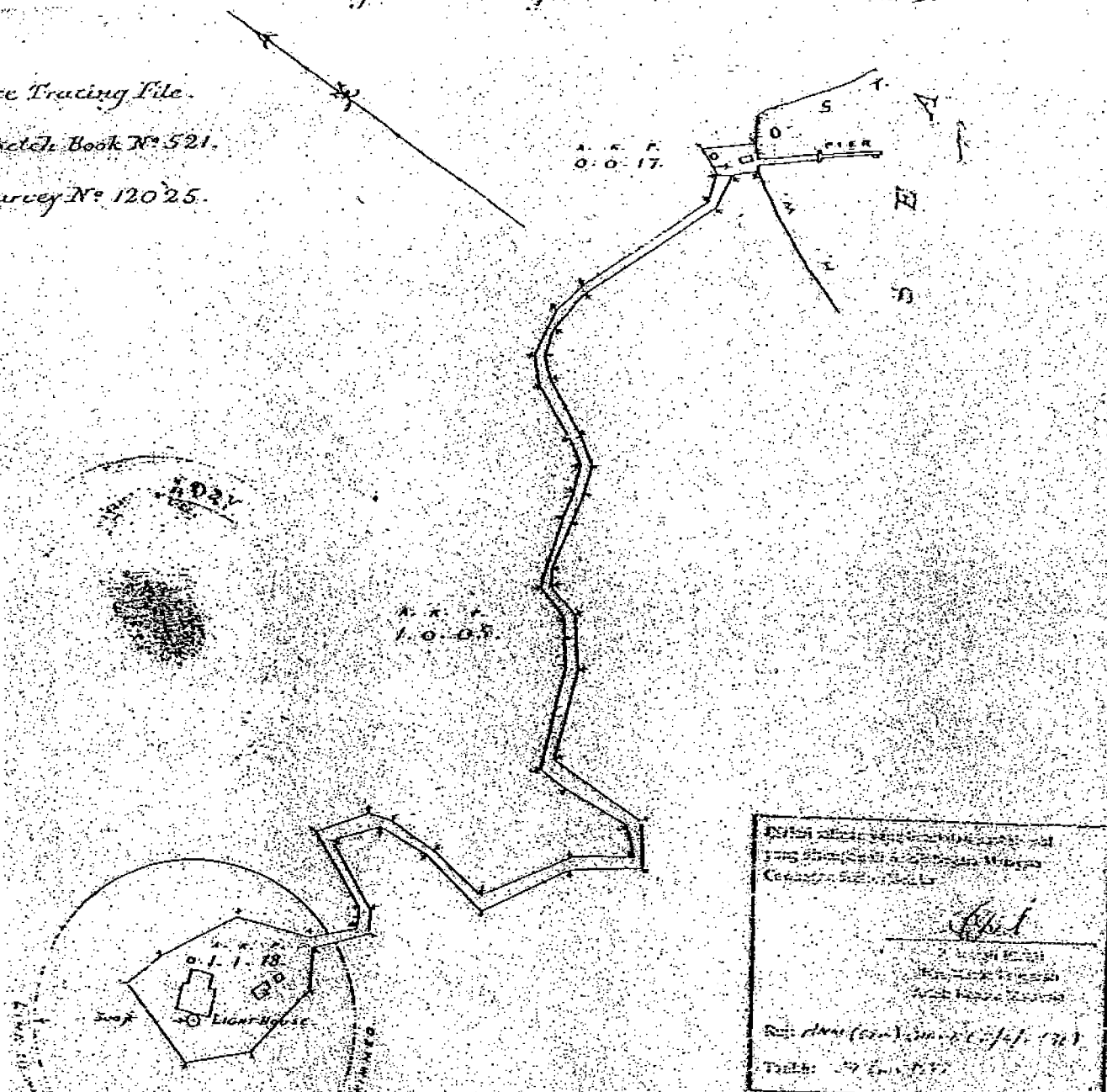
Jalimuchau

This document is a copy of the original document
 and is not to be used for legal purposes.
 Copy made on 10/10/2011
 at the office of the Registrar
 of Companies, Kuala Lumpur.
 This document is a copy of the original document
 and is not to be used for legal purposes.

See Tracing File.

Sketch Book N^o 521.

Survey N^o 12025.



I hereby certify that the above is a true and correct copy of the original plan of the land referred to in this Indenture.
 Surveyor-General
 1900

PULAU PISANG
 Total Area = 2 2 00

Scale of 4 Chains to an Inch
 0 100 200 300 400 500 600 700 800 900 1000 Feet

Surveyed by Chia Ong Tin.

Witnessed by Ho An Siu

Witnessed by R. G. ...

The above is a correct plan of the land referred to in this Indenture.

[Signature]
 Surveyor-General

Survey Office, 1st October 1900.

ANNEX MM 90

The Light-Houses Ordinance No. XVII of 1912 (Singapore)

ORDINANCE NO. XVII OF 1912.

AN Ordinance to repeal in part Indian Act No. XIII of 1854 and make new provision for the maintenance of the Light-houses of the Straits of Malacca.

[23rd December, 1912.]

ARTHUR YOUNG,
Governor and Commander-in-Chief.

WHEREAS with the view of abolishing the tolls leviable under the provisions of Indian Act No. XIII of 1854 upon ships departing from or entering the ports harbours or roadsteads of the Colony an arrangement has been made between the Governments of the Federated Malay States and the Colony whereby the Government of the Federated Malay States has agreed to contribute to the cost of maintaining the Straits lights. And whereas it is expedient to abolish the said tolls. Preamble.

It is hereby enacted by the Governor of the Straits Settlements with the advice and consent of the Legislative Council thereof as follows:—

1. This Ordinance may be cited as "The Light-Houses Ordinance 1912" and shall come into force on the first day of January, 1913. Short title.

2. Indian Act No. XIII of 1854 and "The Light Tolls Act Amendment Ordinance 1910" are hereby repealed save in so far as the provisions of Indian Act No. XIII of 1854 relating to the collection of light dues are made applicable for the collection of light dues under "The Light Dues (Imperial) Ordinance 1882" by section 5 of that Ordinance for which purpose such provisions shall remain in full force and effect. Repeal.

3. The light-house known as the Horsburgh Light-house situate on the Island rock called Pedra Branca at the eastern entrance of the Straits of Singapore and all such other light-houses as are now established in or near to the Straits of Malacca or Singapore together with the appurtenances thereof and all the fixtures apparatus and furniture belonging thereto The Horsburgh Light house and other light-houses to remain vested in the Government.

shall remain the property of and be absolutely vested in the Government.

"The Straits
Lights."

4. The light maintained at the Horsburgh Light-house and all such other lights or beacons as are now or shall hereafter be maintained by the Government in or near to the Straits of Malacca or Singapore shall as heretofore be called "The Straits Lights."

Management,
control and
maintenance
of light-
houses.

5.—(1) The management and control of the Horsburgh Light-house and other light-houses established in or near to the Straits of Malacca or Singapore as aforesaid and of the Straits Lights shall remain vested in and be maintained by the Government.

(2) No tolls shall be paid for any of the Straits Lights in respect of any vessel entering or departing from any port harbour or roadstead of the Colony whether such vessel has passed or would pass any of the said lights or not but all necessary sums of money required to pay the cost of their maintenance shall after taking into account the amount of any contribution paid towards such cost by the Government of the Federated Malay States be provided for out of the revenues of the Colony.

Officer to be
appointed to
collect light
dues under
Ord. VIII of
1882.

6. The Governor may appoint an officer at each of the Settlements to collect the light dues required to be collected in the Colony by the provisions of "The Light Dues (Imperial) Ordinance 1882."

ANNEX MM 91

**The Malayan Union Order in Council, No. 463 of 1946, preamble,
s. 3**



THE MALAYAN UNION
The Malayan Union Order in Council, 1946

AT THE COURT AT BUCKINGHAM PALACE

The 27th day of March, 1946

Present

THE KING'S MOST EXCELLENT MAJESTY
IN COUNCIL

WHEREAS by the Foreign Jurisdiction Act, 1890, it was, amongst other things, enacted that it should be lawful for His Majesty the King to hold, exercise and enjoy any jurisdiction which His Majesty then had or might at any time thereafter have within a foreign country in the same and as ample a manner as if His Majesty had acquired that jurisdiction by the cession or conquest of territory:

AND WHEREAS His Majesty has full power and jurisdiction within the Malay States of Johore, Kedah, Kelantan, Negri Sembilan, Pahang, Perak, Perlis, Selangor and Trengganu (hereinafter referred to together as "the Malay States"):

AND WHEREAS, by the Straits Settlements (Repeal) Act, 1946 (hereinafter called "the Act of 1946") it is, amongst other things, enacted that on such day as His Majesty may by Order in Council appoint (in that Act and in this Order referred to as "the appointed day") the Straits Settlements Act, 1866, shall be repealed and the Straits Settlements, that is to say the settlements and dependencies mentioned in the Schedule to the Act of 1946 (which comprise, among other settlements and dependencies, the Settlement of Malacca and the Settlement of Penang (including province Wellesley) and the dependencies of the said settlements) shall cease to be a single colony and that on and after the appointed day each of the said settlements and dependencies shall be divided into such territories as His Majesty may by Order in Council direct and that those territories shall be governed either singly or in conjunction with such other territories (whether falling within the Schedule to the Act of 1946 or not) as may be specified in such Order and that such Order in Council may contain such other and consequential provisions as are contained in this Order:

AND WHEREAS by the Act of 1946 it is further enacted that the British Settlements Acts, 1887 and 1945, shall apply in relation to each of the territories into which the said Settlements and dependencies are divided by Order under this Act as if it were a British settlement as so defined:

AND WHEREAS by the Straits Settlements (Repeal) Order in Council, 1946, it is provided that the appointed day shall be the first day of April, 1946:

AND WHEREAS it is expedient to make provision for the administration, on and after the appointed day, of the Malay States in conjunction with the Settlement of Malacca and the Settlement of Penang and the dependencies of the said Settlements:

Establishment of Malayan Union.

3. There shall be established a Union comprising the Malay States and the Settlement of Malacca and the Settlement of Penang, to be governed and administered together and to be known as the Malayan Union.

PART II.

THE GOVERNOR AND EXECUTIVE COUNCIL.

Governor.

4. There shall be a Governor and Commander-in-Chief (hereinafter called "the Governor") in and over the Union, and appointments to the said office shall be made by Commission under His Majesty's Sign Manual and Signet.

Powers of Governor.

5. The Governor is hereby empowered and commanded to do all things that belong to his said office in accordance with this Order and such Commission as may be issued to him under His Majesty's Sign Manual and Signet and according to such Instructions as may from time to time be given to him under His Majesty's Sign Manual and Signet, or through a Secretary of State, and such Orders in Council and other laws as may from time to time be in force in the Union.

Publication of Governor's Commission and taking of oaths.

6. Every person appointed to fill the office of Governor shall, before entering on any of the duties of his office, cause the Commission appointing him to be Governor to be read and published at the seat of Government, in the presence of the Chief Justice or, in his absence, of some other Judge of the Supreme Court, and (if section 13 of this Order is in force) of such Members of the Executive Council of the Union as can conveniently attend; and shall take before them the Oath of Allegiance and the Oath for the due execution of the office of Governor in the forms set out in the First Schedule to this Order, which Oaths the Chief Justice or such other Judge as aforesaid shall administer.

Succession to Government.

7.—(1) Whenever the office of Governor becomes vacant, or the Governor is absent from the Union, or the Governor is from any cause prevented from, or incapable of, performing the duties of his office, then such person as His Majesty may appoint under His Sign Manual and Signet or if there is no such person in the Union so appointed and capable of discharging the duties of administration, the senior Member of the Executive Council then in the Union and so capable, shall during His Majesty's pleasure, administer the Government of the Union, first taking, in manner in this Order prescribed, the oaths directed by this Order to be taken by the Governor. Thereupon such person or Member shall, subject, if he is so appointed as aforesaid, to the terms of his appointment, do, during His Majesty's pleasure, all things that belong to the Office of Governor as provided in this Order:

Provided that the Governor or any other person or Member as aforesaid shall not be regarded as absent from the Union or prevented from or incapable of performing the duties of his office for the purposes of this Order during his passage from one part of the Union to another or during a visit to the Colony of Singapore or when there is a subsisting appointment of a Deputy under the next succeeding section of this Order.

(2) Any such person as aforesaid shall not continue to administer the Government after the Governor or some other person having a prior right to administer the same has notified him that he is about to assume or resume the administration.

ANNEX MM 92

**The Singapore Colony Order in Council, 1946 (UK), preamble, ss.
2, 3**



SINGAPORE.

The Singapore Colony Order in Council, 1946.

AT THE COURT AT BUCKINGHAM PALACE

The 27th day of March, 1946

Present

THE KING'S MOST EXCELLENT MAJESTY
IN COUNCIL

WHEREAS by the Straits Settlements (Repeal) Act, 1946 (hereinafter referred to as "the Act of 1946"), it is (among other things) provided—

- (1) that on such day as His Majesty may by Order in Council appoint (in the Act of 1946, and in this Order referred to as "the appointed day") the Straits Settlements Act, 1866, shall be repealed and the Straits Settlements, that is to say the settlements and dependencies mentioned in the Schedule to the Act of 1946 (which include among other settlements and dependencies, the Settlement of Singapore and its dependencies the Cocos or Keeling Islands and Christmas Island) shall cease to be a single Colony;
- (2) that on and after the appointed day the said settlements and dependencies shall be divided into such territories as His Majesty may by Order in Council direct and those territories shall be governed, either singly or in conjunction with such other territories (whether falling within the Schedule to the Act of 1946 or not) as may be specified in the Order and that such Order in Council may contain such consequential and other provisions as are contained in this Order; and
- (3) that the British Settlements Acts, 1887 and 1945, shall apply in relation to each of the territories into which the said settlements and dependencies are divided by Order under this Act as if it were a British settlement as so defined:

AND WHEREAS by the Straits Settlements (Repeal) Order in Council, 1946, it is provided that the appointed day shall be the first day of April, 1946.

NOW, THEREFORE, His Majesty, by virtue and in exercise of the powers in that behalf by the Act of 1946 and by the British Settlements Acts, 1887 and 1945, or otherwise in His Majesty vested, is pleased, by and with the advice of His Privy Council, to order, and it is hereby ordered, as follows:—

PART I.

PRELIMINARY.

1.—(1) This Order may be cited as the Singapore Colony Order in Council, 1946, and shall come into operation on the appointed day.

(2) Section 13 and Parts IV and V of this Order shall not come into operation on the appointed day, but shall come into operation on such day or days respectively within six months from the appointed day as may be fixed by the Governor by Proclamation in the Gazette; and the Governor may fix different days for different purposes and different provisions of that section and those Parts:

Short title
and Com-
mencement.

Provided also that the said period of six months may be extended by the Governor, by Proclamation in the Gazette, for such further period as may be approved by a Secretary of State.

Inter-
pretation.

2.—(1) In this Order, unless the context otherwise requires—

“ the Chief Justice ” means the Chief Justice of the Colony;

“ the Colony ” means the Colony of Singapore as constituted by this Order;

“ the existing laws ” means the common law the doctrines of equity and all Acts of Parliament, Orders in Council, Ordinances of the Legislature of the Colony of the Straits Settlements, Proclamations issued by the Governor of the Straits Settlements, or by or under the authority of, the Supreme Allied Commander South East Asia (other than the Proclamations establishing the British Military Administration and delegating powers thereunder), and all Rules, Regulations and By-laws made thereunder and all other enactments or instruments having the force of law in the territory comprising the Colony or in any part thereof immediately prior to the appointed day, whether the same were administered by the British Military Administration or not;

“ the Gazette ” means the Official Gazette of the Colony;

“ the Governor ” means the Governor and Commander-in-Chief for the time being of the Colony and includes any officer for the time being administering the government thereof and, to the extent that a Deputy to the Governor is authorised to act, that Deputy;

“ the Governor in Council ” means the Governor acting after consultation with, but not necessarily in accordance with the advice of the Executive Council of the Colony; nor necessarily in such Council assembled; and, until section 13 of this Order is in operation, means the Governor;

“ Malayan Union Citizen ” means a citizen of the Malayan Union within the meaning of any Order in Council which may provide for Malayan Union citizenship.

“ prescribed ” means prescribed by any law made under this Order or by regulation made by the Governor under section 50;

“ property ” includes all property movable or immovable, and all estates, interests, easements and rights whether equitable, or legal, in, to or out of property, and things in action and rights to revenue, taxes, duties and other dues; and “ vested ” in relation to property includes rights to property which are contingent and rights in remainder or reversion;

“ the Public Seal ” means the public seal of the Colony and includes the official stamp mentioned in section 9 of this Order;

“ session ” means the sittings of the Legislative Council commencing when the Council first meets after being constituted under this Order, or after its prorogation or dissolution at any time, and terminating when the Council is prorogued or is dissolved without having been prorogued;

“ the Settlement of Singapore ” means the Island of Singapore and its dependencies, Christmas Island, the Cocos or Keeling Islands, and all islands and places which, on the fifteenth day of February, 1942, were known and administered as part of such Settlement, and the territorial waters adjacent thereto;

" sitting " means any sitting or sittings of the Legislative Council commencing when the Council first meets after being summoned at any time and terminating when the Council is adjourned *sine die* or at the conclusion of a session without adjournment; and " the Supreme Court " means the Supreme Court of the Colony.

(2) For the purposes of this Order, where reference is made to any public officer by the term designating his office, such reference means the officer for the time being discharging the functions of that office.

(3) For the purposes of this Order a person shall not be deemed to hold an office of emolument under the Crown in the Colony by reason only that he is in receipt of a pension or other like allowance in respect of service under the Crown.

If it shall be declared by any law for the time being in force in the Colony that an office shall not be an office of emolument under the Crown in the Colony for all or any of the purposes of this Order, this Order shall have effect accordingly as if such law were enacted herein.

(4) The Interpretation Act, 1889, shall apply for the interpretation of this Order as it applies for the interpretation of an Act of Parliament.

3. The Island of Singapore and its dependencies, the Cocos or Keeling Islands and Christmas Island shall be governed and administered as a separate Colony and shall be called the Colony of Singapore.

Singapore to be a separate Colony.

PART II.

THE GOVERNOR AND EXECUTIVE COUNCIL.

4. There shall be a Governor and Commander-in-Chief (hereinafter called " the Governor ") in and over the Colony, and appointments to the said office shall be made by Commission under His Majesty's Sign Manual and Signet.

Governor.

5. The Governor is hereby empowered and commanded to do all things that belong to his said office in accordance with this Order and such Commission as may be issued to him under His Majesty's Sign Manual and Signet and according to such Instructions as may from time to time be given to him under His Majesty's Sign Manual and Signet, or through a Secretary of State, and such Orders in Council and other laws as may from time to time be in force in the Colony.

Powers of Governor.

6. Every person appointed to fill the office of Governor shall, before entering on any of the duties of his office, cause the Commission appointing him to be Governor to be read and published at the seat of Government, in the presence of the Chief Justice or, in his absence, of some other Judge of the Supreme Court, and, if section 13 of this Order is in force, of such members of the Executive Council of the Colony as can conveniently attend; and shall take before them the Oath of Allegiance and the Oath for the due execution of the office of Governor in the forms set out in the First Schedule to this Order, which Oaths the Chief Justice or other Judge as aforesaid shall administer.

Publication of Governor's Commission and taking of oaths.

7.—(1) Whenever the office of Governor is vacant or the Governor is absent from the Colony or the Governor is from any cause prevented from, or incapable of, performing the duties of his office, then such person as His Majesty may appoint under His Sign Manual and Signet or if there is no such person in the Colony so appointed and capable of discharging the duties of administration, the Senior Member of the

Succession to Government.

ANNEX MM 93

**Transfer of Powers and Interpretation Ordinance, 1946 (Malayan
Union)**

See also G.N. 932 of 4-7-46 G.Ns. 2330 + 2331 of 26-9-46 G.Ns. 3069, 3070 + 3071 of 7-11-46
G.N. 1075 of 18-7-46 G.N. 2292A of 8-10-46 G.N. 2448 of 2-11-46
G.N. 1263 of 1-8-46 G.N. 2562 of 10-10-46 G.N. 710 of 1-30-47
G.N. 1670 of 15-8-46 G.N. 2569 of 10-10-46 etc., etc., etc.
G.N. 1703 of 24-8-46 G.N. 2784 of 24-10-46



MALAYAN UNION.

No. 2 of 1946. (See also MU Ordinance No. 49 of 1947.)

An Ordinance to provide for the interpretation of (See also BPA Proclamations and Ordinances, to transfer and Proclamation continue the powers of certain authorities and to amend certain titles.

G. E. J. GENT,]
Governor.

[1st April, 1946.



