

THE STRAITS SETTLEMENTS

1867 - 1874

A THESIS

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PREFACE

The period 1867 to 1874 has hitherto been regarded either as an epilogue to India Office rule in the Straits Settlements or as a prologue to British intervention in the Malay States. Such a view has tended to obscure the painful process of transforming the Straits Settlements from a distant outpost of India to the newest Crown Colony of Britain; of replacing a quaint and informal administration with an efficient and somewhat formal government more suited to the future expansion of British interests in the area.

The present study attempts to trace some of the major changes introduced not only in the political and constitutional realms but in the social and economic areas as well. However, the study is by no means a complete survey of the development of the Straits Settlements during the years 1867 to 1874. Agriculture and land tenure are not discussed in detail since many of the problems associated with these were resolved much later. Currency reforms were minor and material on these are therefore included in the appendices. The appendices also include material on security and defence. The weaknesses in the defence arrangements against external attacks were realised. However, little priority was given to improving the defence since an external attack was considered only as a remote possibility. On the other

hand, for internal security, the Police Force was completely reorganised and expanded although further changes were needed, especially in the calibre of men entering certain ranks, in order to make the force an efficient one. The external relations of the Straits Settlements, especially with the Malay States, has been a topic ably dealt with by several eminent scholars. Consequently, in the present work, the topic is omitted although some reference to it is made in the concluding chapter.

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ABBREVIATIONS

C.O.	Colonial Office
I.O.	India Office
<u>JMBRAS</u>	<u>Journal of the Royal Asiatic Society, Malayan Branch</u>
<u>JSBRAS</u>	<u>Journal of the Royal Asiatic Society, Singapore Branch</u>
<u>P.P.H of C</u>	<u>Parliamentary Papers, House of Commons</u>
<u>S.D.T.</u>	<u>Singapore Daily Times</u>
<u>S.F.P.</u>	<u>Singapore Free Press</u>
S.S.	Straits Settlements
S.S.A.	Straits Settlements Association
<u>S.T.</u>	<u>Straits Times</u>
V.O.C.	Dutch East India Company
W.O.	War Office
	Currency
\$	Straits Dollar equivalent to 4s.3d sterling.
Rs.	Indian Rupee. Rs.220 = \$100 = £22 sterling.

CHAPTER ONE

THE TRANSFER

The territories of the Straits Settlements comprised Singapore and surrounding islets with a total area of 143,947 acres, Penang and Province Wellesley with 271,360 acres and Malacca with 423,280 acres.¹ At the time they became British territory, Singapore, Penang and Province Wellesley were either uninhabited or very nearly so. At Malacca, on the other hand, the British found a population of 14,000 to 15,000 composed of Malays, Chinese, Klings and Europeans.²

Penang, founded in 1786, was at first governed in an irregular way by commercial superintendents. In 1790, it became a penal settlement for Indian convicts and remained so for the next 83 years. In 1800, the administration of the island and the newly-acquired territory of Province Wellesley was placed in the hands of

¹S.S. Paper laid before the Legislative Council, 17th April, 1883, C.O. 273/30.

²P.N.H. Muller, "The Malay Peninsula and Europe in the Past," JMBRAS, Vol. LXVII, 1914. The term "Kling" owes its origin to the Portuguese word "Quelins", which is in turn derived from the word "Kalinga" - an ancient name for the Coromandel Coast of India. The word was chiefly used in the Straits and the Dutch Indies to indicate people originating from the Coromandel and Malabar Coasts of India and sometimes Indians and Ceylonese in general. Muller, p.79.

a Lieutenant-Governor. In 1805, the settlement was raised to the status of a Presidency, but still continued to be under the control of the East India Company at Calcutta. It was natural that Penang, one way or the other, should become a place of importance as a free port. Soon it became noticeable as a trading centre for the neighbouring coasts. Penang not only took the place of Malacca but also attracted traders from even more distant places.

The British returned Malacca to the Dutch in 1818 after coming to an agreement with Perak which made it impossible for the Dutch at Malacca to regain their former position.³ In 1825, Malacca was given to the British.⁴ However, the Settlement continued to remain a place of small commercial importance with limited local sources of trade and cultivation.

Singapore was obtained by the British in 1819. Until 1823, it was under the Presidency of Bencoolen where Raffles had his headquarters. In 1823, it was placed under the direct control of the Governor-General in India. The Resident of Singapore during this time was Crawfurd. In 1826, Penang, Malacca and Singapore were united as a Presidency with Penang as the capital. In 1837, the capital was moved to Singapore.

³J.A. Kruyt, "Straits Settlements and the Malay Peninsula," JSBRAS, Vol. XXVIII, 1895.

⁴According to the terms of the Treaty of London, 1824, Malacca was exchanged for the British station of Bencoolen in Sumatra.

The Straits Settlements lost their appeal as trading posts when the East India Company lost the monopoly of the China trade in 1833. However, they continued to serve as penal settlements. There was a lack of interest in their future development. The Indian Government had to lend financial support and, therefore, expenses were limited to what was strictly necessary. The Settlements were more or less left to themselves to develop as far as possible on their own resources. They were regarded as a third rate dependency in a remote corner of the British Empire.⁵ In fact, Calcutta knew very little about this portion of the globe. In 1837, an official wrote to his chief,

These details may appear petty to Your Lordship, but then everything connected with these states is petty, except the annual surplus cost to the Government of India.⁶

On the other hand, to the local European traders, the Straits Settlements "appeared to be the keystone of British commercial superiority in the Far East."⁷ They became increasingly convinced that authorities in England would take a more sympathetic view of the situation in the Straits than did the Indian Government. Separation

⁵M.I. Knowles, Expansion of British Influence in the Malay Peninsula, 1867-1885, p.18.

⁶Quoted in J.A. Kruyt, op. cit.

⁷M.I. Knowles, op. cit., p.18.

from India would be a panacea for all ills.⁸ After a prolonged agitation, they had their way in 1867.

The seeds of the separatist movement, however, had been sown 30 years earlier. The suggestion was first made in print by George Windsor Earl in his Eastern Seas published in London in 1837. In the same year, the Singapore Free Press, envisaging a threat to Singapore's free-port status, declared that India legislated for the Straits either in ignorance of their real wants or in a spirit of complete indifference to the welfare of the Straits Settlements.⁹

The idea was taken up three years later by John Anderson in the preface to his book, Acheh and the Ports on the North and East Coasts of Sumatra.¹⁰ However, with the threat to Singapore's free port status now past, the idea of separation did not create a great deal of interest. Nevertheless, criticism of Company rule persisted. Perhaps the most persistent critic was W.H. Read.¹¹ In 1848, Read left for England on leave. There he met John Crawford, the former Resident of Singapore, who eventually became the strongest supporter of the interests of the Straits community.

⁸Ooi Swee Lee, The First Colonial Governor: Sir Harry Ord, p.4.

⁹S.F.P. 30th Nov. 1837. Quoted in C.M. Turnbull, The Straits Settlements 1826-1867, Singapore, 1972, p.316.

¹⁰C.M. Turnbull, op. cit. p.316.

¹¹William Henry Macleod Read was born in Scotland in 1819. He arrived in Singapore in 1841 to take his father's place as partner in A.L. Johnstone & Co.

1848 was a bad year for the business community in Singapore. There was a trading slump which led to the collapse of several Asian commercial ventures. A number of European firms too were on the verge of bankruptcy.¹² Both Read and Crawford held long discussions about the problems of the Straits. By the time he was ready to leave for Singapore in 1851, Read had made up his mind to fight against Company rule and to agitate for separation from India.¹³

When Read arrived back in Singapore, the situation had changed. After a period of gloom in 1849, trade was booming once again. In fact, the period of prosperity continued until 1859.¹⁴ Moreover, Lord Dalhousie's¹⁵ visit to the Straits Settlements in 1850 had been greeted with enthusiasm since the mercantile community expected a change in policy toward the Straits. In fact, Dalhousie indicated that the Straits Settlements would be removed from the control of Bengal Presidency and placed directly under his charge.¹⁶ This announcement was interpreted to mean that the Governor of the

¹²C.M. Turnbull, op. cit., p.321.

¹³C.M. Turnbull, op. cit. p.323.

¹⁴Wong Lin Ken, "The Trade of Singapore, 1819-1869," JMBRAS, Vol. XXXIII, pt. 4, p.194.

¹⁵Governor-General of India, 1848-1856.

¹⁶C.M. Turnbull, op. cit. p.325.

Straits Settlement would be given a higher status, more control over finance and that he would have a direct hearing in Calcutta.

Disappointment came quickly. Although the Governor's salary was raised, Calcutta made it quite clear that the Indian Government had no intention of changing the Governor's status or powers.¹⁷

The merchants were also surprised to learn that Calcutta intended to impose stamp duties in the Straits. The enraged community held public meetings at Singapore and Penang to petition the Governor-General to drop the proposals. The agitation abated when Calcutta finally abandoned the proposed stamp duties.¹⁸

In August, 1854, with a view to implementing its policy of uniformity in administering its territories, the Indian Legislative Council introduced a bill to provide the Straits Settlements with copper coins based on fractions of a rupee. Protests came from the Straits press. Public meetings were once again held at Singapore and Penang. Petitions were sent to India and to the British Parliament.¹⁹ India, however, paid no heed to the protests. In May, 1855, the bill was passed and became Act XVII of 1855. In June, the merchants held another protest meeting and sent a further

¹⁷ C.M. Turnbull, op. cit. p.325.

¹⁸ The stamp duties were re-introduced on 1st January, 1863. L.A. Mills, British Malaya, 1824-1867, Kuala Lumpur, 1966, p.284.

¹⁹ C.M. Turnbull, op. cit., p.335.

petition to India.²⁰

The Straits community received a further shock when Calcutta newspapers reported that European convicts were to be transported from India to Singapore. A public meeting was held to appoint a committee to draw up a memorial to the Governor-General. Petitions were also drawn up and sent to Crawford urging him to present them to the Directors and Board of Control of the East India Company.²¹ By this time Crawford had become the nucleus of a Straits pressure group forming in London.

Protest against the Currency Act and the dumping of convicts came at a time when piracy was becoming a threat to Straits commerce. Whilst the activities of Malay and Lanun priates were on the decline, Chinese pirates suddenly became prominent. Although their theatre of operations was the Gulf of Siam, many vessels were seized near Singapore.²² The worst period was between 1848 and 1855. The Chamber of Commerce first invited the Government's attention to the problem in 1853:

²⁰The protests were justified. Since the days of the Portuguese, the coins widely used and readily accepted by the local population were the silver dollar and the copper cent. Attempts by the Dutch to supplant this coinage with their own currency also failed since the local population declined to accept unfamiliar-looking coins. L.A. Mills, op. cit., pp.277-8.

²¹C.M. Turnbull, op. cit., p.335.

²²L.A. Mills, op. cit., p.243.

The Chamber venture to suggest the propriety of bringing to the notice of the Supreme Government the great injury which the Chinese pirates are likely to inflict on the trade of this Settlement, unless vigorous measures are adopted against them, and that this is at present impossible, owing to the absence of steam vessels of war from this station.²³

Little was done about the complaint. In August, 1855, a public meeting was held with James Guthrie²⁴ as Chairman. As the main speaker, W.H. Read accused the Indian Government of disregarding the genuine interests of the Straits Settlements. For the first time, the question of separation from India was openly discussed at a public meeting. Although the idea did not gain much support at that time, it did attract a great deal of interest.²⁵

Meanwhile, protests against the Currency Act continued to increase. The British Government's agreement to allow the Act a year's trial period led to the calling of another public meeting in Singapore. Although the meeting was summoned to discuss the Currency Act, the question of separation was once again brought up. R.C. Woods²⁶ proposed that a committee be elected to draw up a petition

²³ Quoted in D. and J. Moore, The First 150 Years of Singapore, Singapore, 1969, p.295.

²⁴ James Guthrie came to Singapore in 1829 at the age of 15. In 1847 he took over the firm of Guthries from his uncle Alexander Guthrie.

²⁵ C.M. Turnbull, op. cit., p.336.

²⁶ Robin Carr Woods came to Singapore in 1845. He started the Straits Times and was the editor of the paper until 1861.

to the British Parliament to make Singapore a Crown Colony. However, the motion was withdrawn and deleted from the records of the meeting when it was carried by only a small majority. Woods continued to advocate separation through the medium of the Straits Times. In September, 1856, the rival Singapore Free Press too came out in definite support of the transfer movement.²⁷

More protests came in November, 1856 when it became known that Governor Blundell had recommended to India the imposition of port dues in the Straits. Both European and Asian merchants flocked to a public meeting held in Singapore in December, 1856, to voice their protests and petition the Indian Legislative Council. In England, John Crawford organised a deputation to the President of the Board of Control of the East India Company.²⁸

In 1857, the Currency Act was repealed and the proposals to impose port dues were abandoned. However, these decisions came too late to pacify the Straits community.

Meanwhile, the Directors of the East India Company were beginning to have "doubts about the wisdom of the Council's proceedings in dealing with the Straits Settlements".²⁹ Moreover, the Settlements at that time had a Governor who appeared to be out of

²⁷C.M. Turnbull, op. cit., p.337.

²⁸C.M. Turnbull, op. cit., pp.338-9.

²⁹C.M. Turnbull, op. cit., p.339.

touch with reality. "It was Blundell's personality, combined with the desire for an active share in government among the most influential and vocal section of the non-official European community which were to make 1857 one of the most stormy years in the Straits Settlements' political history".³⁰

The new year began with the introduction of the controversial Police and Municipal Acts. On 2nd January, "... the Chinese population of Singapore took their national mode of evincing their dissatisfaction by closing their shops and intimidating or inducing the natives of India to follow their example, causing a general stike of works in the place."³¹ However, business returned to normal when the new acts were explained to a deputation from the Chinese community. It was more difficult to calm the European community. In mid-January, a public meeting was held to clamour for stronger legislation to control the Chinese and their secret societies.³²

A few weeks later, the Indian Mutiny broke out and news of it reached Singapore in May, 1857. Although the Sepoys stationed in Singapore remained loyal, there was fear that the mutiny would spread to the Straits. In August, a deputation of four gentlemen representing the Singapore merchants waited on the Governor.

³⁰ C.M. Turnbull, op. cit., p.343.

³¹ Governor Blundell to the Secretary to the Government of India, 10th January, 1857. Quoted in D. and J. Moore, p.304.

³² C.M. Turnbull, op. cit., p.339.

Blundell later wrote,

It was evident ... from the remarks of the Gentlemen that distrust of the fidelity of the troops forming the garrison was the foundation of their alarm.³³

There was, however, little cause for alarm. The Indian garrison stationed in the Straits consisted of the Madras Native Infantry, and it was quite clear from reports coming from India that Madras troops had remained loyal and faithful to the Government. However, local fears were not allayed. Two more delegations, one representing the European community and the other the Anglo-Indian community, went to see the Governor. This time they urged him to ban the Indian Muslim convicts' Muharram procession. Blundell refused to accede to the demand and blamed the local press for spreading alarm. He wrote to India,

It may be that Act XV of 1857 has been passed to check this, but I have not acted on it, as the subject is one of purely local nature and the press themselves are scarce worthy of the notice which a warning would draw on them.³⁴

The Governor failed to allay the fears of the European and Eurasian community. There was near panic. It was widely believed

³³ Governor Blundell to the Secretary to the Government of India, 28th August, 1857. Quoted in D. and J. Moore, pp.307-8.

³⁴ Ibid. The Act came to be known as the Indian "Gagging Act". Its main aim was to impose strict censorship on the press throughout the Indian territories for a period of twelve months. C.M. Turnbull, op. cit., p.346.

that during the procession, the convicts would break loose on the town and that the Indian troops would not fire on them. Women and children were sent on board ships in the harbour for protection. Calm was restored to some extent when the convicts themselves decided not to hold a public procession. However, rumours of an intended rebellion by the Indian troops still persisted. It was in this atmosphere that the Straits community learned to its horror that the Indian Government had decided to transfer some dangerous prisoners from the Calcutta jails to Singapore, presumably to make room for convicted mutineers.³⁵

About the same time, Singapore merchants came to know that their counterparts in Calcutta had petitioned that the Government of India should be transferred from the East India Company to the British Crown.³⁶ On 15th September, 1857, a public meeting was summoned in Singapore. The meeting supported the Calcutta petition. The important part of the meeting was a motion proposed by J.J. Greenshields and seconded by J. Harvey. It read:

That the petition to Parliament set forth the grievance under which the Straits Settlements have laboured during the Government of the East India Company, and pray to be placed directly under the Crown with a separate Government, and not as at present under a delegated authority in India.³⁷

³⁵C.M. Turnbull, op. cit., p.348.

³⁶L.A. Mills, op. cit., p.281.

³⁷Quoted in D. and J. Moore, p.311.

A committee was elected to compose a petition embodying the resolution. This was completed in mid-October. The petition was presented to the House of Commons by Lord Bury on 13th April, 1858. Lord Bury presented a strong case for the Straits Settlements, highlighting the usual points with regard to currency, port dues, taxation without representation, the dumping of convicts and the neglect and ignorance of the settlements by the Government of India. The debate that followed was brief. On 22nd July, 1858, Crawford presented a long memorandum to Lord Stanley, the Secretary of State for India. Copies of this were sent to other members of Parliament. The Crawford memorandum contained arguments which were basically a repetition of those in the original petition.³⁸

The petition met with the general approval of the House. However, the future of the Straits Settlements was overwhelmed by the vast and complex affairs of India which needed immediate attention. The Act for Better Government of India abolished the East India Company and placed its former territories directly under the British Crown.

In March, 1859, Lord Stanley wrote to Lord Canning, the Governor-General of India, asking him whether it would be advisable to transfer the Straits Settlements to the Colonial Office. He added, "It can scarcely be urged that there are any reasons,

³⁸L.A. Mills, op. cit., p.281.

geographical, political or otherwise, why the Straits Settlements should continue to be governed and controlled from India."³⁹

Meanwhile, back in the Straits, Governor Blundell was becoming more and more out of touch with popular opinion and sympathy. He had antagonised not only the merchants and the press but also the judges and the officials. It was in this mood of frustration that in May 1859, he received a request from India to comment on the petition for transfer. He reported that the demand for transfer had declined and that the Asian section of the community would be greatly alarmed by any political change. This advice was given at a time when the transfer issue was very much alive and its supporters were impatient because of the delay⁴⁰ so that in June, 1859, the Singapore community was rather relieved to hear that the Governor had applied to retire. In August, he was replaced by Colonel Orfeur Cavanagh.

On 7th November, 1859, Lord Canning wrote to Wood who had succeeded Lord Stanley as Secretary of State for India. He had discounted the advice given to him by Blundell and gave his strong support for handing over the Straits Settlements to the Colonial Office.⁴¹ The two departments immediately concerned with the

³⁹P.P.H. of C. No. 259 of 1862, Vol. XL.

⁴⁰C.M. Turnbull, op. cit., pp.356-7.

⁴¹C.M. Turnbull, op. cit., p.363.

Straits Settlement had thus agreed on transfer in principle. What remained were the details. These formed a complex problem defying an acceptable solution for seven years. In the negotiations that followed, the War Office as well as the Commissioners of the Treasury were also involved.

In the Straits, the supporters of transfer were increasingly impatient. In early 1861, memoranda were sent to the Colonial Office demanding action. At a public meeting held in Singapore in May, 1861, resolutions were passed stating that the revenue of the Straits Settlements was sufficient for internal purposes and that the Imperial Government should meet expenses connected with external defence.⁴²

The delay in transfer was due mainly to the question of defence expenditure. The Colonial Office was discouraged by the expensive fortifications under construction in the Straits. Towards the end of 1859, the India Office had approved the construction of Tanglin Barracks. The work was to be funded by the Indian Treasury. In 1860, the Indian Government asked for a refund of the cost of construction since the Imperial Government would be the sole beneficiary of the project. The Colonial Office refused to pay for the barracks, claiming that India had sanctioned the project after it knew that transfer was imminent.⁴³

⁴²C.M. Turnbull, op. cit., pp.364-5.

⁴³L.A. Mills, op. cit., p.283.

When in 1861 the Colonial Office approached the Treasury to consider the application for the transfer of the Straits Settlements, the Treasury was rather suspicious of the project and the confused state of the Straits Settlements financial affairs. Since India was anxious to get rid of the Straits Settlements from its charge, the Colonial Office was quite willing to let the India Office and the Treasury battle it out.⁴⁴ Negotiations came to a deadlock.

On 23rd March, 1863, former Straits residents in London petitioned the Colonial Office urging that the transfer be carried out at once.⁴⁵ They pointed out that the position of the Straits Settlements had improved a great deal and the financial reasons advanced for delaying transfer no longer existed. They supported this claim by forwarding detailed accounts of the revenue and expenditure of the Settlements.

Impressed by their claim, the Secretary of State for the Colonies, the Duke of Newcastle, reopened negotiations. Sir Hercules Robinson, the Governor of Hong Kong, was about to return to that colony from the United Kingdom on 19th September, 1863. The Duke of Newcastle requested him to stop at Singapore and make enquiries with respect to certain matters regarding the financial position of

⁴⁴C.M. Turnbull, op. cit., p.367.

⁴⁵The 12 signatories included Crawford, Guthrie, Boustead, MacTaggart and W.W. Shaw. C.O.273/8 (Misc. Vol. 2).

the Straits Settlements. He informed Robinson that having gone through the correspondence carefully he had found that accounts of the Settlements were complicated and that it was difficult to know the proportion of expenditure chargeable to each of the Settlements. Moreover, there were conflicting opinions regarding the value of convict labour and the cost of maintaining the convicts. Also, there was no accurate estimate of the military establishment necessary to guard the 4,000 convicts.⁴⁶

The Colonial Office envisaged a single Crown Colony type of Council for the Straits Settlements. It would consist of certain number of officials and certain nominated independent members but in such a proportion as to give the government a clear majority in the Legislative Council. Although the finances of the three Settlements had to be kept separate, a single Council was considered sufficient. With a single Council there would be need for only one President who could also be the local Colonial Secretary. It was also felt that a single Chief Justice would be sufficient to deal with all higher civil and criminal cases, and to deal with appeals against the decisions of the lower courts and magistrates.

The problem of the military would be decided by the Home Government. Another problem affecting transfer was the question of pensions. Certain Indian Government servants would have to be

⁴⁶ Colonial Office to Sir Hercules Robinson, C.O.273/8.

employed in the new colony on a temporary basis. The colony would not be required to contribute towards their pension when they eventually returned to the service of the Indian Government. However, the matter was different as regards Indian Government servants who wished to work for the Colonial Government. The Colonial Office felt that such officers were entitled to their Indian pension and had the right to get whatever Colonial pension they would meanwhile earn.

Armed with the brief from the Duke of Newcastle, Robinson arrived in Singapore on 4th December, 1863.⁴⁷ He spent several weeks there gathering material for his report, which was submitted to the Colonial Office on 25th January, 1864. The Colonial Office was obviously pleased with Robinson's observations and suggestions. Sir Frederic Rogers considered the report "excellent and comprehensive,"⁴⁸ and it not only had an important bearing on the transfer negotiations but was also a major factor in determining the administrative framework of the new colony.

Robinson was convinced that if the three Settlements were formed into a single administrative unit, the new colony would be in a position to defray civil and military expenses without any charge upon the Imperial revenues. The three Settlements had identical

⁴⁷ L.A. Mills, op. cit., p.284.

⁴⁸ Colonial Office minute, C.O.273/8.

interests. Their population was similar. The distance between Singapore and Penang was only 400 miles and there was constant contact between all three settlements by steamship. It was envisaged that in a few months' time, they would also be linked by telegraph. It was most likely that Penang's expenditure would exceed its revenue, but Robinson felt that the people of Singapore were not unwilling to bear Penang's burden. He, therefore, strongly supported the Colonial Office proposal that the Straits Settlements should form a single Crown Colony, with one Governor and one Legislative Council. The Legislative Council was to comprise the Governor and ten members (six officials and four unofficials). The six officials recommended were the Chief Justice, the Colonial Secretary, the Attorney-General, the Treasurer, the Auditor-General and the Chief Engineer. The non-official members, to be nominated by the Governor, were to represent fairly the opinion of the community and it was felt desirable that two of these gentlemen be acquainted with Penang and Malacca respectively.

The Governor would also be assisted by an Executive Council which might consist of the Governor, the Colonial Secretary, the Attorney-General and the officer commanding the troops (when this post was not held by the Governor himself). Perhaps the Government

Agents⁴⁹ of Penang and Malacca could also be made members of the Executive Council.

The three settlements had Municipal institutions, each established under Acts of the Legislative Council of India - Acts XIV, XXV and XXVII of 1856. Municipal funds at each of the stations were raised by a Board of Commissioners consisting of two members nominated by the Governor and three elected by rate-payers who contributed Rs.25 annually of the assessed taxes. The funds supported a police force under an estimate fixed by the Governor. The balance of the funds was used for the construction and repair of roads and bridges, for sanitary measures and for other purposes of general reform. Robinson recommended that, at least in the first instance, the Municipal institutions should be left untouched since it was difficult to induce men to devote themselves to administrative business. However, he felt that when the Colonial Legislative Council was reasonably well established, it would be possible to take over some of the functions of the Municipality.

Under Indian rule, the Governor was not only the administrative head of the Straits Settlements but was also the

⁴⁹This was a title suggested by Robinson for the administrative heads of Penang and Malacca. The Resident Councillor of Penang was rather perturbed by the title and felt that the Malays would translate it as "Wakil tuan Governor" - a title which would not command their respect. He preferred the title "Resident" since the Malays and Chinese of the Straits Settlements as well as the people of the Dutch East Indies were quite used to it. Letter to Crawford, 23rd October, 1866, C.O.273/8.

representative of the Governor-General of India. He was therefore required to conduct political relations with neighbouring countries where no British agent was residing.⁵⁰ Moreover, Britain had treaties and engagements as well as commercial relations with many of these territories and it was the Governor's duty to safeguard against infringement of these treaties and also to secure facilities for trade and protection for British subjects. When transfer took place, it would become necessary for the Colonial Office and the Foreign Office jointly to decide who should carry out these duties.

Another area requiring attention was the Court of Judicature of the Straits Settlements. In 1851, the Board of Directors of the East India Company made the Straits Settlements a separate government subject to the control of India. As noted above, in 1858, the East India Company was abolished and the Company's former territories passed on to the British Crown. The Court of Judicature of the Straits Settlements was reconstituted by Letters Patent dated 10th August, 1855 which incorporated Admiralty jurisdiction as granted in 1837 and insolvency jurisdiction as granted in 1848.⁵¹

⁵⁰The Andaman islands were no part of the Straits Settlements. However, powers for their administration were provided for in Act XXI of 1861. The Nicobar islands were originally Danish but were relinquished in 1840. In 1848, a British flag was hoisted there but the islands were not formally acquired by the Government of India. Limits of the Straits Settlements, enclosure in India Office letter, 6th June, 1867; C.O.273/15.

⁵¹Letters Patent for reconstituting the Court of Judicature of Penang, Singapore and Malacca; C.O.273/15.

The laws in the Straits Settlements were classified as,

- (a) Acts of Parliament passed with special reference to the Straits Settlements;
- (b) Acts of Parliament passed for "India" or "the East Indies" of which the Straits Settlements formed a part, and
- (c) Acts of the Legislative Council of India either applicable to India generally or applicable specifically to the Straits Settlements.

Robinson discovered that, in the opinion of both judges in the Straits, the charter of 1855 appeared defective. In 1862, Sir B. Maxwell (Recorder of Penang) and Sir R. McCausland (Recorder of Singapore) had sent through the Governor to India Office suggestions for amending the existing charter. However, these suggestions were made on the assumption that the Straits Settlements would continue to remain under Indian control. With the possibility of separation from India, an amended charter had to be prepared as soon as possible.

Robinson was also against the presence of non-professional judges on the bench. He recommended that professional judges should be appointed from England. These judges would preside over the Summary Jurisdiction Courts and when possible, assist in the hearings of the Supreme Court at Singapore and Malacca. There was also the need for an Appellate Court, since, in the opinion of Robinson, the existing system of appeal to the Privy Council was too expensive.

As for the establishment,⁵² Robinson recommended the abolition of the posts of Resident Councillors at Penang, Malacca and Singapore. Instead, there should be a Colonial Secretary at Singapore and a Government Agent each at Penang and Malacca. The Government Agents were to take charge of the local treasury, supervise all other departments, and carry out the orders of the Governor during the latter's absence from the station. Their correspondence with local government should ordinarily be carried out through the Colonial Secretary. Robinson suggested that the Attorney-General and the Commissioner of Stamps should, in addition to their work, carry out the duties of the Treasurer, a function performed by the Resident Councillor under the existing system. Moreover, the posts of Chief Engineer and Secretary to the Government in Public Works (both posts held by the same person) should be merged as one post - Chief Engineer of the Straits Settlements. Of the new posts recommended,⁵³ Robinson felt it desirable to fill the following from Britain:

⁵²See "Establishment List in 1864", Appendix I and "Proposed Establishment", Appendix II.

⁵³Other new posts recommended were Crown Solicitor for Singapore, Crown Solicitor for Penang, Second Police Magistrate for Singapore, three clerks for the Auditor-General, four subordinate officers in the Chief Engineer's Office, Clerk of Council and Assistant Postmaster for Penang; Sir H. Robinson, Report on the Straits Settlements, C.O.273/8.

- (a) Judge of the Summary Court of Jurisdiction
- (b) Attorney-General
- (c) Auditor-General
- (d) Assistant Postmaster
- (e) Three Cadets.

In 1864, the establishment consisted of 323 officers who were classified into three categories:

- (a) officers of purely local character whose services were confined to the Straits Settlements. There were 306 such officers who were entitled to pension from the Government of India;
- (b) 14 officers who filled almost all positions of importance in the civil administration.⁵⁴ It would be difficult to carry out administration if all these officers were withdrawn from the Straits Settlements; and,
- (c) two officers, namely, the Resident Councillors of Penang and Singapore, who held office under Royal Letters Patent dated January, 1856. Their salaries, allowances and pensions were charged by law to the Government of India.

⁵⁴Robinson lists these officers as Col. Cavanagh, Lt. Col. Man, Lt. Col. MacPherson, Capt. Dunn, Capt. Playfair, Capt. Mayne, Capt. McNair, Lt. Protheroe, Surgeon-Major Rose, Asst. Surgeon King, Asst. Surgeon Maingay, Rev. J. Mackay, Asst. Surgeon Ferguson and Rev. J.C. Waterhouse.

Under the regulations of the Government of India, all uncovenanted public servants in the Straits Settlements whose salaries exceeded £12 p.a. were entitled to pensions. However, there was no pension entitlement for those who had served less than fifteen years. Those who had served over twenty-five years received a pension equivalent to half their annual salary whilst the others received a third of their salary. Those who had completed fifteen years service did not earn a steady progression of pension. Adjustments were made only at the end of each ten years.

By Act of Parliament, judges were entitled to retire after ten years of service on a pension of £800 p.a., and there was no increase in pension for further service. As a result, judges chose to retire when they were still in their prime, and well versed in local affairs and customs. The existing pension system with regard to the judges was therefore clearly disadvantageous to the Straits Settlements. Robinson, therefore, recommended a single pension system for all uncovenanted public servants.

Although not highlighted by the critics of Company rule, many of the evils of administration stemmed from the shortcomings of a bureaucracy oriented to India and incapable of or unwilling to adapt itself to local conditions. It was only towards the end of Indian rule that Cavanagh made it compulsory for those entering public service to appear for an examination. They were now required to be fluent in Malay and to acquaint themselves with the

various legislations affecting the Straits Settlements.⁵⁵

Robinson recommended the establishment of a separate Straits Civil Service. He suggested that as soon as arrangements were finalised for the transfer, three cadetships should be established. In his opinion, the uncovenanted officers then serving in the Straits Settlements were unfit for higher government posts. Officers of the Government of India were ineligible, and it was considered unwise to recruit officers from England to fill the higher posts since they would not be acquainted with native languages and the management of native peoples. Robinson suggested that the rules for the selection and training of Straits cadets should be based on those for Hong Kong cadets. He felt that Cavanagh's suggestion that two of the cadets should study Chinese and the third Malay was a good one.

The postal system in the Straits was another area which attracted Robinson's attention. The post-offices at Penang and Singapore were merely branches of the Indian Post Office, and their post masters received instructions from the Director-General of Posts in India. The regulations in force were governed by the Indian Post Office Act XVII of 1854. All postal rates levied were under this Act with the exception of rates for correspondence by subsidised steamers.⁵⁶ Indian postage rates were in Annas and Pies.

⁵⁵ Col. Cavanagh, Report on the Progress of the Straits Settlements from 1859 to 1867. C.O.273/10.

⁵⁶ This was fixed by warrant of the Lords Commissioners of the Treasury. C.O.273/8.

Although British rates were in sterling, only Indian postage labels were used, on which the rates were in Indian currency. These were sold to the public in exchange for dollars at the rate of \$100.00 for Rs.224.8a. $\frac{4}{10}$ p. For computing the British rate, one anna was equated to three half-pence.

By custom and common consent, the currency commonly used in the Straits was the Mexican and Spanish dollar.⁵⁷ The dollar was divided into 100 parts represented by copper tokens of one cent, and there were also half-cent and quarter cent copper tokens. These were minted at Calcutta under the authority of the Legislative Council of India Act VI of 1847. The small coins were widely accepted beyond the Straits Settlements, in the Malay Peninsula and the Malay archipelago. Native peoples of the region seemed to prefer these to the Dutch "duit". However, by Act XVII of 1855, the "pie" was also declared legal tender as fractions of a dollar. Since the "pie" was unknown in the Straits, the Act became inoperative.

By Act XVII of 1855, Indian currency, especially the East India Company's rupee, half-rupee and double-rupee, was declared

⁵⁷ British merchants in the East had for long called for a British dollar. In 1830, a deputation of merchants in Singapore complained to the visiting Governor-General of India about the absence of a local currency. In 1856 and in 1858, an East India Company dollar was mooted. In 1863, bankers in Singapore and Hong Kong made fresh representation which led to the establishment of a mint in Hong Kong producing what came to be known as the Hong Kong dollar. Due to the high cost of operation, the mint closed down in 1868. The equipment was sold to the Japanese who began producing the successful "Yen", Chiang Hai Ding, Trade of the Straits Settlements, Appendix C, pp.349-353.

legal tender throughout the Company's territories. In order to force the use of Indian currency in the Straits, supply of copper cents was withheld. Unfortunately, Indian copper monies could not easily be used as fractions of the dollar. A great deal of inconvenience was caused and as a result of public outcry, the order was countermanded.

By Indian Legislative Council Act XIII of 1862, a new coinage of rupee, half-rupee, quarter-rupee, 1/8 rupee (all in silver) and double-pice, half-pice and pie (all in copper) were made legal tender in all Indian territories including the Straits Settlements. No attempt was made to legalise the dollar. Nevertheless, the dollar continued to be widely used. Since its acceptance was purely conventional, its legality could be questioned.

The acceptance of different currencies led to a complex system of maintaining accounts in the Straits Settlements. All accounts other than those of the government were kept in dollars and cents. Government accounts on the other hand, were in rupees. This caused unnecessary labour and confusion in government financial departments. With the exception of stamps, which could be bought either with dollars or rupees, all public revenue was paid in dollars and entered in the books in rupees. The conversion rate, too, varied. In Malacca and Singapore, it was \$100.00 to Rs.224.8a.⁴_{10p}. In Penang, \$100.00 was equated to Rs.220.