IT IS HEREBY ENACTED by the Governor of the Malayan Union in accordance with the provisions of section 85 of the Malayan Union Order in Council, 1946, as follows:

(Repealed by F.M. Ordinance No. 1 of 1948)

PART I.

PRELIMINARY.

1. This Ordinance may be cited as the Transfer of Powers and Interpretation Ordinance, 1946, and shall come into operation on the first day of April, 1946. Short title and commencement.

2. In this Ordinance and in every Proclamation as hereinafter defined and any order, rule or regulation made under such Proclamation, unless there is something repugnant in the subject or context or unless it is otherwise expressly provided— Interpretation of this Ordinance and Proclamations.

“Chief Civil Affairs Officer” means the principal staff officer in charge of the Civil Affairs Service during the proclamation period;

“Chief Legal Officer” means the Chief Legal Officer, Malaya, on the staff of the General Officer Commanding Military Forces, Malaya, during the proclamation period;

“Civil Affairs Service” means that part of His Majesty’s Forces which, under the authority of the Supreme Allied Commander, conducted the military administration of the civil population of Malaya;

“Controller of Finance and Accounts” means the Controller of Finance and Accounts, Malaya, on the staff of the General Officer Commanding Military Forces, Malaya, during the proclamation period;

“Deputy Chief Civil Affairs Officer” means the officer of the Civil Affairs Service appointed to be in charge of the military administration of the civil population of the Malay Peninsula during the proclamation period;

“Deputy Controller of Finance and Accounts” means the officer of the Civil Affairs Service appointed Deputy Controller of Finance and Accounts, Malay Peninsula, during the proclamation period;

“District” means any one of the districts into which the Malay Peninsula was from time to time divided for the purposes of the British Military Administration, Malaya, during the proclamation period;

“District Civil Affairs Officer” means an officer of the Civil Affairs Service carrying out duties in the Department of Military Government of the British Military Administration, Malaya, in any district during the proclamation period;

“Gazette” means any *Gazette* published by or under the authority of the Government of the Malayan Union;

“Legal Officer” means the officer of the Civil Affairs Service appointed Legal Officer, Malay Peninsula, during the proclamation period;

“Malay Peninsula” means Malaya excluding the Settlement of Singapore;

“Malaya” means—

- (a) the Settlement of Singapore, the Settlement of Penang and the Settlement of Malacca, all as hereinafter defined; and
- (b) the Malay States of Perak, Selangor, Negri Sembilan, Pahang, Johore, Kedah, Kelantan, Trengganu and Perlis; all islands forming part of such States and the territorial waters thereof;

"officer" means any commissioned officer of His Majesty's Forces and any civilian appointed to any post or appointment under the British Military Administration tenable by a commissioned officer during the proclamation period;

"The Order in Council" means the Malayan Union Order in Council, 1946;

"Proclamation" means any Proclamation made by or under the authority of the Supreme Allied Commander which relates to Malaya or to the Malay Peninsula;

"proclamation period" means the period or any part thereof between the date upon which the Military Administration Proclamation came into force in the Malay Peninsula or any part thereof and the commencement of this Ordinance;

"Region" means any one of the regions into which the Malay Peninsula was from time to time divided for the purposes of the British Military Administration, Malaya, during the proclamation period;

"Senior Civil Affairs Officer" means an officer of the Civil Affairs Service appointed to be in charge of a Region during the proclamation period;

"Settlement of Malacca" includes the Town and Fort and Province of Malacca, all islands and places heretofore administered as part of the Settlement of Malacca and all British waters adjacent thereto;

"Settlement of Penang" includes Georgetown, the island of Penang, Province Wellesley and all islands and places heretofore administered as part of the Settlement of Penang and all British waters adjacent thereto;

"Settlement of Singapore" includes the town and island of Singapore, all other islands heretofore administered as part of the Settlement of Singapore and all British waters adjacent thereto, but does not include the Cocos Islands and North Keeling Island;

"Supreme Allied Commander" means any officer who was the Supreme Allied Commander, South East Asia, during the period between the 15th day of August, 1945, and the commencement of this Ordinance;

"written law"—

(a) in relation to the Federated Malay States or any Malay State includes all Enactments and all orders, proclamations, rules, by-laws and regulations (including Emergency Regulations) made under such Enactments by any body or person having authority under any statutory or other enactment to make the same for the Federated Malay States or any Malay State as the case may be; and

(b) in relation to the Settlement of Penang or the Settlement of Malacca includes all Ordinances of the Colony of the Straits Settlements and all orders, proclamations and letters patent and all rules, by-laws and regulations (including Defence Regulations) made under such Ordinances or under any Order in Council by any body or person having authority under any statutory or other enactment or Order in Council to make the same for the said Colony;

references to the British Military Administration shall be construed as references to the Government of the Malayan Union;

^{MU}
See Ordinance
No. 49 of 1947 } references to Malaya shall be construed as
references to the Malayan Union;

references to a Region shall be construed as references to the State or States, or Settlement or Settlements or any part thereof comprised in such Region;

references to a Senior Civil Affairs Officer or the Senior Civil Affairs Officer of or in charge of a Region shall be construed as references to the Resident Commissioner or Resident Commissioners in administrative charge of the State or States or Settlement or Settlements or any part thereof comprised in such Region;

references to the Civil Affairs Police Force or to any Officer or member thereof shall be construed as references to the Malayan Union Police Force or to an Officer or member thereof as the case may be;

references to a Staff Officer, Medical Officer or Officer of the British Military Administration or of the Civil Affairs Service shall be construed as references to the corresponding Officer of the Government of the Malayan Union.

PART II.

PROCLAMATIONS.

3. (1) The Proclamations set out in the Third Schedule hereto are hereby cancelled to the extent specified in the third column thereof.

✓
Cancellation and amendment of certain Proclamations.

(2) The Proclamations set out in the Fourth Schedule hereto are hereby amended to the extent and in the manner specified in the third column thereof.

✓

4. All rules, regulations, orders, notices, appointments, forms and licences made or issued under any of the provisions of Proclamations which are cancelled by this Ordinance are hereby revoked and cancelled.

Cancellation of certain rules, etc.

5. Notwithstanding the provisions of sub-section (1) of section 3 the jurisdiction of Military Courts to continue and conclude proceedings which have been commenced and are pending before them at the commencement of this Ordinance in accordance with the provisions of section 91 of the Malayan Union Order in Council, 1946 shall be exercised in conformity with the law (including the provisions of any Proclamation) in force at the place where and the time when the offence was committed and in accordance, as nearly as may be, with the procedure in force in such Military Courts immediately prior to the commencement of this Ordinance.

Military Courts.

6. (1) The duties, rights and powers which by any Proclamation were or are vested in or conferred upon any Authority mentioned in the first column of the First Schedule hereto shall be deemed to be vested in or conferred upon the corresponding officer or officers

Transfer of duties, rights and powers under Proclamations.

(See GN 288)

GN 2115

GN 2116/47

etc., etc., etc.

respectively mentioned in the second column of the said Schedule, subject however to any restrictions or modifications mentioned in the third column of the said Schedule.

(2) In this section "Authority" means any person or body of persons appointed or authorised under any Proclamation or any rule, regulation or order made under any Proclamation to exercise authority or powers or to perform duties thereunder.

Malayan
Union
Police
Force.
Proclama-
tion No. 16.

7. The Malay Peninsula Unit of the Civil Affairs (Malaya) Police Force established under the provisions of section 3 of the Civil Affairs (Malaya) Police Force Proclamation shall, upon the termination of the British Military Administration in the Malay Peninsula Division, continue in being as a separate Police Force, shall be known as the Malayan Union Police Force, and shall be subject to all the provisions of the Civil Affairs (Malaya) Police Force Proclamation relating to the said Malay Peninsula Unit.

Application
of the Inter-
pretation
and General
Clauses
Enactment
to Procla-
mations.

8. Subject to the provisions of section 15, the Interpretation and General Clauses Enactment of the Federated Malay States shall apply to Proclamations and to any orders, rules or regulations made thereunder and to the interpretation thereof as it applies to the interpretation of any written law of the Federated Malay States, and for the purposes of the said Enactment Proclamations shall be deemed to be enactments.

English
text to
prevail.

9. In case of any conflict or discrepancy between the English text of a Proclamation or of any rule, order or regulation made under a Proclamation and any translation thereof, the English text shall prevail.

Proclama-
tions to
prevail over
written law.

10. Where there is any conflict or inconsistency between the provisions of any written law—

- (a) of any Malay State or of the Federated Malay States, or
- (b) as regards the Settlements of Penang and Malacca, of the Straits Settlements,

and the provision of any Proclamation or of any rule, order or regulation made under a Proclamation, the provisions of the latter shall prevail.

* Repealed (See MU Ordinance No. 7 of 1948)

PART III.

WRITTEN LAW.

11. Where in any written law any reference is made to the Governor in Council such reference shall be construed as a reference to the Governor in Council as defined in Part IV: Meaning of Governor and Governor in Council.

Provided that any rights, duties and powers conferred by any such written law upon the Governor in Council may, until the constitution of an Executive Council for the Malayan Union, be exercised by the Governor.

12. Where in any written law the title or name of office mentioned in the first column of the Second Schedule hereto is used, there shall be substituted for such title or name of office the title or name of office mentioned opposite it in the second column of the said Schedule. Amendment of titles.

PART IV.

ORDINANCES.

13. In this Part and in every Ordinance and Enactment as hereinafter defined and in all orders, proclamations, rules, by-laws and regulations made under any such Ordinance and Enactment unless there is something repugnant in the subject or context— Definitions.

“Enactment” means any law enacted under the provisions of the Order in Council other than an Ordinance;

“Governor” means the Governor of the Malayan Union and includes the officer for the time being administering the Government of the Malayan Union, and also includes the Governor's Deputy exercising any function which the Governor has appointed him to exercise under section 8 of the Order in Council;

“Governor in Council” means the Governor in Executive Council;

“The Government” means the Government of the Malayan Union;

"Officer Administering the Government" means the officer who succeeds to or is appointed to the administration of the Government of the Malayan Union in accordance with section 7 of the Order in Council;

"Ordinance" means an Ordinance made under the Order in Council by the Governor or by the Governor with the advice and consent of the Legislative Council of the Malayan Union;

"Malayan Union" means the Malayan Union constituted under the Order of His Majesty in Council;

the following expressions shall have the meaning assigned to them by the Interpretation Ordinance of the Straits Settlements—

Consul, Consular Officer, His Majesty, Her Majesty, Secretary of State, British India, British Possession, India, abet, animal, Chapter, Part, Section, Schedule, commencement, immoveable property, Master, month, moveable property, person, prescribed, registered, regulations, ship, sign, value, will.

Application
of the Inter-
pretation
Ordinance of
the Straits
Settlements.

14. Parts II, III, IV, V, VI and VII of the Interpretation Ordinance of the Straits Settlements shall apply to Ordinances of the Malayan Union and to the interpretation thereof with the following modifications—

- x-
- (a) Section 6 of the said Ordinance shall be construed as though the first nine words thereof were deleted;
 - (b) references in the said Ordinance to "this Colony" or "the Colony" shall be construed as references to the Malayan Union; and
 - (c) references to the Colonial Secretary shall be construed as references to the Chief Secretary.

PART V.

GENERAL.

Meaning of
"export"
and
"import".

15. Notwithstanding anything contained in the Interpretation Ordinance of the Straits Settlements or in the Interpretation and General Clauses Enactment of

* Repealed (See M.O. Ordinance No. 7 of 1948)

the Federated Malay States or in any similar Enactment of any Malay State in all written laws and Proclamations having effect in the Malay Peninsula unless the context otherwise requires.

“export” with its grammatical variations and cognate expressions shall mean to take or cause to be taken out of the Malay Peninsula by land, sea or air;

“import” with its grammatical variations and cognate expressions shall mean to bring or cause to be brought into the Malay Peninsula by land, sea or air.

16. The Governor may by writing under his hand delegate any of the rights, powers and functions vested in or conferred upon him by virtue of the provisions of this Ordinance to such person or persons as he may in his discretion think fit: Delegation by Governor.

Provided that the Governor may exercise any rights, powers and functions vested in or conferred upon him by this Ordinance notwithstanding the delegation by him of such rights, powers or functions.

17. (1) Where no express provision is made by this Ordinance in that behalf any officer of His Majesty's Colonial Service or any commissioned officer in His Majesty's Forces who is for the time being required by or under the authority of the Secretary of State for the Colonies or by or under the authority of the Governor to perform any functions previously performed by an Authority under any written law or Proclamation, shall be deemed to have and may exercise any rights and powers conferred by that written law or Proclamation upon such Authority which may be necessary to enable such officer to perform such functions. General transfer of powers.

(2) In this section “Authority” means any person or body of persons appointed or authorised under any written law or Proclamation to exercise authority or powers or perform duties thereunder.

18. The Governor may by notification in the *Gazette* from time to time add to or amend the provisions of the Schedules hereto or any of them. Variation of Schedules.
(Several GNs)

19. The Interpretation Proclamation is hereby cancelled. Cancellation.
(BMA Procl.
No. 11/1-11-45)

FIRST SCHEDULE

(Section 6.)

Authorities.	Officers empowered.	Restrictions.
General Officer Commanding Military Forces, Malaya	Governor, Governor in Council	
Chief Civil Affairs Officer	Governor, Governor in Council	
Deputy Chief Civil Affairs Officer	Chief Secretary	
Senior Civil Affairs Officer	Resident Commissioner	
Controller of Finance and Accounts	Financial Secretary	
<i>n. G.N. 932 of 4-7-46</i> Controller of Finance	<i>Proclamation, Director of Co-operation, Malay Union and</i> Attorney-General and Public Prosecutor	<i>except the duties right Co-operative from Proclamation. - v.G.</i>
Chief Legal Officer	Attorney-General, Public Prosecutor	
Legal Officer	Attorney-General, Public Prosecutor, Solicitor-General	
President of Superior Court	Judge of Supreme Court	
Presiding Officer of District Court	District Judge (Criminal)	
Deputy Legal Officer	Crown Counsel, <i>Deputy Public Prosecutor</i>	<i>n. G.N. 1263 of 4-8-46</i>
Food Controller	Food Controller	
Price Controller	Price Controller	
<i>n. G.N. 2794 of 24-10-46</i> Custodian of Property	Custodian of Enemy Property	
Commissioner for Road Transport	Commissioner for Road Transport	
District Controller of Road Transport	Registrar of Vehicles	
Assistant Registrars of Co-operative Societies	Registrars of Co-operative Societies	
Officer Commanding the Malay Peninsula Unit Civil Affairs (Malaya) Police Force	Commissioner of Police	
Special Magistrate	<i>Chief Police Officer</i> District Judge (Criminal), Magistrate	<i>So far as concerns Proclamation No. 50. (GN 5633) 47</i>
District Controller of Road Transport	Registrar and Inspector of Motor Vehicles	
Registrar of Motor Vehicles		
<i>Add as in GN 2390 of 16-9-46</i> Senior Civil Affairs Officer-in-Charge, Railway.	<i>General Manager, Malayan Railway - etc.</i>	<i>Limited to the Malay State etc.</i>

SECOND SCHEDULE.

(Section 12.)

Authorities.	Officers empowered.
Federal Secretary	Chief Secretary
Resident	Resident Commissioner
Resident Councillor, Penang	Resident Commissioner, Penang
Treasurer, Straits Settlements	Financial Secretary
Resident Councillor, Malacca	Resident Commissioner, Malacca
Chief Justice, Straits Settlements	Chief Justice
Attorney-General, Straits Settlements	Attorney-General
Surveyor-General of Ships, Straits Settlements	Surveyor-General of Ships
Director of Medical and Health Services, Straits Settlements	Director of Medical and Health Services
Inspector-General of Police	Commissioner of Police, Malayan Union
Director-General of Posts and Telegraphs, Malaya	Controller of Posts and Telegraphs, Director of Telecommunications
Inspector of Prisons, Straits Settlements and Federated Malay States	<i>Commissioner of Prisons, Malayan Union</i> Inspector of Prisons (v. GN 710 of 30-1-47)
Director of Public Works, Straits Settlements	Director of Public Works
Legal Adviser and Public Prosecutor, Federated Malay States	Attorney-General ^{and Public Prosecutor,} Solicitor-General (v. GN 263 of 1/3)
Financial Adviser and Treasurer, Federated Malay States	Financial Secretary
Director of Agriculture, Federated Malay States	Director of Agriculture
Auditor, Federated Malay States and Straits Settlements	Auditor

SECOND SCHEDULE—(cont.).

(Section 12)—(cont.).

Authorities.	Officers empowered.
Director of Forestry, Federated Malay States	Director of Forestry
Commissioner (Police), Federated Malay States	Commissioner of Police
Director of Posts, Federated Malay States	Director of Posts
Surveyor-General, Federated Malay States and Straits Settlements	Surveyor-General
British Adviser	Resident Commissioner
Deputy Commissioner and Legal Adviser	Crown Counsel, Deputy Public Prosecutor
Harbour Master, Selangor	Marine Superintendent, Assistant Marine Superintendent
Under Secretary	Deputy Chief Secretary v.G.N.
v.G.N. 2330 of 26-9-46 } General Manager, Federated Malay States Railway.	General Manager, Malayan Railway. cf. v.G.N. 2104 of 27-2-47.
v.G.N. 2784 of 24-10-46 } Custodian of Property	Custodian of Enemy Property
v.G.N. 3070 of 7-11-46 } Com ^r . of Police, Johore. etc.	C.P.O., Johore. etc.
v.G.N. 3071 of 7-11-46 } Protector of Chinese	Secretary for Chinese Affairs.
} Dy. Commissioner of Police, Johore	Assistant Superintendent of Police
v.G.N. 4928 of 22-7-47 } Assistant Commissioner of Police, Johore	Assistant Superintendent of Police

THIRD SCHEDULE.

[Section 3 (1).]

Number of Proclamation.	Short title.	Extent of repeal.
3	Military Courts Proclamation	The whole ✓
4	Currency Proclamation	Sections 3, 4, 5, 6 and 7. ✓
7	Requisitioning Proclamation	The whole ✓
8	Looting Proclamation	The whole ✓
18	Gazette Proclamation	The whole ✓
21	Special Courts Proclamation	The whole ✓
37	Stamps Proclamation	Section 2, sub-sections (2) and (3), of section 3 and section 4 ✓
43	Powers of Attorney Proclamation	The whole ✓
45	Rubber Research Institute of Malaya Proclamation	The whole ✓
47	Chief Civil Affairs Officers (Vesting of Powers) Proclamation	The whole ✓
74	Plumbers Loans Board Proclamation	The whole ✓

(Add as in G.N. 2331 of 26-9-46).

(Add as in G.N. 2392A of 8-10-46).

FOURTH SCHEDULE.

[Section 3 (1).]

Number of Proclamation.	Short Title.	Extent of Amendment.
5	The Moratorium Proclamation.	<p>(1) The definition of "Local Authority" in section 2 is amended—</p> <p>(a) by inserting after the word "includes" the words "any State Council, or Settlement Council constituted in the Malayan Union," and</p> <p>(b) by deleting the words "the Municipal Commissioners of the Town of Singapore," and the words "the Singapore Improvement Trust, the Singapore Harbour Board".</p> <p>(2) Paragraph (a) of sub-section (2) of section 3 is amended by the addition thereto immediately after the words "Local Authority" of the words "or in relation to the winding-up of the affairs of the British Military Administration".</p> <p>(3) Section 8 is amended by substituting for the words "as regards any part of Malaya, the Deputy Chief Civil Affairs Officer, Malay Peninsula, as regards any part of the Malay Peninsula, or the Deputy Chief Civil Affairs Officer, Singapore, as regards any part of the Settlement of Singapore, or any Officer empowered by any of them" the words "or any officer empowered by him".</p> <p>(4) Section 11 is amended by deleting the words "by a Military Court".</p>

(See G.N. 2140/31.3.47) (5) A new Part,

FOURTH SCHEDULE—(cont.).

[Section 3 (1)]—(cont.).

Number of Proclamation.	Short Title.	Extent of Amendment.
6 ✓	The Supply of Food-	(1) Section 4 is amended by substi-
14	The Custodian of Property Proclamation	In the definition of "enemy Territory" in section 2 the word "shall" is substituted for the word "should". Section 15 is amended as follows: State". (v. GN 1703 of 24-8-46)
10 ✓	Food Control Proclamation	(v. GN 2569 of 10-10-46) Add as in GN 2161/47 → Section 10 is amended Court. Section 13 is amended H. Union. The expression "C.E.P." appears. (1) For section 9 (v. GN 1687/47)

Number of Proclamation.	Short Title.	Extent of Amendment.
16 ✓	Civil Affairs (Malaya) Police Force Proclamation	The following new section by the Enactment. (v. GN 1670 of 4-5-46) (v. GN 3069 of 7-11-46) → 1. By adding thereto a new section 8 as follows: Section 8 case may be. Section 5 is amended which appear therein. (See F.M.G.N. 31 of 19-2-48)

of the Civil Affairs (Malaya) Police Force, in uniform, not below the rank of Lieutenant' the words "Any police officer of or above the rank of Inspector, in uniform".

42	Motor Vehicles (Driving Offences) Proclamation	Paragraph (a) of section 7 to the Government (GN 7779/47) Section 2 is amended This Proclamation (GN [EM] 111)
49 ✓	The Opium and Charities Proclamation	1. Section 3 is deleted and the following section substituted therefor: "3. (1) and druggist;" (GN 6055/47)

GN 169 of 10-10-46
GN 1703 of 24-8-46

FOURTH SCHEDULE—(cont.).

[Section 3 (1)—(cont.).

Number of Proclamation:	Short Title.	Extent of Amendment.
50	Public Order and Safety Proclamation	<p>For sub-section (1) of section 5 a new sub-section shall be substituted as follows:</p> <p>(1) Any person who acquires by gift, purchase or exchange, or wrongfully receives or has in his possession or keeping any article of Military equipment, clothing, rations or stores, or any other property belonging to or of a type or pattern issued to the Forces shall on conviction be punishable with rigorous imprisonment for a term not exceeding two years or with fine or with both such imprisonment and fine.</p>
53	The Venereal Diseases Proclamation	<p>Section 3 is amended by substituting the word "area" for the words "region, areas thereof or places therein".</p> <p>Section 5 is amended by substituting the word "area" for the words "region, area or place, as the case may be".</p> <p>Section 8 is amended by substituting the word "area" for the words "region, area or place".</p>
66	Stamp Duties Proclamation	<p>The following new item paid or contributed. (Add as in GN 3441 of 2.4)</p>

1946.

KUALA LUMPUR:
 PRINTED AT THE MALAYAN UNION GOVERNMENT PRESS BY H. HOLLAND,
 GOVERNMENT PRINTER.

ANNEX MM 94

**Transfer of Powers and Interpretation Amendment Ordinance No.
11, 1948 (Federation of Malaya)**

No. 11 of 1948

TRANSFER OF POWERS AND INTERPRETATION (AMENDMENT).

No. 11 of 1948.

Ordinances
Nos. 2 of 1946,
11 of 1948,
23 of 1948. **TRANSFER OF POWERS AND INTERPRETATION
(AMENDMENT).**

An Ordinance to amend the Transfer of Powers and Interpretation Ordinance, 1946 (*No. 2 of 1946*).

Date of commencement.

[*Section 4 (a)*—20th September, 1948;
Remainder—25th March, 1948].

Short title.

1.—(1) This Ordinance may be cited as the Transfer of Powers and Interpretation (Amendment) Ordinance, 1948, and shall be construed as one with the Transfer of Powers and Interpretation Ordinance, 1946, hereinafter referred to as the Principal Ordinance.

(2) The provisions of sections 2 and 3 of this Ordinance shall have effect and shall be deemed at all times to have had effect on and from the 1st day of April, 1946.

Amendment of section 2.

2. Section 2 of the Principal Ordinance is hereby amended by deleting therefrom the sentence—

“references to Malaya shall be construed as references to the Colony of Singapore;”.

Amendment of section 10.

3. Section 10 of the Principal Ordinance is hereby amended by re-numbering the said section as “10.—(1)” and adding thereto the following new sub-section—

“(2) Where in any written law any reference is made to the Legislative Council any rights, duties and powers conferred by any such written law on the Legislative Council, shall, until the Legislative Council for the Colony of Singapore is constituted, be exercised by the Advisory Council.”.

Amendment of section 12.

4. Section 12 of the Principal Ordinance is hereby amended—

(a) by deleting from paragraph (a) thereof the definition of “Colony” and substituting therefor the following definition—

“ “Colony” includes the Island of Singapore and its dependencies, the Cocos

TRANSFER OF POWERS AND INTERPRETATION (AMENDMENT).

or Keeling Islands, Christmas Island, and all British and territorial waters adjacent thereto.”;

[*Ordinance No. 23 of 1948.*]

and

(b) by deleting therefrom paragraphs (b) and (c) and substituting therefor the following new paragraphs—

“(b) the following definitions shall be inserted—

“Federation of Malaya” means the Federation of Malaya established under the provisions of the Federation of Malaya Order in Council, 1948, and of the Federation of Malaya Agreement entered into between His Majesty and the Rulers of the Malay States on the 21st day of January, 1948;

“Malay States” means the States of Johore, Pahang, Negri Sembilan, Selangor, Perak, Kedah, Perlis, Kelantan and Trengganu and all dependencies, islands and places which, on the 1st day of December, 1941, were administered as part thereof, and the territorial waters adjacent thereto;

“Malayan Union” means the Malayan Union constituted under the Malayan Union Order in Council, 1946;

(c) for the definition of Malay State there shall be substituted the following definition—

“Malay State” means such one of the Malay States as the circumstances may require and includes all dependencies, islands and places which, on the 1st day of December, 1941, were administered as part thereof, and the territorial waters adjacent thereto;

(d) references to the Colony of the Straits Settlements or the Settlement of Singapore shall be construed as references to the Colony;

No. 11 of 1948

TRANSFER OF POWERS AND INTERPRETATION (AMENDMENT).

references to the Federated Malay States shall be construed as references to the States of Negri Sembilan, Pahang, Perak and Selangor;

references to the Governor of the Malayan Union shall from and after the 1st day of February, 1948, be construed as references to the High Commissioner of the Federation of Malaya;

references to the Malayan Union shall from and after the 1st day of February, 1948, be construed as references to the Federation of Malaya or the territories comprised therein, as the case may require;

references to the Chief Justice or to any court, judge or magistrate of the Malayan Union or of the Federated Malay States or of any of the Malay States shall from and after the 1st day of February, 1948, be construed as references to the Chief Justice or to the corresponding court, judge or magistrate of the Federation of Malaya or of a Malay State as the case may require;

references to any officer of, or authority or body constituted in or for, the Federated Malay States, any Malay State or the Malayan Union shall as and from the 1st day of February, 1948, be construed as references to the corresponding officer of, or authority or body constituted in or for, the Federation of Malaya or any Malay State as the case may require."

ANNEX MM 95

The Curfew (Johore Straits) (Singapore) Order, 1948

No. S 204—THE ESSENTIAL (SPECIAL EMERGENCY) REGULATIONS,
1948.

THE CURFEW (JOHORE STRAITS) (SINGAPORE) ORDER,
1948.

In exercise of the powers conferred by sub-regulation (1) of regulation 4 of the Essential (Special-Emergency) Regulations, 1948, the Commissioner of Police hereby makes the following Order:—

G.N. No.
S 177/48.

1. This Order may be cited as the Curfew (Johore Straits) (Singapore) Order, 1948.

2. No person shall be within the area specified in the Schedule hereto between the hours of 6.30 P.M. and 6.30 A.M. unless in possession of a written permit in that behalf issued by a police officer of or above the rank of Inspector.

3. Paragraph 2 of this Order shall not apply to any person ordinarily resident in or on any fishing stakes so long as that person is in or on such fishing stakes.

THE SCHEDULE.

All that area lying within the boundary of the territorial waters of the Island of Singapore, that is, within an imaginary line following the centre of the deep-water channel in Johore Strait between the mainland of the State and territory of Johore on the one side and the northern shores of the Islands of Singapore, Pulau Ubin, Pulau Tekong Kechil and Pulau Tekong Besar on the other side. Where, if at all, the channel divides into two portions of equal depth running side by side, the boundary shall run midway between these two portions. At the western entrance of Johore Strait, the boundary, after passing through the centre of the deep-water channel eastward of Pulau Merambong, shall proceed seaward in the general direction of the axis of this channel produced, until it intersects the three-mile limit drawn from the low-water mark of the south coast of Pulau Merambong.

THE SCHEDULE—continued.

At the Eastern entrance of Johore Strait, the boundary shall be held to pass through the centre of the deep-water channel between the mainland of Johore, westward of Johore Hill, and Pulau Tekong Besar, next through the centre of the deep-water channel between Johore Shoal and the mainland of Johore, southward of Johore Hill, and finally turning southward to intersect the three-mile limit drawn from the low-water mark of the mainland of Johore in a position bearing 192° from Tanjong Sitapa.

Dated at Singapore, this 21st day of July, 1948.

R. E. FOULGER,
Commissioner of Police,
Singapore.

[No. 4318/48].

ANNEX MM 96

Federation of Malaya Agreement, 1948 (extracts)

THE FEDERATION OF MALAYA AGREEMENT, 1948.

AGREEMENT DATED the twenty-first day of January, 1948, AND MADE BETWEEN SIR GERARD EDWARD JAMES GENT, K.C.M.G., D.S.O., O.B.E., M.C., on behalf of HIS MAJESTY and His Highness IBRAHIM ibni Almarhum Sultan ABU BAKAR, D.K., S.P.M.J., G.C.M.G., K.B.E. (Mil.), G.B.E., G.C.O.C. (I), Sultan of the State and Territory of JOHORE, His Highness ABU BAKAR RI'AYATU'D-DIN AL-MUADZAM SHAH ibni Almarhum ALMU'TASIM BIL'LAH ABDULLAH, K.C.M.G., Sultan of the State of PAHANG, His Highness TUANKU ABDUL RAHMAN ibni Almarhum TUANKU MUHAMMAD, K.C.M.G., the Yang di-Pertuan Besar, and the Ruling Chiefs of the Territories which form the State known as the NEGRI SEMBILAN, His Highness HISAMUDDIN ALAM SHAH ibni Almarhum Sultan ALA-IDDIN SULAIMAN SHAH, K.C.M.G., Sultan of the State of SELANGOR, His Highness Paduka Sri Sultan ABDUL AZIZ ALMU'TASIM BIL'LAH SHAH, K.C.M.G., K.B.E., Sultan of the State of PERAK, His Highness TUNKU BADLISHAH ibni Almarhum Sultan ABDUL HAMID HALIMSHAH, K.C.M.G., K.B.E., Sultan of the State of KEDAH, His Highness SYED PUTRA ibni Almarhum SYED HASSAN JAMALULLAIL, the Raja of PERLIS, His Highness TENGKU IBRAHIM ibni Almarhum Sultan MOHAMED IV, D.K., S.P.M.K., S.J.M.K., C.M.G., Sultan of the State of KELANTAN, and His Highness Sultan ISMAIL ibni Almarhum Sultan ZAINAL ABIDIN, C.M.G., Sultan of the State of TRENGGANU for Themselves and Their Successors:

WHEREAS it has been represented to His Majesty that fresh arrangements should be made for the peace, order and good government of the Malay States of Johore, Pahang, Negri Sembilan, Selangor, Perak, Kedah, Perlis, Kelantan and Trengganu, the Settlement of Penang and the Settlement of Malacca:

AND WHEREAS His Majesty in token of the friendship He bears towards Their Highnesses, the subjects of Their Highnesses, and the inhabitants of the Malay States, is pleased to make fresh arrangements as aforesaid to take effect on such day as His Majesty may, by Order in Council, appoint (hereinafter called "the appointed day"):

AND WHEREAS His Majesty has accordingly entered into a fresh Agreement with each of Their Highnesses and in the case of Negri Sembilan with His Highness the Yang di-Pertuan Besar and the Ruling Chiefs (which Agreements are hereinafter referred to together as "the State Agreements") for the purpose of ensuring that power and jurisdiction shall be exercised by Their several Highnesses in their several States and it is in each of such Agreements provided that it shall come into operation on the appointed day:

AND WHEREAS it seems expedient to His Majesty and to Their Highnesses that the Malay States, the Settlement of Penang and the Settlement of Malacca should be formed into a Federation with a strong central government and that there should be a common form of citizenship in the said Federation to be extended to all those who regard the said Federation or any part of it as their real home and the object of their loyalty:

AND WHEREAS it is the desire of His Majesty and Their Highnesses that progress should be made towards eventual self-government and, as a first step to that end, His Majesty and Their Highnesses have agreed that, as soon as circumstances and local conditions will permit, legislation should be introduced for the election of members to the several legislatures to be established pursuant to this Agreement:

Now, THEREFORE, it is agreed and declared as follows:

PART I.

ESTABLISHMENT OF THE FEDERATION.

Short title
and commence-
ment.

1. (1) This Agreement may be cited as the Federation of Malaya Agreement, 1948, and shall come into operation on the appointed day:

Provided that Clauses 112 to 123 inclusive of this Agreement shall have effect in respect of the whole financial year beginning on the first day of January, 1948, subject however to any existing law making financial provision for the public service for the year 1948 and subject to such modifications, if any, as may be prescribed.

(2) The appointed day shall be notified in the Malayan Union Government *Gazette* after which the said *Gazette* shall cease to be published and there shall be published in its place the *Gazette* of the Federation of Malaya.

Interpretation.

2. (1) In this Agreement, unless the context otherwise requires—

“the Attorney-General” means the Attorney-General for the Federation referred to in Clause 84 of this Agreement;

“the Chief Justice” means the Chief Justice of the Federation referred to in Clause 77 of this Agreement;

“Conference of Rulers” means the Majlis Raja Raja Negri Melayu established by this Agreement;

“Constitution of the State” with reference to any State means such constitution as may have been enacted or granted by the Ruler of that State either before the date of the execution of this Agreement or after that date, whether before, on or after the appointed day, and includes any amendment duly made thereto;

“Council of State” means the Majlis Meshuarat Negri of a Malay State established pursuant to Clause 97 of this Agreement;

“the existing laws” means the common law, doctrines of equity and all Acts of Parliament, Orders in Council other than the Malayan Union Order in Council, 1946, Enactments of the Legislature of the Federated Malay States, Enactments of the Legislature of any Malay State, Ordinances of the Legislature of the Colony of the Straits Settlements, Ordinances of the Malayan Union, Proclamations issued by the High Commissioner

Provided that—

- (a) in the case of a Regency in any Malay State the expressions "Their Highnesses the Rulers" and "His Highness the Ruler" shall with respect to that State be construed as references to the Regent or such member of the Council of Regency as may be assigned in accordance with Clause 68 of this Agreement; and
- (b) with respect to the State of Negri Sembilan, the expression "Their Highnesses the Rulers" in the proviso to Clause 3 and in sub-clause (3) of Clause 6, Clause 8, sub-clause (1) of Clause 19, Clauses 48 and 51, sub-clauses (1), (2), (5) and (6) of Clause 54, sub-clauses (1) and (2) of Clause 55, Clauses 56, 57, 61, 65, 66, sub-clause (6) of Clause 72, sub-clauses (1), (2) and (3) of Clause 76, sub-clause (4) of Clause 77, sub-clause (1) of Clause 83, sub-clause (1) of Clause 84, sub-clause (2) of Clause 85, sub-clause (5) of Clause 153 and Clause 155, includes the Ruling Chiefs;

"Hukum Shara' " means the body of law known in English as Muhammadan Law;

"laws made under this Agreement" include laws continued under the provisions of Clause 135 of this Agreement;

"the Legislative Council" means the Legislative Council for the Federation established by this Agreement;

"Malay State" means such one of the Malay States as the circumstances may require and includes all dependencies, islands and places which, on the first day of December, 1941, were administered as part thereof, and the territorial waters adjacent thereto;

"Malay States" means the States of Johore, Pahang, Negri Sembilan, Selangor, Perak, Kedah, Perlis, Kelantan and Trengganu and all dependencies, islands and places which, on the first day of December, 1941, were administered as part thereof, and the territorial waters adjacent thereto;

"meeting" means any sitting or sittings of a Council established by or pursuant to this Agreement commencing when the Council first meets after being summoned at any time and terminating when the Council is adjourned *sine die* or at the conclusion of a session without adjournment;

"Mentri Besar" means the chief Minister and senior executive officer in a Malay State;

"prescribed" means prescribed by or in pursuance of any law, rule or regulation made under this Agreement;

"property" includes all property movable or immovable and all estates, interests, easements and rights, whether equitable or legal, in, to or out of property, and things in action and rights to revenue, taxes, duties and other dues; and "vested" in relation to property includes rights to property which are future or contingent and rights in reversion and remainder;

"the Public Seal" means the Public Seal of the Federation and includes the official stamp mentioned in sub-clause (2) of Clause 12 of this Agreement;

"the Ruling Chiefs" means the persons who are for the time being the Undang of Sungei Ujong, the Undang of Jelebu, the Undang of Johol, the Undang of Rembau and the Tunku Besar of Tampin;

"Secretary of State" means one of His Majesty's Principal Secretaries of State;

"session" means the sittings of a Council established by or pursuant to this Agreement commencing when the Council first meets after being so constituted or after its prorogation or dissolution at any time, and terminating when the Council is prorogued or is dissolved without having been prorogued;

"Settlement Council" means the Council established for a Settlement pursuant to the provisions of Clause 110 of this Agreement;

"the Settlement of Penang" and "the Settlement of Malacca" include all islands and places heretofore administered as part of those Settlements and the territorial waters adjacent thereto;

"the Settlements" means the Settlement of Penang and the Settlement of Malacca; and "Settlement" means either of them as the circumstances may require;

"State" means a Malay State;

"State Executive Council" means the Council established for a State pursuant to Clause 89 of this Agreement;

"State officer" means the holder of an office of emolument under the Government of a State;

"the Supreme Court" means the Supreme Court of the Federation established by this Agreement.

(2) Any reference to property vested in any person or authority shall be construed as including a reference to any property in the possession or under the control, or held for the benefit of that person or authority; and any direction that property shall be vested in any person or authority shall likewise be construed as a direction, as the case may require, that the possession or control of the property shall be transferred to, or that the property shall be held for the benefit of, that person or authority.

(3) For the purposes of this Agreement, when reference is made to a Ruler of any Malay State or to any public officer by the term designating his office, such reference means the Ruler for the time being of the State concerned or the officer for the time being lawfully discharging the functions of that office, as the case may be.

(4) (a) For the purposes of this Agreement, a person shall not be deemed to hold an office of emolument under the Federal Government by reason only that he is in receipt of a pension or other like allowance in respect of service under the Federal Government or the Government of a State or Settlement.

(b) If it shall be declared by the High Commissioner by notification published in the *Gazette* that an office shall not be an office of emolument under the Federal Government or any State or Settlement Government for all or any purposes of this Agreement, this Agreement shall have effect accordingly.

(5) Any reference in this Agreement to any Council established or constituted for any State by, pursuant to, or under this Agreement shall be construed as including a reference to any Council for any State corresponding to a Council so established or constituted for which provision is made in any State Constitution granted before the appointed day.

(6) Except where the interpretation of any word or expression is expressly provided by this Agreement or where the context otherwise requires, the Interpretation Act, 1889, shall apply for the interpretation of this Agreement as it applies for the interpretation of an Act of Parliament:

Provided that provision may be made by Federal Ordinance for the substitution in this sub-clause for the reference to the Interpretation Act, 1889, of a reference to any like Federal Ordinance for the time being in force.

(7) Wherever general words or expressions are used in any item in the Second Schedule to this Agreement

(a) their generality shall not be restricted by the use, in the same item, of specific words or expressions; and

(b) their construction shall not be restricted to things *ejusdem generis* with other words or expressions used in the same item;

but each word or expression shall be construed in its usual sense.

Establishment
of the
Federation of
Malaya.

3. There shall be established a Federation comprising the Malay States, the Settlement of Penang and the Settlement of Malacca, to be known as the Federation of Malaya, or in Malay "Persekutuan Tanah Melayu":

Provided that His Majesty and Their Highnesses the Rulers reserve to themselves the power by mutual agreement from time to time to admit within the Federation any other territory or territories if they shall see fit.

Protection and
external
affairs of
the Federation.

4. His Majesty shall have complete control of the defence and of all the external affairs of the Federation and undertakes to protect the Malay States from external hostile attacks and, for this and other similar purposes, His Majesty's Forces and persons authorised by or on behalf of His Majesty's Government shall at all times be allowed free access to the Malay States and to employ all necessary means of opposing such attacks.

Muslim
Religion and
Custom of the
Malaya.

5. Except as provided in Clauses 100 and 101 of this Agreement, nothing in this Agreement (including the Schedules thereto) shall apply in any Malay State to matters relating to the Muslim Religion or the Custom of the Malays:

Provided that provision may be made by Federal Ordinance for enabling any Court of Justice to ascertain the Hukum Shara', or the Custom of the Malays, concerning any matter before it.

Power to
amend
Federation
Agreement.

6. (1) This Agreement, except the provisions thereof mentioned in sub-clauses (2) and (3) of this clause, may, from time to time, be amended by Federal Ordinance:

Provided that no Bill for the amendment of any of the provisions of this Agreement, except those of Part XIII thereof, shall be introduced into the Legislative Council without the prior approval of His Majesty and the Conference of Rulers.

(b) suspend the Standing Rules and Orders of the Council or any of them.

107. (1) The sessions of each Council of State shall be held at such times and places as the Mentri Besar shall from time to time appoint.