All payments from local treasuries were in dollars but

disbursements to the public were converted into Rupees in the accounts at the rates mentioned above. The salaries of all public servants, both civil and military, were fixed in Rupees at the rate of \$100.00 for Rs.220, but were paid in dollars. So, the sum of \$100.00 paid out in Singapore was brought to account not as Rs.220 but as Rs.224.8a.6 $\frac{4}{10}$ p. The difference was recorded as "loss by exchange".

Further confusion entered the system through the sale of stamps. Indian Legislative Council Act XXVIII of 1863 fixed, for this purpose a conversion rate of \$100.00 for Rs.227.4a.4 $\frac{4}{11}$ p. So stamps worth Rs.227.4a.4 $\frac{4}{11}$ p. were sold for \$100.00. This \$100.00 was brought to account as Rs.224.8a.6 $\frac{4}{10}$ p. and was paid to a public servant as Rs.220! However, this was not the end of the story. Further confusion was created by the entry of British Sterling. Stamps were also accepted in payment of British postage at the rate of one anna for three half-pence. The conversion rate between the dollar and sterling was fixed at \$1.00 for 4s.2d. Using this system, \$100.00 would be exchanged for Rs.208.5a.4p. In other words, stamps worth Rs.224.8a.6 $\frac{4}{10}$ p. were sold to the public for \$100.00 whilst stamps worth only Rs.208.5a.4p. were accepted from the public in payment of \$100.00 worth of British postage. The difference of 7% or Rs.16.3d.1 $\frac{6}{10}$ p. was lost to the local government.

The whole system by which coins not in circulation were declared legal tender whilst both public and private transactions

were carried out in another currency was clearly unsound and was certain to produce unnecessary labour and confusion. Robinson recommended the legalisation of the Spanish dollar or the introduction of another silver dollar of equivalent value. He also saw the need to keep all accounts in dollars and cents. Furthermore, there was a need for intermediate denominations between the dollar and the cent, perhaps a silver ten cent token.

Another instance of financial mess Robinson was able to discover and report on concerned the Public Debt. The Public Debt of the Straits Settlements consisted of money belonging to the Police Fund and the money of suitors in the Court of Judicature. The Suitors' Fund was established under the authority of the charter of 1826 and re-enacted by the charter of 1855. Under instructions from India, monies from both the Suitors' Fund and the Police Fund, were invested in India and from 1841, invested in Government of India Stocks called "Treasury Certificate Loan" at four percent interest per annum. All monies belonging to the Funds, whether invested or uninvested, were from time to time paid to local treasuries and expended. When courts ordered repayment and funds were not available, court orders were met by drafts upon the Indian Government. The funds paid into local treasuries were appropriated for any needy purpose of the time, either Imperial or local. When used for local purposes, they served to reduce the annual deficit which otherwise the Indian Government would be obliged to meet.

The question of convicts had been determined by the Colonial Office and the India Office. Briefly,

- (a) Convict establishments were to remain in the Straits Settlements for three years after the Colonial Office had given notice to the India Office for their removal.
- (b) All direct and indirect expenses of the establishments were to be met by the Government of India.
- (c) Employment of convicts outside prisons would be in accordance with the laws of the Straits Settlements. This was to protect the convicts from exploitation.
- (d) Convict labour was to be paid at a rate agreed to by the local government and Government of India. The rate was to be revised periodically.⁵⁸
- (e) Convicts would not be set free in the Straits Settlements.

There were altogether 3,516 convicts in the Straits. Of these, 3,055 were from India, 367 from Ceylon and 94 from Hong Kong. Transportation of convicts from India and Hong Kong had ceased.

⁵⁸ Colonel Cavanagh had recommended the following rates:

Artificer 1st class	-	Rs.10p.m.
Artificer 2nd class	-	Rs. 7p.m.
Labourer 1st class	-	Rs. 4p.m.
Labourer 2nd class	-	Rs. 3p.m.
Invalid	-	No payment.

Those convicts who were required to stay in jail were to be paid two-thirds of the market value of the work performed or articles supplied. Robinson's Report, C.O.273/8.

Only Ceylon continued to send convicts to the Straits Settlements.

To sum up, Robinson thus highlighted the major problems facing the Straits Settlements and offered some valuable suggestions. His report apparently satisfied both the Colonial Office and the War Office. As for the military establishment, the Colonial Office had in mind a force consisting of three batteries of Royal Artillery and one regiment of local Infantry recruited from Indians and Malays. The estimated cost of the military force, including staff and contingencies, was £63,000 per annum.⁵⁹ Since the military establishment in the Straits was to serve both local and Imperial purposes, it was envisaged that the expenses too would be shared by the Colonial and Imperial Governments.⁶⁰

The Treasury, however, was still very wary of the entire exercise of transfer, being now concerned with the Public Debt of the Straits Settlements. It was quite clear from Robinson's report that India should settle the debt, but the India Office, on the other hand, claimed no responsibility for it. The transfer negotiations were once again held back pending clarification from India.⁶¹ The Treasury also stated that the estimate of future surplus of revenue over expenditure, about £10,000, was too small.

⁵⁹ Sir Frederic Rogers, minute, C.O.273/8.

⁶⁰ Duke of Newcastle to Robinson, C.O.273/8.

⁶¹ Wood to India, 30th July, 1864, C.O.273/6.

It demanded assurances that, if necessary, this surplus could be increased so that the Imperial Government would not have to meet any deficit.⁶² Sir Charles Wood indicated that he was quite prepared to introduce port dues in the Straits. This raised a storm of protests in Singapore and added new vigour to the demand for immediate transfer. Also, Straits residents in England at that time forwarded a petition claiming that the Treasury's fears were groundless and that the inhabitants of the Straits Settlements were subjected to a great deal of inconvenience as a result of the protracted delay.⁶³ A further petition was sent by the same group to Sir Frederic Rogers, the Under-Secretary of State for the Colonies, on 1st February, 1865. The petition painted a very rosy picture of the financial situation of the Straits Settlements. The petitioners pointed out that the revenue of the Straits Treasury had increased from Rs.1,254,531 in 1859-60 to Rs.1,956,758 in 1863-4. On the other hand, treasury expenditure in 1859-60 was Rs.812,529, and by 1863-64, had only increased to Rs.1,206,326. Thus, the surplus of revenue over expenditure had increased from Rs.442,002 to Rs.750,432.⁶⁴

⁶²L.A. Mills, op. cit., p.285.

⁶³Petition from "Proprietors and Merchants of the Straits Settlements now living in England", 19th September, 1864; C.O.273/8.

⁶⁴Treasury expenditure did not include military expenditure which was adjusted in the accounts of the Government of India.

In January, 1865, the India Office finally agreed to make good the Public Debt of the Straits Settlements, and the Treasury was then prepared to sanction transfer. However, the date for transfer was further delayed over the question of the military establishment and defence expenditure. Finally, the War Office gave its decision in June, 1866. The military force to be stationed in the Straits would consist of two batteries of Royal Artillery and six companies of Ceylon Rifles. For this the colony was required to pay £59,300 per annum, to be remitted quarterly to the Crown Agents. This was an unusually high contribution even for a colony wealthier than the Straits Settlements. But the War Office was adamant and the only consolation was that the sum was open to revision after five years. The War Office also indicated that a wing of the European Regiment would be stationed in the Straits to serve China and Japan the cost of which would be met by the Imperial Government.⁶⁵

With the settlement of the problem of defence and defence expenditure, the last barrier to transfer was removed. The comparatively short Straits Transfer Bill was enacted in August, 1866, and the Transfer Act was passed on 28th December, 1866.⁶⁶

⁶⁵ Colonial Office despatch, 6th February, 1867; C.O.273/9. C.O. to Ord, 7th February, 1867, C.O.273/16.

⁶⁶ Act XXIX and XXX Victoria C.115, entitled, "An Act to Provide for the Government of the Straits Settlements", C.O.273/9.

However, the actual transfer was scheduled for 1st April, 1867 since the Indian financial year ended in March.⁶⁷

A few days after the Straits Transfer Bill was enacted, Charles Carpenter, the Magistrate of Cornwall and brother-in-law to Colonel Ord, wrote to the Secretary of State for the Colonies, Lord Carnavon, informing him that Ord would like to submit his name as a candidate for the governorship of the Straits Settlements.⁶⁸

Colonel Harry St. George Ord had built for himself a colourful career in the service of the Royal Engineers and in Colonial administration. Between 1840 and 1855, he served as a commissioned officer in West Africa and the West Indies. After this he had received a number of promotions within a comparatively short time, becoming Governor of Dominica, Governor of the Gold Coast and from 1861, Governor of Bermuda.⁶⁹

Ord was officially informed of his appointment and received his commission in February, 1867. He was also given a copy of Her Majesty's Order in Council dated 28th November, 1866, regarding the transfer, to be made public on arrival in Singapore, the charter

⁶⁷ C.O. minute, 4th October, 1866, C.O.273/7; Lord Cranbourne, Political Despatches to India, 16th November, 1866, C.O.273/9.

⁶⁸ Carpenter to Carnavon, 23rd August, 1866, C.O.273/8. Among the other contenders for the position were Sir R. MacCausland, the Recorder of Singapore, and W.J. Mercer, the Colonial Secretary of Hong Kong, C.O.273/8.

⁶⁹ M.I. Knowles, op. cit., p.21.

for a Straits Legislative Council, and Her Majesty's Royal Instructions for Guidance.⁷⁰

Obviously bearing in mind the criticism levelled at Company rule by the Straits merchants, the Secretary of State for the Colonies thought it desirable to elaborate on some of the instructions given to Ord. The Governor was told that the interests of Malacca and Penang should be represented in the new Legislative Council. Therefore, it was inadvisable to appoint permanent members at first. He was to fill only five seats and the nominees were to be informed that they were temporary members. Within the next six months Ord was required to submit the names of ten gentlemen from whom a permanent Council would be selected by Her Majesty's Government.⁷¹

Ord was given an establishment list containing the names of 279 officials whose salaries had been approved by the Treasury. All uncovenanted Indian officers were included in the list. The Colonial Office was in favour of placing covenanted Indian officials on the Colonial establishment. The only exception was McNair.⁷²

⁷⁰C.O. to Ord, 6th February, 1867, C.O.273/16.

⁷¹C.O. to Ord, 6th February, 1867, C.O.273/16.

⁷²McNair had written to the Colonial Office seeking the position of Surveyor-General in the new administration. He was appointed Chief Engineer in charge of public works. C.O. to McNair, 14th February, 1867, C.O.273/8.

The important officers in the new establishment were:

Lieut. Col. Anson	-	Lieut. Governor of Penang
W.W. Cairns	-	Lieut. Governor of Malacca
C.J. Irwing	-	Auditor-General
T. Braddel	-	Attorney-General
Capt. McNair	-	Colonial Engineer
H.F. Plow	-	Private Secretary to the Governor
W.W. Willans	-	Treasurer
T. Dunman	-	Commissioner of Police
P.B. Maxwell	-	Chief Justice of Penang
R. MacCausland	-	Chief Justice of Singapore

The Colonial Office was still in the process of selecting a Colonial Secretary and judges of the Summary Court of Jurisdiction. The services of Col. Man, Capt. J. Burn and Col. MacPherson were retained since it would be some time before Anson and Cairns could arrive in the Straits to take their positions. The Secretary of State for India, therefore, approved three or four months' service in the Straits for these covenanted officers.⁷³

Similar arrangements were made with the assistant surgeons, Ferguson, King and Maingay, and with the chaplains, Waterhouse and

⁷³ Lord Cranbourne to India, 1st January, 1867, C.O.273/9. Col. Man, Madras Staff Corps., was appointed acting Lieut. Governor of Penang; Major Burn, Bengal Staff Corps., was appointed acting Lieut. Governor of Malacca and Col. MacPherson of the Royal Artillery was appointed acting Colonial Secretary. S.S. Gazette notification No. 5, 1st April, 1867.

Mackay. Surgeon Major Rose was offered a permanent position as Colonial Surgeon. He declined the offer but agreed to act in that post for three months.⁷⁴

Before his departure for the Straits, Ord was asked by the Secretary of State for the colonies to deal specifically with the following problems:

(a) Revenue and Expenditure

Ord was reminded that the Treasury had consented to the transfer only on condition that colonial revenue would cover all expenditure, civil and military. It was the Governor's duty, therefore, not to submit to any new item of expenditure, whether for establishment or public works, without conclusive proof that funds for it were forthcoming.⁷⁵ A letter from Colonel Cavanagh informing the Colonial Office that he had closed accounts with the Supreme Government of India and enclosing estimates for 1867/68 was forwarded to Ord by the Secretary of State with this cryptic comment: "... it will be among the first matters of importance which will engage your attention."⁷⁶

The estimates showed an increase in revenue (Rs.68,610) and

⁷⁴ 29th January, 1867, C.O.273/8; Lord Cranbourne to India, 31st January, 1867, C.O.273/9.

⁷⁵ C.O. to Ord, 6th February, 1867, C.O.273/16.

⁷⁶ Cavanagh to C.O., 21st December, 1866; C.O. to Ord, 11th February, 1867. C.O.273/10.

a considerably smaller increase in expenditure (Rs.12,164).⁷⁷

An interesting item was the detail provided under Public Works Department budget. It emphasised the need for a Government House. The Indian Government had selected a site and had sanctioned a sum of money for the construction of a Government House. However, the site was later needed for military purposes. No further progress had been made since the Indian Government delayed sanction pending orders on the transfer. The existing residence of the Governor was a private house, which was considered not only unsuitable as accommodation but too expensive to rent. The report strongly recommended the construction of a new Government House, estimated to cost Rs.80,659.⁷⁸

Another problem facing the new administration was the confusion caused by the existence and use of different currencies. At the request of the Colonial Office, the Treasury was quite willing to submit to Her Majesty in Council a proclamation making the dollar and subsidiary currencies the only legal tender in the Straits Settlements. Whilst this could not be done before 1st April, 1867, the Treasury would not object to the preparation of a draft ordinance authorising the Governor to declare the Mexican dollar, Hong Kong dollar or other dollars of equal value together with

⁷⁷ See Appendix III.

⁷⁸ P.W.D. Budget details, Cavanagh to C.O., 21st December, 1866, C.O.273/10.

subsidiary coins representing parts of the dollar, legal tender.⁷⁹

The Treasury also recommended the preparation of an ordinance to provide for officers whose salaries were fixed in Rupees but paid in dollars, to continue to be paid in dollars.⁸⁰ A further ordinance was considered necessary to provide for the use of Straits Settlements stamps in lieu of Indian stamps.⁸¹

(b) Pensions

All uncovenanted officers who were employed in the Straits Settlements were to receive the same rate of pension as they had received under Indian rule. However, for officers now on the permanent establishment, a new ordinance had to be passed based on the precedent of Ceylon. According to the proposed ordinance, public servants on the permanent fixed establishment of the colony, and who drew a monthly salary of Rs.120 or more, would become eligible to receive pension at the following rates:

Any person who had served between 10 and 11 years would get a pension equivalent to 15/60th of his annual salary. Those with 11 to 12 years service would receive 16/60th. The rate would increase progressively until the completion of 35 years of service

⁷⁹Treasury to C.O., 23rd January, 1867, C.O.273/16.

⁸⁰Officers who accepted appointments on the understanding that they would be paid in sterling would be paid at the rate of 4s.3d. per dollar. Treasury to C.O., 12th June, 1867, C.O.273/16.

⁸¹The Colonial Office prepared and submitted draft ordinances to cover these. Copies were sent to Ord. C.O.273/16.

when the limit of 40/60th would be reached. There were slight changes in the rate for Chief Justices who had not served in the colony before. They would become eligible for 15/60th after seven years' service and reach the limit of 40/60th after 25 years. Other judges, colonial chaplains and chief engineers who had not previously served in the colony would get a pension at the rate of 20/60th after ten years' service and reach the limit after 30 years.⁸²

(c) Convicts

It had previously been decided that the convicts would be removed from the Straits Settlements after a notice of two years had been given by the Colonial Office to the India Office. The Colonial Office now suggested to the Secretary of State for India that the convict establishments should be removed from the colony before 1st April, 1870.⁸³

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Ord arrived at Penang on 14th March, 1867. Not a single gun was fired in his honour. He was further irritated by a private letter to him from Cavanagh, in which Cavanagh stated that he had not received any official instruction as to who his successor was and that he had already made plans to leave Singapore for Penang

⁸²The draft was prepared on 25th January, 1864 and submitted to the Colonial Office in December, 1867. Ord to C.O., 9th December, 1867.

⁸³C.O. to India Office, 9th February, 1867, C.O.273/16.

on the 14th to catch a mail steamer for England. The administration of the Straits Settlements during the last fortnight of Indian rule had been placed in the hands of Col. Man, the Resident Councillor of Penang.⁸⁴ Angered at this slight, Ord ordered all officials, high and low, to be at their office within a quarter of an hour for his inspection.⁸⁵

Together with Col. Man, Ord arrived in Singapore on the 16th, his ship Emue passing on the way the ship carrying his predecessor. His reception at Singapore was no better. Ord was in an anomalous position. He was not yet Governor of the Straits Settlements, yet he regarded himself as one and expected to be addressed as "His Excellency". His position was made difficult by the local attitude to the governorship. It was a position which did not carry any particular dignity in the Straits. The previous governors, Fullerton, Bonham, Butterworth, Blundell and Cavanagh had not been knighted and Cavanagh, although popular, had not taken any pains to maintain the status of his position.⁸⁶ Moreover, the Governor's residence too did not inspire awe. As mentioned above the Governor lived in a private house (at Grange Road) rented from a local merchant. There was thus a degree of informality in the relationship

⁸⁴ Ord to C.O., 22nd March, 1867, C.O.273/10.

⁸⁵ S.D.T. 24th October, 1867.

⁸⁶ C.N. Parkinson, British Intervention in the Malay States, 1867-1874, Singapore, 1960, pp.10-11.

between the Governor and the European section of the community. It was in this atmosphere that Ord went on with the task of forming the Legislative Council and preparing for his inauguration.

Cavanagh left Penang on the 25th.⁸⁷ The Straits community was sad to see him leave, and the Straits Times wrote that his administration had been the one which brought Singapore the greatest national wealth in its history.⁸⁸ The Singapore community praised him for his prudent financial management and lamented, "your presence will be much missed amongst us". The Catholic community praised him for the keen interest he had shown in education, a feeling which was also shared by Singaporeans educated at local schools. The community of Malacca stated that previous governors had been reluctant to spend large sums of money on the development of Malacca, and only Cavanagh had taken an interest in the betterment of its people. The address from the people of Penang claimed that from the time Cavanagh assumed office, trade, agriculture and the revenue of the Settlement had increased greatly every year. The community realised the difficulties he had faced in not having a local legislative council and being under the necessity of submitting proposals to the Legislative Council

⁸⁷ He was on medical certificate, the usual preparatory leave to enable him to avail himself of the leave of absence of medical certificate; Gazette of India, No. 2007, Ft. William, 26th February, 1867, C.O.273/9.

⁸⁸ S.T. 8th February, 1867.

of India. It regretted that the people of the Straits Settlements had been denied the chance of reaping the benefit of his energy as head of a local legislative council "with more scope for free and unfettered action."⁸⁹ Both the India Office and the Colonial Office thanked Cavanagh for his services to the Straits Settlements.⁹⁰

Cavanagh had been rewarded with the Governorship of the Straits Settlements for his distinguished service during the Indian Mutiny, and subsequently became perhaps one of the most popular and successful governors of the Straits. The Straits community hoped that he would have a successful career elsewhere but although Cavanagh earned promotion to the rank of Major-General, he was forced to spend a great deal of the rest of his life in forced retirement.⁹¹ His own report gives a good picture of the progress the Straits Settlements had made since the time he took office in 1859.⁹²

Throughout his term of office, only one additional tax was imposed on the community. This was the Stamp Duty, which the Singapore community later claimed "had proved not detrimental to

⁸⁹ Farewell addresses from the community of Singapore, the Catholic community of Singapore, Singaporeans educated at local schools, the community of Malacca and the Penang community, C.O.273/9.

⁹⁰ India Office to Cavanagh, 11th February, 1867, 23rd May, 1867, C.O.273/9.

⁹¹ C.M. Turnbull, op. cit. p.378.

⁹² Cavanagh, Report on the Progress of the Straits Settlements, 1859 to 1867, C.O.273/9.

general interests."⁹³ At his insistence, the Indian Legislature had amended the Police, Municipal and Excise Acts, placed the Court of Requests on a better footing and removed obstacles to land occupation in Malacca. Many of the important Indian Acts were extended to the Straits Settlements. Some of these were the Indian Penal Code, the Inheritance Act and Acts concerning partnership, trustees, merchant seamen, carriers, procedures on bills of exchange, carriage of passengers at sea, acquisition of land for public purpose and punishment of breaches of contract by artificers and labourers. He had also realised the need for the control of dangerous societies, better prevention of riots, regulation of hack carriages and passenger boats, registration of trade, births, marriages, deaths and native servants, and had recommended legislation towards these ends.

Country courts had been established at Penang, Province Wellesley and Malacca to bring justice to the rural people and check illegal tribunals. At Malacca, a force was also raised for the protection of the frontier. At Singapore, police stations were established along the straits to prevent petty piracy and a floating police station was set up in the roadstead for the protection of ships. In an attempt to neutralise the activities of Chinese Secret Societies under existing law, in all cases of disturbance

⁹³ Farewell address to Cavanagh, 15th March, 1867, C.O.273/9.

the headmen of the contending parties were made special constables thus getting their support for the maintenance of law and order.

Treasury revenue had increased from Rs.12,54,341, in 1859-60 to Rs.19,56,758 in 1863-64 and remained around that figure for the next two years. Treasury expenditure remained relatively stable at about Rs.12,00,000 per annum. On the other hand, Municipal receipts⁹⁴ in 1859-60 amounted to Rs.3,55,071 whilst disbursements came to Rs.4,42,393. In 1865-66, however, Municipal accounts showed a surplus of revenue amounting to Rs.6,785.

A striking feature of the period was the large number of public works which were either completed or were due for completion. At Singapore, these included St. Andrew's church, the General Hospital, Pauper Hospital, Lunatic Asylum, Central Police Office, Collyer Quay, the Sea Wall, Kampong Malacca Quay and River Wall, Kampong Malacca Canal bridge, Ordinance bridge, Harbour Light, beacons at shoals near the New Harbour and at the entrance to Singapore River, a steam sawmill and workshop as well as convict lines at Kampong Kerbau and police stations at Telok Blangah, Pasir Panjang, Tanjong Kanang, Kranji, Seletar, Changi and Serangoon road.

Public works connected with the military establishment included accommodation for two battalions of the Royal Artillery at Fort Canning, a Grand Magazine, Arsenal and Commisariat store and

⁹⁴ Mainly from land taxes and the tax on horses and carriages.

office at Pearl's Hill, barracks for the European Infantry and Staff Sergeants' quarters at Tanglin and Native Infantry lines, barracks for Ordinance Lascars and guardrooms at Ford Fullerton and Fort Palmer.

In addition to these, the Municipal Commission at Singapore had lit the town with gas.⁹⁵ The Commission had constructed the Elgin bridge, the Merchants' bridge and Kim Seng's bridge. There were plans to build an iron bridge over Kallang River. The Town Hall was completed, Dalhousie Pier was extended and several roads in the city were metalled. Through private enterprise, a fine range of buildings were erected at Collyer Quay. The gas works was set up at Rochore. A steam factory for processing coconut fibre was constructed at Siglap. The New Harbour and the town were connected by a telegraph line.

Public works at Penang and Province Wellesley included the construction of police stations at Chow Rustah, Balik Pulau, Rabow, Bukit Tambun and Panaga, barracks for the marine police at Bayan Lepas, a hospital at Butterworth, a lunatic asylum, convict stations at Bukit Minyak and Bertam, a bridge over Jooroo River, drainage works at Lebar Ikan Mati and barracks with a hospital for a regiment of native infantry, as well as the conversion of the

⁹⁵ At Singapore, gas was also introduced into the church, the post office, artillery barracks, convict lines and the house of correction.

arsenal into barracks for European artillery. The Municipality at Penang undertook several works in connection with water supply to the town. The Pauper Hospital at Pulau Jarajah was built from public subscription.

At Malacca, the Sheriff's jail had been constructed. Other works included circuit bungalows at Ayer Panas and Alor Gajah, a police station and court house at Kampong Kassang, Cape Rachado Lighthouse, Harbour Light and beacons, beacons in Linggi River, the Christian Burialground, a bridge over Malacca River, drainage schemes, barracks for a detachment of native infantry and police stations at Malas, Batang Malacca, Pulow, Jasin, Sungei Rembai, Pengkalen Roma, Kandan, Marlimau, Batang Tiga, Pengkalen Balla, Brisoo, Lubok China, Ayer Chermin and Machup. From public subscriptions, the Municipality at Malacca constructed a leper hospital at Pulau Sarimbon.

At Singapore, an Agricultural and Horticultural Society was formed and grounds were placed at its disposal. At Malacca, attempts were being made to prepare a detailed Revenue Survey map.

The schools in the Straits were divided into middle class schools and lower class schools. There were five middle class schools for boys and five for girls. Of the lower class schools, six were in Singapore, three in Penang and Province Wellesley and ten in Malacca. All the lower class schools at Malacca were constructed between 1863 and 1865. Liberal grants were given to

the schools and inspection was carried out by the government. In 1865, government scholarships were increased from six to eight.⁹⁶

Figures quoted by Cavanagh show a steady increase in the trade of Singapore and a corresponding decline in the commerce of Malacca.

	IMPORTS	EXPORTS	TOTAL
SINGAPORE			
1859-60	Rs. 4,71,99,140	Rs. 5,65,13,885	Rs. 10,37,13,025
1864-65	6,61,82,177	6,63,39,578	13,25,21,755
1865-66	7,50,00,332	6,99,24,375	14,49,24,707
PENANG			
1859-60	1,58,00,000	1,95,00,000	3,53,00,000
1864-65	1,80,48,425	2,69,13,634	4,49,62,059
1865-66	1,74,19,089	2,56,30,298	4,30,49,385
MALACCA			
1859-60	57,48,887	34,52,396	92,01,283
1864-65	45,33,160	36,83,826	82,16,986
1865-66	45,82,531	36,86,207	82,68,738

Cavanagh concluded his report with an interesting statment that the number of tigers in Singapore had declined and no cases of attacks by tigers had been reported to the police during the last two years. He attributed this to the offer of high rewards and the organisation of parties of convict marksmen.

By the time the transfer was effected, many of the grievances cited in the 1857 petition, such as those concerning currency, port dues and convicts, had died away.⁹⁷ Other problems,

⁹⁶ Lieut. Protheroe, Return of Schools, 1865-6, C.O.273/9.

⁹⁷ C.M. Turnbull, op. cit., p.379.

especially those connected with Chinese Secret Societies, were becoming more serious. In 1865, three major disturbances attributable to Secret Societies took place in Penang.⁹⁸ Because of impending transfer the Indian Government did not rush to provide any special legislation to control Secret Societies, and Cavanagh was left to take whatever possible measures under existing law.

Despite the political uncertainties and the Indian Government's delay in introducing reforms, Cavanagh's period of governorship produced a "golden Indian summer for Calcutta's government in the Straits."⁹⁹ As Company rule neared its end, many began to look upon the anticipated changes with mixed feelings. They would probably have agreed with what John Cameron wrote a few years earlier:

When the Indian Government hands over the Straits Settlements to the Crown, it will deliver a trust honestly kept and well deserving the solicitude of the new guardians. It has shown too, an example of high minded forbearance in abstaining to check the growth of a promising colony to save its own Treasury.¹⁰⁰

Thus, there was very little excitement in the Straits over the appointment of the new governor. This was partly due to the

⁹⁸India to S. of S. for India, 2nd June, 1866, C.O.273/9.

⁹⁹C.M. Turnbull, op. cit., p.100.

¹⁰⁰J. Cameron, Our Tropical Possession in Malayan India, London, 1864, reprinted Kuala Lumpur, 1968, pp.205-6.

disappointment that transfer should also mean importing a governor who had no experience in the Straits Settlements. The local press, however, was quite jubilant. The Straits Times described the departure of Cavanagh as "the first knell of an expiring dynasty" and the arrival of Ord as "the just indication of the coming regime". The paper was firmly convinced that the new regime would prove good for the people and beneficial to the Settlement. It was particularly pleased with the granting of a representative legislature which the paper described "as a system of self and independent government ... (where) our representation will have full weight."¹⁰¹

Meanwhile, Ord was busy with the task of forming the new government. The Executive Council, with the Governor as President, consisted of,

Brigadier C. Ireland, Commander of H.M.'s troops

Col. Man, Acting Lieut. Governor of Penang

Major Burn, Acting Lieut. Governor of Malacca

Sir Hackett, Judge of Penang

Lieut. Col. MacPherson, Acting Colonial Secretary

T. Braddel, Attorney-General

W.W. Willans, Treasurer

C.J. Irving, Auditor-General.¹⁰²

¹⁰¹S.T. 6th April, 1867.

¹⁰²S.S. Gazette, 1st April, 1867.

With the exception of Sir Hackett, all members of the Executive Council were also included in the Legislative Council. Two additional official members of the Legislative Council were Sir P.B. Maxwell, the Chief Justice and Major McNair, the Colonial Engineer.¹⁰³ The non-official members chosen were bound to be men prominent in the affairs of the Straits Settlements. The first non-official members appointed by Ord were,

W.H. Read

F.T. Brown

T. Scott and

Dr. R. Little.¹⁰⁴

Referring to the appointments, the Straits Times noted that although the nominations were temporary, they had the approval of the community and there was little doubt that the membership of the Council would be made permanent.¹⁰⁵

The inauguration ceremony was held at the Town Hall on Monday, 1st April. Since the day was declared a public holiday, a motley crowd of people gathered outside the building. Inside sat

¹⁰³ Ibid.

¹⁰⁴ Dr. Robert Little came to Singapore in 1840 and was in practice with his uncle, M.J. Martin, from 1840-7. In 1848 he became the Coroner. He was the founder of the Presbyterian Church in Singapore. Thomas Scott was a senior partner in Guthrie and Co. F.T. Brown was the head of a rich firm in Penang and was perhaps the largest landholder in that Settlement. His father was a pioneer planter.

¹⁰⁵ S.T. 8th April, 1867.

the cream of Singapore society. Among the distinguished guests was the Maharajah of Johore, proudly displaying his K.C.S.I. insignia. Downstairs, the army provided a guard of honour, while the Singapore Volunteer Corps¹⁰⁶ provided a guard of honour on the verandah upstairs. The first of the dignitaries to arrive was Lieut. Col. Man, the Acting Governor, who received a salute of 17 guns from Fort Canning. He moved around among those present and shook hands with the ladies. There was another salute of guns, and Ord marched in. Without even removing his hat, he sat down on the dais, taking no notice of anyone. His behaviour certainly created an indelible impression on those present, an impression further emphasised by the arrival of Admiral Keppel, the naval commander-in-chief of the China Station. The very popular Admiral smiled and bowed to the company. Everyone stood up. Keppel then moved around amongst his friends and shook hands with the ladies. Ord indicated to him a chair on the dais but Keppel smiled, shook his head and sat on a chair at ground level, leaving Ord a lonely figure on the dais facing an alien crowd. The ceremony began. Ord's commission was read aloud. The Recorder then administered the oath of office to Ord and the four unofficial members of the Legislative Council. The ceremony ended with a salute of 21 guns and was followed by a fireworks display by the Chinese community.¹⁰⁷

¹⁰⁶ The Volunteer Corps was raised in 1854. In 1867, it had 80 members. Ord to C.O., 31st December, 1867, C.O.273/13.

¹⁰⁷ C.N. Parkinson, op. cit., pp.10-11; D. and J. Moore, op. cit., pp.344-5; S.T. 6th April, 1867.

Company rule had come to an end: The merchants had had their way. The Straits Settlements now had a governor who was conscious of the status and dignity of his office and would take steps to see that the community was conscious of it too. He was keen to introduce an efficient administration and progressive reforms. However, funds for any additional expenditure had to be raised from the Colony itself. Its merchants would continue to oppose any reform, no matter how progressive or beneficial to the masses, if it meant the imposition of new taxes or had the slightest hint of a threat to the commerce of the Colony. They fervently hoped that the Governor would ask for and act on the advice of the Legislative Council and especially the advice of their own representatives in the Council. To the non-European community, the abolition of the time-honoured rule of the Company was scarcely comprehended. To the non-Europeans and especially to the large Chinese community, European government had always been alien, impersonal and distant. The government they knew and understood was the one imposed on them by their own Secret Societies. It was in this atmosphere that the new colony looked at its future with hope and anticipation and perhaps with a little apprehension as well.

CHAPTER TWO

THE EXECUTIVE AND THE LEGISLATURE

The government of the Straits Settlements was of the Crown Colony type with an Executive Council of officials and a Legislative Council formed of both officials and certain nominated non-official members. The model used was not that of the West Indies but that of Hong Kong or Ceylon where official representation in the Legislative Council had a clear majority. The Executive Council consisted of the Lieutenant Governors of Penang and Malacca, the officer commanding the regular troops, the Judge of Penang, the Colonial Secretary, the Attorney-General, the Treasurer and the Auditor-General. The Governor was also empowered to appoint local residents as members of an extraordinary council for special occasions and for such occasions only. The Governor was required to consult the Executive Council in all cases except on matters which according to the Governor's judgement were too important to require their advice, too urgent to allow time to consult them or of such a nature that the Colonial Service would suffer material prejudice if the Executive Council was consulted.¹

¹Royal Instructions to Ord, C.O.273/16.

The Executive Council could not meet unless it was summoned by the Governor's authority. It could not despatch any business unless at least two members other than the Governor were present throughout the meeting. The Governor presided over the Executive Council, and no question other than those proposed by him could be brought before it. Moreover, the Governor was empowered to act against the advice of the Council if he saw fit to do so. In such an eventuality, however, he was required to inform the Home Government and provide reasons for acting in such a manner. Any member of the Executive Council could also give adverse opinion and his reasons for doing so would be recorded in the minutes of the Council.

The administrative change which produced the greatest excitement among the local European community was the introduction of a Legislative Council. In addition to the Governor, the local Legislative Council consisted of the Chief Justice, the Senior Officer in command of the regular troops, the Lieutenant Governors of Penang and Malacca, the Colonial Secretary, the Attorney-General, the Auditor-General, the Treasurer and the Colonial Engineer. Provisions were also made for the inclusion of non-official representation in the Legislative Council but the actual size of such representation was not determined. Sir Hercules Robinson had recommended four non-official members, and the Secretary of State for the colonies

instructed Ord to appoint not more than five.² It was quite clear that the Home Government was not willing to allow a non-official majority in the Legislative Council.

The Legislative Council was granted full power and authority to establish laws, institutions and ordinances for the peace, order and good government of the people of the Straits Settlements. Unlike the situation in the Executive Council, any member of the Legislative Council could propose any question for debate and if the proposal was seconded, the matter would be debated and disposed of. However, questions concerning revenue could only be debated and a vote taken if such proposals were made by the Governor or had the Governor's approval.

A number of restrictions were placed on the Governor in Council. He was not to allow any law designed to alter the constitution of the Legislative Council. He could not allow any law which went against the instructions of the Home Government or Acts of the British Parliament extended to the Straits Settlements. He could not allow any law to take effect without the sanction of the Home Government if such a law belonged to one of the following categories:

²As noted above the first appointees were to hold office on a temporary basis, and Ord was required to submit a list of ten names during the next six months. From this list, the Home Government would select a permanent unofficial body. C.O. to Ord, 6th February, 1867, C.O.273/16.