Sessions of Council.

(2) There shall be a session of the Council once at least in every year, so that a period of twelve months shall not intervene between the last sitting in one session and the first sitting in the next session.

108. Except for the purpose of enabling this clause to be complied with, no Member shall sit or vote in any Council of State until he shall, if a subject of His Highness the Ruler of that State, have taken such Oath as may be prescribed in the Constitution of the State and, in any other case, shall have taken the Oath of Office for Members of a Council of State in the form set out in the First Schedule to this Agreement. Such Oath shall be taken and subscribed before the Mentri Besar or presiding Member of the Council.

Oath.

109. His Highness the Ruler of each Malay State declares that He intends, in due course, to make provision for the election of Members to the Council of State in his State.

Election of Members.

PART X.

SETTLEMENTS.

110. (1) The Settlements shall, on and after the appointed day, be administered in conjunction with the Malay States as component parts of the Federation in conformity with the provisions of this Agreement in such manner as His Majesty may, by Order in Council, from time to time, prescribe.

Provision for inclusion of the Settlements in the Federation and for their administration.

(2) There shall be a Settlement Council in each of the Settlements constituted in such manner and with such powers and functions as His Majesty may, by Order in Council, from time to time, prescribe.

(3) Subject to the provisions of this Agreement, the executive authority of each Settlement shall extend to all matters save those set out in the first column of the Second Schedule to this Agreement:

Provided that (except in so far as matters of policy common to any two or more of the States and Settlements are involved) any law made under Clause 48 of this Agreement shall, to the extent stated in the second column of the said Second Schedule, confer executive authority on the Governments of the Settlements or on specified bodies or persons, in any matter set out in the first column of the said Schedule.

PART XI.

FINANCIAL.

111. On and after the appointed day, the power to raise loans and borrow monies for the purposes of the Federation or any territories comprised therein shall be exercisable by the Federal Government.

Power to raise loans and borrow.

(4) Subject to such modifications as may be necessary to conform to this Agreement, the persons holding public or statutory office in the Malayan Union on the appointed day shall be the first persons to hold corresponding office under this Agreement in the Federation or in any State or Settlement as the case may require:

Provided that nothing herein shall prevent the reorganisation of any department of Government.

(5) The High Commissioner may, from time to time by Order in the *Gazette* declare what are the corresponding offices in the Federation or in any State or Settlement, within the meaning of sub clause (4) of this clause.

137. Subject to the express provisions of this Agreement, nothing in this Agreement shall affect the validity or future operation of any lawful act done in any territory now comprised in the Federation by any person or authority before the appointed day.

Validity of previous acts.

138. All proceedings commenced before the appointed day in any Court of Justice in, or having jurisdiction in, any territory now to be comprised in the Federation may be carried on in like manner, as nearly as may be, as if this Agreement had not been made, but in the corresponding Court in the Federation, and any such proceeding may be amended as may appear necessary or proper in order to bring it into conformity with the provisions of this Agreement.

Pending proceedings.

139. Courts constituted in or for the Federation shall have, within their respective powers, jurisdiction with respect to all offences and causes of action committed or arising before the appointed day for which the accused might have been tried, or proceedings might have been had, within any of the Malay States or within either of the Settlements under the law in force immediately before the appointed day, and such jurisdiction shall be exercised in conformity with the law in force in the State or Settlement concerned at the date when the offence was committed or the cause of action arose and in accordance, as nearly as may be, with the procedure in force in Courts constituted under this Agreement.

Crimes committed and causes of action arising prior to the appointed day.

140. (1) In this clause

(a) "Malay States immovable property" means immovable property which immediately before the appointed day was, by virtue of section 92 of the Malayan Union Order in Council, 1946, vested in His Majesty or in the appropriate officer of the Government of the Malayan Union or in any other person or body for any of the purposes of the Government of the Malayan Union which, on or after the appointed day, will, under the provisions of this Agreement, be a purpose of the Government of any Malay State;

Transfer of immovable property.

(b) "Settlements immovable property" means immovable property which, immediately before the appointed day, was vested in His Majesty or the appropriate officer of the Government of the

Malayan Union or in any other person or body, for any of the purposes of the Government of the Malayan Union which, on or after the appointed day, will, under the provisions of this Agreement, be a purpose of the Government of the Settlements or either of them;

(c) "Malayan Union immovable property" means all immovable property, other than Malay States immovable property and Settlements immovable property, which, immediately before the appointed day, was vested in His Majesty, or the appropriate officer of the Government of the Malayan Union or in any other person or body, for the purposes of the Government of the Malayan Union.

(2) As from the appointed day, all Malay States immovable property shall be re-vested in His Highness the Ruler of the Malay State in whom the same was vested immediately before the first day of April, 1946, or, as the case may require, in the Government or in the appropriate officer of the Government of that State, for the purposes of the Government of that State.

(3) As from the appointed day, all Settlements immovable property shall be vested in His Majesty or, as the case may require, in the appropriate officer of the Government of either of the Settlements, for the purposes of the Government of that Settlement.

(4) As from the appointed day, all Malayan Union immovable property shall be vested in His Majesty or in the appropriate Ruler of any Malay State or in the appropriate officer of the Government of the Federation, as the case may require, for the purposes of the Government of the Federation.

Transfer of
movable
property.

141. (1) In this clause "financial assets" includes monies, currency notes, bank balances, investments, securities, bullion and specie, negotiable instruments, postage stamps, postal and money orders, things in action and rights to revenue, taxes, duties, fees and other dues.

(2) All financial assets which, immediately before the appointed day, were vested, by virtue of the provisions of the Malayan Union Order in Council, 1946, or otherwise howsoever in His Majesty or in the appropriate officer of the Government of the Malayan Union or in any other person or body for the purposes of that Government shall, as from the appointed day, vest in the High Commissioner for the purposes of the Federal Government:

Provided that the High Commissioner in Council may, on or after the appointed day, arrange for the transfer of any financial asset which will, on or after the appointed day, be required for any of the purposes of any State Government or Settlement Government, to that Government or to an appropriate officer or person for any of the purposes of that Government.

(3) All other movable property which, immediately before the appointed day, was vested, by virtue of Section 92 of the Malayan Union Order in Council, 1946, or otherwise howsoever, in His Majesty or in the appropriate officer of the Government of the Malayan Union, or in any other person or body for any

ANNEX MM 97

**Interpretation and General Clauses Ordinance, No. 4 of 1951
(Singapore), ss. 1-2**

No. 4 of 1951.

INTERPRETATION AND GENERAL CLAUSES.

An Ordinance to define certain terms and expressions when used in Written Laws and in Public Documents, to make provision with respect to the commencement and construction of Written Laws, and for other like purposes.

Date of commencement.

[9th January, 1951.]

Short title.

1. This Ordinance may be cited as the Interpretation and General Clauses Ordinance, 1951.

DEFINITIONS.

Definitions.

2.—(1) In this Ordinance, and in every written law as hereinafter defined and enacted before or after the commencement of this Ordinance the following words and expressions shall, as from the commencement of this Ordinance and without prejudice to anything done prior thereto, have the meanings hereby assigned to them respectively, unless there is something in the subject or context inconsistent with such construction or unless it is therein otherwise expressly provided—

Cap. 20.

“abet” with its grammatical variations and cognate expressions has the same meaning as in the Penal Code;

“Accountant-General” means the Accountant-General of the Colony;

“act” used with reference to an offence or civil wrong, includes a series of acts, and words which refer to acts done extend to illegal omissions;

“advocate” and “advocate and solicitor” mean an advocate and solicitor of the Supreme Court;

“animal” includes birds, reptiles, fish and every kind of vertebrate animal and the young thereof;

INTERPRETATION AND GENERAL CLAUSES.

- “Attorney-General” means the Attorney-General of the Colony;
- “British possession” means any Dominion or any British Colony or Protectorate, or any territory under His Majesty’s protection or any territory in respect of which a mandate or trusteeship is being exercised by His Majesty’s Government in the United Kingdom or the Government of any part of His Majesty’s dominions;
- “Chapter”, “Part”, “section”, and “Schedule” indicate respectively a Chapter, Part and section of, and Schedule to, the written law in which the word occurs; and “sub-section” indicates a sub-section of the section of the written law in which the word occurs;
- “Chief Justice” means the Chief Justice of the Colony;
- “Colonial Secretary” means the Colonial Secretary to the Government of the Colony;
- “Colonial waters” means the territorial waters of the Colony;
- “Colony” or “Colony of Singapore” includes the Island of Singapore and its dependencies, the Cocos or Keeling Islands, Christmas Island, and all British and territorial waters adjacent thereto;
- “commencement” used with reference to an Ordinance means the time at which the Ordinance comes into operation;
- “common law” means the common law of England;
- “consular officer” means consul-general, consul, vice-consul, consular agent, and any person for the time being authorised to discharge the duties of consul-general, consul or vice-consul;
- “court” means any court of the Colony of competent jurisdiction;
- “Crown Agents” means the persons for the time being acting as Crown Agents for the Colonies in England, or any of them;

INTERPRETATION AND GENERAL CLAUSES.

- “District Court” means any District Court constituted under the Courts Ordinance;
- “District Judge” means a District Judge appointed under the Courts Ordinance to preside over any District Court and includes any person appointed to exercise the powers of a District Judge;
- “export” with its grammatical variations and cognate expressions means to take or cause to be taken out of the Colony by land, sea or air;
- “Federal citizen” means any person who is a citizen of the Federation of Malaya by virtue of the provisions of any law for the time being in force, or any instrument for the time being having the force of law, in the said Federation;
- “Federation” or “Federation of Malaya” means the Federation of Malaya established under the provisions of the Federation of Malaya Order in Council, 1948, and of the Federation of Malaya Agreement entered into between His Majesty and the Rulers of the Malay States on the 21st day of January, 1948;
- “Financial Secretary” means the Financial Secretary of the Colony;
- “Gazette” or “Government Gazette” means the *Gazette* published by the order of the Government of the Colony, and includes any Supplement thereto or *Extraordinary Gazette* so published;
- “Governor” means the Governor of the Colony and includes the officer for the time being administering the Government of the Colony and also includes the Governor’s Deputy exercising any function which the Governor has appointed him to exercise under the provisions of section 8 of the Singapore Colony Orders in Council 1946 to 1948, as amended from time to time, constituting the office of Governor and Commander in Chief of the Colony of Singapore, or under any corresponding provision contained in

INTERPRETATION AND GENERAL CLAUSES.

any other Orders in Council adding to or substituted for the same;

“Governor in Council” means the Governor acting after consultation with, but not necessarily in accordance with the advice of the Executive Council of the Colony nor necessarily in such Council assembled;

“Government Printer” includes any printer purporting to be the printer authorised to print Ordinances and other documents of the Government;

“His Majesty” or “the King” includes His Majesty the King, His heirs and successors;

“immovable property” includes land, benefits to arise out of land, and things attached to the earth or permanently fastened to anything attached to the earth;

“Imperial Parliament” or “Parliament” means the Parliament of the United Kingdom;

“import” with its grammatical variations and cognate expressions, means to bring or cause to be brought into the Colony by land, sea or air;

“imprisonment” means imprisonment which may be either rigorous or simple, and the expressions “rigorous imprisonment” and “simple imprisonment” respectively have the same meanings as in the Penal Code;

“judge” means a judge of the Supreme Court and includes any person appointed to exercise the powers of a judge;

“Legislative Council” means the Legislative Council of the Colony;

“legislature” when used with reference to a British possession, means the authority, other than the Imperial Parliament or His Majesty the King in Council, competent to make laws for the British possession;

“Magistrate” or “Magistrate of Police” or “Police Magistrate” means a Magistrate appointed under any law for the time being in force for the constitution of Criminal Courts of Summary Jurisdiction;

INTERPRETATION AND GENERAL CLAUSES.

- “Malaya” means the Colony of Singapore and the Federation of Malaya;
- “Malay State” means such one of the Malay States as the circumstances may require and includes all dependencies, islands and places which, on the first day of December, 1941, were administered as part thereof, and the territorial waters adjacent thereto;
- “Malay States” means the States of Johore, Pahang, Negri Sembilan, Selangor, Perak, Kedah, Perlis, Kelantan and Trengganu and all dependencies, islands and places which, on the first day of December, 1941, were administered as part thereof, and the territorial waters adjacent thereto;
- “master” used with reference to a ship means any person, except a pilot or harbour master, having for the time being control or charge of the ship;
- “monogamous marriage” means a marriage which is recognised by the law of the place where it is contracted as a voluntary union of one man and one woman to the exclusion of all others during the continuance of the marriage;
- “month” means calendar month;
- “movable property” means property of every description except immovable property;
- “oath” and “affidavit” in the case of persons for the time being allowed by law to affirm or declare instead of swearing, include affirmation and declaration, and “swear” in the like case includes affirm and declare;
- “Officer Administering the Government” means the officer who succeeds to or is appointed to the administration of the Government of the Colony in accordance with section 7 of the Singapore Colony Orders in Council, 1946 to 1948, as amended from time to time or under any corresponding provision contained in any other Orders in Council adding to or substituted for the same;
- “Ordinance” means an Ordinance of the Colony, and includes any Ordinance of the

INTERPRETATION AND GENERAL CLAUSES.

- Colony of the Straits Settlements and any Proclamation having the force of law in the Colony; and the expression "the Ordinance" or "the Proclamation" when used in any order, proclamation, rule, regulation, or by-law means the Ordinance or Proclamation under the authority of which such order, proclamation, rule, regulation or by-law, as the case may be, has been made;
- "person" and "party" includes any company or association or body of persons, corporate or unincorporate;
- "police officer" means any member of the police force of the Colony;
- "prescribed" means prescribed by the Ordinance in which the word occurs, or by any regulations duly made thereunder;
- "Proclamation" includes a Proclamation made by, or under the authority of, the Supreme Allied Commander, South East Asia, during the period between the fifteenth day of August, 1945, and the first day of April, 1946;
- "public holiday" means any day which is declared to be or proclaimed as a public holiday or which under any written law is to be observed as a public holiday in the Colony or any part thereof;
- "Public Seal" means the Public Seal of the Colony;
- "registered" used with reference to a document, means registered under the provisions of the law for the time being applicable to the registration of such document;
- "regulations" includes regulations, rules, orders and by-laws made under the provisions of any Ordinance, and includes rules of Court;
- "rules of court" means, when used in relation to any court, rules made by the authority having for the time being power to make rules or orders regulating the practice and procedure of such court, together with the forms necessary thereto;

INTERPRETATION AND GENERAL CLAUSES.

“Secretary of State” means one of His Majesty’s Principal Secretaries of State;

“service by post”; where an Ordinance authorises or requires any document to be served by post, whether the expression “serve” or the expression “give” or “send” or any other expression is used, then, unless a contrary intention appears, the service shall be deemed to be effected by properly addressing, prepaying and posting a letter containing the document, and, unless the contrary is proved, to have been effected at the time at (b) in the United Kingdom or any British which the letter would be delivered in the ordinary course of post;

“ship” includes every description of vessel used in navigation not exclusively propelled by oars or paddles;

“sign” with its grammatical variations and cognate expressions, with reference to a person who is unable to write his name, includes “mark” with its grammatical variations and cognate expressions;

“Solicitor-General” means the Solicitor-General of the Colony;

“statutory declaration”, if made—

(a) in the Colony, means a declaration made under the Statutory Declarations Ordinance;

(b) in the United Kingdom or any British possession beyond the Colony, means a declaration made before a justice of the peace, notary public or other person having authority therein under any law for the time being in force to take or receive a declaration;

(c) in any other place, means a declaration made before a British consul or vice-consul, or before any person having authority under any Act of Parliament for the time being in force to take or receive a declaration;

Cap. 18.

INTERPRETATION AND GENERAL CLAUSES.

“subsidiary legislation” means any order in council, proclamation, rule, regulation, order, notification, by-law, or other instrument made under any Ordinance, or other lawful authority and having legislative effect;

“Supreme Court” means the Supreme Court of the Colony;

“territorial waters” means the inland waters of the Colony and such part of the sea adjacent to the coast of the Colony as is deemed by international law to constitute the territorial waters of the Colony;

“the Government” means the Government of the Colony;

“Under Secretary” means the Under Secretary to the Government of the Colony;

“United Kingdom” means Great Britain and Northern Ireland;

“value” used with reference to a suit, means the amount of value of the subject matter of the suit;

“vessel” includes floating craft of every description;

“will” includes a codicil;

words importing the masculine gender include females;

words in the singular include the plural, and words in the plural include the singular;

“writing” and expressions referring to writing include printing, lithography, typewriting, photography, and other modes of representing or reproducing words or figures in visible form;

“written law” includes all Ordinances and subsidiary legislation but does not include any Imperial Statute nor any Order of the King in Council, Royal Charter or Royal Letters Patent;

“year” means a year reckoned according to the British calendar.

INTERPRETATION AND GENERAL CLAUSES.

(2) In every written law enacted before the commencement of this Ordinance—

- (a) references to the Colony of the Straits Settlements or the Settlement of Singapore shall be construed as references to the Colony;
- (b) references to the Federated Malay States shall be construed as references to the States of Negri Sembilan, Pahang, Perak and Selangor;
- (c) references to the Governor of the Malayan Union shall from and after the 1st day of February, 1948, be construed as references to the High Commissioner of the Federation of Malaya;
- (d) references to the Malayan Union shall from and after the 1st day of February, 1948, be construed as references to the Federation of Malaya or the territories comprised therein, as the case may require;
- (e) references to the Chief Justice or to any court, judge or magistrate of the Malayan Union or of the Federated Malay States or of any of the Malay States shall from and after the 1st day of February, 1948, be construed as references to the Chief Justice or to the corresponding Court, judge or magistrate of the Federation of Malaya or of a Malay State as the case may require;
- (f) references to any officer of, or authority or body constituted in or for, the Federated Malay States, any Malay State or the Malayan Union shall as and from the 1st day of February, 1948, be construed as references to the corresponding officer of, or authority or body constituted in or for, the Federation of Malaya or any Malay State as the case may require.

GENERAL PROVISIONS REGARDING ORDINANCES
AND ENACTMENTS.

Ordinances
to be public
Ordinances.

3. Every Ordinance shall be a public Ordinance, and shall be judicially noticed as such unless the contrary is expressly provided by the Ordinance.

ANNEX MM 98

**Interpretation and General Clauses (Amendment) Ordinance No.
18 of 1952 (Singapore)**

INTERPRETATION AND GENERAL CLAUSES (AMENDMENT).

No. 18 of 1952.

INTERPRETATION AND GENERAL CLAUSES
(AMENDMENT).

An Ordinance to amend the Interpretation and General
Clauses Ordinance, 1951 (*No. 4 of 1951*).

[23rd June, 1952.]

Date of
commence-
ment.

1. This Ordinance may be cited as the Interpretation and
General Clauses (Amendment) Ordinance, 1952. Short title.

2.—(1) Sub-section (1) of section 2 of the Interpretation
and General Clauses Ordinance, 1951 (hereinafter called the
Principal Ordinance) is hereby amended— Amendment
of section 2.

(a) by inserting immediately after the definition of
“Attorney-General” the following new defini-
tion:—

““British Commonwealth” shall mean collec-
tively the United Kingdom, and any other
part of Her Majesty’s dominions, India,
any territory under Her Majesty’s pro-
tection and any territory administered by
the Government of any part of Her
Majesty’s dominions in accordance with a
mandate from the League of Nations or
under the trusteeship system of the United
Nations;”;

(b) by deleting the definition of “British possession”
and substituting therefor the following:—

““British possession” means any part of Her
Majesty’s dominions (other than the
United Kingdom) and shall be deemed to
include any territory under Her Majesty’s
protection, or any territory administered
by the Government of any part of Her
Majesty’s dominions in accordance with a
mandate from the League of Nations or
under the trusteeship system of the United
Nations;”;

INTERPRETATION AND GENERAL CLAUSES (AMENDMENT).

- (c) by substituting the words "shall be deemed to include" for the word "means" in the definition of "Colonial waters";
- (d) by substituting the words "and all British waters adjacent thereto, and shall be deemed to include territorial waters" for all the words following "Christmas Island," appearing in the definition of the "Colony";
- (e) by inserting immediately after the definition of "Government Printer" the following new definition:—

“ “High Commissioner” means the High Commissioner of the Federation of Malaya and includes any officer for the time being administering the Government of the Federation of Malaya, and also includes a Deputy to the High Commissioner performing any function which the High Commissioner has appointed him to exercise under the provisions of Clause 11 of the Federation of Malaya Agreement, 1948;”;

S.I. 1948
No. 108.

- (f) by substituting the words "and shall be deemed to include the territorial waters adjacent thereto" for the words "and the territorial waters adjacent thereto" appearing at the end of the definition of "Malay State" and of "Malay States";
- (g) by deleting the definition of "territorial waters".

(2) Sub-section (2) of section 2 of the Principal Ordinance is hereby amended by deleting paragraph (b) thereof and substituting therefor the following:—

“(b) references to the Federated Malay States shall unless there is something repugnant in the context be construed as references to the Federation of Malaya;”.

Amendment
of section 9.

3. Section 9 of the Principal Ordinance is hereby amended by substituting the word "replaced" for the word "repealed" appearing in the penultimate line thereof.

ANNEX MM 99

Malayan Federation Light Dues Ordinance No.24 of 1953

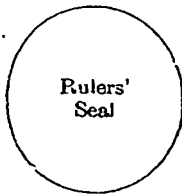
FEDERATION OF MALAYA

No. 24 OF 1953

THE FEDERATION LIGHT DUES ORDINANCE, 1953

Their Highnesses the Rulers of the
Malay States assent hereto

I assent



Witnesses to the affixing of the Rulers' Seal:

BADLISHAH
(IN MALAY)
Sultan of Kedah.

G. W. R. TEMPLER,
High Commissioner.

27th April, 1953.

PUTRA IBNI HASSAN JAMALULLAIL,
Raja of Perlis.

25th April, 1953.

An Ordinance to impose Light Dues.

[30th April, 1953.]

IT IS HEREBY ENACTED by the High Commissioner of the Federation of Malaya and Their Highnesses the Rulers of the Malay States with the advice and consent of the Legislative Council as follows:

Short title. 1. This Ordinance may be cited as the Federation Light Dues Ordinance, 1953.

Interpretation. 2. In this Ordinance, unless the context otherwise requires—

No. 70 of 1952. "ship" has the same meaning as in the Merchant Shipping Ordinance, 1952;

"tonnage" means net registered tonnage:

Provided that in the case of any ship whose net registered tonnage has not been ascertained, the gross tonnage shall be deemed to be the net registered tonnage;

"waters of the Federation" means those parts of the territorial waters of the Federation which lie outside the limits of any port as defined in the Merchant Shipping Ordinance, 1952;

"year" means a period beginning on the 1st day of January and ending on the 31st day of December next ensuing.

Light dues.

3. (1) The owner, agent or master of every ship other than a fishing craft which in the course of any voyage enters the waters of the Federation shall pay dues according to the scale set out in the Schedule to such officer (hereinafter referred to as "the collector") as may be appointed by regulations made under this Ordinance to collect the same:

Provided that dues shall not be payable more than ten times in any one year in respect of the same ship.

(2) For the purposes of this section a round voyage in the course of which a ship enters the waters of the Federation more than once shall be deemed to be a single voyage.

(3) This section shall not apply to any ship belonging to the Government of the Federation or to any British, Malayan or foreign ship of war or to any ship of under fifteen tons or to any fishing craft.

4. The collector shall give a receipt for the said dues to every person paying the same, and any ship in respect of which such receipt is not produced when demanded by a Port Officer or officer of customs may be detained.

Receipts.

5. If the owner, agent or master of any ship fails on demand of the collector to pay the said dues in respect thereof the collector may in addition to any other remedy which he is entitled to use enter upon such ship and distrain the goods, guns, tackle or any other things of or belonging to or on board such ship, and detain such distress until the said dues are paid. If payment of the same is not made within the three days next ensuing such distress, the collector may at any time during the continuance of such non-payment cause the distress to be appraised by two sufficient persons and thereupon sell the same and apply the proceeds in payment of the dues unpaid together with reasonable expenses incurred by him under this section, paying the surplus, if any, on demand to the said owner, agent or master.

Distress.

6. (1) For the purposes of this Ordinance there shall be established a Light Dues Board, which shall consist of the Director of Marine as Chairman and not less than four and not more than six other members to be appointed by the High Commissioner.

Constitution and duties of Light Dues Board.

(2) All dues collected under this Ordinance shall be paid into a fund to be known as the Light Dues Fund and to be administered by the Board.

(3) It shall be the duty of the Board to expend the moneys of the fund on the maintenance and improvement of navigational aids in the waters of the Federation and for purposes ancillary thereto.

(4) The Board may make rules for the conduct of its own proceedings.

7. (1) The High Commissioner in Council may by regulations prescribe the times, places and manner at or in which dues shall be payable under this Ordinance.

Regulations.

(2) Tables of all dues and a copy of any regulations made under this section in respect thereof shall be posted up at the office of the collector.

8. The Director of Marine may remit the whole or any part of any dues payable under this Ordinance if in his opinion undue hardship would be caused by the payment thereof.

Power to exempt.

Penalties.

9. The master of any ship who—

(a) departs or attempts to depart from any port leaving unpaid any dues required to be paid under this Ordinance; or

(b) obstructs any person in the performance of the duties of his office under the Ordinance,

shall be liable on conviction to a fine of one thousand dollars.

10. The Legislative Council may by resolution alter the scale of dues set out in the Schedule.

SCHEDULE.

For any ship in respect of which
light dues are payable 10 cents per net registered
ton.

Passed in the Legislative Council on the nineteenth
day of March, 1953.

RAJA AYOUB,
Clerk of Council.

1953.

KUALA LUMPUR:

PRINTED AT THE GOVERNMENT PRESS BY B. T. FUDGE, ATQ. GOVERNMENT PRINTER

Price: 20 cts. or 6d.

7601—1,100—21-5-53.

ANNEX MM 100

Federation of Malaya Agreement, 1957 (extracts)

FEDERAL DOCUMENT of August, 1957

Federation of Malaya Agreement, 1957^{1*}

Agreement dated the 5th day of August, 1957, and made between Sir Donald Charles MacGillivray, G.C.M.G., M.B.E., on behalf of Her Majesty on the one part, and His Highness Tunku Ismail ibni Sultan Ibrahim, D.K., S.P.M.J., K.B.E., C.M.G., the Regent of Johore, on behalf of His Highness Sultan Ibrahim ibni Sultan Abu Bakar, D.K., S.P.M.J., G.C.M.G., K.B.E. (Mil.), G.B.E., G.C.O.C.(I), Sultan of the State and Territory of Johore,² His Highness Abu Bakar Riayatuddin al-Muadzam Shah ibni Almarhum Almutasim Billah Sultan Abdullah, G.C.M.G., Sultan of the State of Pahang, His Highness Tuanku Abdul Rahman ibni Almarhum Tuanku Muhammad, G.C.M.G., the Yang di-Pertuan Besar of the State of Negri Sembilan, Dato Klana Petra Mohammed Kassim bin Dato Nika Haji Abdul Rashid, Undang of Sungei Ujong, Dato Mendika Mentri Akhirzaman Shahmaruddin bin Abdulrahman, Undang of Jelebu, Dato Johan Pahlawan Lela Perkasa Setiawan Abdul Manap bin Tolok, Undang of Johol, Dato Lela Maharaja Haji Ipap bin Abdullah, Undang of Rembau, and Tengku Syed Idrus bin Tengku Syed Mohammad, Tengku Besar of Tampin, the Ruling Chiefs of the State of Negri Sembilan, His Highness Hisamuddin Alam Shah ibni Almarhum Sultan Alaiddin Sulaiman Shah, K.C.M.G., Sultan of the State of Selangor, His Highness Tunku Badlishah ibni Almarhum Sultan Abdul Hamid Halimshah, K.C.M.G., K.B.E., Sultan of the State of Kedah, His Highness Syed Putra ibni Almarhum Syed Hassan Jamalullail, K.C.M.G., the Raja of Perlis, His Highness Tengku Ibrahim ibni Almarhum Sultan Mohamed IV, D.K., S.P.M.K., S.J.M.K. D.K. (Johore), K.C.M.G., Sultan Ismail Nasiruddin Shah ibni Al-Marhum Sultan Zainal Abidin, K.C.M.G., Sultan of the State of Trengganu and His Highness Paduka Sri Sultan Yussuf 'Izzuddin Shah ibni Almarhum Sultan Abdul Jalil Radzillah Hu-'An-Hu, K.C.M.G., O.B.E., Sultan of the State of Perak, of the other part, for Themselves and Their Successors;

Whereas by the Federation of Malaya Agreement, 1948, provision was made for the establishment of a Federation of Malaya comprising the Malay States of Johore, Pahang, Negri Sembilan, Selangor, Kedah, Perlis, Kelantan, Trengganu and Perak, and the Settlements of Penang and Malacca:

And whereas the Federation of Malaya Agreement, 1948, has the force of law in the territories of the said Federation:

And whereas there now subsist between Her Majesty and each of Their Highnesses the Rulers of the said Malay States (in the case of Negri Sembilan between Her Majesty and His

* For footnotes see p.257

Highness the Yang di-Pertuan Besar and the Ruling Chiefs) divers Agreements relating to the government of the several States of Their Highnesses:

And whereas it has been represented to Her Majesty and Their Highnesses and the Ruling Chiefs of Negri Sembilan that fresh arrangements should be made for the peace, order and good government of the territories within the said Federation; and Her Majesty and Their Highnesses and the said Ruling Chiefs have agreed that the said Federation should become an independent country within the Commonwealth with the Constitution hereinafter provided for:

And whereas by the Federation of Malaya Independence Act, 1957, the approval of the Parliament of the United Kingdom was given to the conclusion of such Agreement as is herein contained:

Now, therefore, it is agreed and declared as follows:

Citation.

1. This Agreement may be cited as the Federation of Malaya Agreement, 1957.

Construction.

2. In this Agreement, unless the context otherwise requires—

"the existing Federation" means the Federation of Malaya established by the Federation of Malaya Agreement, 1948;

"Federal Ordinance" means an Ordinance of the Legislature of the existing Federation;

"Their Highnesses the Rulers" means the persons who are for the time being the Sultan of the State and Territory of Johore, the Sultan of the State of Pahang, the Yang di-Pertuan Besar of the State of Negri Sembilan, the Sultan of the State of Selangor, the Sultan of the State of Kedah, the Raja of the State of Perlis, the Sultan of the State of Kelantan, the Sultan of the State of Trengganu, and the Sultan of the State of Perak;

"the Malay States" means the States of Johore, Pahang, Negri Sembilan, Selangor, Kedah, Perlis, Kelantan, Trengganu and Perak, and all dependencies, islands and places which, immediately before the thirty-first day of August, nineteen hundred and fifty-seven, are administered as part thereof, and the territorial waters adjacent thereto;

"the Settlement of Penang" and "the Settlement of Malacca" include all islands and places which, immediately before the thirty-first day of August, nineteen hundred and fifty-seven, are administered as part of those Settlements, and the territorial waters adjacent thereto;

"the Settlements" means the Settlement of Penang and the Settlement of Malacca.

Establishment of
new Federation:
Federal Constitution.

3. As from the thirty-first day of August, nineteen hundred and fifty-seven, the Malay States and the Settlements shall be formed into a new Federation of States by the name of Persekutuan Tanah Melayu, or in English, the Federation of Malaya, under the Federal Constitution set out in the First Schedule to this Agreement; and thereupon the said Settlements shall cease to form part of Her Majesty's dominions and Her Majesty shall cease to exercise any sovereignty over them, and all power and jurisdiction of Her Majesty or of the Parliament of the United Kingdom in or in respect of the Settlements or the Malay States or the Federation as a whole shall come to an end.

Constitutions of
Penang and
Malacca.

4. The Constitutions set out in the Second and Third Schedules to this Agreement shall be the Constitutions of Penang and Malacca respectively as States of the new Federation.

Revocation of
of previous
Agreements.

5. Subject to the provisions of the said Federal Constitution and to the Fourth Schedule to this Agreement, the

ANNEX MM 101

Light Dues Ordinance No. 6 of 1957 (Singapore)

LIGHT DUES.

No. 6 of 1957.

LIGHT DUES.

An Ordinance to impose Light Dues.

Date of coming into operation: 1st March, 1957.

1. This Ordinance may be cited as the Light Dues Ordinance, 1957. Short title.

2.—(1) In this Ordinance, unless the context otherwise requires— Interpretation.

“officer of customs” has the same meaning as in the Customs Ordinance; Cap. 160.

“port”, “Port Officer”, “ship” and “native sailing ship” have the same meanings respectively as in the Merchant Shipping Ordinance; Cap. 207.

“waters of the Colony” mean those parts of the territorial waters of the Colony which lie outside the limits of any port;

“year” means a period beginning on the 1st day of January and ending on the 31st day of December next ensuing.

(2) The tonnage in this Ordinance referred to means the net registered tonnage:

Provided that in the case of a ship whose net registered tonnage has not been ascertained, the gross tonnage shall be deemed to be the net registered tonnage.

3.—(1) The owner, agent or master of every ship which in the course of any voyage enters the waters of the Colony shall pay light dues according to the scale set out in the Schedule to this Ordinance to such officer (hereinafter referred to as “the collector”) as may be appointed by regulations made under this Ordinance to collect the same: Light dues.
Schedule.

Provided that light dues shall not be payable more than ten times in any one year in respect of the same ship.



LIGHT DUES.

(2) This section shall not apply to any ship belonging to the Government or to any ship of war or to any ship of under fifteen tons or to any fishing craft or native sailing ship.

Receipts.

4. The collector shall give a receipt for light dues to every person paying the same, and any ship in respect of which such receipt is not produced when demanded by a Port Officer or officer of customs may be detained until such receipt is produced.

Distress on ship for light dues.

5.—(1) If the owner, agent or master of any ship fails, on demand of the collector, to pay the light dues due in respect thereof, the collector may, in addition to any other remedy which he is entitled to use, enter upon the ship and distrain the goods, tackle or any thing belonging to or on board the ship and detain such distress until the light dues are paid.

(2) If payment of the light dues is not made within three days next ensuing such distress, the collector may, at any time during the continuance of such non-payment, cause the distress to be appraised by two sufficient persons or licensed appraisers and thereupon sell the same and apply the proceeds in payment of the light dues unpaid together with reasonable expenses incurred by him under this section, paying the surplus, if any, on demand to the said owner, agent or master.

Constitution and duties of Light Dues Board.

6.—(1) For the purposes of this Ordinance there shall be established a Light Dues Board, which shall consist of the Master Attendant as Chairman and not less than six members to be appointed by the Minister.

(2) A member of the Board shall, unless he earlier resigns his office or is removed therefrom, hold office for a period of three years from the date of his appointment and shall be eligible for re-appointment.

(3) All light dues collected under this Ordinance shall be paid into a fund to be known as the Light Dues Fund and to be administered by the Board.

(4) It shall be the duty of the Board to expend the moneys of the Fund on the maintenance and improvement of navigational aids in the waters of the Colony and for purposes ancillary thereto.

LIGHT DUES.

(5) The Board may make rules for the conduct of its proceedings.

7.—(1) The Minister may by regulations prescribe the times, places and manner at or in which light dues shall be payable under this Ordinance. Regulations.

(2) Tables of all light dues and a copy of any regulations made under this section in respect thereof shall be posted up at the office of the collector.

8. The Minister may remit the whole or any part of any light dues payable under this Ordinance if in his opinion undue hardship would be caused by the payment thereof, or for any other cause which appears to him to warrant such remission. Power to exempt.

9. The master of any ship who—

- (a) departs or attempts to depart from any port leaving unpaid any light dues required to be paid under this Ordinance; or
- (b) obstructs any person in the performance of the duties of his office under this Ordinance,

shall be guilty of an offence and shall be liable on conviction to a fine not exceeding one thousand dollars. Penalties.

10. The Legislative Assembly may by resolution alter the scale of light dues set out in the Schedule to this Ordinance. Schedule.

11. The provisions of this Ordinance shall be without prejudice to the provisions of the Imperial Light Dues Ordinance. Saving.
Cap. 206.

THE SCHEDULE.

For ships loading or discharging at Singapore	..	2 cents per ton.
For ships entering for bunkers, stores or water	..	1 cent per ton.
For ships registered in the Colony other than those exempted under section 3 (2)	..	20 cents per year per ton.



ANNEX MM 102

Light Dues (Amendment) Ordinance No. 20 of 1958 (Singapore)

LIGHT DUES (AMENDMENT).

No. 20 of 1958.

LIGHT DUES (AMENDMENT).

*An Ordinance to amend the Light Dues Ordinance, 1957
(No. 6 of 1957).*

Date of coming into operation: 1st August, 1958.

Short title. **1.** This Ordinance may be cited as the Light Dues (Amendment) Ordinance, 1958.

Amendment of section 2. **2.** Section 2 of the Light Dues Ordinance, 1957, (hereinafter in this Ordinance referred to as the "principal Ordinance") is hereby amended—

(a) by deleting the definition of "waters of the Colony" appearing in subsection (1) thereof; and

(b) by inserting immediately before the word "tonnage" appearing in the second line of subsection (2) thereof the word "registered".

Repeal and re-enactment of section 3. **3.** Section 3 of the principal Ordinance is hereby repealed and the following substituted therefor:—

"Light dues. **3.—**(1) The owner, agent or master of every ship which in the course of a voyage calls at any port or place within Singapore, other than ships exempted under the provisions of subsection (2) of this section, shall pay light dues according to the scale set out in the Schedule to this Ordinance to such officer (hereinafter referred to as "the collector") as may be appointed by regulations made under this Ordinance to collect such light dues:

Schedule.

Provided that no ship shall be required to pay more than twenty cents per ton in any year for light dues.

LIGHT DUES (AMENDMENT)

(2) There shall be exempted from light dues under this Ordinance—

- (a) ships putting in from stress of weather or for the purpose of emergency repairs in respect of damage occasioned on the high seas: Provided that they do not discharge or load cargo other than cargo discharged with a view to such repairs and afterwards reshipped;
- (b) ships belonging to Her Majesty, the Government, or to a Commonwealth or foreign government unless carrying cargo or passengers for freight or fares;
- (c) ships of under fifteen tons;
- (d) fishing craft; and
- (e) native sailing ships.”.

4. Subsection (4) of section 6 of the principal Ordinance is hereby amended by deleting the words “navigational aids in the waters of the Colony” appearing in the third line thereof and substituting therefor the following:—

Amendment
of section 6.

“lighthouses, buoys, beacons and other navigational aids in Singapore including those at Pedra Branca (Horsburgh) and at Pulau Pisang”.

5. The Schedule to the principal Ordinance is hereby amended by deleting the expression “For ships registered in the Colony other than those exempted under section 3 (2) ... 20 cents per year per ton” appearing therein and substituting therefor the following:—

Amendment
of Schedule.

“For all ships optional annual payment not refundable ... 20 cents per ton”.

ANNEX MM 103

State of Singapore Act, 1958 (UK)

CHAPTER 59

An Act to provide for the establishment of the State of Singapore and for the peace, order and good government thereof; and for purposes connected with the matters aforesaid. [1st August, 1958]

BE it enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:—

1.—(1) Her Majesty may by Order in Council (hereinafter referred to as “the Constitution Order”), which shall be laid before Parliament after being made, make such provision as may appear to Her Majesty to be necessary or expedient for the peace, order and good government, under the title of the State of Singapore, of the territories included immediately before the passing of this Act in the Colony of Singapore; and, as from the day on which all the provisions of that Order have come into force, those territories shall be known by that title and subsection (3) of section one of the British Nationality Act, 1948 (which specifies the countries whose citizens are by virtue of that citizenship British subjects or Commonwealth citizens) as amended by the Federation of Malaya Independence Act, 1957, shall have effect as if for the words “and the Federation of Malaya” there were substituted the words “the Federation of Malaya and the State of Singapore”.

Establishment of State of Singapore.
11 & 12 Geo. 6. c. 56.
5 & 6 Eliz. 2. c. 60.

(2) The Constitution Order may revoke or amend, or provide for the revocation or amendment of, any Order in Council or other instrument affecting the territories aforesaid made before the day aforesaid under the British Settlements Acts, 1887 and 1945, or the Straits Settlements (Repeal) Act, 1946; and as from that day no further Order in Council or other instrument affecting those territories shall be made under those Acts except for the purpose of revoking or amending any such Order in Council or other instrument for the time being in force.

9 & 10 Geo. 6. c. 37.

(3) The Constitution Order may authorise the revocation or amendment of any of its provisions in any manner specified by the Order in relation to those provisions respectively, but save as may be so authorised shall not be capable of being revoked or amended except by Act of Parliament; and where that Order authorises the revocation or amendment of any of its provisions by Order in Council, any Order in Council made in pursuance of that authority shall be made by statutory instrument and be laid before Parliament after being made.

(4) Her Majesty may by Order in Council, which shall be subject to annulment in pursuance of a resolution of either House of Parliament, make such incidental, consequential and transitional provisions, including, in particular, adaptations and modifications of, or of any instrument made under, any Act of Parliament, as may appear to Her Majesty to be necessary or expedient by reason of anything contained in this section or in any instrument made thereunder and, in particular, by reason of any provision of the Constitution Order providing for the appointment in and for the State of Singapore, in addition to a representative of Her Majesty, of a representative of Her Majesty's Government in the United Kingdom; and any such adaptation or modification may be made so as to have effect from any date not earlier than that of the making of the Constitution Order notwithstanding that the Order in Council under this subsection was made after that date.