- (a) Laws ~~for~~ the divorce of married couples.
- (b) Laws ~~whereby~~ any grant of land or money or other ~~donations~~ and gratuity might be prejudiced.
- (c) Laws ~~whereby~~ an increase or decrease might be made in ~~the~~ ~~number~~, salary or allowance of public ~~offices~~.
- (d) Laws ~~whereby~~ any paper or other currency other than ~~the~~ coins of the realm and other silver and gold ~~coins~~ might be made legal tender.
- (e) Laws ~~imposing~~ differential duties or tax upon transient ~~traders~~ or temporary resident traders from which other ~~traders~~ residing in the Straits were exempt.
- (f) Laws which were inconsistent with treaty obligations.
- (g) Laws interfering with the discipline or control of the ~~military~~ and naval forces in the Settlements.
- (h) Laws ~~whereby~~ the prerogatives of the British Government or the rights of British subjects not residing in the Straits or British trade and shipping might be prejudiced.
- (i) Laws discriminating against non-Europeans.
- (j) Laws containing provisions which had been refused or disallowed previously by the Home Government.

The Governor was also directed to transmit all laws passed

by the Legislative Council for the final assent of the Colonial Office.³

Subject to the limitations imposed by the Royal Instructions, there was to be freedom of debate in both Councils. Ord was instructed to grant, especially to the non-official members, the fullest possible latitude in discussing and voting upon all subjects brought before the Legislative Council. He was warned that if the non-officials were absolutely or nearly unanimous, great consideration should be given to their opinion, especially if these subjects dealt with new items of expenditure or taxation. The Secretary of State for the Colonies added,

I need hardly point out first that as a general rule, the assistance which the Governor derives from the debates in the Legislative Council will be in proportion to the freedom with which each member of it is encouraged to express his opinion on all questions which will come before them.⁴

The Governor was told that he might expect general support from the non-official members. However, such support could not be enforced without injuring the character for independence which the Colonial Office was anxious to preserve. The official members of the Legislative Council, on the other hand, were obliged not to obstruct the settled policy of the government since they were

³Royal Instructions to Ord, C.O.273/16.

⁴C.O. to Ord, 6th February, 1867, C.O.273/16.

its officers. They were expected to support government measures with their votes and refrain from publicly opposing any such measures.⁵

It was within this framework that the first Colonial Executive and Legislative Councils were formed. The Executive Council consisted of:

Brigadier C. Ireland, Commander of H.M.'s troops
Colonel Man, Acting Lieutenant Governor of Penang
Major Burn, Acting Lieutenant Governor of Malacca
Sir Hackett, Judge of Penang⁶
T. Braddel, Attorney-General
W.W. Willans, Treasurer
C.J. Irwing, Auditor-General.

The official members of the Legislative Council were Sir P.B. Maxwell, the Chief Justice, Brigadier Ireland, Colonel Man, Major Burn, Colonel MacPherson, T. Braddel, W.W. Willans, C.J. Irwing and Major McNair, the Colonial Engineer.⁷ The non-official members nominated by Ord were Messrs. Read, Brown and Scott and Dr. Little. The fifth vacancy was left unfilled since Ord claimed

⁵Ibid.

⁶The Recorder of Penang came to be called the Chief Judge of Penang and the Recorder of Singapore became the Chief Justice of the Straits Settlements, Notification No. 7, S.S. Gazette, 1.4.1867.

⁷Notification 3, S.S. Gazette, 1.4.1867.

that he could not find a suitable gentleman to represent Malacca.⁸

Right from the start, things did not go well for the new Governor. Within a week of assuming office, Ord complained to the Colonial Office that leading officials were antagonistic towards him.⁹ The official who gave Ord most trouble was the Chief Justice, Sir P.B. Maxwell. Maxwell was a learned barrister who had had fifteen years of professional experience behind him when he was appointed Recorder of Penang in 1856. His work in Penang had been comparatively light, and with an abundance of leisure time on his hands, Maxwell soon became involved in politics and developed a taste for exposing and attacking what he felt were abuses. In 1866, on the retirement of Sir R. McCausland, Maxwell was appointed Recorder of Singapore and after the transfer, became the Chief Justice of the Straits Settlements.

The clash between Maxwell and Ord began almost immediately after the arrival of the new Governor in Singapore. Ord expected to be addressed as "His Excellency" even before his inauguration. Maxwell, as arbiter on points of procedure, stated that Ord was not entitled to the title before being sworn in.¹⁰ Later, Maxwell dealt another blow to the dignity of the Governor when, on being

⁸Ord to C.O., 4th April, 1967, C.O.273/10.

⁹Ord to C.O. (Confidential), 6th April, 1967, C.O.273/10.

¹⁰C.N. Parkinson, op. cit., p.10.

formally invited to attend a session of the Legislative Council, he wrote to the Governor stating that he had no intention of attending the meeting on that day or ever again. Maxwell commanded a great deal of respect and enjoyed an independence of authority in the Straits. His inclusion in the Legislative Council was a threat to his dignity and it undoubtedly did detract from his independence as Chief Justice. Maxwell was preparing to go to England on leave and indicated to Ord that it was his intention to see the Secretary of State for the Colonies and object to his position and seat in the Legislative Council. Ord informed the Colonial Office about Maxwell's plans and commented that it was the Chief Justice's intention to stand between the Executive and the people and protect the latter.¹¹

The rivalry between Ord and Maxwell was much more than a clash of personalities. After the abolition of the Presidency of Penang in 1830 and especially after 1833 when the East India Company lost its monopoly of the China trade, the Company began to lose interest in the Straits Settlements. Thereafter, Governorship of the Straits ranked very low in the Indian Civil Service hierarchy, and the position no longer attracted able and ambitious men. Subsequent governors were recruited at a lower level and came mostly from the army or from within the Civil Service of the Straits

¹¹ Ord to C.O. (Confidential), 6.4.1867, C.O.273/10.

itself. The reduced status of the Governor was the main cause of friction between the Executive and the Judiciary. This was further heightened by the Charter of Justice by which the Recorder was appointed by the Crown but his professional decisions could be over-ruled by the Governor in his capacity as President of the Court. Recorders were irked by this interference of a non-professional in their work. This tension was exacerbated by the struggle for status between Recorders and Governors, since until 1867, Governorship of the Straits was looked upon as the end of a career, the final reward for worthy men of a mediocre class. On the other hand, Recorders were learned men¹² and service in the Straits was looked upon as another step towards promotion. Furthermore, the salaries of Recorders were higher than those of Resident Councillors and between 1830 and 1852, were also higher than the salary of the Governor. Recorders received a knighthood on appointment and this certainly increased their status. Many Recorders earned an entry in the Dictionary of National Biography, whereas none of the Governors, with the exception of Colonel Cavanagh, earned a mention even in the Dictionary of Indian Biography.¹³

¹² Each Recorder had to be a qualified barrister with at least five years of professional experience. Letters Patent, 10.8.1855, C.O.273/15.

¹³ C.M. Turnbull, op. cit., p.64. Governor Bonham was listed in the Dictionary of National Biography but as Governor of Hong Kong. Ibid.

Despite the control of the Judiciary by the Executive, Recorders enjoyed a high degree of freedom. This was most apparent during Cavanagh's time when the administration was carried out with an air of informality. Ord later remarked that Maxwell enjoyed an independence of authority never seen in any other colony.¹⁴ However, the independence of judges and rivalry between Chief Justices and Governors were neither unique to the Straits Settlements nor new to the Colonial Office. Just at the time of the transfer, Governor Keate of Trinidad was having problems not only with his Chief Justice but with his Attorney-General and Colonial Secretary as well.¹⁵ Nevertheless, the unusual circumstances in the Straits did not promote cordial relationship between the Governor and the Chief Justice, and the character and personality of the two men only tended to aggravate the situation.

Maxwell informed the Secretary of State that he should cease to be a member of the Legislative Council since his "best services to the colony were likely to be in the shape of opposition to ill-considered measures".¹⁶ Meanwhile, Ord had become worried about Maxwell's opposition and sought assurance from the Colonial Office with regard to the legality of the Bills passed by the Legislative

¹⁴Ord to C.O. (Confidential), 6.4.1867, C.O.273/10.

¹⁵C.O. minute, 28.1.1868, C.O.273/25.

¹⁶Maxwell to C.O. 17.1.1868, C.O.273/25.

Council. He feared Maxwell would try to embarrass the government if there were any doubts since his "... acuteness would soon discover the existence of the doubt".¹⁷ Ord suggested a special Act of Parliament to guarantee the legality of the Bills passed by the Straits Legislative Council. The Colonial Office considered such a measure unwarranted. On the other hand, it was not prepared to give a definite ruling on whether all official members of the Legislative Council in general and the Chief Justice in particular should support the government on all occasions. The matter was regarded as one lacking distinct definition and depended a great deal on the discreet exercise of judgement by the officials concerned. The officials might oppose issues involving certain areas of morals and convictions. However, an objection to public works would be of "unexpected character."¹⁸ Maxwell was informed that the Secretary of State was not in a position to determine to what extent the Chief Justice should attend meetings of the Legislative Council. He was, however, expected to be present at meetings when important matters were discussed.¹⁹

The scene was thus set for a battle which raged throughout Ord's period of administration. Ord failed to inspire the affection

¹⁷ Ord to C.O., 28.9.1867, C.O.273/12.

¹⁸ C.O. minute, 28.1.1868, C.O.273/25.

¹⁹ C.O. to Maxwell, 28.1.1868, C.O.273/25.

and trust enjoyed by his predecessor and soon became the object of criticism for everything that was unpopular in the administration. "The transfer of power to colonial rule would have been difficult in any hands but Ord's personality made the transition even more painful than necessary."²⁰

The Straits community had hoped for a legislature wherein the voice of the community would have a strong influence not only on local government but on the Home Government as well. Those who had strongly advocated transfer were becoming increasingly disappointed with the Legislative Council where non-official representation was in the minority. Nevertheless, the community had hopes that the Governor would listen to the advice of the non-official members and they in turn would co-operate with the Governor. Thus, the resolution appropriating a sum of \$100,000 for a new Government House had the unanimous vote of the Council²¹ although the Colonial Office was alarmed by this large item of expenditure and felt that Ord should be made to understand that he was not at liberty to give effect to resolutions of his Council which involved large expenditure of revenue without the sanction of the Colonial Office. However, the co-operation of the non-official members was not destined to last very long when the Governor's high-handedness became apparent.

²⁰C.M. Turnbull, op. cit., p.383.

²¹Ord to C.O., 19.7.1867, C.O.273/11.

Ord's attitude to the Legislative Council becomes clear in a letter he wrote to the Secretary of State,²² in which Ord stated that in his previous administration he had secured the passing of measures of importance although local assemblies were violently opposed to them. He added that in doing so he had not sacrificed the good understanding that should prevail between the Governor and the local bodies. If true, this was certainly not to be the case in the Straits Settlements.

The local press too became disenchanted with the Governor. The chief critic of the government was the Straits Times. Ord complained that the paper contained unfounded and foolish statements about the actions of his government.

I have on several occasions made efforts to induce him (the Editor) either to allow himself to be furnished with correct information or to contradict the error he had put forth, but usually without effect and he has lately stated openly that he published what he knows to be acceptable to his supporters and has no desire for better information.²³

The whole pattern of Ord's future relationship with the Straits community and to some extent with the Colonial Office was set by the unfortunate and tactless address he delivered in closing the 1867 session of the Legislative Council. He told the Council that he saw no necessity for additional taxation to meet existing demands, but a time might come when this would become necessary.

²²Ord to C.O., 9.5.1868, C.O.273/18.

²³Ord to C.O., 9.12.1868, C.O.273/21.

When such a time came, there were two possible sources of revenue, namely, direct taxation and the imposition of port dues. Ord added that although he did not share the popular belief that an imposition of port dues would have disastrous effects on the trade of the Settlements, he was unwilling to see the experiment tried as long as other means were available to the government.²⁴

Clearly Ord was testing the community's mood. When the community reacted more strongly than he had anticipated, Ord tried to justify his speech by claiming that he had a special aim in making the statement. Ord pointed out that of the \$1,000,000 raised by taxation, eight-tenths was paid by the native population. The European population was prepared to increase the native share without taking any increase on their own shoulders. Ord felt that if fresh taxes were necessary, the government should not look to the native population only, and that any fresh revenue could and should be paid by direct taxation in which the European community would share. If this was objected to, Ord was quite willing to join the community in imposing port dues.²⁵

It is not clear whether the public understood that Ord had no intention of imposing the measures he had alluded to in his speech. Nevertheless, the unfortunate address created a stir both in Singapore

²⁴ Governor's address to the Legislative Council, Enclosure in Ord to C.O., 18.12.1867, C.O.273/13.

²⁵ Ord to C.O., 9.5.1868, C.O.273/18.

and in London. If at all there was anything sacred to the Straits mercantile community, it was free trade. The entire prosperity and all the interests of the Straits Settlements was seen to be bound up with this. It was an unpardonable sin even to contemplate tampering with it.

Ord's speech was one of the main causes if not the chief cause for the revival of the Straits pressure group in London. On 31st January, 1868, at a meeting held at Boustead's office at Cornhill, "a numerous body of former residents in Singapore and Penang" decided to form the Straits Settlements Association to "guard against any legislation that might prejudicially affect the interests of the Straits Settlements, and in particular that might be calculated to check or interfere with their commercial prosperity as free ports of trade; to use means to prevent unnecessary expenditure by the local government and otherwise to watch over the general interests of the Settlements."²⁶ William Napier and James Guthrie were elected Chairman and Vice-Chairman respectively. and the position of President was offered to John Crawford. With these three influential former "Brahmins" of the Singapore community at the helm, the Association soon proved to be a tenacious watchdog of Straits interests.

Ord's speech also had the effect of bringing attention to

²⁶ Minutes and Proceedings of a meeting held to form the S.S.A.

government spending. Ord had obtained the sanction of the Legislative Council to spend a sum of \$100,000 on a new Government House. Furthermore, he had been allowed to purchase a screw-steamer, Pei-ho, for a similar sum of money.²⁷ Both items of expenditure, though large, were justified. The need for a Government House had been felt for a long time and the amount approved was considered a fair expenditure when the expenses of the rented accommodation for the Governor were taken into account. The new steamer, too, was a necessity since the Pluto had been laid up. Admiral Keppel, who surveyed the ship, had declared it completely unseaworthy. The other ship, Rainbow, was serviceable but needed extensive repairs.²⁸ However, the public was now in no mood to regard these as justifiable expenditure. The prevailing mood was well expressed by a speaker at a public meeting held to protest against government spending. The speaker pointed out that the previous governor had lived in a quiet way, but His Excellency, within a week of assuming office, had ordered a \$100,000 palace for himself and his successors, and that formerly the Governor had got along fine with one steamer but the present incumbent wanted another \$100,000 to buy a yacht. The public wanted to know, the speaker said, where the money was coming

²⁷Ord to C.O., 17.8.1867, C.O.273/11.

²⁸Pluto was an old iron paddle-steamer, flat-bottomed, weighing 400 tons and producing 80 h.p. Rainbow was an iron screw-steamer, weighing only 90 tons and producing 35 h.p. Ord to C.O., 6.7.1867, C.O.273/11.

from. His Excellency was not sure and had hinted at levying duties on imports and exports, a measure which was, the speaker pointed out, contrary to the opinions of Raffles, Crawford and every merchant who had lived in the Settlements since, the Governor thought would not interfere with the Settlements' prosperity.²⁹

The Colonial Office was still in the dark as to the actual financial situation of the new colony. Alarmed at the large expenditure, the Secretary of State for the Colonies, the Duke of Buckingham, felt that Ord should be checked. The Governor's speech and the stir it had produced both in London and in Singapore, led the Duke to write to Ord, "I regret that you should have used any language which was calculated to raise the impression that so vital a change would be authorised in the commercial policy of the government except under express instruction from Home."³⁰ Ord interpreted this as further restrictions on the Governor's powers in addition to those already imposed by Clause XVIII of the Royal Instructions. Ord also lamented that should the Duke's despatch be publicly known "... it can hardly fail to be understood to imply that full confidence is not placed in the Governor's judgement or discretion."³¹ The reply from the Secretary of State reflected the

²⁹ S.F.P. 23.6.1868.

³⁰ Buckingham to Ord, 1.4.1868, C.O.273/13.

³¹ Ord to Buckingham, 9.5.1868, C.O.273/18.

Colonial Office's changing attitude to Ord and could hardly have boosted Ord's morale. The Duke of Buckingham wrote,

I have for some time apprehended that your difficulties in undertaking the administration during the period of transition ... have been somewhat increased by the circumstances that you have never yourself administered the government of such a colony and have not at hand any official who has taken a leading part in such an administration. I am confirmed in this apprehension by some passages in your despatch.³²

The Secretary of State then went on to give the Governor a lesson on colonial administration. He pointed out to Ord that in a Crown Colony, the power of Her Majesty and Her Representatives was far greater than in colonies with representative institutions. However, the effect of this was not to create irresponsible power in the Governor but to transfer to the Colonial Office some of the powers of supervision exercised in other colonies by the representatives of the community through powers of legislation and control of the purse. In proportion as the community was imperfectly represented in the Legislature, so it was necessary for the Home Government to be fully informed by the Governor of the feeling and interests of the community and of any measures of importance he may contemplate. Ord was told that a greater amount of public enquiry and preliminary reference to the Secretary of State was required in the Crown Colonies than in the so-called Chartered Colonies. The

³² Buckingham to Ord (Confidential), 31.7.1868, C.O.273/18.

Duke of Buckingham saw no reason why this procedure should not be extended to the Straits Settlements. In fact, he felt that the administration of the Straits Settlements required an exceptionally careful supervision from the Home Government because of the recent change in government as well as because of the Settlements' relations with neighbouring states.³³

Ord had written earlier expressing his apprehension that submitting important questions to a committee of enquiry of the Legislative Council would be interpreted by the community as an indication of the Governor's inability to deal with such matters. The Secretary of State pointed out to Ord that this apprehension was due to Ord's unfamiliarity with the exact form of government he was administering. He added, "It is a course of proceeding to which the ablest and most experienced governors never hesitate to resort on questions of great importance or difficulty ...".³⁴

Ord was told that it was unfortunate that his comments on import duties should have been inserted in an official document. The Secretary of State felt that the language used was likely to be interpreted as a threat. While the Home Government gave Ord credit for trying to achieve an equitable proportion of tax between Europeans and non-Europeans, the Governor should not have ignored the extreme sensitivity of the mercantile community. Referring to

³³ Ibid.

³⁴ Ibid.

the formation of the Straits Settlements' Association, the Duke of Buckingham remarked that it "... may not be without its use in informing the Secretary of State but which while doing so may also prove much embarrassment to the Governor".³⁵

Indeed, the Association soon proved to be a source of embarrassment and irritation to Ord. It was not slow in taking up arms against the Governor. At the very first meeting of the Association, protests were lodged against two Bills, namely, the Passenger Ships Ordinance and the Supreme Court Bill.

The Passenger Ships Ordinance had been passed by the Legislative Council in order to protect Chinese passengers on their return to China or to ports eastward of the Colony. The Act controlled the number of passengers carried in relation to tonnage of the ship, space per passenger, food, and other related matters. The merchant community felt that the Ordinance would interfere with shipping between the three settlements. The Straits Settlements Association not only protested against the Ordinance but also passed a resolution calling upon the Secretary of State to direct the Governor not to bring into operation any Act of the Legislative Council affecting trade and shipping unless such an Act was first sanctioned by the Home Government. Although the Colonial Office did not impose this restriction on the local government, it

³⁵Ibid.

did send copies of the various petitions together with comments of the Emigration Board for the consideration of the Legislative Council. As a result, the Ordinance was subsequently amended.³⁶ The Straits Settlements Association did not have its way, but, its members must have been elated by the amount of influence they had had on the Colonial Office.

The next cause taken up by the Association had nothing to do with either trade or shipping. Its protests were directed against the Supreme Court Act of 1868,³⁷ in a fight for the principle of the independence of judges and in particular for the Association's dear friend, the Chief Justice. The Association claimed that the native population had lost their confidence in justice now that judges could be deposed by the Governor. Ord rightly pointed out that the native population neither knew nor cared anything about the relationship between the judges and the Governor nor would it be easy to make them understand. The native population made very little distinction between the Executive and the administration of justice. Ord claimed that local newspapers tended to spread the propaganda of the Association but felt that the influence of the press on the native population was minimal.³⁸

³⁶ S.S.A. to C.O., 26.2.1868, 17.12.1868; C.O. to Ord, 16.1.1869.

³⁷ The Act is discussed in greater detail under "Judiciary" below.

³⁸ Ord to C.O., 16.9.1868, C.O.273/31.

The next ordinance to meet strong opposition from the European community was the Contagious Diseases Ordinance. This was based mainly on Ceylon Ordinance VIII of 1866 and was designed to protect the public from dangerous diseases brought in by infected ships. Although quarantine was not considered necessary, the Ordinance granted the Governor powers to enact rules and regulations with regard to contagious or dangerous diseases on board ships, and on land if such diseases broke out there, and to determine the period of quarantine for particular ships.³⁹ The humanitarian and social motives for such an Act were obvious. However, the non-official members of the Legislative Council objected on the ground that the Bill would interfere with trade. Dr. Little claimed that he had been a medical practitioner in the Colony for fifteen years and during that period no ship had brought in fever, cholera or other dangerous diseases. There was, therefore, no necessity to enact such an ordinance.⁴⁰

Meanwhile, the Chief Justice and the Governor were exchanging correspondence. Maxwell objected to the practice of introducing into ordinances passed by the Legislative Council, provisions which delegated to the Governor in Council, in certain cases, the power of making rules and regulations having the force of law. Maxwell claimed that it was a perversion of the main end and object

³⁹ Ordinance VII of 1868.

⁴⁰ Ord to C.O., 1.7.1868, C.O.273/20.

for which a Legislative Council existed. His feelings were so strong that he did not attend the last meeting of the Legislative Council and indicated that he would do the same in future if such bills were brought forward.⁴¹

However, there were circumstances when the Colonial Office felt that such powers should be delegated to the Governor. Perhaps the best example of this was the Preservation of Peace Ordinance of 1868.⁴² The Ordinance was enacted to extend Act XX of 1867 for a further year since there were indications that fighting would once again break out between the Ghee Hin and the Toh Peh Kong in Penang. Maxwell objected to the Ordinances on the ground that it gave the Governor exceptional powers for dealing with disturbances which he considered were not of a nature to demand such remedies.⁴³ The Chief Justice's objections did not carry much weight, and with minor alterations suggested by the Colonial Office, the Ordinance was re-enacted in 1870. In 1872, as a result of the continuing unrest among the Chinese population, the Ordinance was made perpetual with an amendment to allow punishment by whipping for offences committed during the continuance of the proclamation made under the Act.⁴⁴

⁴¹Enclosure in Ord to C.O., 3.7.1868, C.O.273/20.

⁴²Ordinance X of 1868.

⁴³Ord to C.O., 11.9.1868, C.O.273/21.

⁴⁴Ord to C.O., 4.10.1872, C.O.273/72.

The Chief Justice was further frustrated when under the powers delegated to the Governor by the Contagious Diseases Ordinance, the Executive decided that on being satisfied by medical evidence that a vessel carrying smallpox, cholera or fever had arrived at any port in the Straits Settlements and was considered a danger to public health, the vessel would not be permitted to enter port. The ship was required to drop anchor outside port limits with a yellow flag on its mast. No person would be landed from the vessel or allowed to communicate with persons from the colony or from other vessels. Despite Ord's assurance that this was the only action he intended to take under the Ordinance unless circumstances warranted further orders, the mercantile community was not satisfied. The Straits Settlements Association considered the order highly objectionable and felt that it would seriously interfere with trade.⁴⁵

The question was not resolved but rather compounded by the enactment of the Pilotage Ordinance. The aim of this Ordinance was to start a system of licensing pilots and regulating their duties. At the same time, the Act sought to compel all ships entering or leaving the harbour to employ and pay for a licenced pilot. The soundness of the proposed system cannot be questioned and today it is almost universally accepted. However, the merchant

⁴⁵S.S.A. to C.O., 8.9.1868, C.O.273/24.

community in the Straits tended to judge the benefits of any ordinance entirely on the effect it might have on trade, and the Ordinance created a great deal of protest. The Chief Justice objected to it on constitutional grounds. The Straits Settlements Association claimed that it interfered with existing systems of pilotage and as such would produce a great deal of confusion. Moreover, the Association was against the compulsory employment of pilots. Any change in the prevailing system, it was claimed, would interfere with trade. Petitions were forwarded to the Colonial Office.⁴⁶ As a result of these protests and on the advice of leading merchants and shipping concerns in the Colony, the Act was amended. The major change was the reduction of the penalty for not employing a pilot, from the proposed \$100.00 to the payment of a pilot fee whether a pilot was engaged or not.⁴⁷ It is not known how many ships actually employed pilots.

The frustration of the Straits community was reflected by the non-official membership of the Legislative Council. Greenshields resigned from the Council on the ground that he could not afford the time. Ord found it difficult to fill the vacancy, and to appoint a fifth member to represent Malacca. He complained bitterly that it was strange that in a Settlement with so many wealthy business firms, it was so difficult to fill posts which were coveted elsewhere.

⁴⁶S.S.A. to C.O., 17.11.1868, 25.11.1868, C.O.273/24.

⁴⁷Ord to C.O., 22.5.1868, C.O.273/29.

Ord blamed the previous system where no opportunity or encouragement had been given to the community to share the administration. Moreover, Ord felt that the merchants, who formed the leading section of the community, had a view which was different from that of colonists elsewhere as to their duties and responsibilities. Their main idea, it appeared, was to make a fortune as quickly as possible and return home. Any time not directed to this task was felt to be wasted, and administration was regarded as entirely the duty of the government. Ord claimed that only Scott and Read had given their service to the administration of justice, acting as honorary police magistrates. There were others with commissions of the peace but Ord complained that none of these gentlemen were active. Ord added that the Municipality, too, with its apparent independence of action, had failed to attract a good response. Ord claimed that one leading firm, Boustead and Company, had even gone to the extent of laying down rules prohibiting its members from holding public office.⁴⁸

This was indeed a harsh judgement on a community that had been so active in working for a change in its system of government. The crux of the matter was that the local community was disappointed with the ineffectiveness of its representation on the Legislative Council, and on the other hand was discovering that it could have its voice heard both in London and in the Straits by holding public

⁴⁸ Ord to C.O. (Confidential), 26.4.1869, C.O.273/29.

meetings, drawing up and forwarding memorials and by actively participating in the Straits Settlements Association. The head of Boustead & Co. was an influential member of the Association in London, and two partners of the firm, together with members of other firms were in the committee of the Singapore branch of the Association. In fact, the Association appeared to have taken over the anticipated main function of the non-official members of the Legislative Council. Ord was thus faced with the problem of recruiting members to fill available seats in the Council. He claimed that there were fourteen English business houses in the Straits having resident partners who could be offered a seat. There were thirteen partners residing in the Straits at that time. Of these, two were already in the Council. Five had indicated that they would not accept a seat. The others were ineligible because they were either too young or lacked the necessary qualifications. There were also numerous German firms in the Straits but their members were ineligible because they were not British subjects. Ord stated that he was compelled to look for a Chinese gentleman who could possibly represent Malacca, although he felt that this would be looked upon with disfavour by the European community.⁴⁹ Ord had hoped that the non-official element in the Council would be removed but the Colonial Office had no intention of changing the Constitution. Moreover, the Secretary of State did not share Ord's apprehension about appointing a Chinese

⁴⁹ Ord to C.O. (Confidential), 26.4.1869, C.O.273/29.

member. He felt it was highly desirable to have (as in Ceylon) an Asian representative in the Council if a person fitting in point of education, intelligence and social standing could be found. He felt that the existing situation, instead of being a cause for dismay, provided a fortunate occasion for appointing an Asian member and hoped that this would thereafter become an institution in the Straits Settlements.⁵⁰

Meanwhile, there were mounting complaints that the Legislative Council was a mockery. The Straits Settlement Association claimed that the non-official members felt helpless because of the official majority, and stated that this was the chief reason for the government's inability to fill the vacancy created by the resignation of Greenshields. The Association demanded an equalisation of the official and non-official element in the Council. Bearing in mind the difficulty of getting persons to occupy the non-official seats, the Association suggested a reduction in the number of official members. Commenting on the Association's resolutions, Ord stated that usually when the Council met at Singapore the government had seven members besides the Governor. In matters which aroused public interest, the Chief Justice would often side with the five non-official members. Ord claimed that by increasing the non-official representation by one additional

⁵⁰ Ord's comments on S.S.A. resolutions. Ord to C.O., 16.9.1869, C.O.273/31.

seat, there would already be an equalisation which could only be broken by the casting vote of the Governor.⁵¹

The demand for equalisation of non-official representation created a renewed interest in the Legislative Council. Two European merchants agreed to accept seats. These were Ramsay Scott, a senior partner in J.W. MacDonald & Co. and W. Adamson, a partner in Gilfillan, Wood & Co. Thus, the non-official element reached its full complement of five. Ord suggested an additional non-official seat to be occupied by an Asian representative. Although for all practical purposes this would create a deadlock in Council which could only be broken by the Governor's casting vote, Ord was quite willing to take the risk. He forwarded the names of three leading Chinese merchants, namely, Whampoa, Eu Chin and Kim Cheng. The Colonial Office sanctioned the additional non-official seat and appointed Whampoa to fill this vacancy.⁵² Moreover, to facilitate the holding of Executive Council and Legislative Council meetings at Penang and Malacca, the Colonial Office granted permission to include the Judge of Penang as a member of the Legislative Council and the Chief Engineer as a member of the Executive Council.

Ord's apprehensions about the feeling of the European

⁵¹Ord's comments on S.S.A. resolutions. Ord to C.O., 16.9.1868, C.O.273/31.

⁵²Ord to C.O., 9.9.1869, C.O.273/31; C.O. to Ord, 29.10.1869, C.O.273/31.

community with regard to the appointment of an Asian representative in Council were dispelled when the Straits Times wrote, "... we are quite sure, not a single voice would be raised in dissent". It added that Whampoa's presence in the Council would carry with it many advantages on all points relating to the Chinese, especially when so much of the legislation affected the Chinese community. Moreover, Whampoa would secure for the Council the sympathy and support of the Chinese.⁵³

Whampoa took his seat in the Legislative Council in time to hear three days of debate over another piece of legislation aimed at the Chinese community. This was the Suppression of Dangerous Societies Ordinance. It was very similar to the Preservation of Peace Ordinance of 1868. In one point the powers of the government were increased. This was the inclusion of a clause allowing the removal from the colony of any naturalised British subject, who, while the Settlement was under proclamation, was found to be an office bearer of a Dangerous Society or had instigated or participated actively in the disturbance which had led to the proclamation.⁵⁴

Earlier, Ord had sought power under Ordinance VIII of 1867 to cancel certificates of naturalisation. However, the Colonial Office had agreed with Maxwell's complaint that a Chinese who had

⁵³S.T. 1.6.1870.

⁵⁴Ord to C.O., 3.1.1870, C.O.273/36.

built up a business on the strength of naturalisation would be exposed to loss of privileges merely because the Governor in Council found a good cause for it. Maxwell had pointed out that such a provision would destroy the security of the Anglo-Chinese population in the Straits Settlements, which was the first condition of commercial progress there.⁵⁵ The provisions were consequently repealed by the Naturalization Amendment Ordinance of 1870.

Ord now pointed out that although there was criticism that the government was too severe on the Chinese community, a number of Chinese who had taken an active part in the disturbances were from China and had taken naturalisation merely because they had discovered that such a step would prevent them from being deported.⁵⁶ Satisfied with Ord's explanation, the Colonial Office sanctioned the Ordinance with instructions that the law be limited to three years.

On 8th April, 1870, the Singapore branch of the Straits Settlements Association, under the chairmanship of W.H. Read, held a public meeting to condemn the Governor. Three resolutions were passed and later forwarded to the Colonial Office. These were:

⁵⁵ Enclosure in Ord to C.O., 28.5.1869, C.O.273/29. The Government of Mauritius too was instructed by the Colonial Office to repeal similar provisions in the Mauritius Ordinance VIII of 1868.

⁵⁶ Ord to C.O., 3.1.1870, C.O.273/36.

- (a) The Straits Settlements Association in London was thanked for its efforts to restrict government expenditure, to achieve independence of the judiciary and to obtain more unofficial representation in the Legislative Council.
- (b) The meeting viewed with regret the government expending money on the Government House and a steamer whilst important public works such as the water-works, hospitals and drainage in Malacca and Province Wellesley were neglected.
- (c) The Governor's contention that his administration was popular was erroneous.⁵⁷

The Straits Times admitted that support for the second resolution was divided. The Governor regarded the circumstances of the meeting as favourable to the administration. He claimed that a number of leading people had spoken against the resolutions. Moreover, neither the German community nor the Chinese and native community had attended the meeting, although notice of the meeting had been carried around the town.⁵⁸ W.H. Read subsequently resigned from the Legislative Council and was replaced by Greenshields.⁵⁹

⁵⁷ S.T. 9.4.1870.

⁵⁸ Ord to C.O., 9.4.1870, C.O.273/37.

⁵⁹ Ord to C.O., 31.1.1871, C.O.273/44; 22.2.1871, C.O.273/45.

Ord left Singapore on leave on 3rd March, 1871, leaving the administration in the hands of Anson. Prior to his departure, two addresses were made in his honour, one by the Chinese community of Singapore and the other by the community of Penang, which included the names of all but three of the Europeans living there. The addresses praised his work, especially his legislation.⁶⁰ The Secretary of State, Lord Kimberly, agreed with the Colonial Office suggestion that something complimentary should be said about Ord. The office had had to find fault with him about administrative details, but it was felt that credit should be given to Ord for "conciliating and keeping in good order the Asiatic population". So, a suitable letter was drawn up and despatched.⁶¹

Ord returned to Singapore in April, 1872. Meanwhile, Anson had applied for a year's leave because of "weakness of eyes and other maladies."⁶² Commenting on Ord's return, the Straits Times said, "It would be ungracious not to accord His Excellency a welcome back".⁶³ When he had left a year earlier, the paper had expressed the hope that he would not return, but now that Ord was

⁶⁰ Enclosures in Ord to C.O., 3.3.1871, C.O.273/45.

⁶¹ C.O. to O.A.G., 14.4.1871, C.O.273/45.

⁶² Anson to C.O., 24.10.1871, C.O.273/50; he was to be temporarily relieved by G.W.R. Campbell, Inspector-General of Police in Ceylon, C.O. to Robinson (Governor of Ceylon) 15.12.1871, C.O.273/50.

⁶³ S.T. 30.3.1872.

back in Singapore, it felt that both the community and the Governor would let bygones be bygones and renew association on amicable terms. The paper admitted that there were fewer bones of contention to quarrel about. The finances of the colony were assured as sound and flourishing. The Government House which had been the subject of the bitterest strife had been completed. There still remained the scandal of the government steamer and the railway, but the paper claimed that the Colonial Office had assumed all the responsibility for these. It urged the Governor to direct his attention to the construction of a lighthouse on North Sands, the completion of the Water Works, re-organisation of the Police Force and certain reforms in the Post Office. The paper concluded that if the Governor paid attention to these matters, "... the animosities evoked and maintained during his first stay here will be exchanged for harmony and goodwill and respect".⁶⁴

However, the second half of Ord's administration produced very little harmony, goodwill or respect. In May 1872, Ramsay Scott resigned from the Legislative Council. The vacancies created by this resignation and the departure of Adamson in March were filled by Dr. Little and T. Shelford.⁶⁵ The non-official representation in the Legislative Council then was as follows:

⁶⁴ Ibid.

⁶⁵ Anson to C.O., 27.3.1872, C.O.273/56; Ord to C.O., 9.5.1872; C.O. to Ord, 30.6.1872, C.O.273/57.