Short title.

2. This Act may be cited as the State of Singapore Act, 1958.

ANNEX MM 104

**Interpretation and General Clauses (Amendment) Ordinance No.2
of 1960**

INTERPRETATION AND GENERAL
CLAUSES (AMENDMENT).

Ordinances
Nos. 2 of 1960,
52 of 1960.

No. 2 of 1960.

INTERPRETATION AND GENERAL
CLAUSES (AMENDMENT).

*An Ordinance to amend the Interpretation and General
Clauses Ordinance (Chapter 2 of the Revised Edition).*

Date of coming into operation: [Sections 2 (a), (b) and (c) and 3—
27th January, 1960;
Sections 2 (d) and (e) and 4—28th
October, 1960.]

Short title.

1. This Ordinance may be cited as the Interpretation and
General Clauses (Amendment) Ordinance, 1960.

Amend-
ment of
section 2.

2. Subsection (1) of section 2 of the Interpretation and
General Clauses Ordinance (hereinafter in this Ordinance
referred to as the "principal Ordinance") is hereby
amended—

(a) by deleting the definition of "British Common-
wealth" appearing therein and substituting there-
for the following:—

" "British Commonwealth" means collectively
the United Kingdom and any other part
of Her Majesty's dominions, India,
Pakistan, Ceylon, the Federation of
Malaya, Ghana and any other country
declared by Act of Parliament or Ordin-
ance to be a Commonwealth country, any
territory under Her Majesty's protection,
and any territory administered by the
government of any part of Her Majesty's
dominions in accordance with a mandate
from the League of Nations or under the
trusteeship system of the United
Nations;"

(b) by deleting the definition of "Colony" or "Colony
of Singapore" appearing therein and inserting

INTERPRETATION AND GENERAL
CLAUSES (AMENDMENT).

immediately after the definition of "sign" the following new definition:—

6 & 7
Eliz. 2.
c. 59.

““Singapore” or “State of Singapore” means the State of Singapore established under the State of Singapore Act, 1958, and shall be deemed to include the Island of Singapore and all islands and places which on the 2nd day of June, 1959, were administered as part of the Colony of Singapore and all territorial waters adjacent thereto;”;

(c) by deleting the definition of “High Commissioner” appearing therein;

(d) by inserting immediately after the definition of “movable property” appearing therein the following new definition:—

“ “national language” means the Malay language;” and

[No. 52 of 1960.]

(e) by inserting immediately after the definition of “public holiday” appearing therein the following new definition:—

“ “public officer” means the holder of any office of emolument in the service of the Government;”.

[No. 52 of 1960.]

3. Section 37 of the principal Ordinance is hereby amended by deleting the brackets and figure “(2)” appearing in the first line of subsection (2) thereof and by inserting immediately after the word “responsible” appearing in the last line thereof the comma and words “, or by any public officer duly authorised in writing by the Minister”.

Amend-
ment of
section 37

4. Section 45 of the principal Ordinance is hereby amended—

Amend-
ment of
section 45.

(a) by deleting the words “of Yang di-Pertuan Negara or Attorney-General to fiat” appearing in the marginal note thereto;

INTERPRETATION AND GENERAL
CLAUSES (AMENDMENT).

- (b) by renumbering the existing section as subsection (1); and
- (c) by adding thereto the following new subsection:—

“(2) Whenever the signature of a Minister, Permanent Secretary or public officer is required for any document, any such document purporting to bear the signature of the Minister, Permanent Secretary or public officer shall be received as *prima facie* evidence in any proceeding or in any court without proof being given that the signature to such document is that of the Minister, Permanent Secretary or public officer, as the case may be.”.

[No. 52 of 1960.]

ANNEX MM 105

**Federation Light Dues (Amendment) Act No. 21 of 1961
(Federation of Malaya)**

FEDERATION OF MALAYA

Act of Parliament

No. 21 OF 1961

FEDERATION LIGHT DUES (AMENDMENT)
ACT, 1961

An Act to amend the Federation Light Dues Ordinance,
1953.

{Section 4—30th April, 1953.}

[Remaining provisions—]

BE IT ENACTED by the Duli Yang Maha Mulia Seri Paduka Baginda Yang di-Pertuan Agong with the advice and consent of the Dewan Negara and Dewan Ra'ayat in Parliament assembled, and by the authority of the same, as follows:

1. This Act may be cited as the Federation Light Dues (Amendment) Act, 1961, and shall come into operation on such date as the Minister may by notification in the *Gazette* appoint. Short title
and com-
mencement.

2. Section 2 of the Federation Light Dues Ordinance, 1953 (hereinafter in this Act referred to as "the principal Ordinance") is hereby amended by deleting the definition "waters of the Federation". Amendment
of section 2.
24 of 1953.

3. Section 3 of the principal Ordinance is hereby repealed and the following new section substituted therefor: New
section 3.

"Light
dues.

3. (1) The owner, agent or master of every ship which in the course of a voyage enters any port or place within the Federation, other than ships exempted under the provisions of sub-section (3), shall pay light dues according to the scale set out in the Schedule to this Ordinance to such officer (hereinafter in this Ordinance referred to as "the collector") as may be appointed by regulations to collect such light dues:

Provided that dues shall not be payable more than ten times in any one year in respect of the same ship.

(2) Where in any one year a ship—

(a) departs on a round voyage from the port at which it is registered, and

(b) after such departure enters any port or place within the Federation more than once in the course of such voyage,

light dues shall be payable under the provisions of sub-section (1) in respect of the first such entry only.

(3) There shall be exempted from the payment of light dues under this Ordinance—

- (a) ships belonging to or chartered by the Government of the Federation or the Government of any part of the Commonwealth;
- (b) foreign ships of war;
- (c) ships of under fifteen tons;
- (d) fishing craft;
- (e) such other class or description of ships as the Minister may by order prescribe.”.

Amendment
of section 6.

4. (1) Section 6 of the principal Ordinance is hereby amended—

- (a) by substituting for the words “maintenance and improvement of navigational aids” appearing in sub-section (3) thereof the words “establishment, maintenance and improvement of lighthouses, buoys, beacons and other navigational aids”;
- (b) by adding thereto the following new sub-section:
“(5) All expenses incurred in connection with the administration of the fund shall be paid out of monies of the fund.”.

(2) This section shall be deemed to have come into operation on the thirtieth day of April, 1953.

Amendment
of section 8.

5. Section 8 of the principal Ordinance is hereby amended by substituting for the words “Director of Marine” appearing therein the word “Minister.”.

*[Received the Royal Assent
on the 19th day of July,
1961.]*

ANNEX MM 106

Malaysia Act No. 26 of 1963 (Federation of Malaya) (extracts)

FEDERATION OF MALAYA

Act of Parliament

No. 26 OF 1963

MALAYSIA ACT

Am. Act. 31/65
Am. Act. 54/65

An Act for Malaysia.

[16th September, 1963]

WHEREAS on behalf of the Federation it has been agreed, among other things, that the British colonies of North Borneo and Sarawak and the State of Singapore shall be federated with the existing States of the Federation as the States of Sabah, Sarawak and Singapore, and that the name of the Federation should thereafter be Malaysia;

AND WHEREAS, to give effect to the agreement, it is necessary to amend the Constitution of the Federation so as to provide for the admission of those States and for matters connected therewith;

AND WHEREAS the Conference of Rulers has consented to the passing of this Act in so far as it amends Articles 38 and 153 of the Constitution or otherwise affects the privileges, position, honours or dignities of their Highnesses:

NOW, THEREFORE, be it enacted by the Duli Yang Maha Mulia Seri Paduka Baginda Yang di-Pertuan Agong with the advice and consent of the Dewan Negara and Dewan Ra'ayat in Parliament assembled, and by the authority of the same, as follows:

PART I

PRELIMINARY

1. This Act may be cited as the Malaysia Act. Citation.
2. Except in so far as the contrary intention appears, this Act shall come into force on the thirty-first day of August, nineteen hundred and sixty-three or such later day as may, before the said thirty-first day of August, have been specified for the purpose by proclamation of the Yang di-Pertuan Agong; and in this Act and in any other written law "Malaysia Day" shall mean the day on which this Act comes into force. Commence-
ment.

In force 16-9-63
LN. 214/63
3. The Constitution shall be amended as shown in the First Schedule to this Act, by inserting as Articles of the Constitution in accordance with that Schedule the sections of this Act specified in the second column, and those sections shall be read and have effect accordingly: Sections of
Act inserted
in Consti-
tution.

Provided that any Article so inserted shall have effect subject to the transitional provisions contained in Part IV of this Act.

PART II

THE STATES OF THE FEDERATION

The name, States and territories of the Federation. (Article 1)

4. (1) The Federation shall be known, in Malay and in English, by the name Malaysia.

(2) The States of the Federation shall be—

(a) the States of Malaya, namely, Johore, Kedah, Kelantan, Malacca, Negri Sembilan, Pahang, Penang, Perak, Perlis, Selangor and Trengganu; and

(b) the Borneo States, namely, Sabah and Sarawak; and

(c) the State of Singapore.

(3) The territories of each of the States mentioned in Clause (2) are the territories comprised therein immediately before Malaysia Day.

PART III

GENERAL CONSTITUTIONAL ARRANGEMENTS

TITLE I

GENERAL PROVISIONS AS TO FEDERAL AND STATE INSTITUTIONS

Chapter 1—Preliminary

Interpretation of constitutional terms.

5. In Article 160 of the Constitution, in Clause (2), there shall be inserted (in the places required by the alphabetical order and in substitution for the existing definition, if any, of the same term) the following definitions:

“Attorney-General” means the Attorney-General of the Federation;

“Chief Minister” and “Mentri Besar” both mean the president, by whatever style known, of the Executive Council in a State (and in particular “Chief Minister” includes the Prime Minister in Singapore);

“Executive Council” means the Cabinet or other body, however called, which in the government of a State corresponds, whether or not the members of it are Ministers, to the Cabinet of Ministers in the government of the Federation (and in particular includes the Supreme Council in Sarawak);

“Governor” means the Head of State, by whatever style known, in a State not having a Ruler (and in particular includes the Yang di-Pertua Negara in Sabah and the Yang di-Pertuan Negara in Singapore);

State under this sub-section without the concurrence of the Governor shall come into operation in the State until adopted by an enactment of the Legislature.

Subs. Act. 3/65
(16.9.65)

(6) Any provision made by an order under this section with respect to any law may be amended or repealed in like manner as that law.

(7) Orders under this section may be made at any time after the passing of this Act, and references to the Governor of a State shall be construed accordingly; and as respects the Federation orders under this section may be made to have effect before Malaysia Day.

Subs.
Act. 24/65
(9.8.65)

(8) ~~Any power to make orders under this section shall continue until the end of August, 1965, and thereafter till Parliament otherwise provides.~~

Am. Act. 3/65
(16.9.65)

(9) Any order under ~~sub-section (4)~~^{this} shall be laid before each House of Parliament; and if either House, at or before the second meeting begun after the order is laid before it, resolves that the order or any provision in it be annulled, the order or that provision of it shall cease to have effect, but without prejudice to anything previously done thereunder.

(10) In this section "modification" includes amendment, adaptation and repeal, and any power under this section to make modifications includes power to provide for savings and other transitional provisions.

Succession
to property.

75. (1) Subject to sections 78 and 79, any land which on Malaysia Day is vested in any of the Borneo States or in the State of Singapore, and was on the preceding day occupied or used by the government of the United Kingdom or of the State, or by any public authority other than the government of the State, for purposes which on Malaysia Day become federal purposes, shall on and after that day be occupied, used, controlled and managed by the Federal Government or, as the case may be, the said public authority, so long as it is required for federal purposes; and that land—

- (a) shall not be disposed of or used for any purposes other than federal purposes without the consent of the Federal Government; and
- (b) shall not by virtue of this sub-section be used for federal purposes different from the purposes for which it was used immediately before Malaysia Day without the consent of the government of the State and, where it ceases to be used for those purposes and that consent is not given, shall be offered to the State accordingly.

(2) For the purposes of sub-section (1) "federal purposes" includes the provision of government quarters for the holders of federal office or employment; but that sub-section shall not apply to any land by reason of its having been used by any government for providing government quarters other than those regarded by that government as institutional quarters.

(3) Property and assets other than land which immediately before Malaysia Day were used by the government of a Borneo State or of Singapore in maintaining government services shall be apportioned between the Federation and the State with regard to the needs of the Federal and State governments respectively to have the use of the property and assets for Federal or State services, and (subject to any agreement to the contrary between the governments concerned) a corresponding apportionment as at that date shall be made of other assets of the State (but not including land) and of the burden, as between the Federation and the State, of any financial liabilities of the State (including future debt charges in respect of those liabilities); and there shall be made all such transfers and payments as may be necessary to give effect to any apportionment under this sub-section.

(4) In this section references to the government of a State include the government of the territories comprised therein before Malaysia Day.

76. (1) All rights, liabilities and obligations relating to any matter which was immediately before Malaysia Day the responsibility of the government of a Borneo State or of Singapore, but which on that day becomes the responsibility of the Federal Government, shall on that day devolve upon the Federation, unless otherwise agreed between the Federal Government and the government of the State.

Succession
to rights,
liabilities
and
obligations.

(1A) (2) This section does not apply to any rights, liabilities or obligations in relation to which section 75 has effect, nor does it have effect to transfer any person from service under the State to service under the Federation or otherwise affect any rights, liabilities or obligations arising from such service or from any contract of employment; but, subject to that, in this section rights, liabilities and obligations include rights, liabilities and obligations arising from contract or otherwise.

< New. Act. 51/65
(16.9.63)

(3) The Attorney-General shall on the application of any party interested in any legal proceedings, other than proceedings between the Federation and a State, certify whether any right, liability or obligation is by virtue of this

78. (1) Where in a Borneo State or in Singapore the State government on Malaysia Day retains responsibility for any matter by reason—

Succession
on future
transfers of
responsi-
bility.

- (a) of the matter being included for a limited period in the Concurrent List; or
- (b) of the making of an order under Article 95c of the Constitution empowering the State Legislature to pass laws about the matter;

but the matter would otherwise have become on Malaysia Day the responsibility of the Federal Government, then (subject to federal law) on that matter becoming the responsibility of the Federal Government sections 75 and 76 and sub-sections (2) to (5) of section 77 shall apply in connection with the transfer of responsibility for that matter with the substitution of references to the day on which it does so for the references to Malaysia Day.

(2) Where in a Borneo State or in Singapore the State government retains responsibility for any matter under a present law of the State continued in force under section 73, but the matter would otherwise have become on that day the responsibility of the Federal Government, then—

- (a) the purposes of that law shall not be treated as federal purposes within the meaning of section 75 so long as the State government retains the responsibility thereunder; and
- (b) sub-section (1) shall apply as it applies where the State government retains responsibility for the reasons there mentioned.

79. (1) There shall on Malaysia Day vest in the Federal Lands Commissioner (without payment) any land in Singapore which is then leased or agreed to be leased by or on behalf of the State to the Services' Lands Board for the purposes specified in section 72 of the Singapore (Constitution) Order in Council, 1958.

Defence
lands.

(2) Land vested in the Federal Lands Commissioner by sub-section (1) shall vest in him for the term for which it was leased or agreed to be leased to the Services' Lands Board for the purposes there mentioned, and on the terms and conditions on which it was so leased or agreed to be leased, except that—

- (a) the Federal Lands Commissioner shall take the place of the Services' Lands Board; and

PART II
SINGAPORE*List IIB—Supplement to State List for Singapore*

13. Education, including the matters specified in items 13 (a) and (b) of the Federal List.
14. Medicine and health, including the matters specified in items 14 (a) to (d) of the Federal List.
15. Labour and social security, including the matters specified in items 15 (a) and (b), but not those specified in item 15 (c) of the Federal List.
16. Pensions, gratuities and other like allowances, and compensation for loss of office, in respect of service under the State (including any government service in the State before Malaysia Day).
17. Factories; boilers and machinery; dangerous trades; dangerous and inflammable substances.
18. Electricity; gas and gas works.
19. Itinerant hawkers.

List IIIB—Supplement to Concurrent List for Singapore

10. Personal law relating to marriage, divorce, guardianship, maintenance, adoption, family law, gifts or succession testate or intestate.
11. Loans to, or borrowing by, the State or statutory authorities exercising powers vested in them by the State law in Singapore.
12. (a) Production, supply and distribution of goods, but not bounties on production; price control and food control; adulteration of foodstuffs and other goods;
(b) Imports into, and exports from, the Federation, but not bounties on export;
(c) Insurance, including compulsory insurance;
(d) Auctions and auctioneers;
(e) Industries; regulation of industrial undertakings;
(f) Banking; money-lending; pawnbrokers.
13. Shipping and navigation, including the matters specified in items 9 (a), (b), (c), (e) and (f) of the Federal List.
14. Professional occupations other than those specifically enumerated in the Federal List.
15. Unincorporated societies.
16. Charities and charitable trusts and institutions in the State (that is to say, operating wholly within, or created and operating in, the State) and their trustees, including the incorporation thereof and the regulation and winding-up of incorporated charities and charitable institutions in the State.
17. Newspapers; publications; publishers; printing and printing presses.
18. Censorship.
19. Theatres; cinemas; cinematograph films; places of public amusement.
20. Until the end of August, 1968, and thereafter until Parliament with the concurrence of the State government otherwise provides, elections to the Legislative Assembly.

ANNEX MM 107

Malaysia Act 1963 (UK), ss. 1-3

“the Territories” means Southern Rhodesia, Northern Rhodesia and Nyasaland, and “Territory” shall be construed accordingly.

(3) The powers conferred by this Act shall be in addition to, and not in derogation of, the powers conferred by any other enactment.

1963 CHAPTER 35

Malaysia Act 1963

ARRANGEMENT OF SECTIONS

Section

1. Malaysia.
2. Consequential modifications of British Nationality Acts.
3. Operation of existing law.
4. Power to make consequential provisions.
5. Judicial arrangements.
6. Short title and repeals.

SCHEDULES:

- Schedule 1—Exemptions from operation of s. 2(2) of Act.
Schedule 2—Provisions referred to in s. 3(2) of Act.
Schedule 3—Repeals.

An Act to make provision for and in connection with the federation of North Borneo, Sarawak and Singapore with the existing States of the Federation of Malaya.
[31st July 1963]

BE IT ENACTED by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:—

1.—(1) For the purpose of enabling North Borneo, Sarawak ^{Malaysia.} and Singapore (in this Act referred to as “the new States”) to federate with the existing States of the Federation of Malaya (in this Act referred to as “the Federation”), the Federation thereafter being called Malaysia, on the day on which the new States are federated as aforesaid (in this Act referred to as “the appointed day”) Her Majesty's sovereignty and jurisdiction in respect of the new States shall be relinquished so as to vest in the manner agreed between the United Kingdom of Great Britain and Northern Ireland, the Federation and the new States.

(2) Her Majesty may by Order in Council enact State Constitutions to take effect for the new States immediately before the appointed day.

Consequential
modifications
of British
Nationality
Acts.

2.—(1) On and after the appointed day the British Nationality Acts 1948 and 1958 shall have effect as if in subsection (3) of section 1 of the Act of 1948 (which provides for persons to be British subjects or Commonwealth citizens by virtue of citizenship of certain countries) for the words “the Federation of Malaya, the State of Singapore” there were substituted the word “Malaysia”.

(2) Save as provided by Schedule 1 to this Act, any person who immediately before the appointed day is a citizen of the United Kingdom and Colonies shall on that day cease to be such a citizen if on that day he becomes a citizen of the Federation.

(3) On and after the appointed day, section 6(2) of the British Nationality Act 1948 (which provides for the registration as a citizen of the United Kingdom and Colonies of a woman who has been married to such a citizen) shall not apply to a woman by virtue of her marriage to a person who on the appointed day ceases to be such a citizen under subsection (2) of this section, or would have done so if living on the appointed day.

(4) Part III of the British Nationality Act 1948 (which contains supplemental provisions) shall have effect for the purposes of the foregoing subsection and Schedule 1 to this Act as if those provisions were included in that Act.

Operation
of existing
law.

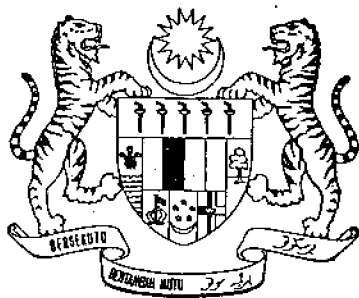
3.—(1) On and after the appointed day all law which, whether being a rule of law or a provision of an Act of Parliament or of any other enactment or instrument whatsoever, is in force on that day or has been passed or made before that day and comes into force thereafter, shall, unless and until provision to the contrary is made by Parliament or some other authority having power in that behalf, and save as otherwise provided by this Act, have the same operation in relation to the Federation, to any of the States of the Federation, and to persons and things belonging to or connected with the Federation or any of the States thereof, as it would have apart from this subsection if the new States had not become included in the Federation and section 1 of this Act had not been passed.

(2) The enactments specified in Schedule 2 to this Act shall have effect on and after the appointed day in accordance with the provisions of that Schedule.

(3) This section applies to law of or of any part of the United Kingdom, the Channel Islands and the Isle of Man and, in relation only to any enactment of the Parliament of the United Kingdom or any Order in Council made by virtue of any such enactment whereby any such enactment applies in relation to the Federation or any territory which will be comprised therein on and after the appointed day, to law of any other country or territory to which that enactment or Order extends.

ANNEX MM 108

Proclamation of Singapore, 1965



MALAYSIA

HIS MAJESTY'S GOVERNMENT

Gazette

EXTRAORDINARY

PUBLISHED BY AUTHORITY

Vol. IX

9th August, 1965

No. 16

No. 3460.

PROCLAMATION ON SINGAPORE

In the name of God, the Compassionate, the Merciful. Praise be to God, the Lord of the Universe, and may the benediction and peace of God be upon Our Leader Muhammad and upon all His Relations and Friends.

WHEREAS Malaysia was established on the 16th day of September, 1963, by a federation of the existing states of the Federation of Malaya and the States of Sabah, Sarawak and Singapore into one independent and sovereign nation;

AND WHEREAS by an Agreement made on the 7th day of August in the year one thousand nine hundred and sixty-five between the Government of Malaysia of the one part and the Government of Singapore of the other part it was agreed that Singapore should cease to be a state of Malaysia and should thereupon become an independent and sovereign state and nation separate from and independent of Malaysia;

AND WHEREAS it was also agreed by the parties to the said Agreement that, upon the separation of Singapore from Malaysia, the Government of Malaysia shall relinquish its sovereignty and jurisdiction in respect of Singapore so that the said sovereignty and jurisdiction shall on such relinquishment vest in the Government of Singapore;



Now in the name of God the Compassionate, the Merciful, I, TUNKU ABDUL RAHMAN PUTRA AL-HAJ IBNI ALMARHUM SULTAN ABDUL HAMID HALIM SHAH, Prime Minister of Malaysia, with the concurrence and approval of His Majesty the Yang di-Pertuan Agong of Malaysia, DO HEREBY DECLARE AND PROCLAIM that, as from the 9th day of August in the year one thousand nine hundred and sixty-five, Singapore shall cease to be a State of Malaysia and shall forever be an independent and sovereign state and nation separate from and independent of Malaysia, and that the Government of Malaysia recognises the present Government of Singapore as an independent and sovereign government of Singapore and will always work in friendship and co-operation with it.

Dated this 9th day of August, 1965.

TUNKU ABDUL RAHMAN PUTRA,
Perdana Menteri, Malaysia

PERISHTIHARAN ATAS SINGAPURA

Dengan nama Allah yang maha murah lagi mengasihani, segala puji² bagi Allah yang maha kuasa dan selawat serta salam ka-atas Junjongan kita nabi Mohammad dan keluarga serta sahabat sahabat-nya.

BAHAWASA-NYA Malaysia telah di-tubuhkan pada 16 haribulan September, tahun 1963, dengan mempersekutukan negeri negeri yang ada pada masa itu dalam Persekutuan Tanah Melayu dengan negeri negeri Sabah, Sarawak dan Singapura menjadi sa-buah negara yang merdeka dan berdaulat.

DAN BAHAWASA-NYA mengikut suatu Perjanjian yang telah di-buat pada 7 haribulan Ogos, tahun 1965 di-antara Kerajaan Malaysia bagi satu pihak dan Kerajaan Singapura bagi satu pihak lagi, maka telah di-persetujui bahawa Singapura patut terhenti menjadi sa-buah negeri dalam Malaysia dan dari masa itu patut menjadi sa-buah negara yang merdeka dan berdaulat berasingan dan bebas dari Malaysia.

DAN BAHAWASA-NYA telah juga di-persetujui oleh pihak pihak yang membuat Perjanjian yang tersebut itu bahawa, sa-telah sahaja di-asingkan Singapura dari Malaysia maka Kerajaan Malaysia hendaklah meluchutkan kedaulatan dan kuasa-nya berkenaan dengan Singapura supaya kedaulatan dan kuasa yang tersebut itu ada-lah, dari masa perluchutan itu, menjadi hak Kerajaan Singapura.



MAKA dengan nama Allah yang maha mulia lagi mengasehani, saya, TUNKU ABDUL RAHMAN PUTRA AL-HAJ IBNI AL-MARHUM SULTAN ABDUL HAMID HALIM SHAH, Perdana Menteri Malaysia, dengan persetujuan dan di-perkenankan oleh Duli Yang Maha Mulia Seri Paduka Baginda Yang di-Pertuan Agong, Malaysia, DENGAN INI MEMASHORKAN DAN MENGISH-TIHARKAN bahawa, mulai daripada 9 haribulan Ogos, tahun 1965, Singapura ada-lah terhenti menjadi sa-buah negeri dalam Malaysia dan ada-lah menjadi bagi selama lama-nya sa-buah negara dan bangsa yang merdeka dan berdaulat berasingan dan bebas dari Malaysia, dan bahawa Kerajaan Malaysia mengiktirafkan Kerajaan Singapura yang ada sekarang ini sa-bagai sa-buah Kerajaan Singa-pura yang merdeka dan berdaulat dan akan sentiasa berkerjasama dan bersahabat dengan-nya.

Bertarekh pada 9 haribulan Ogos, 1965.

TUNKU ABDUL RAHMAN PUTRA,
Perdana Menteri, Malaysia

ANNEX MM 109

Interpretation Act, No. 10 of 1965 (Singapore) (extract)

REPUBLIC OF SINGAPORE

No. 10 of 1965.

I assent.



YUSOF BIN ISHAK,
President.

23rd December, 1965.

Date of coming into operation: 28th December, 1965.

An Act to define certain terms and expressions used in written law and to make provision for the construction, interpretation and publication of written law and for matters connected therewith.

Be it enacted by the President with the advice and consent of the Parliament of Singapore, as follows:—

Short title.

1. This Act may be cited as the Interpretation Act, 1965.

Part I.

GENERAL PROVISIONS OF INTERPRETATION.

Interpre-
tation of
certain
words and
expressions.

2.—(1) In this Act, and in every written law enacted before or after the commencement of this Act, the following words and expressions shall, without prejudice to anything done prior to the coming into operation of this Act, have the meanings respectively assigned to them unless there is something in the subject or context inconsistent with such construction or unless it is therein otherwise expressly provided:—

“abet”, with its grammatical variations and cognate expressions, has the same meaning as in the Penal Code;

Cap. 119.

“Accountant-General” means the Accountant-General of Singapore;

“rules of court”, when used in relation to any court, means rules made by the authority having for the time being power to make rules or orders regulating the practice and procedure of such court, together with the forms necessary thereto;

“Secretary to the Cabinet” means the Secretary to the Cabinet appointed in accordance with the provisions of the Constitution;

“service by post”, where an Act authorizes or requires any document to be served by post, whether the expression “serve”, “give” or “send” or any other expression is used, then, unless a contrary intention appears, the service shall be deemed to be effected by properly addressing, prepaying and posting a letter containing the document, and, unless the contrary is proved, shall be deemed to have been effected at the time at which the letter would be delivered in the ordinary course of post;

“ship” includes every description of vessel used in navigation not exclusively propelled by oars or paddles;

“sign”, with its grammatical variations and cognate expressions, with reference to a person who is unable to write his name, includes “mark” with its grammatical variations and cognate expressions;

“Singapore” means the Republic of Singapore and shall be deemed to include the Island of Singapore and all islands and places which on the 2nd day of June, 1959, were administered as part of Singapore and all territorial waters adjacent thereto;

“Solicitor-General” means the Solicitor-General of Singapore;

“Speaker” means the Speaker of the Parliament elected in accordance with the provisions of the Constitution;

“States of Malaya” means the States of Johore, Kedah, Kelantan, Malacca, Negri Sembilan, Pahang, Penang, Perak, Perlis, Selangor and Trengganu, which constitute part of Malaysia;

“statutory declaration”, if made —

(a) in Singapore, means a declaration made under the Statutory Declarations Ordinance;

ANNEX MM 110

**Petroleum Agreement Under Section 9 of the Petroleum Mining Act, 1966 in Respect of Off-shore Lands between the Government of Malaysia and Continental Oil Company of Malaysia Concerning 24,000 (Approximate) Square Miles of the Continental Shelf Adjacent to the East Coast of West Malaysia, 16 April 1968
(extracts)**

Petroleum Agreement

UNDER SECTION 9 OF THE PETROLEUM MINING ACT, 1966

IN RESPECT OF OFF-SHORE LANDS
SIGNED ON 16TH APRIL, 1968

BETWEEN

THE GOVERNMENT OF MALAYSIA

AND

CONTINENTAL OIL COMPANY OF MALAYSIA

CONCERNING 24,000 (APPROXIMATE)
SQUARE MILES OF THE CONTINENTAL
SHELF ADJACENT TO THE EAST COAST
OF WEST MALAYSIA

DI-CHEK DI-JABATAN Cetak Kerajaan
OLEH THOR BENG CHONG, A.M.N., PENCHEK Kerajaan
KUALA LUMPUR
1968

PETROLEUM AGREEMENT UNDER SECTION 9 OF THE PETROLEUM MINING ACT, 1966, IN RESPECT OF OFF-SHORE LANDS SIGNED ON 16TH APRIL, 1968, BETWEEN THE GOVERNMENT OF MALAYSIA AND CONTINENTAL OIL COMPANY OF MALAYSIA CONCERNING 24,000 (APPROXIMATE) SQUARE MILES OF THE CONTINENTAL SHELF ADJACENT TO THE EAST COAST OF WEST MALAYSIA

THIS AGREEMENT is made the 16th day of April, 1968, BETWEEN: the GOVERNMENT OF MALAYSIA (in this Agreement called "the Government") of the one part AND CONTINENTAL OIL COMPANY OF MALAYSIA (in this Agreement called "the Company" which expression shall where the context allows include its successors and assigns) of the other part.

WHEREAS—

- (A) The Company has applied to the Government under the Petroleum Mining Act, 1966 for a petroleum agreement in respect of certain lands specified in the First Schedule to this Agreement;
- (B) The Government has agreed to enter into a petroleum agreement under the terms and together with the benefit of but subject to the provisions in this Agreement specified.

NOW THIS AGREEMENT WITNESSETH as follows:

PART I

DEFINITIONS

1. In this Agreement the following expressions (except where the context otherwise requires) have the following meanings:

Meaning of expressions in Agreement.

"Agreement Period" means the period during which this Agreement subsists as determined under the provisions of Clause 59, and "Agreement Year" means a year commencing on the date or anniversary of the commencement of the Agreement Period;

"barrel" means 42 U.S. gallons or 9702 cubic inches, being equivalent to 34.9726 Imperial gallons;

"casinghead petroleum spirit" means any liquid hydrocarbons obtained from natural gas (before the crude oil from which it is derived has been measured for royalty) by separation or by any chemical or physical process;

"crude oil" means mineral oil in its natural state before the same has been refined or otherwise treated but excluding water and foreign substances;

"development phase" means the period during which the Company's activities are directed towards the production of petroleum from the Scheduled Lands;

"exploration phase" means the period during which the Company's activities are directed towards the finding and searching for petroleum on the Scheduled Lands, and shall include the extended exploration phase as hereunder defined;

"extended exploration phase" means the period of exploration extended under Clause 59 (3);

"five Agreement Years" means a period of five years beginning from the date of the commencement of the first or the sixth or the eleventh Agreement Year, as the case may be;

"Minister" means Minister charged with the responsibility for lands and mines;

"natural gas" means gas obtained from boreholes and wells and consisting primarily of hydrocarbons;

"Part" and "Clause" means respectively a Part and a Clause of this Agreement;

"petroleum" means any mineral oil or relative hydrocarbon and natural gas existing in its natural condition and casinghead petroleum spirit but does not include coal or bituminous shales or other stratified deposits from which oil can be extracted by destructive distillation;

"petroleum in commercial quantity" means the discovery of reserves of petroleum in such quantities which will permit their being economically developed, taking into consideration the location of the reserves, the depths and number of wells required to be drilled and the transport and terminal facilities needed to exploit the reserves which have been discovered;

"posted price" means the f.o.b. price published by the Company from time to time in accordance with Clause 18 (a) for each grade, gravity and quality of petroleum offered for sale to buyers generally for export at the relevant point of export, which price shall be a price established with due regard to any posted prices for petroleum of comparable grade, gravity and quality in the Persian Gulf and having regard to geographical location;

"Scheduled Lands" means the area of continental shelf specified in the First Schedule to this Agreement and subject to the provisions of Part IV and the following proviso shall be deemed to be 24,000 square miles:

Provided that if following the more particular determination of the boundaries of such Scheduled Lands after the signing of this Agreement the area thereof as fixed by survey shall be ascertained to be greater or less than 24,000 square miles the area so ascertained shall thereupon for the purpose of this Agreement be deemed to be the area comprised therein at the date hereof in substitution for the said area of 24,000 square miles, and any payments which may have been made under Clause 11 (fixed yearly payment) hereof before such ascertainment shall be adjusted accordingly.

PART II

AGREEMENT

General
grant.

2. In consideration of the expenditure commitments and payments to be made by the Company specified in Parts V and VI, the Government hereby GRANTS to the Company the rights specified in Part III in respect of the Scheduled Lands TO EXERCISE AND ENJOY all and every the said rights for the Agreement Period subject to the provisions for surrender contained in Part IV and together with the benefit of but subject to the other stipulations and provisions contained in Parts VII to XII inclusive.

FIRST SCHEDULE

(Clause 1)

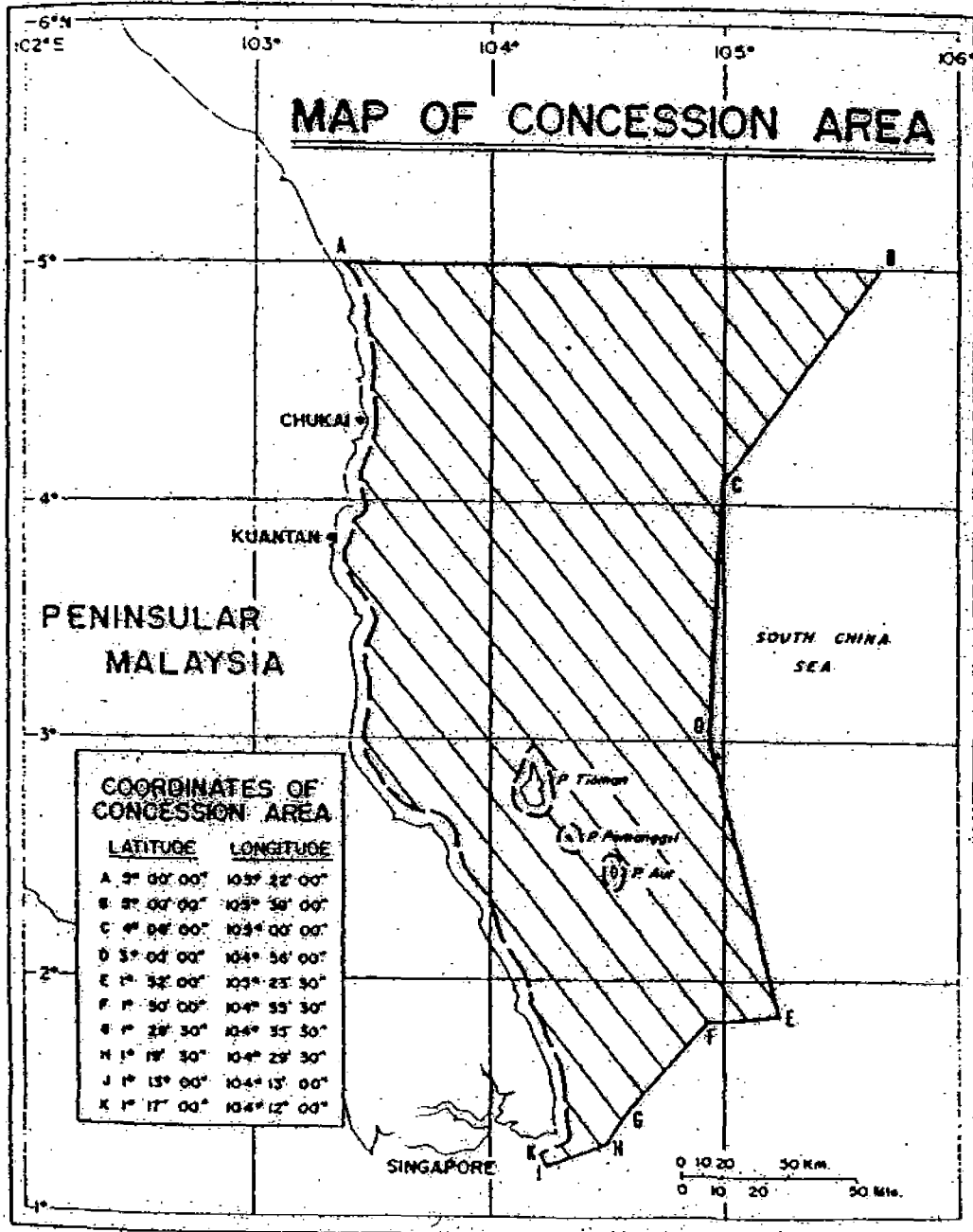
SCHEDULED LANDS

The whole of the area of the Continental Shelf off the East Coast of West Malaysia, South of latitude 5° 00' 00" North extending to the International Boundaries wherever they may be established, which area for the purpose of identification only is edged in red on the plan annexed hereto and is described as follows :

Starting at point H three miles offshore from the East Coast of West Malaysia, point H being latitude 5° 00' 00" North and approximately longitude 103° 22' 00" East thence by straight lines to points G, I, J, K, L, M, N, O as listed below and thence Northward to point P, three miles offshore from Tanjong Ayam on the South Eastern Coast of West Malaysia, being approximately latitude 1° 17' 00" North and longitude 104° 12' 00" East and thence following a line three miles from the base lines from which the territorial waters of the States of Johore, Pahang and Trengganu are measured back to point H but excluding the islands of the States and an area three miles from the base lines from which the territorial waters of such islands are measured.

Point	Latitude North	Longitude East
H ...	5° 00' 00"	... 103° 22' 00" (approx.)
G ...	5° 00' 00"	... 105° 39' 00"
I ...	4° 06' 00"	... 105° 00' 00"
J ...	3° 00' 00"	... 104° 56' 00"
K ...	1° 52' 00"	... 105° 23' 30"
L ...	1° 50' 00"	... 104° 55' 30"
M ...	1° 29' 30"	... 104° 35' 30"
N ...	1° 19' 30"	... 104° 29' 30"
O ...	1° 13' 00"	... 104° 13' 00"
P ...	1° 17' 00" (approx.)	... 104° 12' 00" (approx.)

Appendix B



CONCESSION AREA REFERRED TO IN THIS AGREEMENT

ANNEX MM 111

Emergency (Essential Powers) Ordinance No.7 of 1969 (Malaysia)

LAW OF MALAYSIA

Ordinance 7

EMERGENCY (ESSENTIAL POWERS)
ORDINANCE, No. 7 1969

An Ordinance promulgated by the Yang di-Pertuan Agong under Article 150 (2) of the Constitution.

[. . .]

P.U. (A)
145/69.

WHEREAS by reason of the existence of a grave emergency threatening the security of Malaysia, a Proclamation of Emergency has been issued by the Yang di-Pertuan Agong under Article 150 of the Constitution;

P.U. (A)
94/69.

AND WHEREAS Parliament was dissolved on the twentieth day of March, 1969, and elections to the new Dewan Ra'ayat have not been completed;

AND WHEREAS the Yang di-Pertuan Agong is satisfied that immediate action is required for an Ordinance to be promulgated for the delimitation of the territorial waters of Malaysia;

IT IS HEREBY ENACTED by the Duli Yang Maha Mulia Seri Paduka Baginda Yang di-Pertuan Agong pursuant to Clause (2) of Article 150 of the Constitution as follows:

Citation. 1. This Ordinance may be cited as the Emergency (Essential Powers) Ordinance, No. 7 1969.

Application. 2. This Ordinance shall apply throughout Malaysia.

Breadth of territorial waters. 3. (1) It is hereby declared that the breadth of the territorial waters of Malaysia shall be twelve nautical miles and such breadth shall be measured in accordance with Articles 3, 4, 6, 7, 8, 9, 10, 11, 12 and 13 of the Geneva Convention on the Territorial Sea and the Contiguous Zone (1958), which Articles are set out in the Schedule hereto.

(2) In applying the aforesaid Articles, the expression "territorial sea" occurring therein shall be construed as "territorial waters".