T.S. Brown,	appointed April, 1867
Thomas Scott,	appointed April, 1867
Whampoa,	appointed October, 1869
Greenshield,	appointed May, 1871
Dr. Little,	appointed May, 1872
T. Shelford,	appointed May, 1872

Trouble began towards the end of 1872 when the Ordinance for Regulating Ports and Harbours was introduced into the Legislative Council. The legislation was merely a re-enactment of the existing law, Indian Act XXII of 1855. However, the law was considered defective with regard to port rules and the law relating to approaches on several points, especially on the subject of fishing stakes which sometimes posed serious obstruction in the channels and which was unregulated by any law. Another matter raised was the throwing of dead bodies in the sea. Serious objection to the Ordinance came from the non-official members as well as from the Chamber of Commerce. They claimed that the government would interfere unnecessarily with ship and wharf owners.⁶⁶

Further changes had now taken place in the non-official element of the Legislative Council. Greenshield was granted six months' leave and Shelford, who went on leave in April, 1873, was replaced by Ramsay Scott. Controversies came thick and fast. The first of these arose over the Bill for Regulating Labourers from

⁶⁶Ord to C.O., 13.6.1873, C.O.273/67.

India. Next, Ordinance V of 1873 for Reconstituting the Civil and Criminal Courts of the Colony led to public meetings to oppose the abolition of the Grand Jury. Protests came from the non-official members, namely, Whampoa, Thomas Scott, Dr. Little and Ramsay Scott. In this atmosphere, another controversial bill, the Chinese Immigration Bill, was introduced in August 1873.

In March, 1871, a delegation of Chinese had submitted a petition requesting the government to take steps to protect Chinese sinkehs.⁶⁷ Col. Anson, who was then the Officer Administering the Government, had intended to take the necessary steps but later abandoned the idea, possibly as a result of pressure placed on him by the landowners of Penang. In October, 1872, riots broke out in Singapore. A Commission of inquiry discovered that a large number of sinkehs were flocking into Singapore and that many of them were samsengs.⁶⁸ The commission advised the government to adopt a system of registering Chinese immigrants, but the leading Europeans were against such a system since they felt that such a measure would injure Chinese immigration and affect trade.

In June 1872, a further petition was received from the Chinese community, which was mostly engaged in pepper and gambier planting

⁶⁷"Sinkehs", literally "new friends" were the new arrivals.

Immigrant Chinese who had arrived earlier were known as "Laukeh" or "old friend".

⁶⁸Gangsters.

and general trade. In August, 1872, a draft bill was prepared and presented to the Legislative Council. Once again there were objections from the European community. Thomas Scott admitted that there had been kidnapping of sinkehs in 1871 and 1872 but said that this no longer occurred. Dr. Little was also satisfied with the existing system. Ramsay Scott claimed that sinkehs were free men who came to the colony willingly. If they did not come willingly, then it was the fault of the Chinese government and the government of the Straits Settlements had no right to interfere. Whampoa, however, supported the proposed legislation.

After further talks with leaders of the Chinese community, certain amendments were made to the proposals and the Bill was re-introduced in September 1873. A unique feature of the bill was that it was brought about mainly at the instigation of Chinese leaders who were the actual recruiters of coolies. Opposition came from Europeans who appeared to be more concerned with getting coolies on the cheap than with the method of recruitment. The aim of the proposed legislation was to regard every unskilled Chinese coming to the colony as an immigrant. Every ship bringing twenty or more sinkehs would be regarded as an immigrant ship. On arrival in the colony, the ship would be boarded by Registration Officers who would record the names and details of every migrant. Thereafter, those considered necessary would be endorsed on a ticket. Sinkehs not already indentured would use the ticket for identification when they

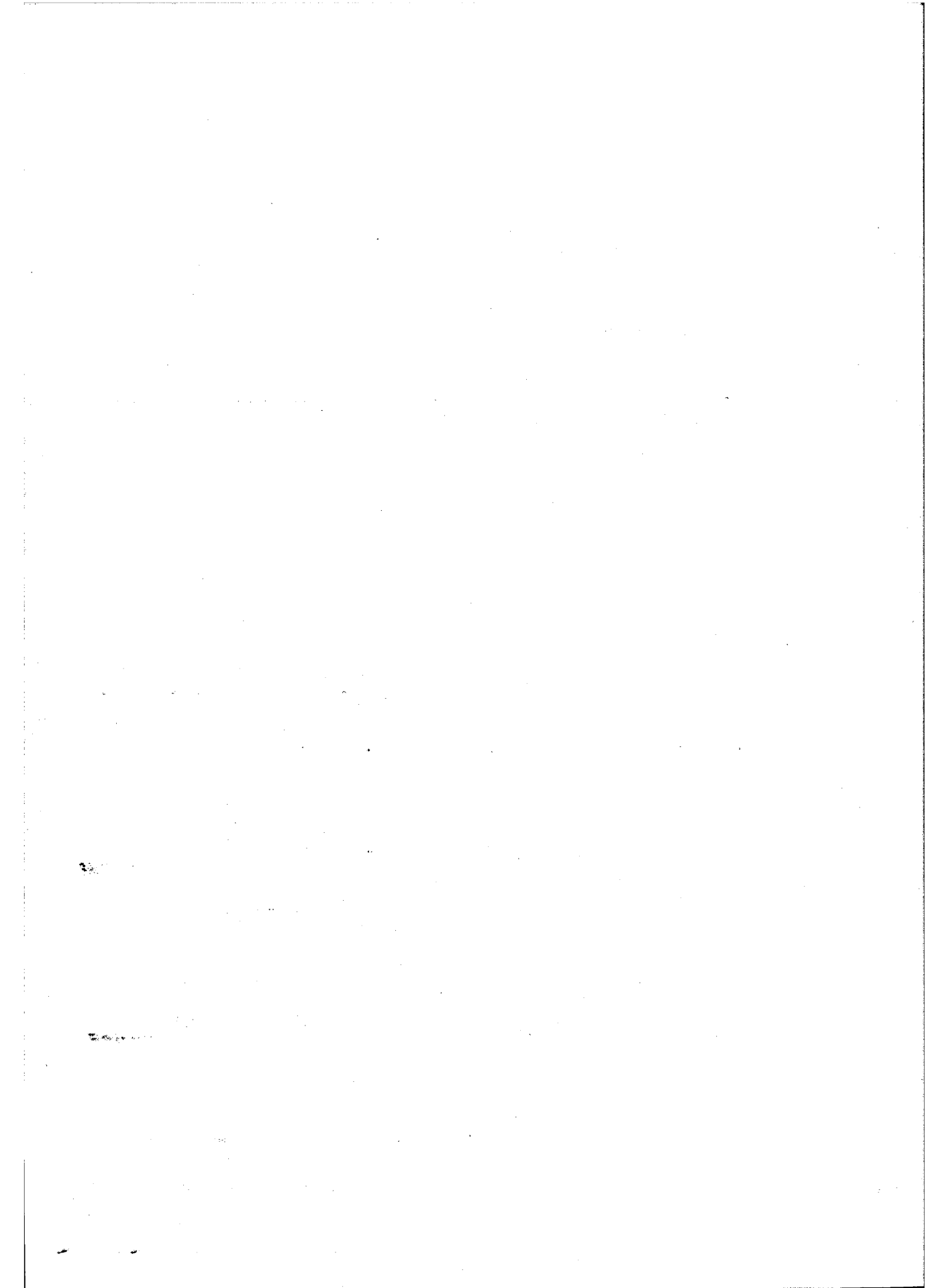
needed assistance. If a sinkeh obtained employment, his ticket would be held by his employer during the period of indenture. The employer was required to inform the Registrar if the coolie died or absented himself from service. This protection was afforded to the sinkeh for only two years, after which it was hoped that he would have learnt to look after himself. Under this system, the Police would have some means of tracing a coolie if there were complaints or suspicion of unfair dealings. Moreover, the Police could also identify coolies who ran away from their employers and became "samsengs". Ord failed to see how this system could interfere with the freedom of immigration or increase the cost of coolie labour.⁶⁹

The Legislative Council meeting held on 29th September, 1873 was a dramatic one. Thomas Scott, Ramsay Scott, and Dr. Little resigned, protesting that the Governor had disregarded public opinion as well as the views of the non-official members.⁷⁰ A fortnight earlier, a public meeting had been held and two important resolutions passed. These were,

- (a) that the abolition of the Grand Jury was inexpedient and dangerous and therefore the meeting approved and

⁶⁹Ord to C.O., 30.9.1873, C.O.273/69.

⁷⁰Ord to C.O., 1.10.1873, C.O.273/70.



supported the protests of the non-official members in the Legislative Council on 9th September, 1873;

- (b) that the Coolies Protection Act was impolitic and unnecessary. It interfered with the importation of free labour. Moreover, it could not achieve what it had set out to do.⁷¹

The resolutions were forwarded to the Colonial Office through the Governor. Ord felt that the meeting was largely the work of W.H. Read and his group, not so much to discuss the topics, in which he felt the public had hitherto showed little interest, but to give the group "an opportunity of which they had been for some time debarred, of displaying their personal hostility to the government."⁷²

The Straits Times reported that this was one of the largest public meetings held in Singapore "... in spite of it being a mail day, a fact significant of the great interest taken by the whole of the mercantile community in the two subjects ...".⁷³ The Colonial Office refused to reconsider the abolition of the Grand Jury. It was a system which it had been found not advisable to retain or establish in the principal British possessions. The Colonial Office

⁷¹Enclosure in Ord to C.O., 1,10.1873, C.O.273/70.

⁷²Ord to C.O., 1.10.1873, C.O.273/70.

⁷³S.T. 16.9.1873.

believed that abuse of coolies prevailed in Singapore and that coolie should be protected. However, Ord's successor, Sir Andrew Clarke, was instructed to submit a report on the subject.⁷⁴

Meanwhile, a petition had been sent to Lord Kimberly by certain inhabitants of Singapore requesting him not to accept the resignation of the non-official members. Whilst agreeing with the petitioners that the members concerned had given valuable service in the past, Lord Kimberley pointed out that the abolition of Grand Jury had been adopted with great success in major British territories and that the matter had been before the Legislative Council for months. It was, therefore, not a case of legislation of questionable nature carried into effect in a hurry without considering the reasons for and against. Lord Kimberley stated that he had to accept the resignations no matter how disappointed the Legislative Council might feel. However, he requested Clarke to use his judgement if any of the gentlemen concerned needed to be reappointed.⁷⁵

In October, 1873, the Legislative Council passed the Chinese Immigration Bill but with a suspending clause. The Colonial Office was not satisfied with the Ordinance⁷⁶ and felt that it required certain amendments.

⁷⁴C.O. to Clarke, 17.11.1873, C.O.273/70.

⁷⁵Ibid.

⁷⁶Ordinance X of 1873.

Harry St. George Ord, the first Colonial Governor of the Straits Settlements was about to depart. The Chinese, Muslim and Hindu inhabitants praised him for his impartial rule, the result of which was better administration of justice and great increase in population, trade and commerce.⁷⁷ The Chinese community of Singapore, including Whampoa, forwarded a separate address stating that during his rule the Chinese had enjoyed equal rights and privileges with the other races in the Straits Settlements. They felt that they were losing a friend and sought permission to place his portrait in the Legislative Council chambers.⁷⁸ Another address from "native merchants, traders, and other residents" claimed that the benefits of Ord's rule were too numerous to specify. Generally, the administration had greatly improved on previous standards.⁷⁹

Ord left Penang on 2nd November, 1873, the same day that his successor, Sir Andrew Clarke, reached Malacca. Clarke reached Singapore on the morning of the 4th and was received by members of the Executive and Legislative Councils as well as by merchants and residents. The usual oath of office was administered by the Chief Justice.⁸⁰ Two weeks later Clarke wrote to the Colonial Office

⁷⁷ Enclosures in Ord to C.O., 31.10.1873, C.O.273/70.

⁷⁸ Ibid.

⁷⁹ Ibid.

⁸⁰ Clark to C.O., 4.11.1873, C.O.273/71.

stating that the opposition to the government and the resignation of the non-official members⁸¹ of the Legislative Council were prompted by the hope that the Colonial Office would further strengthen the non-official element in the Legislative Council. Clarke wanted instructions that should differences arise in the future between the official and non-official members in the Council, the subject should be reserved for the decision of the Secretary of State.⁸² The Colonial Office was not prepared to sanction this. Instead, Clarke was informed that in each case the Governor should use his discretion as to whether the power of the official votes should be applied. However, if there was strong opposition to any provision of an ordinance, either from non-official members or from people outside the Council, a suspending clause should be introduced to delay the immediate operation of the Ordinance.⁸³

In the light of this, Clarke decided to conciliate the gentlemen who had previously opposed the government. He appeared to go out of his way to discuss policy matters with men like Read, Ramsay Scott and Thomas Scott and persuaded them to return to the Legislative Council. The Colonial Office felt that it would have been more dignified if Clarke had waited a little longer before

⁸¹All except Whampoa who was the only unofficial member in the Legislative Council meeting held on 31.10.1873, before Ord's departure.

⁸²Clarke to C.O., 18.11.1873, C.O.273/71.

⁸³C.O. to Clarke, 3.1.1874, C.O.273/71.

begging them to return. Lord Kimberley commented that it showed a weakness on Clarke's part and added, "I fear he will find that he had purchased momentary ease at the expense of future embarrassment."⁸⁴

Meanwhile, the controversial Protection of Chinese Immigrants Ordinance was not brought into operation because of much diversity of opinion, both as to its necessity and the possibility of effectively carrying out the measures contained in it.⁸⁵ The Ordinance continued to remain inoperative well into the administration of Jervois, who announced that a well-considered Master and Servants Ordinance based on the Ceylon Master and Servants Act in conjunction with the Straits Settlements Passenger Ordinance VI of 1874 would attain the objects of the Chinese Immigrants Act. Moreover, such an ordinance would cover all sections of the community and not merely the Chinese.⁸⁶

Ord was not left in peace even after he ceased to be the Governor of the Straits Settlements. J.S. Atchinson, the first fully qualified lawyer admitted to the Straits bar and founder of the Straits Observer, had written a letter to The Times laying charges of corruption against Ord and other high officers in the Straits government. Later, he placed the matter in the hands of Lord

⁸⁴ Lord Kimberley's minute on Clarke to C.O., 10.1.1874, C.O.273/75.

⁸⁵ Clarke to C.O., 29.4.1875, C.O.273/80.

⁸⁶ Sir William Jervois' speech to the Legislative Council, 7.10.1875, C.O.273/81.

Stanley of Alderley. On 4th July, 1874, Lord Stanley launched an attack on Ord's administration of the Straits Settlements and asked the Secretary of State for the Colonies whether an enquiry was contemplated. He added that he must protest against the doctrine that if the conduct of a governor was called into question, the Minister had to protect him, right or wrong. He felt that in fairness to Clarke, an enquiry should be instituted into the system. If enquiries had been made previously, they should be published for the benefit of the colonial society and those aspects not covered should be investigated by fresh enquiries.⁸⁷

Lord Kimberley, the previous Secretary of State, stated that the attack on Ord was unfair. Ord had failed on many occasions but on the whole he had performed good service. There were very few governors who had made no mistakes. Lord Kimberley had no objection to producing the correspondence relating to the various matters referred to but even if these were produced, it would not be possible to lay grounds for an enquiry since Ord was no longer the Governor.⁸⁸

The Earl of Carnarvon,⁸⁹ supported Lord Kimberley's remarks. There had been a great deal of criticism about government expenditure. However, the construction of Government House had been approved by

⁸⁷The Times, 7.7.1874, C.O.273/77.

⁸⁸Ibid.

⁸⁹Secretary of State for the Colonies, 6.7.1866-7.3.1867 and 21.2.1874-3.2.1878.

the non-official members, and it should be remembered that Ord had left the colony with a surplus. As for the steamers, the ones previously in use were worn out and Ord's Council had approved the purchase of new ones. He stated that the enquiry asked for was one without precedent, and could only be justified if the Secretary of State felt serious abuses had occurred. Therefore no enquiry was to be held. He admitted that there had been some mistakes made but it would be unjust to Ord if the Government gave any grounds for the belief that they thought an enquiry into his conduct was necessary. No petition or memorial asking for such an enquiry had been received by the Crown, and in Lord Carnarvon's opinion not the slightest case had been made for it. During Ord's governorship, the expenditure of the colony never reached its income, no new taxes were imposed, the value of land had increased, trade had increased by 27 per cent and shipping had increased by 40 per cent. He claimed that a colony which had started without a balance had a balance of \$700,000 at the beginning of 1874.⁹⁰

With a little discretion, Ord might have left Singapore a popular Governor.⁹¹ As it was, his departure had been a cause for rejoicing. The Straits Times wrote:

⁹⁰The Times, 7.7.1874, C.O.273/77.

⁹¹C.O. minute on Ord to Kimberley, 1.11.1873, C.O.273/71.

In the person of our late Governor, we seem to have got rid of the Typhoon joss, as a Chinaman would put it, who kept the whole community in a state of turmoil and strife, attacked and alarmed all classes and interests, attempted to choke trade and mercantile enterprise by an endless chain of legislative enactments, and to subordinate everybody and everything to his own aggrandisement and glorification. Sir Harry Ord seemed to think, to judge from his every saying and doing, not that he was here for the benefit of the colony, but that the three settlements existed solely for his pleasure and to exercise his royal will upon.⁹²

What was the position of the Lieutenant Governors in the new administration? The Straits Times complained that they were treated as mere clerks. It added that "... they could hardly mend a pen or buy a pin without applying for and receiving the gracious authorisation, written on official foolscap with official pen and in regulation ink."⁹³

The status of Lieutenant Governors was first brought up when in 1867 Ord raised the question of official accommodation for them. Under Indian rule, the Resident Councillors were not entitled to government quarters, nor were they permitted to stay in Government Houses without the permission of the Governor, which was only granted in the case of the Government Bungalow at Penang. Ord regarded the title of Lieutenant Governor, as denoting a status higher than that of a Resident Councillor, and thought that the officers holding the

⁹²S.T. 19.9.1874.

⁹³Ibid.

title should be provided with official residence. Since the Government Bungalow at Penang was too far from the Lieutenant Governor's office, Ord suggested the purchase of a house for him at a cost of \$25,000, or alternatively the payment of a housing rent to the officer. Ord also recommended an entertainment allowance of £160 per annum. As for Malacca, Ord suggested that the convicts should be removed to other settlements and the convict jail converted into a suitable residence for the Lieutenant Governor. Alternatively, the officer could be paid rental allowance of £150 per annum.⁹⁴ The Colonial Office pointed out to Ord that there was a difference in the status of a Lieutenant Governor in the Straits Settlements and one in the West Indies. In the West Indies, the Lieutenant Governors occupied Government Houses built and furnished for them at Government expense. These officers were independent of the Governor-General in administering their respective colonies and their duty was limited to reporting proceedings to the Governor-General to be forwarded to the Colonial Office. The officers in the Straits Settlements were different. The Lieutenant Governors in the Straits, like their predecessors, the Resident Councillors, were subject in all administrative duties to the direct authority of the Governor. Almost everything they did in their executive capacity had to be submitted through the Colonial Secretary to the

⁹⁴Ord to C.O., 2.9.1870, C.O.273/39.

Governor for his approval. Since responsibility was placed on the Governor, it was necessary for him to make regular visits to the other two settlements in order to be personally acquainted with the state of affairs. There could be many visits and some had to be made suddenly and without prior notice when petitions were presented and the Governor was required to make on-the-spot enquiries. It was for the benefit of the Governor and his party that the Indian Government provided Government Bungalows at Penang and Malacca. The Colonial Office had no objection if the Lieutenant Governor of Penang occupied the Government Bungalow and the Lieutenant Governor of Malacca stayed at the Stadthouse when these were not required by the Governor, the Chief Justice or other officials visiting the Settlements. The Secretary of State, however, pointed out that the title of Lieutenant Governor conferred on Anson and Shaw did not carry with it any rights to official residences provided at public expense. In fact he was disposed to think that when vacancies occurred, the designation of Lieutenant Governor should no longer be retained.⁹⁵

The question of the status of Lieutenant Governors was raised again when, as a result of an embezzlement, the security bonds for officers handling money were revised. As Collector of Land Revenue, the Lieutenant Governor of Penang, according to the revised

⁹⁵ Kimberley to Ord, 2.11.1870, C.O.273/39.

list, was required to pay a security bond of \$2,000,00. The Acting Lieutenant Governor of Penang, Campbell, objected to this on the grounds that it would cause an injury to his position as Lieutenant Governor. Anson, who was on leave in England, remained non-committal when asked for his comments. Meanwhile, Ord had written to the Colonial Office agreeing with the Secretary of State's view that the title of Lieutenant Governor be discontinued. The Governor's view was also expressed in his correspondence with Campbell. Campbell leaked out the information and within a month there were reports in Penang papers that the government proposed to do away with the title of Lieutenant Governor. A public meeting was held at Penang and a petition was drafted and forwarded to Lord Kimberley in April 1873.⁹⁶

The main complaint of the petitioners was the growing tendency to centralise the administration in Singapore, which they alleged affected Penang adversely. Up to the middle of 1872, the Lieutenant Governors had been empowered to issue grants of land, the blank titles signed by the Governor being sealed and despatched to them to be used at their discretion. This practice was stopped after an incident in Malacca when a large piece of land was given away without payment. According to the new system, completed documents had to be sent to Singapore for the Governor's signature. The petitioners claimed that this caused unnecessary delay.

⁹⁶Enclosure in Ord to C.O., 8.8.1873, C.O.273/69.

The petitioners also complained that injury was caused to the Settlement by the Lieutenant Governor's not being empowered to act on his own responsibility to settle quarrels in the neighbouring Malay states. Ord had been restricted by the Colonial Office from directly interfering in the affairs of the native states, and his policy towards these states was stigmatised by merchants and other interested parties as weak and unworthy. Ord himself complained that the Lieutenant-Governors wanted "... the liberty to act on their own judgement but always on the responsibility of the Governor."⁹⁷

The petitioners also requested the holding of Legislative Council meetings in Penang. Provisions for this had been made when the Judge of Penang was made a member of the Legislative Council, but in practice it had been found difficult to get the non-official members in Singapore to attend Council meetings in Penang.

Ord felt that the powers and position of the Lieutenant Governors should be clearly defined. He added "... the Lieutenant Governors should understand that their duties and responsibilities are in no sense those of the Governor but like the Government Agent of Ceylon or the Colonial Secretary of a colony they have been

⁹⁷ Ord to C.O., 8.8.1873, C.O.273/69.

delegated certain powers and authority of the Governor which they are at liberty to exercise themselves but which they have no power to delegate to anyone else."⁹⁸ "Quite so", wrote Lord Kimberley.⁹⁹

Clark was asked to comment on the petition and look specially into the question of abolishing the title of Lieutenant Governor.

However, the whole question of the status of Lieutenant Governors faded into insignificance when British intervention in the Malay states resulted in the creation of new and challenging positions.

⁹⁸Ord to C.O., 8.8.1873, C.O.273/69.

⁹⁹Lord Kimberley's minute on Ord's correspondence, 9.10.1873, C.O.273/69.

CHAPTER THREE

THE JUDICIARY AND CIVIL ESTABLISHMENTS

Under the terms of the Royal Charter granted in 1807, a Recorder was appointed to preside over a court in Penang in conjunction with the Governor and his senior Councillor. In 1826, a second charter extended the jurisdiction of this court to Malacca and Singapore. However, the last Recorder had died in 1824. Governor Fullerton and his senior Councillor, therefore, had to administer the courts until the arrival in 1827 of Sir John Claridge as the first Recorder of the newly formed Straits Settlements. Claridge did not survive for long. He was recalled in 1829 when he adjourned the court in Penang and refused to go on circuit to Malacca and Singapore. He claimed that he had been overworked in Penang. Moreover, there had been a dispute over the type of ship he should travel in when visiting the other two settlements. Fullerton then assumed control of the judicial establishment. With the abolition of the Presidency in 1830, he closed the courts on the grounds that there was no-one legally qualified to administer justice until a new charter was granted to the Straits Settlements. This produced chaos, and the English merchants in Penang and

Singapore sent petitions to the British Parliament. However, the Directors of the East India Company ruled that the courts should not have been closed, since Fullerton's interpretation had been erroneous. Consequently, the courts were re-opened in April 1832 and Sir Benjamin Malkin was appointed Recorder in 1833.¹

Since the early years, there had been rivalry between Governors and Recorders. The Recorders and many of the local merchants wanted to see the judicial powers of the Governor and the Resident Councillors removed. On the other hand, some of the early Governors had advocated the abolition of the judiciary. Malkin, who did not have a high regard for the local Governor, had to admit that the Straits Settlements could not support a full time Recorder and suggested that a judge from Calcutta should visit the Straits on circuit. However, things changed during the time of his successor Sir William Norris, who was Recorder from 1836 to 1847. With the increase in the population of the Straits Settlements in the 1840s and the consequent pressure on the business of the courts, there was not only a need to retain a Recorder but also to increase the judicial establishment as well.

Meanwhile a change was taking place in the relationship between the executive and the judiciary. In principle, Norris was, like his predecessors, opposed to officials combining the functions

¹C.M. Turnbull, op. cit., pp.54-66.

of the executive and judiciary. In practice, however, "... he was a lazy judge who disliked stirring from Penang, and he was content to sink his scruples and leave his lay colleagues to judge nearly all the civil and criminal cases in Singapore and Malacca, even on occasional capital offences."² A great deal of the judicial work fell on the shoulders of the Resident Councillor of the rapidly growing settlement of Singapore. Consequently, his day to day administrative duties began to suffer. The press and the European community of Singapore then agitated for a separate judge for Singapore. Finally, in 1855, the British Parliament provided a new Charter of Justice for the Straits Settlements.

The Letters Patent dated 10th August, 1855 made provision for a second Recorder. It incorporated admiralty jurisdiction granted by Acts VI and VII William IV C83 in 1837 and insolvency jurisdiction provided by Acts XI and XII Victoria C21. The court was designated Court of Judicature and consisted of two divisions, viz. one court to be held at Singapore or Malacca before the Governor or President, the Resident Councillor of the station and the Recorder of Singapore; the other court to be held at Penang before the Governor, the Resident Councillor of Penang and the Recorder of Penang. The Governor and Resident Councillors were to be judges at all times. In the court, the Recorder present took precedent next to the

²S.F.P. 5.3.1840, quoted in C.M. Turnbull, op. cit., p.67.

Governor or any Resident Councillor acting as Governor. Decisions were by the majority of the judges present.³

The Governor and Resident Councillors were granted no salary or fee for acting as judges. The Recorders were given a fixed salary, Rs.25,000 per annum for the Recorder of Singapore and Rs.20,000 per annum for the Recorder of Penang. Recorders were not allowed to take fees or accept any other office or business. Sir William Jeffcott was appointed the first Recorder of Singapore.

The courts were granted power to appoint a Registrar each. The clerks of the Registrar were to be under the control of the court. Sheriffs were to be appointed annually on 25th September. Sheriffs and Deputy Sheriffs were required to execute all writs, summonses and warrants and to receive and detain persons in prison. Generally, their duties were similar to those of a County or Shire Sheriff in England. The Governor in Council could appoint as many coroners as he saw fit. Registrars, Sheriffs and Coroners might receive fees according to the table of fees.

All judges were Justices of Peace in the Straits Settlements. They were also to have the jurisdiction and authority of the Court of Queen's Bench, Court of Chancery and Court of Common Plea and Exchequer. In addition, they would also act as an Ecclesiastical Court as far as the religious customs of the people permitted this.

³Letters Patent for Reconstituting the Court of Judicature of Penang, Singapore and Malacca, 10.8.1855, C.O.273/15.

There was no Court of Appeal in the Straits Settlements. Appeals had to be directed to the Privy Council. However, the Governor, with approval from the Directors of the East India Company, could set up courts of the nature of Courts of Requests to collect small debts and to try cases where the debt, duty or matter in dispute did not exceed \$32.00.⁴

The Charter did not provide for a substantial increase in the judicial establishment. The courts were required to divide the existing staff between them and in some cases, staff salaries were actually reduced. Registrars and their staff then insisted on taking fees in lieu of fixed salaries. Litigations increased sharply, and it was claimed that Registrars were earning more than the Recorders. In 1861, court officials were ordered to accept a salary instead of fees. Following this order, litigation declined just as rapidly.⁵

In 1860, a penal code was approved for India, but this was not extended to the Straits Settlements. However, on the insistence of Governor Cavanagh, the Indian Legislative Council finally passed legislation permitting the extension of the code to the Straits, but this did not come into effect until after the transfer.

⁴Letters Patent for Reconstituting the Court of Judicature of Penang, Singapore and Malacca, 10.8.1855, C.O.273/15.

⁵C.M. Turnbull, op. cit., p.69.

Towards the end of Company rule, considerable progress had been made in improving justice in the Straits Settlements. In a multi-racial and multi-lingual society, interpreters played a major role in the process of administering justice. However, because of the poor salary paid to them, the calibre of interpreters was poor. It was during Cavanagh's administration that India finally granted permission to reduce the number of interpreters and to use the money thus saved to pay higher salaries to interpreters of a better class. Further reforms were also introduced in the 1860s. For instance, a Crown Counsel was appointed in Singapore and Penang had a Public Prosecutor.

The Charter had made provisions for suitors to employ agents licensed by the courts to plead on their behalf. The calibre of law agents increased when Gray's Inn made arrangements for law agents to be called to the bar in a shorter time if they gave an undertaking to practise in the Straits. At the time, however, the law agents in the Straits Settlements were not required to be fully qualified barristers or solicitors.⁶

The Charter also made provisions for a Grand Jury of 23 members and for minor cases a Petit Jury of twelve. Members of the jury came mainly from the European and Eurasian community. In fact, it was this group, as well as the litigation-conscious Indians, especially the Chettiars, who benefited from British law. To the

⁶C.M. Turnbull, op. cit., pp.72-3.

masses, the law courts (like the government) were remote and incomprehensible. Justice was often meted out by "illegal tribunals" based on customs and traditions.

The Charter directed the Governor to appoint a Sheriff of the Straits Settlements annually in September. The Deputy Sheriffs were appointed by the Sheriff. The salaries and fees of these officers were regulated by the court. Under the system, the Sheriff appointed by the Governor from the inhabitants of the colony received by fees \$3,000 per annum. The Sheriff, with the recommendation of the Governor, appointed a deputy for Malacca on a fixed salary of \$600 per annum and one each for Singapore and Penang on a fixed salary of \$1,200 per annum. In 1859, the separate office of Sheriff was abolished. The Deputy Sheriffs were made permanent officers, each performing the duties of a Sheriff and receiving a slight increase in their salaries which ranged from a total annual salary of \$818 at Malacca to \$1,636 at Singapore.⁷ However, the increase in salary was not sufficient to attract efficient men for these positions.

There were two types of prisons in the Straits, namely, the convict jails for those transported to the colony and a House of Correction for those offenders sentenced by magistrates. A third type of prison came into existence in the Straits Settlements, one for those persons awaiting trial or awaiting transportation after

⁷Ord to C.O., 24.3.1868, C.O.273/8.

trial and sentence, as well as for those who were confined for debt or on civil process. It was this category of prison which was under the control of Sheriffs. Being appointees of the court, the Sheriffs were outside the control of the Governor except in his capacity as President of the Court. Moreover, as regards the safety, discipline and treatment of prisoners, Sheriff's jails were considered inferior to others. In March 1868, a Bill was therefore enacted granting the Governor power to appoint a Sheriff and subordinate officers in each of the settlements. The Ordinance also gave the Governor control over all prisons as well as the power to appoint visitors and inspectors if and when necessary.⁸

In June 1868, a Supreme Court of Judicature was established in Singapore. Although the Supreme Court Bill was passed and was subsequently sanctioned by the Colonial Office,⁹ it had a stormy passage in the Legislative Council. Many of the amendments suggested by the Chief Justice were included in the Ordinance. Nevertheless, the Chief Justice, Maxwell, with support from the non-official members, Thomas Scott, Dr. Little and H.H. Wilson pressed for the inclusion of the following additional provisions:

⁸Ord to C.O., 24.3.1868, C.O.273/8.

⁹C.O. to Ord, 15.6.1868, C.O.273/19.

- (a) Any person who had not practised as a barrister in England for at least five years should not be appointed a judge.
- (b) Judges should not be liable to suspension by the Government.
- (c) Registrars should be appointed by the judges.
- (d) Judges should fix and alter court fees with the sanction of the Government.
- (e) Rules of the courts should not be subject to confirmation by the Legislative Council.
- (f) Advocates and Attorneys should be subject to the authority of the Court.

Ord mentioned rather sarcastically how the powers given to judges to make appointments had been used previously. Three of the Chief Justice's sons had been appointed to positions of importance at an early age. His eldest son, Benson Maxwell, was only 28 but was for the last four years Registrar of the Court at Penang on a salary of £1,080. His second son, William Maxwell, held the post of Senior Sworn Clerk at Penang on a salary of £600 per annum. His third son, Robert Maxwell, had been appointed clerk to the Chief Justice on a salary of £300 per annum.¹⁰

Maxwell's main objection to the Bill was that it did not

¹⁰Ord to C.O., 15.6.1868, C.O.273/19.

preserve the independence of the judiciary. He pointed out that under Company rule, the Governor did not have the power to suspend a judge. Maxwell had the support not only of the non-official members of the Legislative Council but the press and a large section of the European community as well. Ord wrote that perhaps the non-official members genuinely wished to maintain the independence of the Court but felt that the European community had supported them "... desire not merely judicial independence of the Court but also its political independence of the government and would not be sorry to see an antagonism established between the government and the Court which they might possibly take advantage of."¹¹

Although the Bill had been passed by the Legislative Council, Maxwell claimed that the non-official members should be given the opportunity for more say. On 22nd June, a public meeting was called to protest against the Act. The meeting agreed that the Act lowered the dignity of the Chief Justice and decided to send a petition to the Duke of Buckingham. A certain Mr. Dana, amidst laughter, moved a resolution that the power which the Bill gave the Governor to suspend the Chief Justice should be restricted to transportation for life.¹²

The petition sent to Lord Buckingham on 30th June, 1868,

¹¹Ibid.

¹²S.F.P. 23.6.1868.

expressed alarm at the governor's powers to suspend officials, including judges, and requested the Secretary of State to take fitting measures to secure the independence of the judiciary which it had enjoyed under Indian rule. One third of the signatories were Chinese. Two further petitions, one from the European community of Penang and Province Wellesley and the other from the Asiatic population of Penang, mainly Chinese and Indians, were sent in August.¹³

The Colonial Office disregarded the petitions and felt that the petitioners' suggestion would not be in the public interest. The powers given to the Governor of the Straits Settlements were the same as those given to other colonial governors. Moreover, powers of suspension of officers had to be exercised with the concurrence of the Executive Council and the decision had to be confirmed by the Crown before it became effective.¹⁴

This was a personal defeat for Maxwell. The quarrel between him and the Governor now extended to petty things. They exchanged several letters. Maxwell accused Ord of interfering in the internal arrangement of the Court House. During Maxwell's absence on leave, with the approval of the Acting Chief Justice, Ord had authorised a small robing room for the Attorney-General. Maxwell

¹³Enclosures in Ord to C.O., 27.8.1868, C.O.273/20.

¹⁴Buckingham to Ord, 21.9.1868, C.O.273/20.

objected to this "trifling accommodation" on the ground that the Asiatic population would get the idea that the government law officer was part of the judicial establishment.¹⁵ The Colonial Office sanctioned the Governor's action. In his minute to Sir Frederic Rogers, the Under Secretary of State, Lord Buckingham wrote in exasperation, "The Chief Justice again."¹⁶

The proposed Supreme Court Act was one of the two ordinances objected to at the inaugural meeting of the Straits Settlements Association.¹⁷ On 7th February, 1868, copies of the minutes of the meeting were sent to the Colonial Office. The following day a formal petition was forwarded. Another petition was sent in March enclosing the comments of the late Duke of Newcastle and Earl Grey on the independence of colonial judges. In August, the Association succeeded in making the Secretary of State delay sanctioning the Act until the petition from Singapore reached him.¹⁸

The feeling of the European community about the Supreme

¹⁵ Enclosures in Ord to C.O., 5.9.1868, C.O.273/21. The public knew and newspapers had reported that the Chief Justice and the Attorney-General had serious differences of opinion in the Court. On one occasion, the Attorney-General had thrown up his brief and left the Court. Maxwell had then declared aloud that he would continue without the Attorney-General. Ibid.

¹⁶ C.O. to Ord, 30.10.1868, C.O.273/21.

¹⁷ The other was the "Regulation of Passenger Ships Act".

¹⁸ S.S.A. to C.O., 7.2.1868, 8.2.1868, 5.3.1868, 10.8.1868, 25.8.1868, C.O.273/24.

Court Act was expressed succinctly by "Extinguisher" in a letter to the Straits Times. He wrote:

2. And it was opposed by the non-officials even Tummuskot and Little Robert, and he was the captain of the Host.
3. Also the Chief Justice did inveigh against it.
4. But their voices were powerless.
5. For when the Chief Ruler did say it was his wish that any law should be passed, the officials or Echoes did say likewise.
6. And the Governor's Echoes were to the non-officials even as three to one, so that the Governor and his echoes had their will in all things.
7. Now one of the echoes was the Centurian of the Regiment who could say to his men go and they went, come and they came, and he was troubled with a conscience.
8. And he had agreed with the non-officials, and had spoken against the Bill.
9. But it came to pass that on the day the vote was cast, his place knew him not.
10. So the Chief Ruler prevailed and the Bill was made law.¹⁹

Despite the improvement effected by the Supreme Court Act, both criminal and civil law as well as the administration of justice were in an unsatisfactory state. It was hoped that some progress would be made when the Indian Penal Code was introduced in 1872.²⁰ The judicial system in the colony was made up of:

¹⁹S.T. 25.6.1868.

²⁰T. Bradell, Report on the Judicial System in the Colony, 13.9.1871, C.O.273/50.

- (a) The Supreme Court with original civil and criminal jurisdiction in the following branches of law:
- (i) Criminal law
 - (ii) civil law, plea side
 - (iii) civil law, equity
 - (iv) civil law, ecclesiastical.
- (b) the Vice-Admiralty Court with ordinary jurisdiction of colonial Vice-Admiralty Courts, civil and criminal, constituted under Royal Letters Patent of 11th April, 1867.
- (c) Courts of Requests with jurisdiction in matters of debts and contracts up to \$50 in value. These courts were constituted under Letters Patent for the former Courts of Judicature with jurisdiction up to \$32, which was extended by the Indian Act XXIX of 1866 to \$50. When the Charter of the former Supreme Court was abolished by Ordinance V of 1868, the Courts of Requests were expressly saved, but since then no steps had been taken to reconstitute or improve these courts.
- (d) The Magistrate's Courts constituted under the Indian Act XIII of 1856 and amended by Act XLVIII of 1860. These courts had certain summary jurisdiction and a few rules of procedure.

As far as the criminal jurisdiction of the Supreme Court was concerned, the Charter under which the Court was constituted provided some rules of procedure. Prisoners were to be tried by a jury of twelve men in indictments found by a Grand Jury of thirteen but so that no bill of indictment be found by any number less than seven. Both juries were to be summoned and chosen by the Sheriff of the colony, who was one of the principal inhabitants of the Straits Settlements. The Sheriff had a deputy at each of the three settlements. Subsequently, the post of Sheriff was abolished and the salaried deputies carried on the duty of the Sheriff as provided for in the Supreme Court Ordinance of 1868. The jury lists were made by these officers.

The basis for the Criminal Law of the colony was Imperial Act IX George IV C.74 as amended by Indian Act XXXI of 1838. From that time a few amending acts were passed until 1860 when the Indian Penal Code was enacted. In 1861, the Code of Criminal Procedure came into form. Neither of these acts was extended to the Straits Settlements. The principal acts in force in the colony relating to procedure were:

- (a) Act XVI of 1852 relating to investment.
- (b) Act XV of 1852 and Act II of 1855 relating to the law of evidence.
- (c) Act I of 1849 for the trial of offences committed in foreign territories in certain cases.

- (d) Act IV of 1849 for criminal lunatics.
- (e) Act XXII of 1839 relating to prisoners' counsels.
- (f) Act XXI of 1839 for restitution of stolen property.
- (g) Act I of 1854 for the arrest of persons charged with heinous offences beyond the jurisdiction.

There was no written law for procedure in trials, and the general forms used in England were, therefore, adopted. For instance, the prisoner or defendant was arraigned by the Registrar of the Court, and the jury were then summoned one by one in felony and three by three in misdemeanours. In felony cases the prisoner was told that he could challenge seven jurors pre-emptorily. After the jury was sworn, the prisoner or defendant was given in charge by the Registrar. If counsel was retained for the defence, the counsel for prosecution opened his case and called witnesses, after which the counsel for defence addressed the jury and called witnesses if he had any. If he called no witnesses there was no reply. The English rules relating to the right of reply were not in force in the Straits Settlements. The Judge then summed up the case, the Registrar asked the jury if they were agreed, and if not they retired in charge of a bailiff. When the jury was ready, the Registrar asked for their verdict in the words used in England.²¹

In anticipation of the coming into force of the Indian Penal Code passed in 1870, an Ordinance for Procedure, V of 1870, was

²¹Ibid.

enacted by the Legislative Council of the colony, improving and making applicable to the Code, provisions in Act XVI of 1852 mentioned above. Another Ordinance, XX of 1870, was passed mainly for such matters as the arrest of offenders, bringing up of witnesses and taking dying declarations. At the end of this Ordinance, sections were added allowing juries to separate during trials, providing them with refreshment at any time before giving verdict, and allowing a verdict of ten out of twelve jurists to be received at any time not less than four hours after the end of the judge's charge. These were the only written laws for procedure in the Supreme Court.

The summary jurisdiction of magistrates was first reduced to written law by Indian Act XIII of 1856 and came into force in the Presidency towns and the Straits Settlements. Subsequently, amendments were introduced by Act XLVIII of 1860. These two acts constituted the Police Force as well as the Magistrate's Courts. They gave summary jurisdiction in some cases and had a few rules of procedure. The Acts cited above as referring to Supreme Court jurisdiction were also applicable to a certain extent to Magistrates' Courts.

Police Magistrates dealt with lower criminal cases and were empowered to inflict punishment up to twelve months jail with hard labour. Provision was also made in the Indian Act of 1839 for holding a periodic Court of Quarter Sessions. However, because of difficulties, this practice fell into disuse. All offences requiring

more severe punishment than twelve months' jail with hard labour were dealt with by the Supreme Court, which held sessions quarterly at Singapore and Penang under the Chief Justice and the Judge of Penang, and half yearly at Malacca under the Chief Justice.

The Courts of Requests were separate courts. The Police Magistrates presided over them as commissioners. These courts had jurisdiction in civil cases involving sums up to \$50. Recovery of sums of money larger than this could be effected only through suits in the Supreme Court. Suitors had to pay for pleadings in the Supreme Court, unlike the Courts of Requests, but they were not obliged to engage counsel. By paying a small fee they could get the Registrars and other officers of the court to act as their attorneys, advise on the case and draw up pleas. The fee received by these officers went to the Treasury. This system originated in India at a time when civilians were not permitted to plead in courts. Although a Bar had been in existence in Singapore since 1859, the government continued to provide legal assistance, the supposed advantage being the provision of justice to the poor cheaply.

Unfortunately, the law did not make a distinction between the poor and the rich. Moreover, certain cases, by their very nature, required the services of a trained counsel. However, counsels' services were expensive. This, together with the delay incurred often made suitors drop their suits unless the sum involved was large. Moreover, there was no local Court of Appeal.

In April 1869, Maxwell complained that justice was improperly administered by the Police Magistrates, who were not qualified for the positions they held. This criticism was valid to some extent, since only two of the six police magistrates were qualified barristers.²² The advantages of appointing professional men as Police Magistrates were obvious. However, the system was not unique to the Straits Settlements and was the common practice in other colonies as well as in India. Nevertheless, legislation was contemplated enabling the Supreme Court to revise the decisions of police magistrates. Decisions of the Supreme Court could only be appealed against at the Privy Council which in most cases was equivalent to there being no appeal.²³

The entire exercise of reorganising the judicial system of the Straits Settlements had been initiated by Ord as early as February 1869, but the Colonial Office had not been particularly enthusiastic with Ord's scheme. The Secretary of State was not willing to give an opinion until he had heard the comments of both judges. Moreover, he instructed Ord to direct the committee preparing a report on the reorganisation of the civil courts to consider the subject of reconstituting the Supreme Court as well.

²² These were Plunkett and Owen. Two others, Gottlieb and Vaughan, entered the Civil Service and obtained their positions through seniority. The remaining two, Capt. Ord and Lieut. Hatchell, were military men without any experience in Civil Service. Ord to C.O., 19.4.1869, C.O.273/29. Cpt. Ord was the Governor's brother.

²³ Ord to C.O., 19.2.1869, C.O.273/27.

As pointed out earlier, Ord's main obstacle was the Chief Justice, who not only opposed the proposed system but according to him hampered and thwarted the government at every opportunity.²⁴

In early 1870 there were rumours of the impending retirement of the Chief Justice. In November, much to his relief, Ord received a letter from Maxwell stating that he wished to retire in June of the following year and wanted to proceed to England on vacation in April. Ord forwarded the letter with a request not to fill the vacancy created by the retirement of the Chief Justice until the Secretary of State had studied his scheme for restructuring the judicial system in the colony.²⁵

Ord's new proposals, together with the report of the Committee of Enquiry into Civil Establishments, were submitted in February, 1871. While agreeing with Ord that the judicial establishment should be altered, the Committee suggested a system quite different from that of the Governor's. After studying both papers, Lord Kimberley was prepared to sanction the following arrangements:

- (a) The Supreme Court would consist of one Chief Justice and two Puisine Judges to be called Senior and Junior Puisine Judges.

²⁴Ord to C.O., 16.2.1869, C.O.273/27.

²⁵Ord to C.O., 2.2.1871, C.O.273/45.

- (b) The Puisine Courts would take all the Supreme Court's present jurisdiction both civil and criminal and all civil cases above \$10.00. The courts were to have summary jurisdiction in all cases above \$10.00 up to a maximum of \$500.00.²⁶
- (c) The Chief Justice would reside in Singapore and would go on circuit to Malacca. His salary was fixed at \$12,000.00 per annum.
- (d) The Senior Puisine Judge would reside at Penang and would receive a salary of \$9,000.00 per annum. In addition to the present jurisdiction of the Judge of Penang, he would also try summarily civil cases up to \$500.00.
- (e) The Junior Puisine Judge would reside at Singapore and would receive a salary of \$6,000.00 per annum. In addition to other duties, he would also try summarily civil cases which were brought by the Court.
- (f) As regards summary jurisdiction, the local legislature could decide whether there should be, as at Sierra Leone, separate courts called "Courts of Summary

²⁶Ord had suggested this right from the beginning in order to relieve the Supreme Court of much of the civil business and thereby cut down its establishment and at the same time remove much of the need for employing counsels for pleas. Ord to C.O., 7.11.1870, C.O.273/41.

Jurisdiction" to try cases between \$10.00 and \$500.00 or whether this class of cases should be tried summarily by the Supreme Court.

- (g) If the former alternative was adopted, there should be one Summary Court at Penang and one at Singapore. Each Court would be presided over by a Puisine Judge of the Supreme Court.
- (h) There would be two police magistrates at Singapore, two at Penang (one for Penang proper and one for Province Wellesley) and one at Malacca.
- (i) The police magistrates at Singapore and Penang would retain there present criminal jurisdiction and would try civil cases up to \$10.00.
- (j) The police magistrate at Malacca would retain his present criminal jurisdiction but would also try summarily civil cases up to \$500.
- (k) The suggested salary for police magistrates was:
 - at Singapore, \$4,000 and \$2,400
 - at Penang, \$3,000 each
 - at Malacca, \$4,000.
- (l) The Supreme Court would also act as a Court of Appeal. Appeals from the decision of a judge, except when given in summary jurisdiction, should be made to the full court.

(m) Appeals from the decisions of a judge given in summary jurisdiction and of the police magistrates in civil cases, should be made to the Chief Justice alone.²⁷

The Colonial Office felt that the new scheme could not be introduced in its entirety so long as Hackett remained the Judge of Penang, a position almost equal to that of the Chief Justice. It was suggested that Hackett should retain his present title, and, for the time being, the Junior Puisine Judge should simply be called Puisine Judge. Moreover, when Hackett had accepted his present appointment, it was not envisaged that the Judge of Penang would also be required to try cases summarily. Lord Kimberley suggested that if Hackett agreed to accept the additional work, his salary should be raised from \$9,090.00 to \$11,004.00.²⁸

The Colonial Office felt that the new scheme would achieve considerable saving. Also, the Registrars of the Supreme Court would be relieved of the work of preparing pleadings for poor suitors. Before giving his sanction to the scheme however, Lord Kimberley wrote to Maxwell for his views, especially on the arrangement for hearing summary jurisdiction cases at Malacca.²⁹ Maxwell suggested

²⁷ Enclosure in C.O. minute to Lord Kimberley, 19.5.1871, C.O.273/45.

²⁸ C.O. minute, 19.5.1871, C.O.273/45.

²⁹ Lord Kimberley to Maxwell, 9.6.1871, C.O.273/45.

that the most economical and efficient method would be to consolidate the posts of Police Magistrate and Registrar of the Supreme Court at Malacca and throw summary jurisdiction cases, up to a point, on the holder of this position. He also discounted Ord's view that a Judge of the Supreme Court would lose prestige by trying summary jurisdiction cases, and proposed that even the Chief Justice should assist the Puisine Judge at Singapore in trying such cases.³⁰

Because of the conflicting views, the Colonial Office decided to send Lord Kimberley's scheme, with minor modifications,³¹ to the Acting Governor, Anson, to be laid before the Legislative Council. Meanwhile, it was considered unnecessary to refrain from appointing a replacement for Maxwell. Consequently, T. Sidgreaves was appointed Chief Justice on a salary of \$11,363.00 per annum, and was informed of the contemplated changes. Although the new scheme had been sanctioned by the Secretary of State, it was deliberately delayed. Anson was told that all correspondence regarding the scheme was being studied and Sidgreaves was requested to report on the scheme as well.³²

³⁰ Maxwell to C.O., 12.6.1871, C.O.273/45.

³¹ These involved a reduction in the salaries of the Chief Justice and Puisine Judges. The Supreme Court would also be the Court of Appeal but appeals would be made only to the Chief Justice. Appeals against a decision of the Chief Justice would be made to both Puisine Judges. C.O. minute to Lord Kimberley, 15.6.1871, C.O.273/54.

³² C.O. to Anson, 6.9.1871, C.O.273/54.

In June, 1872, Ord forwarded another scheme proposed by him and agreed to by the judges. The important differences between this scheme and that proposed by the Colonial Office were:

- (a) The addition of a Puisine Judge at Penang.³³ This Judge would also assist in summary work at Malacca.
- (b) Courts of Quarter Session to be established at each of the three settlements. These courts would comprise the Police Magistrates, and Justices of the Peace and would be presided over by one of the Puisine Judges.
- (c) Grand Juries to be abolished. Petit Juries would be strengthened and improved by including a considerable portion of the Grand Jury Panel.
- (d) The Court of Appeal to consist of the Chief Justice, the Judge of Penang and the two Puisine judges. It would hear and determine appeals in civil cases tried by any of the judges. Appeals from decisions of magistrates and criminal cases on points of law in the form of a case stated for the opinion of the Supreme Court; such appeal to be taken by the Chief Justice at and for Singapore and Malacca and by the Judge of Penang at and for Penang.

The Colonial Office generally agreed with the new proposals but had some doubts about the expediency of establishing Courts of

³³This was because the summary side of the work was too great for one judge to handle. Despite the inducement allowance of \$1,908.00 per annum, Hackett was unwilling to accept the additional work. The Attorney-General's memorandum on Reconstitution of the Court, C.O.273/61.

Quarter Sessions. As regards the Court of Appeal, Lord Kimberley felt that an appeal from a decision of a Supreme Court Judge should be made to a full court except when such a decision had been made in summary jurisdiction. If it was found necessary to appoint two Puisine Judges, three judges could constitute a full court. Appeals from decisions of judges in summary jurisdiction cases and of the Police Magistrates in such cases, should be made to the Chief Justice alone.³⁴

A draft bill amending the law relating to the constitution of the Civil and Criminal Courts was prepared and forwarded to the Colonial Office in November, 1872 to be laid before the Legislative Council if the Colonial Office sanctioned it.³⁵ The Secretary of State gave assent to the inclusion of a second Puisine Judge and the revival of courts of Quarter Sessions, although he still had doubts whether such courts were really needed. He was particularly keen to see that the intervention of the Executive was kept to a minimum and suggested changes in the system of apportioning work to the judges (Sections 18 and 65) and also changes to Sections 63 and 85 to give the judges the power to arrange sittings of the Court without reference to the Governor, although the Governor would retain the power to fix special sittings of the Court.³⁶

³⁴C.O. to Ord, 12.9.1872, C.O.273/58.

³⁵Ord to C.O., 4.11.1872, C.O.273/61.

³⁶C.O. to Ord, 16.12.1872, C.O.273/61.

The Bill, suitably amended, was agreed to by the Judges and was presented to the Legislative Council in March 1873. The Council considered the Bill at intervals for about a month. After further amendments, it was printed and circulated to the public in all three settlements. Members of the Bar were asked to note sections of the Bill which placed under direct control of the Court the charges and fees of advocates and solicitors. They agreed to this control provided that the Bill was amended to prevent unqualified men from practising law. In June 1873, the Bill was passed by the Legislative Council and became Ordinance V of 1873.³⁷

Soon there were protests. A petition signed by 67 Tamil traders, merchants and residents of Singapore protested against the disallowment of unqualified persons acting as pleaders. A certain Mr. Buchanan of Singapore complained that the prohibition of law agents threatened his livelihood. Stuart Herriot of Penang protested against the new system of conveyancing.³⁸ A petition from inhabitants of Province Wellesley pointed out the hardship caused by the scarcity of lawyers in Penang and Province Wellesley. 365 traders, money lenders and inhabitants of Penang and Province Wellesley also petitioned the Governor stating that the bulk of legal documents which they needed did not require either precise legal language or legal aid. They pointed out that during the

³⁷ Ord to C.O., 12.7.1873, C.O.273/68.

³⁸ Enclosures in Ord to C.O., 19.7.1873, C.O.273/68.

last few years, the prosperity of the colony had placed a great burden on the legal profession and the filling up of ordinary papers had been done by unqualified persons to the satisfaction of the people concerned.³⁹

The main complaint, other than those from Law Agents and unqualified legal draughtsmen, was over the need to pay higher costs for legal services, although Sections 41 and 43 enabled the Courts to regulate the fees so that they would be moderate in amount and proportionate to the work done. Nevertheless, professional service would have to cost more than the service hitherto provided by unqualified men.

Because of the protests, the Colonial Office advised the Governor to delay the Ordinance for two months. The Ordinance finally came into force in November, 1873, but the Governor was instructed to watch carefully the operation of those sections of the Act protested against with a view to amending them if genuine hardship was caused.⁴⁰

Meanwhile, in London, Napier called on Lord Kimberley. He showed him telegrams of protests from Singapore against the giving effect to the Ordinance. He requested that the Ordinance be suspended. Lord Kimberley pointed out to him that the law was already in operation and therefore could not be suspended.

³⁹ Papers laid before the Legislative Council, 14.7.1873, 4.8.1873, C.O.273/68.

⁴⁰ C.O. to Ord, 22.9.1873, C.O.273/68.

Protests were also directed against the abolition of the Grand Jury. The non-official members had protested unsuccessfully in the Legislative Council against the Grand Jury Ordinance VI of 1873. Public meetings were also held in Singapore.⁴¹ Subsequently, W.R. Scott, T.S. Scott and Dr. Little tendered their resignations, claiming that the Legislative Council had disregarded their views as well as public opinion with regard to abolition of Grand Juries.⁴²

The Colonial Office accepted the resignations. Lord Kimberley felt that there was a great deal of exaggerated party feeling in the opposition to the government. The Colonial Office had favoured abolition of Grand Juries. So did the Attorney-General and the judges in the Straits Settlements. In a reply to Napier of the Straits Settlements Association, Lord Kimberley stated that in his opinion the resignations of the non-official members were unjustified. He pointed out that the institution of Grand Jury had been abolished or was never created in the important British possessions and he had asked Her Majesty to confirm the Grand Jury Ordinance of the Straits Settlements.⁴³

There was a growing feeling in the Colonial Office that the

⁴¹Proceedings of the Legislative Council, 9.9.1873, C.O.273/69; Ord to C.O. (telegram), 29.9.1873, C.O.273/69.

⁴²Ord to C.O., 1.10.1873, C.O.273/70.

⁴³Lord Kimberley to Napier, 17.11.1873, C.O.273/70.

non-official members of the Legislative Council offered opposition not because they were really against the legislation but merely because it had been introduced by the Executive. This appeared particularly so in the case of the Grand Jury Ordinance, and seemed confirmed by the fact that a memorial had come from 60 members of the European community approving the abolition of the Grand Jury and claiming that the previous petitioners did not reflect the true feelings of the people of Singapore. The 60 petitioners pointed out that it was vital to have a better class of jurors to try important cases and such a class was not available in the colony at that time. They also expressed surprise at the opposition to something which had been expected for a long time and approved in principle by almost every member of the European community.⁴⁴

Despite the protracted delay and numerous amendments, the final form of the Bill which led to Ordinance V of 1873 did not foresee certain difficulties. The Ordinance had taken away the powers of Police Magistrates, in Courts of Requests, to judicate in cases involving sums between \$10.00 and \$50.00. This produced extreme hardship for the poorer people of Malacca and Province Wellesley. In Malacca, a Supreme Court judge could only be expected to visit at intervals of not less than two months. In Province Wellesley, suitors were obliged to go to Penang. It now became

⁴⁴ Enclosure in Ord to C.O., 1.11.1873, C.O.273/71.

necessary to restore to the Courts of Requests the powers of summary jurisdiction involving sums up to \$50.00. The Ordinance also affected Singapore and Penang, but in a different way, in respect of the Magistrates Courts which had civil jurisdiction in cases involving sums not exceeding \$10.00. In practice, this meant the creation of a regular establishment of bailiffs and process servers. The Chief Justice and the Judge of Penang felt it would be better to keep all civil jurisdiction at Singapore and Penang in civil courts and leave the magistrates to deal with criminal jurisdiction. In other words, the summary side of the Supreme Court should also deal with Civil Suits involving sums under \$10.00. Ordinance IV of 1874 was therefore passed by the Legislative Council to amend Ordinance V of 1873 and introduce the changes.⁴⁵

Further progress was made in the criminal law of the colony when the Indian Penal Code, Act VI of 1864, was introduced with certain modifications. The changes included corporal punishments, but in fewer instances than in India. Provisions for transportation were omitted and certain provisions for treasonable offences were included. The Penal Code emerged as the bulky Ordinance IV of 1871 and came into effect in 1872.⁴⁶

What remained now to streamline the judicial system of the

⁴⁵ Clarke to C.O., 21.4.1874, 16.5.1874, C.O.273/75.

⁴⁶ Anson to C.O., 8.9.1871; The Ordinance contained 24 chapters and 513 sections, C.O.273/49.

colony was to introduce a code of Civil and Criminal Procedure.

In late 1873, a Criminal Procedure Act was introduced. The initial opposition to the Act by the non-official members in the Legislative Council had died down. Clarke felt that the opposition was not prompted by strong feelings against the Act but by the hope that the Colonial Office would strengthen the non-official element in the Legislature.⁴⁷ Nevertheless, the Colonial Office instructed Clarke to introduce a suspending clause to delay the immediate operation of the Ordinance. This was largely due to a letter received by the Colonial Office from E. Hornby, the Chief Judge of the Supreme Court of Shanghai. The Government of Hong Kong had recently introduced into that colony a code of Civil Procedure, and Hornby felt that the code was a great improvement on existing rules. He suggested that after some modifications and the addition of rules for criminal procedure, the code might be made available not only for Hong Kong and Shanghai but for the Straits Settlements and the Levant as well. He was convinced that there should be a single code of procedure and practice for the four jurisdictions instead of the four different ones administering the same law. He therefore suggested that the Chief Justices concerned should meet at Hong Kong.⁴⁸ Hence the final step to improve the judicial system of the Straits Settlements was delayed.

⁴⁷ Clarke to C.O., 18.11.1873, C.O.273/71.

⁴⁸ Enclosure in C.O. to Clarke, 18.12.1873, C.O.273/73.

The Civil Service

When the transfer was effected the Civil Establishment in the colony was substantially different from the list submitted by Robinson three years earlier. This was mainly due to deaths, resignations and new appointments. One of the departments affected most by the change of government was the medical department. This department was run by Assistant Colonial Surgeons and apothecaries belonging to the Indian Military Service and by dressers and inferior subordinates most of whom were locally recruited. In a few cases, the dressers were able to qualify as apothecaries, but generally the department relied heavily on the Indian apothecaries, who were highly rated. The Indian Government had requested that the apothecaries and other subordinates be sent back. Ord felt that it was impossible to carry out the medical service without them, since it was difficult to recruit local personnel. He had tried unsuccessfully to induce the Indian apothecaries to accept colonial service. This lack of success was mainly because on return to India an apothecary had chances of promotion from assistant apothecary to apothecary and senior apothecary, the last on a salary of \$114.00 per month. Ord felt that the only way to induce them to remain in the colony was to offer them an initial salary equivalent to what they would get on return to India, and instead of three grades of promotion, provide three grades of salary, with a maximum of \$120.00 per month reached by increments of \$10.00 every three

years.⁴⁷

A similar difficulty, though not to the same extent, was felt in the Public Works Department and the Survey Department. Previously, men were seconded to these departments from the Indian Service, receiving a promotion or increase in salary for their overseas duty. They retained their seniority and on return to India found ample room for themselves in various grades whilst their places in the Straits were taken by junior officials from India. The new administration of the Colony did not possess such advantages. There was a need to create a Straits Settlements Civil Service having ranks and grades with increases in salary until the maximum was reached. This was perhaps the only way to induce local men to accept positions in the Colonial Service.

The Colonial Office was very much concerned with the high cost of the establishment. Robinson's recommendations had amounted to £66,773 per annum whilst those approved by the Treasury had amounted to £67,363. However, at the beginning of 1868, the cost of establishment was £93,871, a difference of £27,038. Because of this large difference, the Colonial Office felt that a committee should be formed to study and report on the administrative establishment of the colony. The Colonial Office was willing to consider a scheme for creating a Straits Civil Service but felt that there would be imperfections in such a service being drawn exclusively from so

⁴⁷Ord to C.O., 1.12.1867, C.O.273/13.

narrow an area. The Treasury had stated the importance of keeping expenditure within estimated amounts of revenue. They pointed out that from the experience of several colonies, there was strong evidence for adhering to this principle of action in times of prosperity in order to avoid the chance of being forced by a temporary reverse into abrupt and injurious retrenchment.⁴⁸

Reorganising the civil service establishment of the colony posed certain special problems. In a colonial Government, there were, usually, a number of independent departments controlled by responsible heads with several subordinates under them. Generally one subordinate in each department was competent to take the place of the department head in an emergency. Under the Indian system, one leading official, namely the Resident Councillor, who in addition to his ordinary duties, which were similar to those of a Colonial Secretary, was also a judge and president of the Unicipal Council, had direct charge of the important establishments such as the Treasury. He was assisted by subordinates of such inferior position that they could not take over his duties and functions in an emergency. Subordinate to the Resident Councillor there were government departments which had a recognisable head. However, these department heads had no one in the staff who could properly be termed as an assistant.⁴⁹

⁴⁸C.O. to Ord, 2.4.1868, C.O.273/13.

⁴⁹Ord to C.O., 27.6.1868, C.O.273/19.

Under the Indian system, there were three classes of public officers, viz:

- (a) Officers of the Indian army who were appointed as A.D.C., Deputy Secretary or even as Magistrate and later promoted to Resident Councillor.
- (b) Uncovenanted public servants, usually persons connected with the Settlement in business and who came specifically looking for jobs. They were given minor appointments, such as coroner, sheriff and deputy police commissioner, on a salary of £200 to £300 per annum. They were then promoted to the position of magistrate and head of department on a salary of £700 to £1,000 per annum.
- (c) The great body of clerks, mostly lads educated at the local free schools and rewarded with government service for their diligence and good behaviour. They started with a salary of £20 per annum. This salary gradually increased to £100 per annum and in rare cases exceeded this amount.

With regard to the first two classes of officers, the appointments were made in such a manner as to promote competency. An inefficient military man would return to his military duties. An inefficient civil officer would be informed that he could not hope for a promotion. However, no care seemed to have been taken of the

third category of officers once they were appointed. There were no rules laid down for such matters as initial salary and increments. Each case was considered on its own merit. In some cases, the local government reallocated the salaries of these officials in a different way from those sanctioned by India, taking care to ensure that the total remained the same. In other cases, they were paid in part or in full from fees, and no proper accounts of these were kept. Ord found the majority of the clerks incompetent. They could not be trusted to draft even the simplest minute. Of the six clerks in the Colonial Secretary's office, he claimed that only two could write English correctly.⁵⁰

The overall effect of this was inefficiency. A larger number of clerks were required for the work and consequently their salaries had to be small. However, efficient European and non-European clerks were employed in private business, where a great deal more was expected from them, and where they received a higher salary. A European clerk could start off with a salary of £200 to £300 per annum. In the Government Service, only four clerks earned £300 per annum and all these were men of long service.

The officers holding higher grades of appointments with salaries of £700 or more were competent, and Ord felt that there would be no difficulty in maintaining efficiency. The second category of

⁵⁰Ord to C.O., 27.6.1868, C.O.273/19.

officers, with salaries ranging from £300 to £700, were also reasonably fitted for their jobs. Some of the clerks, especially the 1st and 2nd Clerks sent from Home to the Auditor-General's Office, were found to be very efficient. However, the greatest difficulty was experienced in filling the vacancies in this category.

Under the former system, Indian servants spoke Hindustani or some other Indian language and had little difficulty in picking up Malay. The second category of officers were mostly recruited in the Straits Settlements and generally spoke one or more of the local languages which was necessary for the performance of their duties. Malay was an easy language to learn and one could be reasonably proficient in the language within six months. However, during this period, the officer would be practically useless. Moreover, unless the officer was young and used to mixing with the local people, his chances of picking up the language would be slim. This was Ord's main objection to appointing officers from Britain. He felt that the majority of the positions should be filled by persons on the spot as they were hitherto under Indian administration. However, the main obstacle was the Colonial Regulations. Under India, the local government had had powers of appointment, but the Colonial Government had no such powers. All the Governor could do was to offer a temporary appointment, without any guarantee that the appointment would be made permanent. Under these conditions, it was difficult

to tempt prospective candidates to leave their permanent jobs to enter the Government Service.

What has been said about the higher grade officers applied equally to the subordinates in the various departments. They too dealt with native people and had to know local languages. Candidates for these jobs were not numerous. The government could attract them only by offering permanency and a higher salary.

Under the Indian system, an officer of a native regiment would readily accept a temporary appointment. If he did his duties well, he would be permanently employed. Even if his regiment left the Straits, the government could retain him, and this was the usual practice. One of the problems facing the new administration was to find people to fill temporary vacancies caused by illness or leave.

Ord felt that circumstances in the Straits Settlements were unique and that great difficulty would be experienced if the ordinary rules of the Colonial Department were applied. He suggested that they should be modified. He also felt that the duties performed by a large number of inefficient clerks could be more satisfactorily performed by fewer European clerks. Although additional expenses would be incurred initially, he was certain that it would prove economical in the long term.⁵¹

The Colonial Office was not impressed by Ord's arguments. It was pointed out to him that the Straits Settlements Cadetship was

⁵¹Ord to C.O., 27.6.1868, C.O.273/19.

started in order to meet precisely the difficulties he had noted. Moreover, his suggestion for granting the power of appointment to the local government was open, on principle, to grave objection. Cadetships had been instituted in the colonies only after the system advocated by Ord had failed. Contrary to Ord's opinion, the Colonial Office felt that circumstances in the Straits were not unique, but similar to those affecting the Civil Service of Ceylon. The best remedy for existing problems and anticipated evils was to reorganise the service on the system existing in Ceylon. The Colonial Office told Ord to regroup the existing establishment under two categories, viz:

- (a) The Civil Service proper, sub-divided into classes comprising all administrative, magisterial and revenue appointments involving a salary of £300 or more and entered by means of cadetship only.
- (b) Clerks under various classifications based on the Ceylon model.

The Public Works Department, and judicial and ecclesiastical appointments would be on a different footing and not included in the Civil Service proper. As for replacing native clerks with a smaller number of European clerks, Ord was told that his government should be content with the best native material the Settlements could supply.⁵²

In March 1869, Ord wrote to the Colonial Office expressing regret that his views and opinions regarding the civil establishment in the Straits Settlements were so greatly misapprehended by the

⁵²C.O. to Ord, 14.11.1868, C.O.273/19.

Secretary of State. He now suggested that with the exception of the two cadetships, patronage of the Straits Settlements should be vested in the Governor, and that permanent vacancies should be filled by him from time to time from persons on the spot. Once again he emphasised that the circumstances in the Straits were different from those in well established colonies such as Hong Kong and Ceylon, which had a well organised establishment of public officials with constant training of young men to fill vacancies. He claimed that the Straits Settlements were used to a different system and had few qualified men to fill vacancies. Ord proposed a civil service comprising all appointments, administrative, revenue and magisterial, divided into four categories and entered by means of cadetship if cadets were available. Failing this, he felt that the Governor should be given the power to appoint from outside with the approval of the Colonial Office.⁵³

The Secretary of State replied that it was quite unnecessary and would lead to no practical result to continue the discussion whether Ord's earlier despatch was understood or not. What he wanted was Ord's assistance in reorganising the Civil Service of the Straits Settlements on a practical, efficient and at the same time economical basis and in determining the manner by which officers could be recruited in the future. He agreed with Ord that all those earning more than £300 per annum should be divided into several

⁵³ Ord to C.O., 3.3.1869, C.O.273/28.

classes, that the service would include all administrative, magisterial and revenue appointments, and that entry would be through cadetship. He felt, from experience in Ceylon, that the system would work if the cadets were chosen well. It would be only a matter of time before all vacancies could be filled by cadets. Meanwhile, if there was any vacancy in the upper ranks of civil service which could not be filled by promoting another officer already in the service or by a cadet, the Governor was at liberty to make temporary arrangements. The arrangement had to be reported to the Colonial Office and the Governor could recommend that the provisional appointment be made permanent. However, the Secretary of State made it quite clear that it be made known to the provisional holder of the appointment that the Colonial Office might decide to fill the vacancy with an officer chosen in England and that the Governor's nominee could not expect another appointment in the Colonial Service should that happen.⁵⁴

The Secretary of State also felt that the posts of Colonial Secretary, Auditor-General and the Lieutenant Governors of Penang and Malacca should not be included in the Civil Service classification. This was in order to allow him to introduce new blood into the service and also to enable him to appoint persons who had proven themselves elsewhere in the Colonial Service. He agreed with Ord's suggestion that certain posts held by Eurasians at low salaries should, when

⁵⁴C.O. to Ord, 12.6.1869, C.O.273/28.

vacancies occurred, be included in the list and entered only by Cadetship. It would become necessary to attach a salary of £300 to these posts when they became vacant. Such an arrangement would increase the cost of the establishment, a phenomenon which was already becoming prominent in the administration of the Straits Settlements. The Secretary of State realised that it was difficult to attract efficient personnel unless a good salary was offered, but he felt that a reduction could be made in the number of officials and in the salaries attached to certain appointments. Since the Governor and his Council were the best judge of the work of officials and salaries in relation to their work, the Legislative Council was given the task of preparing a report on the establishment, covering not only the civil service but also other departments outside it, such as the judicial, medical and marine departments. The Council was instructed to pay particular attention to:

- (a) whether it was necessary to maintain so large a staff as was presently employed.
- (b) whether, as vacancies occurred, it was possible to reduce the salaries attached to posts which should be retained, or to effect saving by employing in each department a smaller number of staff officers assisted by a number of clerks of inferior class, and whether the local schools could supply such clerks.