Modification of laws. 4. (1) Except as provided in sub-section (2), any reference occurring in any written law to territorial waters shall in so far as such reference affects federal law be construed subject to the provisions of this Ordinance.

(2) For the purposes of the Continental Shelf Act, 1966, Act. No. 57 of 1966. Petroleum Mining Act, 1966, and the National Land Code Act, 1965, any reference to territorial waters appearing in any of these Acts shall be construed without reference to the provisions of this Ordinance. Act. No. 58 of 1966. Act. No. 56 of 1965.

5. (1) So soon hereafter as may be possible or thereafter from time to time as he may consider necessary the Yang di-Pertuan Agong shall cause to be published a large-scale map indicating the low water marks, the baselines, the outer limits and the areas of the territorial waters of Malaysia. Publication of large-scale map.

(2) A copy of such map shall be published in the *Gazette* for general information.

6. The Yang di-Pertuan Agong shall, pursuant to any agreement entered into between Malaysia and another coastal State, by order modify the areas of the territorial waters of Malaysia; and any modification so made shall be indicated in a large-scale map and a copy thereof shall be published in the *Gazette* for general information. Modification of territorial waters.

7. In any proceedings before any court in Malaysia if question arises as to whether an act or omission has taken place within or without the territorial waters of Malaysia, a certificate to that effect purported to be signed by or on behalf of the Minister charged with the responsibility for external affairs shall be received in evidence and shall be prima facie proof of the facts stated therein. Evidence.

SCHEDULE

(Section 3)

GENEVA CONVENTION ON THE TERRITORIAL SEA AND THE CONTIGUOUS ZONE (1958)

ARTICLE 3

Except where otherwise provided in these Articles, the normal baseline for measuring the breadth of the territorial sea is the low-water line along the coast as marked on large-scale charts officially recognised by the coastal State.

ARTICLE 4

1. In localities where the coast line is deeply indented and cut into, or if there is a fringe of island along the coast in its immediate vicinity, the method of straight baselines joining appropriate points may be employed in drawing the baseline from which the breadth of the territorial sea is measured.

2. The drawing of such baselines must not depart to any appreciable extent from the general direction of the coast, and the sea areas lying within the lines must be sufficiently closely linked to the land domain to be subject to the regime of internal waters.

3. Baselines shall not be drawn to and from low-tide elevations, unless lighthouses or similar installations which are permanently above sea level have been built on them.
4. Where the method of straight baselines is applicable under the provisions of paragraph 1, account may be taken, in determining particular baselines, of economic interests peculiar to the region concerned, the reality and the importance of which are clearly evidenced by a long usage.
5. The system of straight baselines may not be applied by a State in such a manner as to cut off from the high seas the territorial sea of another State.
6. The coastal State must clearly indicate straight baselines on charts, to which due publicity must be given.

ARTICLE 6

The outer limit of the territorial sea is the line every point of which is at a distance from the nearest point of the baseline equal to the breadth of the territorial sea.

ARTICLE 7

1. This Article relates only to bays the coast of which belong to a single State.
2. For the purposes of these Articles, a bay is a well-marked indentation whose penetration is in such proportion to the width of its mouth as to contain land-locked waters and constitute more than a mere curvature of the coast as a bay unless its area is as large as, or larger than, that of the semi-circle whose diameter is a line drawn across the mouth of that indentation.
3. For the purpose of measurement, the area of an indentation is that lying between the low-water mark around the shore of the indentation and a line joining the low-water marks of its natural entrance points. Where, because of the presence of islands, an indentation has more than one mouth, the semi-circle shall be drawn on a line as long as the sum total of the lengths of the lines across the different mouths. Islands within an indentation shall be included as if they were part of the water area of the indentation.
4. If the distance between the low-water marks of the natural entrance points of a bay does not exceed twenty-four miles, a closing line may be drawn between these two low-water marks, and the waters enclosed thereby shall be considered as internal waters.
5. Where the distance between the low-water marks of the natural entrance points of a bay exceeds twenty-four miles, a straight baseline of twenty-four miles shall be drawn within the bay in such a manner as to enclose the maximum area of water that is possible with a line of that length.
6. The foregoing provisions shall not apply to so-called "historic" bays, or in any case where the straight baseline system provided for in Article 4 is applied.

ARTICLE 8

For the purpose of delimiting the territorial sea, the outermost permanent harbour works which form an integral part of the harbour system shall be regarded as forming part of the coast.

ARTICLE 9

Roadsteads which are normally used for the loading, unloading and anchoring of ships, and which would otherwise be situated wholly or partly outside the outer limit of the territorial sea, are included in the territorial sea. The coastal State must clearly demarcate such roadsteads and indicate them on charts together with their boundaries, to which due publicity must be given.

ARTICLE 10

1. An island is a naturally-formed area of land, surrounded by water, which is above water at high-tide.
2. The territorial sea of an island is measured in accordance with the provisions of these Articles.

ARTICLE 11

1. A low-tide elevation is a naturally-formed area of land which is surrounded by and above water at low-tide but submerged at high-tide. Where a low-tide elevation is situated wholly or partly at a distance not exceeding the breadth of the territorial sea from the mainland or an island, the low-water line on that elevation may be used as the baseline for measuring the breadth of the territorial sea.
2. Where a low-tide elevation is wholly situated at a distance exceeding the breadth of the territorial sea from the mainland or an island, it has not territorial sea of its own.

ARTICLE 12

1. Where the coast of two States are opposite or adjacent to each other, neither of the two States is entitled, failing agreement between them to the contrary, to extend its territorial sea beyond the median line every point of which is equidistant from the nearest points on the baselines from which the breadth of the territorial seas of each of the two States is measured. The provisions of this paragraph shall not apply, however, where it is necessary by reason of historic title or other special circumstances to delimit the territorial seas of the two States in a way which is at variance with this provision.
2. The line of delimitation between the territorial seas of two States lying opposite to each other or adjacent to each other shall be marked on large-scale charts officially recognised by the coastal States.

ARTICLE 13

If a river flows directly into the sea, the baseline shall be a straight line across the mouth of the river between points on the low-tide line of its banks.

Promulgated at Istana Negara, Kuala Lumpur, on the Second day of August, 1969.

TUANKU ISMAIL NASIRUDDIN SHAH,
Yang di-Pertuan Agong

ANNEX MM 112

Light Dues Act No.12 of 1969 (Singapore) (extracts)

 REPUBLIC OF SINGAPORE

No. 12 of 1969.

I assent.


YUSOF BIN ISHAK.
*President.**26th December, 1969.*

An Act to establish a corporation to be known as the Singapore Light Dues Board and to repeal and re-enact with amendments the Light Dues Ordinance, 1957 (No. 6 of 1957).

Be it enacted by the President with the advice and consent of the Parliament of Singapore, as follows:—

Part I.**PRELIMINARY.**

1. This Act may be cited as the Light Dues Act, 1969, and shall come into operation on such date as the Minister may, by notification in the *Gazette*, appoint. Short title
and com-
mencement.

2. In this Act, unless the context otherwise requires — Interpre-
tation.

“the Board” means the Singapore Light Dues Board established under section 3 of this Act;

“Director of Marine” means the Director of Marine appointed under section 9 of the Merchant Shipping Ordinance; Cap. 207.

“the Fund” means the Light Dues Fund established under section 20 of this Act;

“light dues” means the light dues payable under section 22 of this Act;

“ship” includes every description of vessel used in navigation and not propelled by oars;

“Singapore” means the Republic of Singapore and shall be deemed to include the Island of Singapore and all islands and places which on the 2nd day of June, 1959, were administered as part of Singapore and all territorial waters adjacent thereto;

“vessel” includes any ship or boat or any other description of vessel used in navigation.

Part II.

THE SINGAPORE LIGHT DUES BOARD.

Establishment and incorporation of the Singapore Light Dues Board.

3.—(1) There is hereby established a body to be known as the “Singapore Light Dues Board”, which shall be a body corporate with perpetual succession and a common seal and which may sue and be sued in its corporate name and perform such other acts as bodies corporate may by law perform.

(2) The Board shall consist of a Chairman and eight other members, all of whom shall be appointed by the Minister.

(3) The Chairman and other members of the Board shall, unless their appointment is revoked by the Minister under the provisions of subsection (5) of this section or unless they resign during their period of office, each hold office for such period not exceeding three years as the Minister may think fit, and shall be eligible for reappointment on completion of such period.

(4) The Minister may appoint any suitable person to be a temporary Chairman or temporary member of the Board during the absence or incapacity owing to illness or otherwise of the Chairman or other member of the Board.

(5) The Minister may at any time revoke the appointment of the Chairman or any other member of the Board.

Quorum.

4.—(1) The quorum at all meetings of the Board shall be five members present, and no business shall be transacted unless a quorum is present.

(2) The Chairman, or in his absence such member as the members of the Board present shall select, shall preside at meetings of the Board.

(3) A decision of the majority of the members of the Board present and voting at a meeting of the Board shall be deemed to be a decision of the Board.

(4) In the event of the votes for and against any question being equal, the Chairman or in his absence the member presiding at the meeting of the Board as provided in subsection (2) of this section shall have a casting vote in addition to his original vote.

5. Subject to the provisions of subsection (1) of section 4 of this Act, the Board shall not be precluded from holding any meeting or acting in any matter merely by reason of any vacancy in its membership. Vacancies .

6. Subject to the provisions of this Act, the Board may make rules for the conduct of its proceedings. Rules.

7. It shall be the duty of the Board to aid the safe navigation of ships by providing and maintaining, as the Board considers necessary, lighthouses, buoys, beacons and other navigational aids in Singapore and the approaches thereto, at Pedra Branca (Horsburgh), at Pulau Pisang and at such other places as the Board may think fit. Duties of
the Board

8.—(1) Subject to the provisions of this Act, the Board may carry on such activities as appear to the Board to be advantageous, necessary or convenient for it to carry on for, or in connection with, the discharge of its duties under this Act and, without prejudice to the generality of the foregoing, the Board may exercise any or all of the following powers:— Powers of
the Board .

(a) acquire, purchase, take, hold and enjoy movable and immovable property of every description and sell, convey, assign, surrender and yield up, charge, mortgage, demise, reassign, transfer or otherwise dispose of, or deal with, any movable or immovable property vested in the Board upon such terms and conditions as to the Board seem fit;

(b) acquire, hire, procure, construct, erect, manufacture, provide, operate, maintain or repair anything whatsoever, whether movable or immovable, required by the Board for the purposes of this Act;

9. Upon the coming into operation of this Act —

- (a) the Light Dues Board and the Light Dues Fund established under the Light Dues Ordinance, 1957, shall cease to exist;
- (b) all sums and other assets standing to the credit of the Light Dues Fund established under the said Ordinance shall forthwith be paid to the account of or be transferred to the credit of the Light Dues Fund established under section 20 of this Act;
- (c) all the assets and movable and immovable property of every description and all the powers, rights and privileges in connection therewith or appertaining thereto which immediately before the date of the coming into operation of this Act were vested in the Light Dues Board established under the said Ordinance shall forthwith be transferred to and vest in the Board without further assurance and freed and discharged from any trust whatsoever, but subject nevertheless to the provisions of this Act; and
- (d) all liabilities and obligations of the Light Dues Board established under the said Ordinance which may have existed immediately prior to the date of the coming into operation of this Act shall be transferred to and vest in the Board.

Vesting of the Light Dues Board's assets and liabilities in the Board. Ord. 6 of 1957.

10.—(1) There may be transferred to the Board for the purposes of this Act, such lands, buildings and other property, movable or immovable, vested in or belonging to the Government as the Minister for Finance may think fit, and any lands, buildings and other property so transferred shall vest in the Board without further assurance.

Transfer of Government property to the Board for the purposes of this Act.

(2) Upon such transfer, all debts, liabilities and obligations in connection with or appertaining to such lands, buildings and other property shall also be transferred to and be deemed to have been incurred by the Board.

11. The Board may from time to time appoint and employ such officers and servants as may be necessary for the purposes of this Act and shall have power to dismiss them as it thinks fit.

Employment of officers and servants.

ANNEX MM 113

Fisheries Act, Act 317 of 1985 (Malaysia) (extracts)

LAWS OF MALAYSIA

Act 317

FISHERIES ACT 1985

An Act relating to fisheries, including the conservation, management and development of maritime and estuarine fishing and fisheries, in Malaysian fisheries waters, to turtles and riverine fishing in Malaysia and to matters connected therewith or incidental thereto.

[]

WHEREAS it is expedient to consolidate and amend the written law relating to fisheries, including the conservation, management and development of maritime and estuarine fishing and fisheries, in Malaysian fisheries waters and to turtles and riverine fishing in Malaysia;

AND WHEREAS by Clause (1) of Article 74 of the Federal Constitution Parliament may make laws with respect to a matter enumerated in the Federal List or the Concurrent List, and whereas fisheries, including maritime and estuarine fishing and fisheries (excluding turtles), is a matter enumerated in the Federal List under item 9 of List I of the Ninth Schedule to the Federal Constitution and maritime and estuarine fishing and fisheries are also matters enumerated in the Concurrent List under item 12 of List IIIA of the said Ninth Schedule in respect of the States of Sabah and Sarawak;

AND WHEREAS by Clause (1) (b) of Article 76 of the Federal Constitution Parliament may make laws with respect to any matter enumerated in the State List for the purpose of promoting uniformity of the laws of two or more States, and whereas turtles and riverine

fishing are matters enumerated in the State List under item 12 of List II of the Ninth Schedule of the Federal Constitution:

NOW, THEREFORE, pursuant to the relevant provisions of the Federal Constitution BE IT ENACTED by the Duli Yang Maha Mulia Seri Paduka Baginda Yang di-Pertuan Agong with the advice and consent of the Dewan Negara and Dewan Rakyat in Parliament assembled, and by the authority of the same, as follows:

PART I

PRELIMINARY

Short title,
application
and com-
mencement.

1. (1) This Act may be cited as the Fisheries Act 1985 and shall apply in Malaysian fisheries waters and, subject to subsection (2), in riverine waters within the jurisdiction of each of the States in Malaysia and of the Federation in respect of the Federal Territories of Kuala Lumpur and Labuan.

(2) This Act shall come into operation on such date as the Minister may appoint by notification in the *Gazette* and the Minister may appoint different dates for the coming into operation of different provisions of this Act in different areas:

Provided that the provisions of this Act insofar as they relate to turtles and riverine fishing in any State in Malaysia shall not come into operation in that State until they have been adopted by a law made by the Legislature of that State.

Interpreta-
tion.

2. In this Act, unless the context otherwise requires—

“aquaculture” means the propagation of fish seed or the raising of fish through husbandry during the whole or part of its life cycle;

Ord. 70152.

“authorized officer” means the Director-General, a Deputy Director-General of Fisheries, a fisheries officer, a port officer as defined in section 2 of the Merchant Shipping Ordinance 1952, the commanding officer of any Government naval vessel or Government aircraft, the commanding officer of any Government marine police vessel or any other person or class of persons appointed to be an authorized officer or authorized officers under section 36;

FISHERIES

9

“culture system” means any establishment, structure or facility employed in aquaculture and includes on-bottom culture, cage culture, hanging-net culture, pen culture, pond culture, pole or stick culture, raceway culture, raft culture, rope culture and hatchery;

“Director-General” means the Director-General of Fisheries appointed under this Act;

“estuarine waters” means the waters of a river extending from the mouth of the river—

(a) up to the point upstream penetrated by sea water at neap tides; and

(b) in the case of the State of Sarawak, up to the limits set by the Minister, with the concurrence of the State Authority, in regulations made under this Act;

“exclusive economic zone” means the exclusive economic zone of Malaysia as determined in accordance with the Exclusive Economic Zone Act 1984; *Act 311.*

“fish” means any aquatic animal or plant life, sedentary or not, and includes all species of finfish, crustacea, mollusca, aquatic mammals, or their eggs or spawn, fry, fingerling, spat or young, but does not include any species of otters, turtles or their eggs;

“fish-aggregation device” means any structure or device of a permanent or semi-permanent nature made from any material and used to lure or aggregate fish;

“fish seed” means fish egg or larva or post-larva of fish or the spawn, fry or fingerling of fish;

“fisheries officer” means a fisheries officer or deputy fisheries officer appointed under section 4;

“fisheries plan” means any of the plans related to fisheries prepared by the Director-General under Part III;

“fishery” means any one or more stocks of fish which can be treated as a unit for the purposes of their conservation, management and development and includes fishing for any such stocks, and aquaculture;

“fishing” means—

(a) the catching, taking or killing of fish by any method;

- (b) the attempted catching, taking or killing of fish;
- (c) engaging in any activity which can reasonably be expected to result in the catching, taking or killing of fish; or
- (d) any operation in support of, or in preparation for, any activity described in paragraph (a), (b) or (c) of this definition;

“fishing appliance” includes a fishing net, a fishing trap, and any gear, with or without floats, buoys or sinkers, designed for capturing fish but does not include—

- (a) any such gear of the hook-and-line type having not more than two hooks; and
- (b) a cast net of the type known as “jala”.

“fishing stakes” means any device used for fishing which is made up of poles or other supports fixed into the ground and enclosed by ramie, rattan, wire or other screening material and so designed as to lead fish into such device;

“fishing vessel” means any boat, craft, ship or other vessel which is used for, equipped to be used for, or of a type used for—

- (a) fishing; or
- (b) aiding or assisting any other boat, craft, ship or other vessel in the performance of any activity related to fishing, including any of the activities of preparation, processing, refrigeration, storage, supply or transportation of fish;

“foreign fishing vessel” means any fishing vessel other than a local fishing vessel;

“inland fisheries” means fisheries in riverine waters;

“inland fisheries officer” means an inland fisheries officer or a deputy inland fisheries officer appointed under section 5;

“internal waters of Malaysia” means any areas of the sea that are on the landward side of the baselines from which the breadth of the territorial sea of Malaysia is measured;

"international fishery agreement" means any bilateral or multilateral treaty or agreement, which relates to fishing or fisheries, between the Government of Malaysia and the government of any other country or between the Government of Malaysia and any competent international organization;

"local fishing vessel" means any fishing vessel which is not registered outside Malaysia and which is wholly owned by—

- (a) a natural person who is a citizen, or natural persons who are citizens, of Malaysia;
- (b) a statutory corporation established under any of the laws of Malaysia;
- (c) the Government of Malaysia or the Government of a State in Malaysia; or
- (d) a body corporate or unincorporate established in Malaysia and wholly owned by any of the persons described in paragraph (a), (b) or (c) of this definition, or another body corporate or unincorporate wholly owned by any of the persons described in paragraph (a), (b) or (c) of this definition;

"Malaysian fisheries waters" means maritime waters under the jurisdiction of Malaysia over which exclusive fishing rights or fisheries management rights are claimed by law and includes the internal waters of Malaysia, the territorial sea of Malaysia and the maritime waters comprised in the exclusive economic zone of Malaysia;

"marine park" or "marine reserve" means any area or part of an area in Malaysian fisheries waters established as a marine park or marine reserve under Part IX for the purposes specified in that Part;

"maritime waters" means areas of the sea adjacent to Malaysia, both within and outside Malaysian fisheries waters and includes estuarine waters, and any reference to marine culture system, fishing or fisheries shall be construed as referring to the conduct of any of these activities in maritime waters;

“master”, in relation to a fishing vessel, includes every person (except a pilot or port officer as defined in section 2 of the Merchant Shipping Ordinance 1952) having for the time being command or charge of the vessel, or lawfully acting as the master thereof;

“Minister” means the Minister of the Federal Government who is for the time being charged with the responsibility for fisheries;

“owner”, in relation to a fishing vessel, means any person or body of persons, whether corporate or unincorporate, by whom the vessel is owned and includes any charterer, sub-charterer, lessee or sub-lessee of the vessel;

“person” includes any individual (whether or not a citizen of Malaysia), any body corporate, partnership, association, or other entity, established within or outside Malaysia, the Federal or any State Government, a local authority or foreign government, or any entity belonging thereto;

“pollutant” shall have the meaning assigned to that expression under section 2 of the Exclusive Economic Zone Act 1984;

“processing”, in relation to fish, includes cleaning, filleting, icing, freezing, canning, salting, smoking, cooking, pickling, drying or otherwise preserving or preparing fish by any method;

“riverine fishing” means fishing in riverine waters;

“riverine waters” means the waters of any rivers, lakes, streams, ponds and such other waters in Malaysia other than maritime waters, whether natural or man-made, privately owned or otherwise;

“sedentary species” means organisms which, at the harvestable stage, either are immobile on or under the seabed or are unable to move except in constant physical contact with the seabed or the subsoil;

“State Authority” means the authority in any State in Malaysia responsible for inland fisheries;

“territorial sea of Malaysia” means the territorial waters of Malaysia determined in accordance with the Emergency (Essential Powers) Ordinance, No. 7 1969;

P.U. (A)
307A/69.