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The original committee of enquiry consisted of the Attorney-General, the Auditor-General and the Acting Assistant Colonial Secretary. Members of the committee spent several months examining the work of various departments, the methods by which the duties were carried out, the qualifications of the officers and the necessity for their employment. Subsequently, the Committee was enlarged to include F.T. Brown, the member for Penang, Colonel Anson and J.W.W. Birch, who held an enquiry in Penang and then proceeded to Malacca where they were met by two additional members, Read and Adamson. After completing the work at Malacca, the Committee spent a week in Singapore. The Committee's bulky report together with Ord's personal observations formed the basis of the new establishment.⁵⁶

Ord did not entirely agree with the report of the Committee. The report suggested that if the Government improved the local schools, far more efficient native clerks could be obtained. Ord commented "My own experience amongst the natives of a halfbred population in the West and East has led me to the conviction that no amount of education will effect any material improvement in this class of people. The Raffles Institution from where these clerks are obtained is of high order and many young men in government service who passed higher mathematics when leaving the Raffles Institution at 17 and who are now 21 or more, cannot transcribe a page of badly written manuscript or write the same from dictation.

⁵⁶Ord to C.O., 6.2.1871, C.O.273/44; Report on Civil Establishments, C.O.273/44 (pp.420-537). New establishment list, see Appendix V.

We must continue education in the hope it may bear fruit in future generations but it certainly does not in the present".⁵⁷ However, he agreed with the Committee with regard to the absence of any system of regulating the salary of subordinates and stated that he had taken steps, when vacancies occurred, to place them on a regular system.

Ord felt that the Committee's views on transmarine and local convict establishments were vague. He claimed that the defects mentioned were not very great and could be easily remedied. He tended to agree with McNair, the Colonial Engineer and Superintendent of Prisons, that what was needed was a more efficient superintendence of criminals, separation in the earlier stage, and the strict enforcement of the punishment awarded together with the holding out of more inducement to reformation.

The office of Sheriff was unknown in Ceylon and the Committee recommended the abolition of the post. One portion of the Sheriff's duties, namely the service of process, could be transferred to the Police. However, Ord could not see any way of transferring their other duties, especially the safe custody of debtors and of persons awaiting trial.

The Committee felt that the Public Works Department and the Survey Department should be amalgamated and placed under the control of McNair, whose salary was to be raised from £1400 to £1700. The

⁵⁷Ord to C.O., 6.2.1871, C.O.273/44.

Surveyor-General, Quinton, was to be pensioned and Sheppard, the Deputy Colonial Engineer was to be dispensed with. Instead, McNair was to be provided with an assistant on a salary of a few hundred dollars. The Committee also felt that the services of Assistant Overseers and other subordinates in that class in both departments were redundant. The services of such persons could be obtained temporarily when required. Ord felt that the amalgamation of the two departments would be an improvement. However, Quinton should not be removed for this purpose and in such a case there would be no necessity to increase McNair's salary. Sheppard was inefficient mainly due to old age and Ord would be glad to get rid of him. However, his place should be filled by a competent engineer. Ord admitted there were defects in the Survey Department and agreed with the Committee that an Assistant Surveyor and two subordinates should be recruited from Ceylon if survey work in Malacca and Province Wellesley was to be placed on a proper system. No triangulation of these two territories had so far been made. Ord felt however that if the two departments were amalgamated, the Assistant Engineer, when necessary, could be employed in survey duties and his removal from the present situation was, therefore, uncalled for. He also disagreed with the proposal to dispose of Assistant Overseers and Subordinates in both departments and engage persons on a temporary basis. He pointed out that such a system was convenient in England or in places where there was an abundant

supply of personnel. This was not the case in the Straits Settlements where there was the greatest difficulty in filling vacancies in this class.⁵⁸

The Committee took a different approach to reconstituting the judicial system of the colony, a matter which was subsequently resolved by the passing of Ordinance V of 1873. One of the problems facing the courts was the lack of efficient interpreters. It was hoped that with the assistance of J.W.W. Birch, competent Tamil interpreters could be recruited in Ceylon. Ord had little success in getting a trained interpreter from Hong Kong.

Under the Indian system, the Resident Councillor, in addition to being in charge of every department other than the Public Works Department, was also the Treasurer of each settlement. There was no local audit of accounts but there was an audit made at Calcutta, now several years in arrears. Some public departments, such as the Public Works Department, kept their own accounts, drawing money on accounts, paying bills, and submitting an annual account of transactions. When Stamp Duty was introduced, the sale of stamps took up a great deal of the time of the Chief Assistant to the Resident Councillor. Consequently, the system was changed after the transfer.

The officers who actually conducted the business of the Treasury under the Resident Councillors were now appointed as the Treasurer and Assistant Treasurers. All public money was paid

⁵⁸Ord to C.O., 14.3.1870, C.O.273/37.

into banks and not as before kept in vaults. Moreover, a limit was placed on the powers of the Treasurer to draw money. Unlike in the Indian system, a security bond was required from every official dealing with money. A complete system was introduced based on Treasury Instructions of 1849.⁵⁹

Ord claimed that he experienced great difficulty in introducing the new system. Officials were unhappy, mainly because of the increased work and stricter discipline. A Committee of Enquiry was set up to report on the work of the Treasury, the Stamp Department and the Accountant-General's office. As a result of this, some improvements were made. However, there were still some faults in the issue of stamps. The matter was referred to another Board as a result of whose report the system of sale of stamps was abolished, and the work given, as in England, to post-masters. They were given a fixed salary in proportion to their work and responsibility.⁶⁰ Because of the changes already introduced, the Committee reporting on the Civil Establishment did not recommend major reforms. It was felt that Cuppage, the acting Postmaster

⁵⁹ From August 1870, the accounts of Crown Colonies were no longer audited at home. The Auditor-General took this opportunity to claim that his department should be independent of the Executive and that his status should be the same as that of the Colonial Secretary. The Colonial Office regarded this claim as preposterous and felt that if there were any plans to adopt it, it would be cheaper to abolish the office and do the auditing in England. C.O. minute on Ord to C.O., 30.1.1871, C.O.273/44.

⁶⁰ Ord to C.O., 10.5.1869, C.O.273/29.

General, was old and infirm. It was recommended that when he retired a Postmaster General of a higher class should be appointed on a salary equivalent to that of a Police Magistrate. The Committee also recommended that the salary of the Assistant Treasurer at Penang should be raised from \$2141 to \$2400 and proposed the appointment of a Chief Clerk at \$840 and the abolition of the services of some of the junior clerks.

As regards the Medical Department, the Committee felt that the title of "Colonial Surgeon" should be changed to "Principal Civil Medical Officer" and that the other Medical Officers should be referred to as "Colonial Surgeons" with one Assistant Colonial Surgeon at Province Wellesley. The Committee also proposed salary increases for the Colonial Surgeon and the Assistants at Penang, Province Wellesley and Singapore. It was pointed out that the General Hospital had for long felt the need for a resident doctor. The Committee therefore proposed that the Assistant Colonial Surgeon at Singapore should give up his private practice and stay at the General Hospital.

Ord supported the salary increases which were mainly in lieu of remunerations under the Vaccination Ordinance, and in the case of the Assistant at Singapore, compensation for his private practice. He felt however that the Assistant Surgeon at Malacca should also receive a raise since his vaccination duties were harder, as he had to cover a larger territory. Ord supported a change in titles but

felt that the officers concerned should be called the "Surgeon-General" and "Colonial Surgeons".

The major alteration recommended for the Marine Department was the transfer of the Imports and Exports Officer to the Colonial Secretary's office, an arrangement which was objectionable to Ord. He agreed with the Committee that major changes were needed in the department. The Deputy Shipping Master and the Deputy Registrar of Imports and Exports were old and would retire soon. This would provide an opportunity to reorganise the department. It had had three separate officers under three different heads, but would now be placed under the sole charge of the Master Attendant and a new position of Assistant Master Attendant would be created.⁶¹

The Government Printing Office was regarded as one of the most useful and economical departments in the service. All that was required to increase its efficiency was to appoint a Head Printer and a few subordinates, and to purchase some new machinery.

The Committee felt that the grades and salaries in the Police Department should be revised. There were different scales of salary in each settlement. The lower class constables were under-paid, and there was no fixed system of ratio between constables and non-commissioned officers. Ord stated that the

⁶¹Ord suggested that the Commander of the Peiho, Capt. Fox be appointed to this position on a salary of £2000 per annum when the ship was sold. Ord to C.O., 6.2.1871, C.O.273/44.

difference in rates of pay was not harmful, since ordinary rates of labour too varied from settlement to settlement. He agreed with the Committee that the lower grade constables were under-paid, and that this was the main reason why competent men could not be attracted to the Force. He also agreed to the reduction in the salary of the Commissioner of Police when that post fell vacant, and to the raising of the salary of the Police Officers at Penang and Malacca.

The Committee recommended the appointment of an Assistant Colonial Secretary. It felt that the two head clerks were old and unfit and should therefore be pensioned off. The establishment should be reduced to five clerks and a Chief Clerk should be appointed. A raise in salary was also recommended for the Lieutenant Governor of Penang, since the Committee felt that his salary should not be lower than that of the Judge of Penang. Ord felt that this posed no problem as the Judge at Penang would soon be replaced by an inferior rank of judge called Puisine Judge, whose salary could be fixed at a sum equivalent to that of the Lieutenant Governor.

The Committee suggested no raise in the salary of the Lieutenant-Governor of Malacca. However, Birch, Read and Adamson suggested that the title should be changed to "Government Agent" and the officer be provided with an assistant to take charge of the collection of revenue as well as various executive departments. They

did not propose similar changes for Penang mainly because of the public outcry against the change in title.

At Penang and Malacca, the Committee proposed that cadets, on passing their examinations, should be posted to the Lieutenant-Governors' office not as Chief Clerks but as Administrative Officers and be made available to visit the interior. The Committee suggested that the officers should be called "Under Secretaries" and should be given a higher salary. Ord felt that the Lieutenant-Governors needed no assistants. If, in future, they were required to undertake the direct management of other public departments, they would require assistants and these assistants would have to be paid from allocation for the salaries of the existing heads of departments.

The foundation of the Civil Service proper were the Cadets, many of whom were subsequently rewarded with positions of great responsibility and left their indelible mark in the history of Malaysia and Singapore.

In his report, Robinson had recommended the establishment of three cadetships for the Straits Settlements. He felt that the uncovenanted Indian Officials were unfit for higher government posts, whilst Indian Officials were ineligible for such positions. He had also stated that it was unwise to recruit senior officers from England since they would not be acquainted with the management of natives and native languages, and suggested that the regulations for cadetship be taken verbatim from those existing for Hong Kong

Cadetship. Cavanagh too realised the weakness of a civil service orientated to India and quite out of touch with local affairs and problems. Towards the end of his administration, he had taken steps to prescribe an examination for those entering the Straits Public Service. The officers were required to be fluent in Malay and should also be acquainted with the various Legislative Acts passed for the Straits Settlements.⁶²

After receiving Robinson's report, the Colonial Office worked out a scheme for the selection and training of cadets. Three young men between the ages of 20 and 23 would be selected by the Secretary of State through a competitive examination. Although a knowledge of Chinese or Malay was not necessary, the candidates had to show an aptitude for learning languages. The successful cadet would receive £200 per annum from the time he left England. He received the cost of his passage as well as of books and tuition fees, and free living quarters in the colony. After arrival in the Straits, he would for two years apply himself to the study of either Chinese or Malay, as determined by the local government. At the end of the period he was required to appear for and pass an examination set by the local government. The successful cadet would then be appointed as an interpreter on a salary of £400 per annum. The cadet was also required to enter into a bond with the Agent-General for Crown Colonies, promising to return his passage money

⁶²Cavanagh, Report on the Progress of the Straits Settlement, 1859-1867, 21.12.66, C.O.273/10.

and pay an additional £50 to cover other costs, if he were dismissed. Initially, the colony was to receive three cadets. After this, only two cadets would be recruited at a time.⁶³

The three candidates approved by the Civil Service Commission were D.F.A. Hervey, R.A. Godwin-Austen and R.W. Maxwell. Maxwell failed to satisfy the Civil Service Commission examiners. The two successful cadets were to have left for Singapore in September, 1867. In August, the Colonial Office received news of the death of Godwin-Austen thus leaving Hervey to become the first Straits Settlements Cadet.⁶⁴

Ord wrote to the Colonial Office explaining the difficulty he was facing in reorganising the civil establishment and requested the appointment of two more cadets. He suggested that cadets should be proficient in Malay within a year. They would be paid a salary of £200 per annum during this period, and after passing the examination, they would enter the public service on a salary of £300. If there were no vacancies, the cadet would study another language after which he would join the public service on a salary of £400 or would be given an appointment carrying an equivalent salary. In this way, he felt, a certain number of trained men would be available for the Civil Service. Ord also informed the Secretary of State that

⁶³C.O. Minute, C.O.273/8.

⁶⁴C.O. to Ord, 14.3.1867, C.O.273/14; 12.8.67, C.O.273/16.

Hervey was very nearly qualified in Malay and sought permission to appoint him as Interpreter on a salary of £300 per annum.⁶⁵

Whilst approving Hervey's new appointment, the Secretary of State pointed out to Ord that cadets were not intended to replace the large body of native interpreters. The Cadetship was started to meet the difficulty of filling positions of importance in the Colonial Service, a difficulty which the Colonial Office was familiar with in Ceylon and Hong Kong. It was also a difficulty which was inevitable in the Straits Settlements as soon as supply of personnel was cut off from India after the transfer. The employment of cadets as interpreters was secondary to the main aim of filling important positions in public service. The cadets were to be employed as interpreters only to improve their acquaintance with the language and to ensure that they were occupied whilst waiting for a suitable vacancy. He recommended to Ord to follow the example of Ceylon and divide the public service into two categories viz:

(a) A Civil Service Proper subdivided into classes with salaries of £300 or more. Entry into this category was to be only by way of the cadetship.

(b) Clerks of various classifications.⁶⁶

⁶⁵Ord to C.O., 27.6.1868, C.O.273/19.

⁶⁶C.O. to Ord, 14.11.1868, C.O.273/19.

In November 1868, A.M. Skinner was successful in the examination conducted by the Civil Service Commissioners and was awarded a Certificate of Qualification.⁶⁷ At the same time the regulations governing Cadetship were altered.

Ord was not satisfied with one additional cadet and requested the appointment of two more in order to meet the demands made on the public service. He was told by the Colonial Office that during their period of scholarship, the cadets could devote two or three hours daily to government business and that they would be fully employed in the public service after completing their examination and prior to appointment. The Secretary of State promised Ord that two more cadets would be selected to fill the vacancies created by the death of Godwin-Austen and the promotion of Hervey.⁶⁸ Consequently, the following candidates were nominated to compete for the two vacant cadetships:

W.A. Newell

M.G. Foley

F.K. Ellis

S. Naughton

F.A. Swettenham

E. Watts

E.C. O'Grady

R. Antenethro.⁶⁹

⁶⁷C.O. to Skinner, 21.11.1868, C.O.273/24.

⁶⁸C.O. to Ord, 12.6.1869, C.O.273/28.

⁶⁹C.O. to Civil Service Commission, 13.6.1870, C.O.273/28.

Meanwhile, Hervey had been appointed not as an interpreter but as Chief Clerk to the Lieutenant-Governor of Penang on a salary of £300 per annum. However, Ord later claimed that both cadets were unwilling to accept other employment if the salary was below that of an Interpreter. Ord felt that both cadets were not much use as interpreters. He pointed out that many Europeans in the colony, all speaking Malay, were getting less than £400 per annum. He quoted the case of a native doing good work as a Malay Interpreter for £25 per annum. Ord added, "Your grace could judge the effect on the service of giving £400 per annum to a young gentleman from England who has acquired Malay in a year".⁷⁰

The Secretary of State pointed out to Ord that Hervey and Skinner were the only candidates recruited under the 1867 system. They were special cases. Hervey had passed Malay and the Government was bound to employ him as an interpreter - "a name given to cadets during the stage of passing examination and obtaining a permanent post in the service".⁷¹ The Governor could attach him temporarily to any department where his services were required but while so employed he had claim to £400 per annum and after two years of efficient service £500 per annum. That was the agreement under which Hervey and Skinner went. If Hervey was useful as a Chief Clerk at Penang, he should be paid £400 but the salary should revert to

⁷⁰Ord to C.O., 15.3.1869, C.O.273/28.

⁷¹C.O. to Ord, 13.6.1869, C.O.273/28.

the original as soon as he left the position. Skinner too should receive similar treatment.⁷² The Secretary of State felt it was a pity that Skinner too was studying Malay since it had been the original aim to allow one cadet to study Chinese whilst the other qualified in Malay. He reminded Ord that he was still under a misapprehension as to the nature of the work of cadets, since he offered them employment as interpreters when other alternatives were open to them in the public service. He pointed out to Ord that the cadets were bound to qualify as interpreters since the knowledge of a native language was an important condition of service in the government.⁷³

The next two cadets selected by the Civil Service Commission were Watts and Swettenham. The Commission informed the Colonial Office that these cadets could not remain in public service after six months from the date of appointment unless they produced proof of fitness from the heads of their respective department. This was the first time the Commission had required a certificate of satisfactory probation before final appointment to service. The Colonial Office pointed out that Her Majesty's Order in Council dated 4th April, 1870 referred to the Imperial Service and the cadets in the Straits Settlements were not in the Imperial Service.

⁷² Skinner passed his third and final examination in Malay on 18.11.1870. He was appointed Sheriff of Singapore on a salary of £300 p.a. Ord to C.O., 22.12.1870, C.O.273/41.

⁷³ C.O. to Ord, 13.6.1869, C.O.273/28.

The Civil Service Commission had no control over them once they had completed the first selection examination. The Commission then withdrew the instruction and stated that it had been "sent by inadvertence".⁷⁴

The question of the proper employment of probationary cadets was still not settled. The Committee on Civil Establishment recommended that the probationers should be fully employed at the Colonial Secretary's office instead of for only two hours daily. Ord was against this since he felt that full-time employment would interrupt their studies and the service obtained by the government would be by the cadets' loss.⁷⁵

However, the matter was brought up again during Ord's absence. The acting Governor, Anson, claimed that there was great difficulty in filling temporary vacancies when officers fell ill or went on leave. He attributed this to the limited number of suitably qualified officers employed in the Straits Settlements. As noted above at the time of the transfer, the covenanted officers had returned to India leaving behind only an inferior order of uncovenanted officials to fill their place. So, until the service was renovated by the introduction of a considerable number of cadets, this difficulty and the consequent detriment to the service would

⁷⁴C.S.C. to C.O., 9.10.1870, C.O. to C.S.C., 10.12.1870, C.S.C. to C.O., 17.12.1870, C.O.273/43.

⁷⁵Ord to C.O., February, 1871, C.O.273/44.

continue. To meet the existing difficulties, Anson suggested that the student cadets should be temporarily employed on their salary of £200 together with half the salary of the vacant position so long as the total did not exceed £300, the salary cadets would receive after passing their examinations. Anson claimed that the system would bring future benefit to the cadets and would interfere very little with their studies. He also felt that if the cadets were allowed too much time to themselves they would lose discipline, and moreover, because of the climate, would become "indolent and lethargic."⁷⁶ Fortunately, Anson's suggestions were not implemented.

In August, 1871, Ord requested the Colonial Office to despatch two more cadets since Watts and Swettenham were expected to pass their final examination in 1872.⁷⁷ In response to this request, C.W.S. Kynnersley and J.K. Birch were selected as cadets. By October, 1873 the new cadets were ready to accept permanent appointment. Ord suggested the despatch of two more cadets and suggested that one of them should be Archibald Anson, the eldest son of the Lieutenant Governor of Penang.⁷⁸ However, the new

⁷⁶ Anson to C.O., 24.4.1871, C.O.273/46.

⁷⁷ Swettenham qualified in July, 1872 and was appointed to take charge of the Land Office at Penang and Province Wellesley. Watts failed and appeared successfully for another examination in October, 1872. He was then appointed Assistant Collector of Land Revenue at Malacca. Ord to C.O., 27.7.1872, C.O.273/58; Ord to C.O., 24.10.1872, C.O.273/60.

⁷⁸ Ord to C.O., 20.10.1873, C.O.273/70.

cadets selected were Trevenen and Talbot. The succeeding Governor, Andrew Clarke felt that for the proper administration of the Straits Settlements and for the formation of a Civil Service, the Colonial Office should recruit four more cadets and that two of these should be sent to Amoy or Foochow to study Chinese. A knowledge of Chinese, he claimed, was essential to the good government of the Straits Settlements.⁷⁹ The Colonial Office agreed to write to the Civil Service Commission for two more cadets. However, Clarke's other suggestion was not implemented at that time and alternative arrangements were made to provide the colony with an officer proficient in Chinese.

Municipal Institutions

The Straits Settlements did not have elected, representative Municipal Government until 1857. However, prior to that date, the authorities occasionally sought informal co-operation from private residents. In 1822, a prominent British merchant and two officials formed a committee to supervise the division of Singapore town area between the various communities. In 1827, Governor Fullerton set up committees of assessors, composed of landholders and householders in Penang and Singapore, to provide funds to clear, repair and patrol the streets.⁸⁰ In 1839, the Indian Government passed an Act vesting

⁷⁹ Clarke to C.O., 12.6.1874, C.O.273/76.

⁸⁰ C.M. Turnbull, op. cit., pp.86-7.

control of the funds in a body composed of officials and non-officials. Act IX of 1848 authorised the government to nominate a board of two officials and three non-officials at each of the settlements, with powers to raise revenue by taxing houses and land, horses and carriages. The revenue was used for the maintenance of the town and for defraying the cost of a police force. The system continued until 1856 when the Government of India decided to introduce some improvement in municipal governments, and Act XXV was passed levying a revenue similar to the one already raised. Act XXVII fixed the constitution of the board, which was to consist of five members. Of these, two were nominated by the government, one member being the Resident Councillor of the settlement, who acted as President. The three non-official members were elected by rate payers. The franchise was given only to those who paid Rs.25 or more per annum in rates, and in order to be eligible to stand for election as a Municipal Commissioner, a candidate should be paying Rs.40 or more in rates.

Act XIV of the same year gave the board extensive powers over the conservancy of the towns. Although the non-official members outnumbered the officials on the board, their powers were restrictive by the provision that "... in almost any matter of the moment, they shall only take action with the authority of the government".⁸¹ The salaries of the Commissioners as well as the

⁸¹ Report on the Blue Book for 1868, P.P. H of C. Vol. XLIX, 1870.

rates the board levies had to have the sanction of the government; the board could not borrow money nor undertake major improvements in the towns without government approval; and municipal accounts were subject to government audit. The board was required, first of all, to set aside the money demanded by the government to run the Police Force.⁸² This was the system prevailing in the Straits Settlements at the time of the transfer.

In his report Robinson had recommended that, at least in the first instance, the system should be left untouched because of the difficulty of inducing persons to devote themselves to administrative business. Once a Colonial Legislation was established, some of the business of the Municipality could perhaps be taken over by the Legislative Council.⁸³

Ord was however, convinced that although municipal institutions worked well elsewhere, this was not the case in the Straits Settlements. The main reasons for this were,

- (a) the indisposition of private persons to take part in public offices,
- (b) the small number of persons who had the leisure to enable them to do so
- (c) lack of inducement and

⁸²Ibid.

⁸³Robinson's Report, 25.1.1864, C.O.273/8.

- (d) the very small number of people possessing the necessary professional qualifications for the duties.

Moreover, he was concerned by the fact that the municipal boards had no actual responsibility to anyone for the economical expenditure of the large sums they raised. Removal of officials from the boards would not promote efficiency. Under the circumstances, he could see three alternatives, and these were forwarded to the Legislative Council.

(a) Placing the whole affair in the hands of the government.

(b) Limiting municipal functions to the town proper only.

(c) Placing municipal affairs under the authority of the government, in which case the body would consist of selected government officials and non-officials nominated by the Executive. The Legislative Council would control the amount and nature of expenditure.⁸⁴

A bill to alter the Municipal Act was introduced in the Legislative Council in July, 1871. The Straits Times regretted that a non-official member, Greenshield, had introduced the bill in the Legislative Council. The paper felt that the Municipal Commissions were the only truly representative bodies the colony had. Although there was some public criticism of the commissions,

⁸⁴Report on the Blue Book for 1868.

the paper claimed that they had used their funds well. By way of contrast, it pointed out the bungle the Government had made over Singapore Waterworks and the errors in the estimate for and final cost of the Government House. The proposal to abolish Municipal Commissions was considered an "unwarranted and uncalled for insult".⁸⁵

Because of public protest, the bill was delayed and a committee of the Legislative Council was given the task of reporting on the working of the Municipal system. In January, 1874, the Straits Times was happy to report that the Municipality Bill had been withdrawn.⁸⁶

⁸⁵S.T. 20.1.1872.

⁸⁶S.T. 10.1.1874.

CHAPTER FOUR

CONVICTS AND COOLIES

Convicts and coolies are very much a part of the history of the Straits Settlements. Most of the imposing public buildings as well as roads and bridges, piers and jetties were constructed by convict labour. In the early days, these public works could not have been carried out otherwise except at an expense which the Settlements could not afford. Much more important was the role played by the coolies, especially Chinese coolies. They were the backbone of the economy of the Straits Settlements. It is no coincidence that the growing prosperity of the Settlements was proportional to the increasing immigration of the Chinese.

Convicts

In 1864, there were altogether 3516 transmarine convicts in the Straits. Of these 94 were from Hong Kong, 367 were from Ceylon and the rest were from India.¹ The Chinese convicts were sent to the Straits as a result of correspondence which took place sometime in 1846 or 1847. It is not clear what type of agreement India had

¹Robinson's Report, 25.1.1864, C.O.273/8.

with Hong Kong. No records were kept of any transactions that took place. It is possible that India did not charge the Hong Kong government for the maintenance of Chinese convicts in the Straits. In any case, the number of convicts from Hong Kong was small and, moreover, the whole practice of sending convicts from Hong Kong to the Straits did not last long. It was stopped in 1856 largely as a result of public outcry in Singapore.²

Although there was considerable difference of opinion about the use of the settlements as penal stations, the European community in the Straits raised little objection to receiving convicts from India before 1855. On the other hand, there was fierce objection to convicts from Hong Kong. It was the general feeling that Chinese convicts, with the connivance of secret societies, could easily escape into the general community. Moreover, Chinese convicts were transported in ordinary cargo or passenger ships. In 1848, for instance, the ship General Wood left Hong Kong for Singapore carrying 93 convicts. Just before reaching Singapore, the convicts broke loose, murdered the captain, kidnapped three of the European passengers and forced the crew to set sail for China. However, the ship ran aground and Malays from a nearby island rescued the passengers and the crew. Some of the convicts were killed and others were sent as captives to Singapore. The

²Ord to C.O., 31.1.1871, C.O.273/44.

incident and the trial which followed created a furore in Singapore. The agitation eventually led to the discontinuance of the despatch of convicts from Hong Kong.³ Chinese convicts who were already in the Straits were not recalled, but the number of Chinese convicts gradually reduced as a result of death or expiry of sentence. In 1868, there were only 62 Hong Kong convicts⁴ and none were on tickets of leave. In 1872 this number had dwindled to 31. Just before other convicts were recalled to India and Ceylon, the Governor of Hong Kong made use of pardon in a lavish manner and the Chinese convicts returned to that Colony as free persons and at the expense of the Hong Kong government.⁵

At different times, Ceylon too had sent convicts to the Straits Settlements. In 1843, the Governor of Ceylon had named Van Diemen's Land as a place for Ceylon convicts. This was cancelled in 1846 and Malacca was named as a receptacle for convicts from Ceylon. In 1849, by an order from the Home Government, transportation of European convicts from Ceylon to Malacca ceased and the Ceylon government could transport only non-European convicts to Malacca.⁶

³S.T. 19.2.1848, 24.5.1848, 4.3.1851. Quoted in C.M. Turnbull, op. cit., pp.47-8.

⁴49 at Singapore and 13 at Penang. Ord to C.O., 4.6.1868, C.O.273/19.

⁵Ord to C.O., 25.4.1872, C.O.273/57; Anson to C.O., 29.1.1872, C.O.273/56.

⁶C.O. to Attorney-General and Solicitor-General, 19.12.1868, C.O.273/21.

Despite the fact that transportation of convicts from India to the Straits had ceased in 1860, Ceylon continued to send convicts at the rate of 60 per year. In 1868, there were 659 Ceylon convicts in the Straits, most of them at Malacca. Another 12 were on tickets of leave.⁷ However, when the convicts were recalled in May, 1873, only 33 Ceylon convicts were repatriated to Ceylon.⁸ Others had completed their sentence and had chosen to remain in the Colony or were on tickets of leave having opted to complete their terms and stay on in the Straits subsequently. It is difficult to trace how many of these men were the founders of some of the prominent Ceylonese families of Malaysia and Singapore today.

Just as in the case of Hong Kong, it is not clear what arrangement India had with Ceylon for maintaining Ceylon convicts in the Straits Settlements. After transfer, the India Office requested the Straits government to furnish Ceylon with accounts of the cost of maintaining Ceylon convicts since April, 1867 and on receipt of remittance from Ceylon, to give credit for the amount in the current account with India. As for the future, the India Office would prefer the governments of Ceylon and the Straits Settlements to adjust their respective accounts and make no charge on India for maintaining Ceylon convicts in the Straits.⁹ No

⁷Ord to C.O., 4.6.1868, C.O.273/19.

⁸Ord to C.O., 9.5.1873, C.O.273/66.

⁹I.O. to C.O., 22.8.1871, C.O.273/53.

account of this expenditure was received by Ceylon either from India or from the Straits Government. However, Ceylon was quite willing to pay since a vote had been taken annually to meet this expenditure.¹⁰

The bulk of transmarine convicts in the Straits Settlements were from India. Despite the discontinuance of transportation from India in 1860, the number of Indian convicts in the Straits remained relatively high. In 1864, there were 3055 Indian convicts. The number was reduced to 2397 by 1868 and to 1815 by 1873.¹¹

The history of convict stations in the Straits Settlements goes back almost to the days when the first British settlement was established in Malayan waters, for Penang became a penal station not long after it was founded. When Lord Cornwallis became Governor-General of India in 1786, he discovered that the indigenous criminal courts were corrupt, inefficient and cruel. Whilst it was partly his aim to reform the legal system of Bengal and introduce British justice, there was also the need for a strong deterrent to curb such activities as those of the dacoits. "Transportation to Company's possessions in the East ... appeared to be just the solution needed."¹²

¹⁰C.O. to Ord, 27.7.1871, C.O.273/55. The amount due from Ceylon for maintaining 659 convicts from April, 1867 to June, 1868, was estimated at \$28,469. Ord to C.O., 4.6.1868, C.O.273/19.

¹¹C.O.273/8, 19, 66.

¹²K.S. Sandhu, Indians in Malaya. Cambridge, 1969, p.132.

Consequently, in 1788, the Governor-General in Council recommended that those sentenced to more than seven years imprisonment or forfeiture of limbs, be transported to Penang and other similar places.

The first convicts transported from India arrived in Penang in 1790. They were two men named Eyeno Deen Sheikdar and Mohamed Heiant. Although both men were under sentence of perpetual confinement, the local authorities were permitted to employ them in any manner they saw fit in order to make the convicts pay for their keep.¹³ This more or less set the pattern for the future treatment of convicts in the Straits Settlements.

In the early days, the penal station at Penang was small since most transmarine convicts from India were sent to the British settlement of Bencoolen. In 1818, there were about 500 convicts in that settlement.¹⁴ When Bencoolen was exchanged for Malacca in 1825, the transmarine convicts there were transferred to Penang. Subsequently, Singapore and Malacca too became penal settlements mainly because of the demand for labour, of which the convicts provided a cheap and ready source of supply. Soon, Singapore became the major penal station in the Straits. This was partly because it would be more difficult for Indian convicts to escape

¹³K.S. Sandhu, op. cit., p.133.

¹⁴H. Tinker, A New System of Slavery, London, 1974, p.44.

since the Indian population of Singapore was smaller than that of Penang.

The bulk of free Indian migrants to the Straits came from South India. In contrast, most of the transmarine convicts were from North India. "Most of the convicts appear to have been sentenced for such crimes as thuggee, dacoity, robbery, 'professional poisoning' and murder. There were also some political prisoners and, after 1857, some mutineers."¹⁵

It is not known exactly how many Indian convicts entered the Straits Settlements during the period 1790 to 1860 since no continuous figures for arrivals were kept in any one year. The estimated total was 15,000 at an average annual rate of 200 convicts. Yet the Straits Settlements did not have more than 4,000 convicts in any one year. This was partly due to the high death rate among convicts. Also, about 10 per cent of the convicts were set free. Some of these chose to stay in the Settlements whilst others returned to India. Moreover, a number of men were granted tickets of leave.¹⁶

The convicts more than earned their keep through compulsory labour in public works. However, from 1855 and especially after the Indian Mutiny, the European community regarded the presence of Indian convicts as a threat to the security of the Settlements. It was felt that most injury was caused by releasing felons on

¹⁵K.S. Sandhu, op. cit., p.137.

¹⁶K.S. Sandhu, op. cit., pp.134-6.

tickets of leave. The entire system was stigmatised as evil, and the value of convict labour was not weighed in the balance against this. Consequently, transportation of convicts to the Straits was stopped in 1860. It was decided that the convicts would be removed after January, 1870 when the Indian Government would be given two years' notice of the exact date of removal. The convicts were eventually removed in May, 1873.

According to the transfer negotiations which took place in 1861, it was decided that after the transfer, all direct and indirect expenses of maintaining the convicts would be borne by the Indian Government. If the Straits government wished to use convict labour, the rate would be fixed by mutual agreement between India Office and the Colonial Office. However, it was later decided by the Indian Government that the Straits Government should charge the Indian Presidencies with all direct expenses and credit them with the actual earnings from the private work performed by the convicts. The entire cost of supervision, medical attendance and military guards was borne by the Straits Government as a set off against the value of the labour of convicts who were employed as peons, punkawallahs and in other capacities in Government offices, and as artificers and labourers in the Public Works Department.¹⁷

¹⁷Ord to C.O., 4.6.1868, C.O.273/19.

The management of convicts in the Straits was liberal and efficient. Despite the freedom given to them, surprisingly few convicts absconded. The Colonial Office, on the other hand, felt that the system of discipline in the convict jails was contrary to the principles of management and discipline which were generally regarded as indispensable to the suppression of crime. However, no changes were contemplated since the bulk of the convicts were Indians and it was the Indian government which had devised the existing system. Moreover, the convict establishment would soon be removed from the colony.

According to this system, the convicts were divided into six classes:

Class Six comprised invalids and superannuated convicts. They were either exempt from work or were given light duties such as sweeping and care-taking government bungalows. Most women, too, belonged to this category until they were placed on tickets of leave.

Class Five was a punishment class for those demoted from other grades, for those requiring more than normal vigilance as well as for men for whom special instructions were received from India. These convicts were not allowed to leave the jail except for work.

Class Four contained most convicts, including convicts demoted from higher grades as well as men promoted from grade Five. They too were not allowed to leave the jail, except to work.

Class Three consisted of convicts employed in road-gangs.

Those who showed aptitude and intelligence were, however, taken out of the road-gang and placed in the artificers' gang, where they were taught such trades as tailoring and mat-making. Those with good conduct were allowed to stay after work until 6 p.m.

Class Two convicts were those who were made petty officers in jails, receiving a small salary. At one time in Singapore, there were 101 such criminal officers compared to three European officers. In the same class were also convicts who worked as assistants in Store Departments of the jails and as petty officials in other government departments. This group was permitted to go out during and after working hours. However, they were required to attend a roll call daily at 8 p.m. Except for those working in hospitals and employed in specialised jobs, they were required to sleep in jail.

Class One was the privileged group of trustworthy convicts who were granted tickets of leave. They were required to report for muster on the first day of each month. Moreover, they had to inform the Superintendent of Convicts of their place of residence and were required to sleep there every night. Few restrictions were placed on their place of residence or on the nature of their employment.¹⁸

¹⁸ Ord to C.O., 10.7.1867, C.O.273/19. K.S. Sandhu, op. cit., pp.137-8, C.M. Turnbull, op. cit., p.48.

Few convicts were lodged in actual prisons. The great majority were housed in succursales or open lines of huts very similar to those used by sepoys. While living in lines, the convicts were under no restraint and were generally under the supervision of officers who were also convicts.

In terms of employment, many ticket-of-leave men and women worked for wages for private employers, such as planters. Some became gardeners, syces and domestic servants. Others either took up such pursuits as shikar, tailoring or well-digging or, once they had saved sufficient set up their own farms, dairies, forges, cart and furniture making and other such enterprises. Besides such direct contributions to the development of the country, these free and ticket-of-leave exiles also appear to have been innovators. Besides setting up their own forges and kilns, making carts and furniture and spreading these and similar skills amongst their neighbours, they seem to have been the first to discover the pelas tikus palm (Licuala acutifida, Mart.) in Penang. From this palm were constructed walking-sticks called Penang lawyers and the process of preparing them - scraping off the outer skin with glass prior to straightening over fire - was not dissimilar to the present day Malay method of making Malacca canes. Some of these 'Penang lawyers' were sold by the convicts on the spot and many more were exported to Europe and America.¹⁹

Even some Class Two convicts showed great initiative, a case in point is that of Toolseram, who was employed as an attendant at the hospital in Butterworth. As a side-line, Toolseram also had a timber business and hired out the boats he owned. Some of his timber was purchased by government officials for government

¹⁹K.S. Sandhu, op. cit., p.138.

departments. His boats were also hired by the government. Toolseram's business ventures were soon exposed when it was discovered that an overseer in the Public Works Department was acting as his agent. When suspended from service for six months for his impropriety, the overseer claimed that Toolseram had done his business openly, with the knowledge of the Head of Department for many years.²⁰

Few could deny the contribution made by the convicts to the development of the Straits Settlements. The demands for removal of convict establishments were strongest during the years following the Indian Mutiny - a feeling augmented by the fear that the Indian government would send mutineers to the Settlements. There was also, probably, a section of the community which wanted to erase the image of the Straits Settlements as penal settlements. However, when the removal of convict establishments was about to become a reality, some influential men began to have second thoughts, and there was still considerable differences of opinion regarding the role of convicts. Those who were opposed to it were less positive about their feelings now than before the Transfer, and Ord himself felt that the removal of convicts would not be in the best interest of the Colony.²¹

²⁰ Toolseram was transferred to Singapore to be kept under proper control. However he soon became eligible for ticket-of-leave and returned to Penang to continue his business. Ord to C.O., 9.4.1870, C.O.273/37.

²¹ Ord to C.O., 4.6.1868, C.O.273/19.

Communication was necessary for the development of agriculture and mineral resources of the Colony, and the communication system needed convict labour. Singapore had only one main road running across the island and two lateral roads in the east. The rest of the island was inaccessible except by bridle-paths. Malacca was better provided with roads but these were still far apart, and the situation in Province Wellesley was also bad. Hitherto, the convicts had proved well suited for jungle-clearing and road-building. Despite the claim of some people in the Colony that the peaceful inhabitants suffered gross outrages in their hands, the convicts were generally regarded as docile, needing little supervision. A large number of convicts were employed by the Public Works Department. Most of the handsome buildings in Singapore were constructed by using convict labour, but there was no urgency for this type of public works. What the colony needed was more roads, bridges, dams and canals. There was no adequate supply of free labour in the Colony and even if free labour was available, it would be expensive.

Ord, therefore, wrote to the Colonial Office stating that the community would not only favour the retention of convicts but would also accept additional convicts.²² An additional supply of convicts was necessary since the convict population in the Colony

²² Ibid.

would gradually dwindle. In 1868, there were 2536 convicts in the Straits. Another 593 were on tickets-of-leave. By 1870, there would be only 1899 convicts and ticket-of-leave prisoners. This number would be reduced to a mere 463 by 1878.²³

The Secretary of State for the Colonies was surprised at Ord's request. He replied, "I am clearly of the opinion, on the grounds which it is unnecessary to state in detail, that the existing understanding with the Indian Government should be adhered to and that all Indian convicts are to be withdrawn from colonial supervision as soon as convenient."²⁴

Having failed to retain the convicts, Ord attempted to keep as many ticket-of-leave men as possible. He stated that many of them had married female convicts or indigenous women and had become property owners. Moreover, the percentage of crime among these men was small. He claimed that the fairest system would be to give these men the option of either returning to India or remaining in the Colony. If they chose to stay, they could not make a future claim to return to India and their sentences would continue as before until expiry.²⁵ The Government of India agreed to allow ticket-of-

²³ Convicts in the Straits Settlements on 1.5.1868, Appendix IV, Number of convicts who will be released on tickets-of-leave or expiry of sentence in each of the following ten years, Appendix V.

²⁴ C.O. to Ord, 25.3.1869, C.O.273/26. India was quite prepared to remove the convicts by 1.4.1873, I.O. to C.O., 26.10.1868, C.O.273/26.

²⁵ Ord to C.O., 22.10.1870, C.O.273/40.

leave convicts to stay in the Straits. if they chose to do so. The Colonial Office acceded to this decision.²⁶

Year	No. of t.o.l. convicts	No. charged and convicted by magistrates
1865	617	5
1866	624	1
1867	626	4
1868	638	1
1869	613	0
1870	564	0

Crime among ticket-of-leave convicts. Source: C.O.273/40

As a result of the opening up of plantations, there was great difficulty in getting labour in the Colony, the government and planters competing for the limited supply available. Largely as a result of this, in October, 1870, the Legislative Council passed a resolution supporting the retention of convict establishments in the colony and recommending the transportation of a few convicts from India and Ceylon under existing rules.²⁷ The Straits Times supported the idea largely on the score of economy. It claimed that according to the government's reckoning, one convict labourer

²⁶C.O. to Ord, 24.12.1870, C.O.273/40.

²⁷S.T. 8.10.1870.

performed half the work of a free labourer. When the convicts were removed in 1873, 1000 free labourers would be required to replace them, and for doing the same amount of work they would cost twice as much. The paper maintained that convict labour was not inferior to free labour. "Anyone who views the handsome and substantial public buildings reared by their hands in this settlement will pronounce a verdict strongly in favour of the Convict Department as compared with free hands."²⁸

The Colonial Office had agreed to the retention of tickets-of-leave convicts but it was not prepared to re-open the question of transportation of convicts from India to the Straits Settlements. If the problem of labour shortage was real, the Secretary of State for the Colonies was prepared to consider recommending to the Government of India, proposals for systematised and regulated importation of free labour.²⁹

Meanwhile, the Government of India informed the Colonial Office that all convicts, with the exception of ticket-of-leave convicts who had opted to stay in the Straits, would be removed by 1st April, 1873. The Government of India also undertook to meet the cost of maintaining the old and sick ticket-of-leave convicts

²⁸ S.T. 5.11.1870.

²⁹ C.O. to Ord, 24.12.1870, C.O.273/40.

in the Colony.³⁰

In a last effort to retain as many convicts as possible, Ord suggested modifications to his earlier recommendations. He advocated the liberal use of pardon for convicts of good character and whose crimes had not been of a serious nature and that pardoned and time-expired convicts be allowed to stay in the Straits. Moreover, he suggested that the convicts who would become eligible for tickets-of-leave within twelve months be granted tickets-of-leave when the other convicts were removed from the Colony.³¹

The Government of India as well as the Colonial Office agreed to these modifications. However, the lavish use of pardon, as carried out by the Governor of Hong Kong, was objected to. The Government of India felt that pardon should be limited to those on tickets-of-leave who had not committed certain specific crimes such as thuggee, dacoitic robbery by drugging and other forms of organised crime, mutiny or rebellion accompanied by murder. Moreover, pardoned convicts would not be allowed to return to India without the special sanction of the Government of India in each individual case.³²

A total of 114 convicts were removed from the Colony on 8th May, 1873 by the steamer Paknom. They were guarded by one

³⁰ Government of India to C.O., 8.7.1871; C.O. to Ord, 11.2.1872, C.O.273/53. The annual cost of sick-lines averaged \$3068 for the years 1867-1870 or \$40 per annum per pauper. C.O. to I.O., 20.6.1872, C.O.273/58.

³¹ Col. Sec. of S.S. to India, 20.6.1872, C.O.273/58.

³² I.O. to C.O., 21.4.1873, C.O.273/72.

officer and 35 men from the 10th Regiment. All expenses for their removal were defrayed by the Governments of India and Ceylon.³³

An era in the history of the Straits Settlements thus came to an end.

There now remained in the Colony 1857 convicts on tickets-of-leave.

Of these 125 were old and feeble and were regarded as paupers.³⁴

Men	Women	Total	Destination
65	3	68	Port Blair
33	-	33	Ceylon
13	-	13	Madras
111	3	114	

Convicts removed from the Straits Settlements on
8.5.1873. Source: C.O.273/58

Coolies

Authorities do not seem to agree on the origin of the word "coolie". One authority suggests it is the combination of two Chinese characters, K'u (bitter) and li (strength). Another suggests that it comes from Koli, the name of an aboriginal tribe in Western India. Still another suggests that it is derived from the Tamil word Kuli meaning wages. In any case, like the word Kling

³³Ord to C.O., 9.5.1873, C.O.273/66.

³⁴Ibid.

it was the Portuguese who gave wide currency to the word which soon came to refer to those people at the lowest level of the labour market.³⁵

Indian immigration to the Straits originated and developed as a result of the demand for labour and the opportunity for economic betterment which followed the establishment of British rule. "It was purely a voluntary movement on the part of the people, stimulated by their own interests and wishes; it was not assisted by any law neither was it impeded by any law till the year 1857."³⁶

The arrival of Indians in the Straits in modern times started almost as soon as the British occupied Penang in 1786. Capt. Light, the founder and Superintendent of the station refers to Indians from the Coromandel Coast. "They are all shop-keepers or coolies. About a thousand are settled here."³⁷ The influx of immigrants from South India increased after the 1820s when local garrisons were supplied from Madras. A large number of camp-followers arrived and there was considerable intercourse between Madras and the Straits.

Indian immigration was further encouraged by the state of

³⁵ H. Tinker, op. cit., pp.41-3.

³⁶ Sec. to Govt. of India to Sec. to Govt. of Madras, 29.1.1883, C.O.275/41.

³⁷ Quoted in H. Tinker, op. cit., p.43.

labour in the Straits Settlements. Although the Malay Peninsula had a fairly considerable indigenous population, there was always an acute shortage of labour. A number of Javanese, Boyans, Banjarese as well as Malays were employed in the Colony chiefly for such work as tree-felling and drain-cutting. They were regarded as a satisfactory class of men, generally of good physique, and were good workers if employed on task work. On work which did not suit them, or on daily wages, they were found as a rule, less satisfactory.³⁸ Indigenous labour was unsuitable for estates and plantations. Despite this, agents and employers complained that a sufficient number of local men could not be found. As late as 1889, Swettenham had remarked, "... the native of the country works little for himself and absolutely refuses to hire himself out as a labourer on any terms that a planter could accept."³⁹

The Chinese tended to set up their own enterprises. If this was not possible or if his ventures failed, the Chinese labourer preferred to work for his own country-men, and European planters had to look elsewhere for labour. The government too found it difficult to attract sufficient Chinese and indigenous labour to augment the work of the convicts. The immigrant Chinese

³⁸ Report of Commissioners appointed to Enquire into State of Labour, 1891, C.O.275/41.

³⁹ Quoted in J.C. Jackson, Planters and Speculators, Kuala Lumpur, 1968, p.187.

knew very little about the government and generally brought with them the idea that the function of government was to squeeze money out of them by fair means or foul. Moreover, an immigrant Chinese was usually landed by his Kaytow and was carried straight away to a place of work. Many Chinese had indeed little means of knowing whether there was a government in the Straits Settlements.⁴⁰ Under the circumstances, European employers as well as the government had to depend on labour from India.

For more than half a century, there had been a steady flow of people especially from the Coromandel coast of India. The usual ports of embarkation were Nagapatnam, Karikal and Nagore, and the voyage normally lasted about 8 to 10 days. Up to 1857, the emigration had been entirely voluntary and was unaided by the employers, whose only involvement was to engage the coolies on arrival and in some cases advance the cost of passage.⁴¹ If the passage money was advanced, the coolie had to enter into an agreement with the employer to work on the estate for two years on a daily wage of 12 or 13 cents out of which \$1.50 was deducted monthly until the passage money was paid off.⁴²

⁴⁰Report on Chinese Labourers, 3.11.1876, C.O.275/19.

⁴¹Petition from Planters of Penang and Province Wellesley, 21.6.1870, C.O.273/45.

⁴²R. Distant, Paper read before London Anthropological Society, quoted in S.T. 2.5.1874.

It was soon discovered that emigrant ships were dangerously overcrowded. As a result, the Indian Government passed Act I of 1857, setting a limit of one passenger per ton for licenced ships and one passenger for three tons for unlicenced ships. This Act was replaced by a similar act in 1859. The overall effect of the legislation was to increase the cost of passage. Poorer coolies found it harder to emigrate and the number of Indian coolies arriving in the Straits dropped. To counteract this, a system of assisted emigration was devised, under which larger employers of labourers sent recruiting agents to India. On two occasions, in 1858 and in 1862, a European agent was sent to Madras to enquire into the prospects of getting labour and to engage coolies and advance money to persons willing to emigrate but who were too poor to pay for the passage themselves. The agent sent in 1862, also carried with him a letter from Governor Cavanagh to the Chief Secretary of Madras stating the object of the mission and testifying to the good treatment given to coolies in the Straits Settlements. It also became customary for ship-owners, merchants, tindals and others visiting India to bring over a few men either on a commission from the employers or as a speculative venture. The expenses were defrayed by the employers and were generally deducted from the wages of the coolies.⁴³

⁴³ Petition from Planters of P. and P.W., 21.6.1870, C.O.273/45; Report on the State of Labour, 1891, C.O.275/41.

	Arrivals	Departures
1867	2922	1451
1868	3253	1138
1869	3969	1872

Indian Coolies in the Straits Settlements⁴⁴

Voluntary emigration still continued and no binding agreement was made with the coolie prior to his arrival in the Straits Settlements. Even those obtaining advance passage money could work elsewhere once they had repaid this debt. However, repayment was not as easy as it sounded.

The modified form of emigration continued until 1870, although by an accident of legislation, it had been rendered illegal by the passing of Indian Emigration Act XIII of 1864. At that time and for the next three years, the Straits Settlements were a part of "British India". However, the term "British India" was so defined that the Straits Settlements were excluded. The Act made it unlawful to engage any native of India for service in the Straits or to assist him to emigrate for that purpose until a notification by the Government of India authorised such immigration. Even when authorisation was given, emigration to the

⁴⁴ C.O.273/45. The settled Tamil population of the Colony was 25,000 out of a total of 150,000. First Census of the Colony, 1871. C.O.273/51.

Straits Settlements was subject to all the restrictions imposed on emigration to such distant colonies as the West Indies. Ceylon, though not a part of British India, was exempted from these restrictions.

The provisions of the Act had remained dormant and probably unknown for six years. Then in March, 1870, the Acting District Magistrate of Vallam in Tanjore issued a notification in the Tanjore Gazette alleging that coolies for the Straits market were often kidnapped and that women sent there were used as prostitutes. He also pointed out the existence of relevant legislation and had actually commenced some prosecutions.⁴⁵

On hearing this, in June, 1870, planters of Penang and Province Wellesley held a public meeting to protest against the allegations. They claimed that the allegations were untrue, and that the victims could always take their complaints to the courts. The planters painted a rosy picture of life in the estates. They claimed that the coolies were comfortably housed, that medical attention, medicine and food were given free when they were sick. Coolies had free access to magistrates, and that the mortality rate was low except for those arriving emaciated or in a semi-diseased state as a result of famine in India. They stated

⁴⁵ Report on the State of Labour, 1891, C.O.275/41. R. Distant, who had lived for some time in a large sugar plantation in Province Wellesley claimed that, since few Indians brought their women with them, polyandry was the usual practice. Quoted in S.T. 2.5.1874.

that the coolies in the estates improved themselves materially, earning much more than what was required for a comfortable existence, and that a number of coolies had risen to positions of wealth as shop keepers, boat and gharry owners and sugar boilers. Even India was said to benefit since large sums of money were sent by the coolies periodically to their relatives there.⁴⁶

Ord realised that there would be serious repercussions if the Indian Government decided to enforce the views expressed by the Magistrate of Vallum. He therefore personally visited every estate in Province Wellesley which employed Indian labour and took down statements from the coolies. He claimed that only one young man and two young women had stated that they had been brought to the colony against their will, although they had not protested to the authorities when they arrived at Penang. Nevertheless, Ord felt that advantage had been taken of young men, young girls or young married women who had quarrelled with their husbands or relatives, by holding out a flattering picture of the Straits Settlements and encouraging them to emigrate. With these exceptions, there was no foundation for the allegations about the evils of coolie emigration from Tanjore to the Colony. Ord requested the Colonial Office to apply to the Straits Settlements the same measures which applied to Indian immigrants to Ceylon.⁴⁷

⁴⁶ Petition from Planters of Penang and Province Wellesley,
21.6.1870, C.O.273/45.

⁴⁷ Ord to C.O., 24.2.1871, C.O.273/45.

Meanwhile the matter had come to the notice of the Supreme Government of India, and the Government of Madras was asked to submit a report. Stokes, the sub-collector of Tanjore, made enquiries and sent a report to the effect that kidnapping did not exist and that the existing system worked in the interests of the emigrants.⁴⁸

The Government of Madras declined to allow the continuance of emigration for the Straits, and in fact, no other course was open to that government as the law then stood. The law would have to be amended by an enactment of the Governor-General in Council. The India Office informed the Colonial Office that the reference to kidnapping of minors and women were perhaps references to the possible hazards and abuses of emigrants, which would exist on a bigger scale in the larger emigration to Ceylon. Unless there was some object which the India Office was not aware of, the legislation should be amended.⁴⁹ The Secretary of State for the Colonies requested Anson to write to the Government of India, adding, "You will find that Government ready to meet the wishes of the Colony."⁵⁰

The Government of India subsequently passed Act XIV of 1872

⁴⁸Report on the State of Labour, 1891, C.O.275/41.

⁴⁹C.O. to C.P. enclosing copy of letter to Governor-General of India, 23.6.1871, C.O.273/53.

⁵⁰C.O. to Anson, 29.6.1871, C.O.273/53.

which enabled the Governor-General in Council to issue a notification exempting the Straits Settlements from any of the provisions of the Emigration Act of 1871 which had superseded Act XIII of 1864. In June, 1872, a notification was accordingly issued.⁵¹

Emigration from India, which had vitually come to a standstill in 1870, resumed in 1872 as a result of the Straits Government's undertaking to introduce legislation for the protection of Indian coolies. Meanwhile, employers were required to follow certain conditions laid down by the Government of India. The agents of planters had to bring intending emigrants before a magistrate at Nagapatnam and state all particulars regarding repayment of passage money, money advances, diet during voyage, wages, nature of work, duration of engagement and payment of return passage. The magistrate would enter the details in a register and a copy would be sent to the Colonial Secretary of the Straits Settlements, to be reduced into a contract for each individual on arrival in the Straits. The magistrate would also ascertain that the coolies went willingly and with full knowledge of the terms of employment. The magistrate would protect the emigrants from crimping and prevent desertion of families. The passage would be regulated by the Indian Passenger Act.⁵²

⁵¹ Gazette of India, 8.6.1872, C.O.273/58

⁵² Enclosure in Ord to C.O., 1.6.1872, C.O.273/58.

A draft bill forwarded by Ord was not approved by India, and in mid-1873, the Madras Government sent to Singapore a draft bill prepared by the Government of India. Copies of the draft bill were circulated to planters and other employers of Indian labour. The main objections made were:

(a) Sections 5, 6, 9, 10, 11 and 12

The number of contract labourers sent to the Straits averaged only 2,000 per annum, all of whom were shipped during a certain season. It was, therefore, considered unnecessary for the Colony to have a permanent depot in India and a permanent Emigration Agent there.

(b) Section 17

Contracts for field labourers were to be made for a period not exceeding two years, but planters were prepared to pay the return passage only if the labourers signed on for five years. The planters were, however, quite prepared to repatriate the coolie sooner and at their own expense, if he became incapacitated.

(c) Sections 18, 19 and 20

The system proposed was considered too complicated for such a small emigration of coolies to the Colony. It was suggested that it would be sufficient if examination of emigrants and registration of particulars were made by the protector at the port of embarkation.⁵³

⁵³Ord to India, 14.6.1873, C.O.273/67; Ord to C.O., 16.6.1873, C.O.273/67.

Meanwhile, certain incidents in Province Wellesley highlighted the urgent need for legislation to protect Indian labourers. The attention of the Lieutenant-Governor of Penang was drawn to the arrival of five labourers from Alma Estate in the hospital at Butterworth. They were in a terrible state. Three of them died within ten days mainly as a result of prolonged want of medical attention. There was, at that time, no law in the Colony to oblige proprietors to make provisions for their sick labourers. Knagg, the manager of Alma Estate, excused himself by saying that it was difficult to procure medical attendance except at great cost. Moreover, he claimed that sending coolies to the hospital at Butterworth only enabled them to abscond.⁵⁴

A committee was formed to report on coolie conditions at Alma Estate. It discovered that there were many complaints regarding wages, and that the coolie was wholly unprotected. There were serious defects in coolie lines, partly as a result of the unhygienic habits of the people themselves. However, there were no signs of ill-treatment such as flogging.

The committee made the following recommendations:

(a) Instead of allowing the coolies to fend for themselves, which they did insufficiently, they should be paid partly in cash

⁵⁴Clarke to C.O., 25.11.1873, C.O.273/71.

and partly in the form of daily rations on a proper scale.

(b) Employers should be required to supply medical attendance and medicine.

(c) Each coolie should have a copy of his contract in Tamil and should be furnished with a monthly statement of his accounts.

(d) Magistrates and Police Officers should have access to estates to listen to complaints.

Coolie conditions at another estate, Malakoff Estate, were worse. The hospital at Butterworth had received a number of coolies from this estate showing marks of flogging on their backs, and a committee of inquiry was instituted. Its report showed atrocious treatment of coolies by the manager, J.C. Thompson, and the overseer, Durnford. Coolies were half-starved, beaten with great severity and neglected when sick. There was no proper food, water or facilities for cooking and washing in the estate "hospital" which was a large, poorly ventilated attap shed. At the time of the enquiry, 88 men were in this "hospital" and ten women were locked up in an adjacent shed which measured 12 feet by 8 feet.⁵⁵

On 8th December, 1873, the same day the committee made its report, eleven men were brought to the Butterworth hospital from Malakoff Estate showing marks of cruel flogging. Two days earlier, another man had been brought in by the Police showing marks

⁵⁵Enclosure in Clarke to C.O., 25.12.1873, C.O.273/71.

equivalent to three dozen lashes with a cat-o'-nine-tails. As a result of information provided by these men, the Lieutenant-Governor of Penang, the Coroner and the Colonial Surgeon visited Malakoff Estate and exhumed the body of a coolie named Ramasamy said to have died of ill-treatment. The Colonial Surgeon confirmed that Ramasamy's death was due to flogging. At the inquest, a charge of culpable homicide was laid against Durnford who ordered and supervised the flogging, and against Poonen, the tindal, who administered it. A warrant was also issued for the arrest of the manager, Thompson, for having caused the death of another coolie, Pakiri.⁵⁶

These proceedings caused agitation amongst the planters. A public meeting, where Thompson himself was present, denounced government interference and demanded an enquiry to clear the name of the planters. Commenting on the meeting, the Penang Gazette stated, "They seem anxious that a special investigation should be held on the subject; but we fancy if the law is simply allowed to take its course, every desirable object will be attained. No doubt, however, the Government would do well to place within easier reach of the outlying plantations, medical attendance, stores and comforts."⁵⁷

⁵⁶The men concerned were subsequently tried at the Supreme Court, were convicted and sentenced to jail. Clarke to C.O., 12.5.1874, C.O.273/75.

⁵⁷Quoted in S.D.T. 23.12.1873.

The Secretary of State for the Colonies read the reports with "extreme pain and dissatisfaction" and instructed Clarke to press on with the legislation. He pointed out that the Indian Government had lifted its prohibition on emigration only on condition that the Straits Government would keep a watchful eye on the men sent over. Since some time would elapse before the legislation was passed, Clarke was directed to appoint immediately a Protector and other officers with powers to enter estates and deal summarily with all complaints. Employment of Indian coolies was to be prohibited in estates where they were neglected or mal-treated. All these steps were to be taken by a provisional legislation.⁵⁸

The new legislation, Ordinance IX of 1875, "for regulating the Immigration of Native labourers from British India" was introduced into the Legislative Council in September, 1874 and was passed in May, 1875.⁵⁹ However, the Ordinance was not put into operation due to objections to some of its provisions made by the Government of India. The matter was then referred to the Colonial Office and the India Office, who agreed upon a bill. The draft bill was sent to Singapore with instructions that it

⁵⁸ C.O. to Clarke, 6.3.1874, C.O.273/71. A copy of the instructions to the Governor was also sent to India Office, C.O. to I.O., 9.4.1874, C.O.273/75.

⁵⁹ Jervois to C.O., 6.8.1875, C.O.273/81.

might be passed. Although some of the provisions in the new bill were unsatisfactory to the Colony, the Straits Government felt such objections could be held for future amendments. Thus was born Ordinance I of 1876 in the Straits and Act V of 1877 in India.⁶⁰

In addition to Indian coolies, a considerable number of Malays and other natives of the Malay Archipelago were employed in the Colony. The Malays were satisfactory for task work but were regarded as unsuitable for organised labour and work involving daily wages. The Javanese and Boyanese were hardy workers and found ready employment in the plantations of the Colony especially tree-felling and drain-cutting. A large number of Boyanese were also syces. They were noted for their clanishness and operated a "friendly society" system to assist their members in taking care of their interests.⁶¹

The Javanese were especially sought after but the majority of employers complained that they could not find sufficient men. This was largely due to the Netherlands Indies Government's restrictions on emigration from Java. However, a number of Javanese applied to the Dutch authorities to be allowed to make the Haj. They were prompted to do this not so much by their religious

⁶⁰ Report on State of Labour, 1891, C.O.275/41.

⁶¹ Report on Debt-Slavery in the Straits Settlements, September, 1874. Enclosure in Clarke to C.O., 2.2.1875, C.O.273/79.

feelings as by the desire to leave Java where, as a result of the system of cultivation practised, the men could not earn much money. Once they managed to get out of Java, the men might or might not make the pilgrimage to Mecca.⁶² Many did not return to Java since they had married locally and had become accustomed to the life in the Colony.⁶³

In late 1870, Batavia papers laid strong charges against the Straits Government with regard to Javanese pilgrims on their way to Mecca. The Batavia Handelsblad claimed that, after some years of enquiry, the Dutch authorities had discovered that Singapore was the place where the Javanese pilgrims were fleeced by the headmen under whose protection they placed themselves on arrival before proceeding to Mecca. The paper added that the headmen got the pilgrims involved in debt or stole their money and goods and lent them money at usurious rates of interest. The pilgrims were held in slavery and ill-treated, there being instances of the use of rattan.⁶⁴

Some members of the European community also complained about the existence of debt-slavery in the Colony. W.H. Read claimed that Bugis traders brought in a number of slaves whom they sold

⁶² Ibid.

⁶³ S.T. 22.10.1870.

⁶⁴ Batavia Handelsblad quoted in S.T. 22.10.1870.

like the African slaves of the old days. He added that there was hardly a single Arab house in the Colony without one or more slaves. He was confident that an enquiry "would elucidate a state of things which is indeed a slur on the settlements."⁶⁵

In response to this, an enquiry was made by Capt. Dunlop and A.M. Skinner. In their report, they stated that the so called slaves were probably the concubines and female domestics in Arab houses. They were rarely, if ever, sold. The report, however, admitted to the existence of a Haji Coolie System. It was discovered that the Javanese peasant who arrived in Singapore intending to go to Mecca, interested two groups of people before ending up in a plantation. These were the Juragan, a type of shipping agent and the Sheikh or labour agent. The Juragan accompanied the pilgrim ship and charged the potential Hajis about \$12 for the passage from Singapore to Jeddah and a further \$33, generally contracted at Jeddah, for the journey to Mecca and Medina. In the holy-land, the pilgrims were made to pay dearly for their credulity and trust in their spiritual superiors. After the Haj they were often penniless and became indebted to the Juragan for the return passage which cost about \$17.

The Sheikh stayed at Singapore. Many Hajis escaped passing through his hands, procuring the necessary passage money

⁶⁵ W.H. Read, letter to S.D.T. 21.9.1873.

from their friends in the Colony. Those who had no such friends had to resort to the Sheikh, to whom they were handed over by the Juragan. The Sheikh found for them employment in plantations. Whilst those who had borrowed money from friends could settle their debt within two years, the Hajis in the clutches of the Sheikh took much longer.

The Sheikh was the surety to the Juragan for the passage money of \$17. If any employer needed labour (and there was always a demand) the Sheikh was paid \$40 for each labourer he supplied. The Sheikh became the security and the Hajis bound themselves to him jointly and severally. They worked for the plantation owner until the debt was settled.⁶⁶

While the system was injurious to the interests of the Hajis it was not demonstrably oppressive. The Hajis were free agents and appeared to have implicit faith in the Sheikhs. The government did not take any steps to stop the system since it was felt that the Hajis themselves would not welcome any interference.⁶⁷

The bulk of the coolie population of the Colony however, consisted of Chinese. Generally, the Chinese were not enterprising travellers. The main reason for this was the belief that the "Middle Kingdom" had everything worthwhile to give and nothing of

⁶⁶ Report on Debt Slavery in the Straits Settlements, 1874.

⁶⁷ The Colony had a law, Regulation V of 1823, for dealing with slave-debts. However, Hajis were not referred to.

worth to receive. There was, therefore, no reason for going abroad, However there were some early visitors to Nanyang, the Southern Ocean as the Malayan waters were known. People like Fah Hsien passed through the Straits of Malacca on their way to India. There were also regular trading and diplomatic expeditions largely in response to visits by foreign traders to China.⁶⁸

The Chinese did not settle in Malayan waters in large numbers until the British occupation of the islands and coastal areas of Penang, Singapore and Malacca guaranteed peaceful conditions. An added incentive was the development of tin-mining in the Malay States.⁶⁹ Malacca, was however, an exception. One of Cheng Ho's secretaries, Fei Sin, writing in 1436, remarked that at Malacca there were some fair people of Chinese descent.⁷⁰ A Chinese community also existed in Portuguese Malacca, but its actual size is not known. The community fell into decay towards the end of the Portuguese period and was renewed by immigration under the Dutch. The first detailed census of Malacca under Governor Balthasar Bort in 1678 states that there were 892 Chinese out of a population of

⁶⁸V. Purcell, "Chinese Settlement in Malacca", JMBRAS, Vol. XX, pt. 1, 1947, p.115.

⁶⁹Although tin was exported from early times, mining was largely in the hands of Malays. W.L. Blythe, "Historical Sketch of Chinese Labour in Malaya", JMBRAS, Vol. XX, pt. 1, 1947, p.64.

⁷⁰Quoted in W.L. Blythe, op. cit., p.64.

4884.⁷¹ In 1750, Malacca's Chinese population was 2161. In 1760, it had dropped to 1390. There was very little change in the numbers until the British occupation of the Settlement. At Penang, there were no Chinese in 1786, and in 1794, the Chinese population in that Settlement was estimated at 3,000. Singapore had no Chinese in 1819. Ten years later there were 6210 Chinese in that island.⁷²

Even when contacts had established the richness of Nanyang and the protection of life and property afforded by British rule, there were certain forces restraining Chinese emigration. Chinese religious sentiment condemned those who deserted their ancestral graves which needed regular maintenance. Moreover, the Ching rulers made emigration an offence under the penal code, the Manchu government believing that emigrants would create centres of revolution overseas.⁷³

The Chinese who did go overseas were actuated by the hope of a gain in trade and to a smaller degree by population pressure. Some were rogues and vagabonds who found life outside China more comfortable and more lucrative. Nevertheless, "... no Chinaman leaves his country for the first time except with the firm intention

⁷¹V. Purcell, op. cit., pp.120-4.

⁷²V. Purcell, op. cit., p.124; Superintendent of Police, Singapore to Resident Councillor, Singapore, 24.1.1828, JMBRAS, Vol. XXIII, pt. 2, 1950, p.184.

⁷³V. Purcell, op. cit., p.114.

of returning."⁷⁴

Despite the arrival of increasing number of Chinese to the Straits Settlements, the immigration continued without supervision for almost a century. This does not mean there was no legislation on the statute books for regulating immigration. In 1873, a member of the Committee of the Legislative Council considering the Chinese Immigration Bill, quoted from an Ordinance of 1st May, 1823 published by Sir Stamford Raffles showing that protection of immigrants had been considered even then. The Ordinance stated,

As it frequently happens that free labourers and others are brought from China and elsewhere as passengers, who had not the means of paying for their passage, and under expectation that the individual resident in Singapore will advance the amount of it on condition of recovering the services of the parties for a limited period in compensation thereof - such arrangements are not deemed objectionable, provided the parties are landed as free persons, but in all cases the amount of passage money or otherwise is limited to twenty dollars, and the period of service by an adult in compensation thereof shall in no case exceed two years, and every such engagement shall be entered into with the free consent of the parties in the presence of a magistrate, and duly registered.⁷⁵

⁷⁴Report on the Condition of Chinese Labour in the Colony, 3.11.1876, C.O.275/19.

⁷⁵Quoted in Report on the State of Labour, 1891, C.O.275/41.

Apparently, this ordinance dropped out of notice since no machinery was provided for enforcing it. The only law bearing on the subject was an existing labour law by which a person was liable to punishment for breaking a contract.⁷⁶

Emigration from China took place between June and October, during the South-West Monsoons when the China Sea enjoyed fine weather. One or more Chinese merchants⁷⁷ chartered a vessel in the Straits, Hong Kong or China. On reaching the destined port, the charter who usually proceeded in the vessel as super-cargo, set a number of agents to work. These men, known as Kaytow, might or might not be returned emigrants from the Straits. The agents went about the country-side cajoling the unsuspecting victims with promises of fortune and speedy return to the native land. The recruits were then huddled on board the ship. The Kaytow was responsible to the super-cargo for his band of 10 or 20 men but the men were not under any restriction and generally they were treated well. On reaching their destination, the Kaytow was allowed to land and find employers for his band. The super-cargo

⁷⁶ Ibid.

⁷⁷ The coolie business was not entirely in Chinese hands. Some of the European firms involved were Bradley and Co. and Pustau and Co. who monopolised the recruitment at Swatow; Johnston and Co. and Schmidt and Co. who recruited labour for Deli and Guthrie and Co., Boustead and Co. and Behn, Meyer and Co. who recruited labour for Australia. Report on Condition of Chinese Labour in the Colony, 1876.

allowed him three or four days to do this. If there was a demand for labour, the Kaytow could get up to \$20 per sinkeh depending on whether he was an artisan or coolie, able bodied and healthy or sickly. The average price was between \$17 and \$20. Since the super-cargo charged him about \$13 to \$14 per head, the difference was the Kaytow's profit.

When the vessels' days of grace were up and if there were still sinkehs on board and whose services had not been purchased, the men were landed in Singapore and shut up in houses or were taken to other settlements if the ship went there. Generally, Kaytows and super-cargoes were not particular about landing their charges at the originally agreed destination. They took them where demand for labour was greater. It was at this stage that abuses began to creep in.

In one case 50 sinkehs destined for Rhio were returned to Singapore because of the difficulty in getting employers there. The men were then shut up for ten days in a barred house at Kampong Glam and were guarded by samsengs.⁷⁸ In another case, 180 sinkehs were kept below deck in steaming heat. The ship then left for Penang where 70 of those originally destined for Singapore were landed and locked up in a house. When the authorities went to investigate, 20 of the men had been disposed of. The owner of

⁷⁸ Gangsters.

the house claimed that the men had gone to Province Wellesley to work in his brother-in-law's plantation. In fact, only four of the men reached Province Wellesley the rest having been shipped to Deli.⁷⁹

There were also a number of sinkehs who came as free men, having paid their passage money in advance. Even these men were not free from abuse if the Kaytow was not a respectable man. Moreover, there was danger from crimps who accosted the new immigrant and on the pretext of taking him to a friend's house, locked him up and sold him to be deported to another place.

In the normal course of events, as far as those who came on credit were concerned, the Kaytow was paid about \$20 per head by the town agent of the pepper and gambier planters of the Straits, Johore or Rhio. The sinkeh was then sent to work in a plantation on a verbal agreement. In the case of teochews, the custom was for the men to work six months, being housed, fed, clothed and supplied with all other necessities during this period. At the end of six months, the sinkeh had worked out the passage money and he could either stay on a fresh agreement or employ himself elsewhere. Hylam and Macao men worked for a year under similar conditions.

A shade of slave-dealing came into the system because negotiations were made not by the sinkeh and his employer but by

⁷⁹ Report on Condition of Chinese Labour in the Colony, 1876.

the Kaytow and the prospective employer. However, the sinkeh was not bound to go with any employer who chose him. If he repaid his passage money,⁸⁰ he was free to go where he pleased. Moreover, the employer had no hold on the sinkeh whose services he had purchased except the sinkeh's faith and respect for custom. If the sinkeh absconded, the employer could only resort to court action. This was futile since the coolie might possess only the shirt he wore. The system, as far as the coolie was concerned, was "... the freest imaginable if no abuses take place."⁸¹

Unlike the Indian coolies, the Chinese immigrant did not need any protection after he had been in the Colony for a short while. On first arrival, he is dazed and falls prey to anti-social elements but very soon he learns. He is independent and is able to take care of himself. Soon after landing, he is admitted to the Kongsi⁸² of his seh or clan and is entitled to assistance from them and equally he is obliged to assist any member of the clan.

There were, however, some blots on the system. The government knew very little about the Chinese community which was the backbone of the colony's economy. What was known was that

⁸⁰The passage cost \$7 for those who paid in advance and \$12 for those who came on credit.

⁸¹Report on the Condition of Labour in the Colony, 1876.

⁸²Benevolent Association. It is difficult to make a clear distinction between a Kongsi and a hoe, the secret society.

a certain number arrived each year and that a certain number departed each year. But nothing was known about how long they stopped, how many returned a second time, what they thought or what they desired. Indeed, until the appointment of W.A. Pickering⁸³ as Chinese interpreter towards the end of 1871, there was no officer of any standing in the Colony who could converse with the Chinese.

The British Government and courts classified the Chinese in the Colony under Her Majesty's "all other subjects". A few applied for naturalisation but the number seldom exceeded 100 in any given year. Naturalisation was only extended to well to do Chinese traders who were married and had settled in the Colony for a period of not less than ten years and who were also owners of land, a house or property. They also had to produce character certificates from the Chief of Police or from some other person of authority. The naturalisation law was amended by Act VIII of 1867. The amended system was similar and each case was heard in the Executive

⁸³C.O. to Pickering, 26.12.1871, C.O.273/55. William Alexander Pickering was born on 9.6.1840 at Eastwood in Nottinghamshire. He was the only son in a family of eight. At 16, he went to sea as an apprentice in an East-Indiamen voyaging to the ports of Burma, Malaya and Siam. At 22, he was third-mate in a tea-clipper on the China run. However, the romance of the sea began to fade and he became an officer of the Imperial Chinese Maritime Customs at Foochow and later was in private business in Formosa. He was well versed in Hokkien and several other dialects as well as Chinese in writing. He was 31 when appointed to the Straits Government. R.N. Jackson, Pickering, Kuala Lumpur, 1965.

	1871	1872	1873	1874
From				
Amoy	2505	3725	5346	7629
Hainan	4604	4236	7224	10232
Hong Kong	1802	1973	2011	3101
Swatow	5512	5600	8325	16208
Total from China	14423	15534	22906	23794
Malacca & Penang	1932	2026	8418	9692
Netherlands Indies	159	259	1636	2655
Siam	97	107	577	479
Sarawak	30	54	352	254
Saigon	111	196	271	258
Malay Peninsula	32	50	30	15
Labuan	12	30	43	86
Burma	18	27	40	55
Japan	-	-	18	40
Sumatra	-	-	60	80
Mauritius	-	-	22	127
GRAND TOTAL	16814	18283	34373	64987

Arrival of Chinese in Singapore. Source: Report of H. Ellis, Master Attendant of Singapore, C.O.275/19.

	1871	1872	1873	1874
To				
Amoy	5780	6480	6726	4957
Hainan	3468	5184	5386	3718
Hong Kong	2312	1302	1347	1239
Swatow	6936	7776	8085	9919
Total to China	18496	20742	21544	19833
Malacca & Penang	1032	1602	6390	5727
Netherlands Indies	140	233	1436	1310
Siam	109	325	417	139
Sarawak	25	48	265	297
Saigon	97	107	259	150
Malay Peninsula	27	36	54	12
Labuan	5	14	23	32
Burma	15	21	39	29
Sumatra	-	-	48	120
Mauritius	-	-	27	140
GRAND TOTAL	19946	23146	30502	34132

Departure of Chinese from Singapore. Source: Report of H. Ellis, Master Attendant of Singapore, C.O.275/19.

Council before a certificate of naturalisation was issued.⁸⁴

To the vast majority of Chinese in the Colony, the Kong-pan-ge⁸⁵ was remote and alien. An immigrant landed by a Kaytow was quickly spirited away to a place of work. Unless he committed a crime, he seldom came into contact with a government officer. Soon after arrival, he probably joined a Secret Society, that is, if he was not already a member. Very few Chinese remained clear of the Hoes. If he was in any trouble, he went to the secretary of his society. Failing redress through this channel, he went to an influential Chinese gentleman for help. Failing this, he would go to a European resident known to be kind to the Chinese. "It never enters his head to apply to a government officer."⁸⁶

Another blot on the Chinese coolie system was the mal-practices associated with emigration from the Colony to neighbouring territories. If, for instance, a planter in Deli wanted coolies, he would contact an agent known as a coolie broker in Singapore or Penang. The latter would agree to supply the required number of coolies for sums varying from \$40 to \$50 per head. This sum was made up of an advance of \$25 or \$30 to the

⁸⁴Ord to C.O., 16.9.1867, C.O.273/12; 23.12.1868, C.O.273/22.

⁸⁵"Company" - the Chinese term for the government which has survived to the present day especially among the older generation. This term probably originated from the V.O.C.'s period of rule at Malacca.

⁸⁶Report on the Condition of Chinese Labour in the Colony, 1876.

coolie to induce him to leave, and the commission and recruiting expenses. When the system was not abused, the coolie would receive an initial advance of about \$15 to send to his family in China or to have a final fling before departure. As soon as the coolie accepted the advance, he was locked up and was allowed to go out only in the company of one of the agents. On board the ship, the final account was made. The coolie was charged \$5 for his outfit and a further \$5 for expenses. Whatever sum was left was given to him.⁸⁷

Abuses crept in when intended emigrants managed to abscond after receiving the advance. In some cases, bad characters got themselves shipped as coolies and then murdered the crew and stole the ship. Brokers sometimes incurred heavy losses. In one instance, a house containing a large number of coolies awaiting embarkation was attacked and the men were released. Unscrupulous brokers made up such losses by kidnapping and selling unwary coolies. During official inspections these victims were terrorised into pretending they were volunteers or were kept out of the way and other men took their place. In Singapore, one unsuspecting new arrival was decoyed into a house and sold three times over, the last time to a British mercantile firm.⁸⁸

⁸⁷ Ibid.

⁸⁸ Ibid.

Another bad effect of the Chinese coolie system arose as a result of importing only able-bodied men who did not bring their wives with them. This led to the growth of Chinese brothels in the Colony. Women were bought and sold in China from infancy upwards and remained slaves all their lives unless voluntarily freed or if they had secreted and saved enough money to buy their freedom. Before the girls arrived in the Colony, they had to be purchased in China. Despite the vigilance of Chinese and European officials at ports of embarkation, girls were smuggled on board ships in baskets or dressed in men's clothes. Sometimes, a ship would lay at anchor outside a harbour and take on additional passengers and women. These would be discharged before the ship entered the port of Singapore.⁸⁹

The Chinese took a tolerant view of the practice of prostitution. The people engaged in the profession were not regarded as infamous. The proprietor of a brothel was a merchant of a certain commodity. He not only hired out his goods but bought them or disposed of them whenever it was advantageous to do so.⁹⁰ Women in brothels had little liberty. Often advantage was

⁸⁹ Evidence given by Tan Seng Poh, Commission of Enquiry into Condition of Labour in the Colony, 3.11.1876, C.O.275/19.

⁹⁰ In one case, two Chinese were discovered detaining five girls in a house at Queens Road for the purpose of prostitution. Three of the girls were from Canton and two were from Kweichow. They had been abducted and sold for sums ranging from \$90 to \$100. Documents found in the house turned out to be bills of exchange and receipts for the various girls. S.T. 19.3.1870.

taken of their ignorance and they were made to sign documents acknowledging indebtedness. They had no power to make complaints against cruelty and unlawful detention. If they attempted to do so, they were invariably beaten up.

However, because of the great disparity in the sex-ratio, the brothels performed a necessary function. The only course open to the government was to introduce legislation to regulate and supervise the brothels and remove some of the evils associated with them.⁹¹ Consequently, the Contagious Diseases Ordinance of 1870 was passed.

This Ordinance which made registration of brothels and prostitutes as well as medical inspection of prostitutes compulsory at the same time provided the opportunity for the women to lodge complaints and to those desiring a change in the way of life, the means of doing so. As most brothels were connected with Secret Societies and many brothel keepers employed samsengs, the Ordinance would also allow the police to keep a check on bad characters who frequented the brothels.

However, the Ordinance was not put into effect until towards the end of 1872. In September, 1872, it was first introduced in the Chinese quarter on the right bank of the Singapore river. The initial problem was the unwillingness of Chinese women to submit themselves for medical examination. They finally gave in when

⁹¹S.T. 25.12.1869.

charges of imparting contagion were brought against prostitutes and brothel-keepers. When the scheme worked well for several weeks, it was introduced into the rest of Singapore on 1st November, 1872. The operation of the Ordinance was extended to Penang on 20th December, 1872, and to Malacca on 10th January, 1873. The overall effect of the Ordinance was to give the government some control over the Chinese community. Whilst disease amongst professional prostitutes was less, the actual number of venereal disease cases increased largely as a result of clandestine prostitution.⁹²

The sinkeh who had come to the Colony to make a quick fortune and return home, did not in fact have much opportunity to do this. The universal mode of paying coolies was the "Truck System" or "Tommy System" by which the workmen were paid in goods. If they were paid money, it was done on the understanding that they would purchase their provisions and other items of necessity from the employer. In addition to the "Truck System", by which the employers recovered most of the wages paid, there were also the "farms". These

⁹² Report on Hospitals and Asylums, enclosure in Ord to C.O., 5.10.1873, C.O.273/70. The duty of registering was carried out by H.F. Plow, the Governor's Private Secretary. He was assisted by the Colonial Surgeons and Superintendents of Police in the three settlements. C.O. to Ord, 2.4.1873, C.O.273/64. During the first few months of operation of the Ordinance in Singapore, a total of 747 brothels were registered. There were 5528 prostitutes, most of them being Chinese. Penang had 172 licenced brothels with 687 registered inmates (566 Chinese, 114 Malays and Indians and 7 Eurasians). Malacca had 19 licenced brothels with 75 prostitutes, all Chinese. Ord to C.O., 13.2.1873, C.O.273/64.

were the monopolies for selling opium, spirits and pork, and the monopoly for opening gambling houses let out by the government to leading Chinese employers. By "truck" and "farm", every effort was made by the Chinese employer to see that the coolie did not lack the opportunity to remain penniless.⁹³

The health conditions of the coolies were bad and the fatality rate from diseases, as well as the ravages of tigers, was high. In the plantations, their comforts were few. Four posts driven into the ground with a plank or bamboo floor on them covered by a mat formed the coolie's bed. The bed was his sanctuary. Here he kept his belongings and furniture - a wooden box - which occupied a corner and also served as his pillow. His tea-pot, opium-pipe and lamp were neatly arranged in the middle. Covering all this was a mosquito-net which the coolie would never do without however poor his circumstances were. Here he retired after the day's work, entertained his friends, sipped his tea and smoked his opium.⁹⁴

Coolie abuses continued and in May, 1871, a number of Chinese merchants and citizens forwarded a petition to the Governor requesting that the Government appoint an officer to superintend the new arrivals and offer them protection. A commission recommended

⁹³W.L. Blythe, op. cit., p.106.

⁹⁴W.L. Blythe, op. cit., pp.111-2.

that a system of registration of Chinese coolies should be undertaken. On arrival in the Colony, the coolie ship should be boarded by a Registering Officer accompanied by a staff of interpreters. They would take a list of all coolies present on board, their names, place of embarkation and occupation. The coolies would then be landed and kept under proper supervision until jobs were found for them. The Registrar would keep a list of employers requiring coolies. These persons would be called and the Registrar would make arrangements with them for the employment of coolies. As he left, each coolie was to be furnished with a numbered ticket showing in Chinese, the name of his employer, the place to which he was to be taken and the terms of his employment.

In May 1873, there was a further petition from the Chinese community requesting the Government to introduce legislation to prohibit the kidnapping of sinkehs, to establish a depot for registration and lodging and for the appointment of officials to visit and inspect sinkehs periodically to see that they were not oppressed. At about the same time, articles appeared in the Straits and China papers alleging shameful overcrowding of coolie ships and calling attention to other abuses.

In response to this, a bill for the better protection of Chinese immigrants was introduced into the Legislative Council. It was opposed especially strongly by the non-official members of the Council. They claimed that the evils of the system were

exaggerated and that the legislation would hinder immigration. Moreover, they felt that the proposed provisions were unworkable. Notwithstanding the protests, the Legislative Council passed the bill and it became Ordinance X of 1873. The non-official members resigned from the Legislative Council, and public meetings were held to protest against the Ordinance. The Ordinance was not brought into effect mainly because the Colonial Office felt it needed certain amendments.

In 1874, another petition was handed to the new Governor, Sir Andrew Clarke. The petitioners claimed that coolie abuses arose mainly as a result of the considerable influence the Secret Societies had over the new arrivals. They, therefore, recommended the abolition of Secret Societies. The petitioners also suggested that the Harbour and Police authorities should be empowered to board all vessels arriving with coolies and ensure that all coolies were landed in Singapore and were not shipped elsewhere unless they understood and gave assent to the terms of the employment offered. The petition also urged the government to maintain absolute freedom of immigration. It added, "At no previous time did the prosperity and progress of the Colony depend more upon an abundant supply of labour than it does now; for such labour the Colony has no resources of supply within itself; and if immigration be cut off or discouraged, enterprises of great moment that are now developing must wither and collapse."⁹⁵

⁹⁵ Quoted in Report on State of Labour, 1891.

Clarke further delayed bringing into operation Ordinance X of 1873. He felt its aims should be achieved by granting additional powers to the police or by adopting a system of registration operating in Hong Kong which in the Straits would be managed not by the government but by the Municipal Commissioners. In 1876, a committee was appointed to consider and take evidence upon the condition of Chinese labourers in the Colony. Largely as a result of the report of the committee, Ordinance II of 1877 was passed and a Chinese Protectorate was set up. W.A. Pickering, the Chinese Interpreter, was made the first Protector of Chinese. E. Karl, who had been a civil servant in the Colony since 1873, was appointed Assistant Protector and headed the Penang branch of the Protectorate.⁹⁶

Pickering proved to be a great asset to the government as adviser on all matters connected with the Chinese. He soon earned the respect of the Chinese who began to refer to the Protectorate as Pek-ki-lin.⁹⁷ No newly established government department in any Colony could have so rapidly produced such a change for the better as the Chinese Protectorate.

⁹⁶ R.N. Jackson, op. cit., p.85.

⁹⁷ It was also known as Tai Jin's office (a term of respect for officials of the Protectorate) or as Licence office since the registration of prostitutes was undertaken by the Protectorate. H.W. Firmstone, "Chinese Names of Streets and Places in Singapore and the Malay Peninsula," JMBRAS, Vol. XLII, 1905, p.145.

"The Government suddenly found itself with eyes and ears - and new teeth."⁹⁸

Secret Societies

Wherever the Chinese went in large numbers, the Secret Societies went along with them. In the Straits Settlements, the Secret Societies were largely mutual benefit and protection societies without any political motive. They were dangerous but only for the reason that each society contained a large number of lawless and unprincipled characters. Between them, the Secret Societies covered virtually the entire Chinese population of the Colony. They were the only civil government recognised by the bulk of the Chinese community. The headmen of each Society might have dealings with the government but the average Chinese did not. The Societies settled disputes among their own members by arbitration. In settling disputes between members of different Societies, the talents of samsengs were often used. This led to large scale disturbances and riots which had plagued the Colony from its early days. Wherever the Chinese settled, there was government by Secret Societies and where there were Secret Societies, there was trouble.⁹⁹

⁹⁸R.N. Jackson, op. cit., p.12.

⁹⁹W.L. Blythe, op. cit., p.107; W.A. Pickering, "Chinese Secret Societies and their Origin", JSBRAS, vol. 111, 1879, p.1.

The common ancestor of all Secret Societies was the Triad Society.¹⁰⁰ The word "Triad" came from the Chinese Sam-hap, "three united", representing Heaven, Earth and Man. When these three were in unison, a complete circle or globe of peace and harmony was produced. In the distant past, the Society was probably a system of free masonry and its object was to benefit mankind by spreading a spirit of brotherhood and by teaching Man his duty to God and to his neighbours. Its motto was, Obey Heaven and Work Righteousness.¹⁰¹ However, during the reign of the Manchus in China, the fundamental aim of the Society was political. It had become an underground resistance movement against Manchu rule. Its slogan was, "Overthrow the Ching and Restore the Ming".¹⁰² The Society was permanently outlawed in China. To be found in possession of any of the books, seals, or insignias of the Triad Society would render a person liable to decapitation" ... or subject him to a persecution to which even death would be preferable."¹⁰³

The Triad Society was first brought to the Straits Settlements by the immigrants from South China. It must have

¹⁰⁰ L. Comber, "Chinese Secret Societies in Malaya," JMBRAS, vol. XXIX, pt. 1, 1956, p.147.

¹⁰¹ W.A. Pickering, "Chinese Secret Societies and their Origins," JSBRAS, vol. I, 1878, p.65.

¹⁰² L. Comber, op. cit., p.148.

¹⁰³ W.A. Pickering, JSBRAS, vol. I, p.63.

existed from the earliest days of the Colony. Abdullah gives a vivid account of the activities of the Society in early Singapore and tells of the terror they inspired.¹⁰⁴ In the Straits, the original aims of the Society were lost sight of. Although the different societies were nominally branches of the original Society, for all practical purposes they were rivals. The rites, ceremonies and passwords which were in use were now utilised to screen the Societies' activities from the government.

In the Straits Settlements, the power of the Secret Societies increased rapidly and the Societies soon became a menace to law and order. Their activities were encouraged by the terrified and ignorant Chinese who began to pay protection money to one Society or another in order to escape extortion by rivals. Part of the money went into the pockets of the headmen. The rest was used for maintaining the samsengs, to pay legal fees, to provide funerals for the dead and for rituals and ceremonies for the living.¹⁰⁵

The rivalry between the different Secret Societies led to large scale disturbances in Singapore in 1824, 1846, 1851 and in 1854. There were also fights in Penang in 1858 and in 1865 mainly as a result of the rivalry between the Ghee Hin and the Toh Peh

¹⁰⁴ See A.H. Hill (trans.) "Hikayat Abdullah", JMBRAS, Vol. XXVIII, pt. 3, 1955, pp.180-192.

¹⁰⁵ L. Comber, op. cit., p.150.

Kong.¹⁰⁶ The Police had to be assisted by the military and European residents of Penang were made Special Constables. The disturbances were quelled. Subsequently, the Secret Societies attempted to attach themselves to rival Muslim organisations.¹⁰⁷

In July, 1867, Penang experienced a major outbreak of disturbances which lasted about a week. Through the mediation of leaders of other groups, a truce was declared. Violence broke out again when part of the military force guarding Penang had to be sent to the Nicobars to rescue European women and children captured by the natives there. Because of the introduction of a Malay element into the Secret Societies, there was a fear that the Societies would turn against the government,¹⁰⁸ and the Legislative Council quickly passed the Better Preservation of Public Peace Ordinance. The legislation enabled a district to be proclaimed as an emergency area and disarmed. It also legalised the Indian

¹⁰⁶ The Toh Peh Kong originated as a result of a quarrel between the Hokkien and Cantonese sections of Ghee Hin in Penang around 1843. The former seceded and formed the new Society, hence the bitter rivalry between the two groups. Report on the Condition of Chinese Labour, 1876.

¹⁰⁷ Ord to C.O., 19.8.1867, C.O.273/11. Two of the prominent groups which grew out of the early Muslim organisation were the Red and White Flag Societies better known as Bandera Merah and Bandera Puteh. The members were mostly bullies who were engaged by Chinese Triad Societies to perform work which the Chinese did not want brought home to them. W.G. Stirling, "The Red and White Flag Societies", JMBRAS, Vol. III, pt. 1, 1925, pp.57-60.

¹⁰⁸ Ord to C.O., 19.8.1867, C.O.273/11.

Government's practice of holding leaders of the rival factions in custody until the bands laid down their arms.¹⁰⁹

Several petitions were sent to the Governor requesting the abolition of Secret Societies. Moreover, the Secretary of State for the Colonies directed Ord not to neglect any opportunity for restraining the Chinese community's independence of the Government's authority.¹¹⁰ Whatever action the government proposed to take depended however on the report of the Commission of Enquiry into the Penang Riots.¹¹¹ The Commission's report, presented in July, 1868 and laid before the Legislative Council in October, 1868, threw much light on the activities of the Secret Societies. As a result of the recommendations of the Commission, a Select Committee was formed to prepare a bill for regulating Chinese Secret Societies.

¹⁰⁹ After the riots, the leaders of the rival groups which took part in the disturbance were made to pay \$5,000 to the family of a soldier killed, \$10,000 to the government for quelling the riots and \$60,000 as compensation to the innocent people who suffered damage to house and property. Two prominent Chinese known to be the instigators of the riots were deported. Altogether 38 persons were tried and sentenced to transportation of 7 to 21 years. The death sentence was passed on 4 Chinese. However, this was later commuted to life imprisonment by the Governor. Moreover, as a result of a number of petitions claiming that witnesses at the trial were prejudiced, 28 convicted persons had their sentences remitted. Ord to C.O., 27.4.1868, C.O.273/18; 24.6.1868, C.O.273/19; 6.1.1869, C.O.273/26.

¹¹⁰ C.O. to Ord, 18.2.1868, C.O.273/13.

¹¹¹ Members of the Commission were, Col. Man. L. Nairne, W. Scott, B. Rodyk, J. Comb, Foo Tye Sin, Lee Phee Chuan, Nina Marican, Noordin and Ong Attye. S.S. Gazette, 22.8.1867.

Since suppression was not possible, it was felt that the next best thing to do was to register the Societies, their office-bearers and members. All oaths of membership were to be prohibited.¹¹²

There were to be penalties for intimidation. Headmen were to be made responsible for the behaviour of their followers. Special registration was recommended for those classed by the police as dangerous. The bill was passed by the Legislative Council on 22nd July, 1869, and became Ordinance XIX of 1869.¹¹³

As a result of the new legislation, in Singapore 66 Chinese Secret Societies with a total membership of 28,418 were registered. 56 of these organisations were regarded as Friendly Societies, 4 were considered not dangerous at that time but potentially so and 6 with a total membership of 11,507 were classified as dangerous. At Penang, there were 6 dangerous societies with a total membership of 23,269.¹¹⁴

¹¹²Members of the Ghee Hin for instance, were bound by an oath solemnised by the killing of a white cockrel and drinking of one another's blood. The penalty for disobeying the rules of the Society was death. Report of the Commission on Penang Riots C.O.273/32.

¹¹³Ord to C.O., 20.12.1869, C.O.273/32.

¹¹⁴The registration in Malacca was incomplete. Apart from having a smaller proportion of Chinese coolies, Malacca had remained comparatively free of disturbances. Report on the State of the Chinese Community for 1873, S.S. Gazette. 30.1.1875, C.O.276/6.

	<u>Singapore</u>	<u>Penang</u>
Ghee Hin (Teochew)	1,289) 12,870
Ghee Hin (Hokkien)	3,284)
Ghee Hock	3,529	300
Hai San	1,492	400
Ghee Kee	1,128	-
Ghee Sin	785	-
Toh Peh Kong	-	5,752
Ho Seng	-	2,590
Tsun Sing	-	1,357

Membership of dangerous Secret Societies in the
Straits Settlements. Source: C.O.275/19

Further disturbances broke out in Penang on 4th March, 1871. The quarrel this time was between the Ghee Hin and the Ho Seng. The rioters fired upon a strong party of police and the military had to be called in before the riot could be quelled.¹¹⁵ Singapore, which had enjoyed relative peace for some years, was shattered by riots in October of the same year. The Straits Times wrote, "... since the riots of 1854 we have had no disturbances equalling in extent and vindictiveness those which have raged all over the town since Saturday night."¹¹⁶ The quarrel was between the Teochew and Hokkien community and this time unlike the earlier riots, the leaders of Secret Societies were not actively involved. The cause of the disturbance was trivial. A Teochew had picked the

¹¹⁵ Anson to C.O., 25.3.1871, C.O.273/45.

¹¹⁶ S.T. 23.10.1871.

pocket of a Hokkien at a Wayang performance in Philip Street in the heart of Chinatown. The Hokkien, detecting the thief, struck him. Clansmen then flocked to the support of both parties and fighting broke out.¹¹⁷ Meanwhile, the steamer Japan had arrived in Singapore with 200 Chinese passengers. When the Chinese on board the ship heard about the disturbance, they too began to fight amongst themselves. Many were beaten and some were thrown overboard.¹¹⁸

Singapore was proclaimed under Preservation of Peace Ordinance of 1870. The military was called in to assist the police, and European residents were sworn in as Special Constables. The brother of the Maharajah of Johore, Tunngu Abdul Rahman, sent thirty men who were also made Special Constables. Also, at the opportune moment, Vice-Admiral Sir Henry Kellet, Naval Commander-in-Chief of the China Station and Commander of H.M.S. Rinaldo had arrived in Singapore from St. Georges Sound in Western Australia, and the crew of the warship joined the security forces. Despite the strong force now available to the government, the riots lasted eight days and were finally quelled only with the assistance of the headmen of the clans concerned.¹¹⁹

¹¹⁷ Anson to C.O., 24.10.1871, C.O.273/51.

¹¹⁸ S.T. 23.10.1871.

¹¹⁹ Anson to C.O., 24.10.1871, C.O.273/50; Kellet's Report, 31.10.1871, C.O.273/53. After the riots, 153 men were flogged (receiving a total of 2859 lashes), 127 men were cautioned and discharged and a number of men were committed for trial. London and China Telegraph, 26.12.1871, C.O.273/51.

This disturbance showed the need for strict legislation, and the Preservation of Peace Ordinance of 1870 was amended and made perpetual. Another legislation, the Dangerous Societies Ordinance of 1869, which was intimately connected with the Preservation of Peace Ordinance, was to expire in 1873, but it too was now made perpetual. It was felt that these two ordinances would provide sufficient deterrent.¹²⁰

However, 1872 witnessed further outbreaks. A one day riot took place in Singapore on 29th October, 1872. The cause of the disturbance was the issue of a notice by the police warning the Chinese not to obstruct the streets by setting up stalls. Many Chinese earned their living as stall-holders especially selling cooked food, and the notice was interpreted as an attempt to deprive the stall-keepers of their livelihood. Samsengs took advantage of the discontent and paraded the streets pelting the police and passers-by with stones and forcing shops to close.¹²¹

Further disturbance took place in Singapore on 17th December, 1872. This time it was a quarrel between the Ghee Kee and the Ghee Hin Societies. It was claimed that the trouble was started by Lye Peng, the headman of Ghee Kee. He was known to be

¹²⁰ Ord to C.O., 4.10.1872, C.O.273/60.

¹²¹ Ord to C.O., 3.11.1872, C.O.273/61. J.W.W. Birch, the Colonial Secretary of the Straits Settlements was blamed for neglecting to issue a Chinese translation of the police notice. C.O. to Ord, 9.4.1873, C.O.273/65.

a notorious samseng who was in the habit of creating disturbances in order to give his men the opportunity to plunder. The riot was quickly suppressed and Lye Peng received a seven year jail sentence.¹²²

As a result of a petty quarrel over a coolie, fresh disturbances broke out in Singapore on 23rd December, 1872, between the Ghee Hin and Ghee Hock. A number of men were killed and several were wounded. On the 24th Singapore was proclaimed under Preservation of Peace Ordinance of 1872. Lim Seow Keng, the leader of the Ghee Hin who started the trouble was called under Section 5 of Dangerous Societies Act to provide ample security against infringement of any of the provisions of the law. Peace was restored by the police without any assistance from the military.¹²³ The year closed with a minor riot at Tanjong Pagar Docks. The fight was between Macao shipwrights and Hokkien coal heavers, and one man was killed. The police moved in quickly and arrested eighteen ring-leaders, all of whom were sentenced to jail.¹²⁴ The new year saw further riots in Singapore. However, these were small in nature and the police were able to move in quickly and suppress them.¹²⁵

¹²² Report on the Riots of 1872, C.O.273/65.

¹²³ Ibid.

¹²⁴ The fight broke out when a Macao shipwright carrying a log of wood accidentally knocked two Hokkien coal-heavers into the water. Ord to C.O., 27.3.73, C.O.273/64.

¹²⁵ Ord to C.O., 18.1.1873, C.O.273/65.

Despite these small incidents, there was a marked improvement in the general behaviour of the Chinese community. The two ordinances referred to above allowed the police to keep constant vigilance on the kongsis and assisted very much in keeping the lawless under control. It was almost impossible for a large disturbance to break out without the police having some warning of it and some idea of the nature it would assume. The Chief of Police made it his duty to keep in contact with the leading Chinese so that he was aware of differences arising between the different kongsis. This, however, did not apply to small incidents.

By 1873, the police were unquestionably in control of the situation and military assistance was no longer needed. One Secret Society even issued instructions to its members not to commit breaches of the law which would bring the kongsi under police surveillance. Also, in the event of a riot, it became customary for the Chief of Police to appoint leading Chinese as Special Constables so that they could bring influence to bear on their men. One leader found it difficult to perform his duties to the kongsi and at the same time meet the requirements of the law. He therefore left his business and went on a long vacation to China.

With the exception of the samsengs, the majority of the Chinese were amenable if their grievances were noticed and quickly

¹²⁶Ord to C.O., 27.3.1873, C.O.273/64.

redressed. The Chinese were also now better acquainted with the government, since every rule and ordinance was fully explained to them by means of placards widely distributed in the Chinese language.

Things were, however, different in the tin-rich Malay States. Here the situation verged on anarchy. Often, the rivalry between Chinese Kongsis became involved with the quarrel between rival Malay rajahs. The worst area was Larut where the de facto ruler, Ngah Ibrahim, the Mantri of Larut, aggravated the situation by taking sides with one or the other of the Kongsis fighting there. Penang was the headquarters of these Kongsis. Feelings ran high as details of the fighting reached Penang. However, as long as the Colonial Office maintained its policy of non-intervention in the affairs of the Malay States, the Straits Government could do very little other than give good advice to the Mantri of Larut and prevent, as far as possible, expeditions and arms leaving for the ports of Perak. In August, 1873, the violence in Larut spread to Penang where the Mantri's house was attacked and a constable was killed. Fortunately, a major riot was prevented largely as a result of the precautions taken by the police.¹²⁷

¹²⁷Report on the Chinese Community, 1873.

The new Governor, Sir Andrew Clarke, brought with him orders which enabled him to intervene in the affairs of the Western Malay States. One of the issues settled by British intervention in Perak was the quarrel between the rival Chinese factions in Larut.¹²⁸ This did have a beneficial effect on the peace and order of Penang.

As far as the Chinese societies in the Colony was concerned, the next major event was the passing of Ordinance II of 1877, by which the Chinese Protectorate was established. From the beginning it was made clear to the Chinese that the Protectorate was there not only to settle quarrels between individuals but also to resolve disputes between Kongsis. Soon, the Protectorate was effective enough to take the place of the Secret Societies in offering some protection to individuals. However, the Protectorate could not replace the Secret Societies entirely. Nor did the Secret Societies lose a great deal of their influence among the Chinese.

Since the riots of 1867, there had been a general clamour to abolish the Secret Societies altogether.¹²⁹ However, it was only in 1890 that the Secret Societies were finally made illegal and required to disband. But the Societies merely went underground.

¹²⁸ Pangkor Engagement, January 20, 1874.

¹²⁹ Clarke to C.O., 29.4.1875, C.O.273/80.

Though constantly harassed by the police, the Secret Societies have managed to continue their activities up to today, in Singapore as well as in the major cities of Malaysia.

CHAPTER FIVE

EDUCATIONAL, WELFARE AND PENAL INSTITUTIONS

Education in the Straits Settlements, especially Western type education, owed a great debt to the various Christian missionary bodies. It is true that, as early as 1823, Raffles had plans to make Singapore the intellectual centre of the Malay Archipelago. But, his ideas remained a dream. The local government showed little inclination to provide adequate educational facilities for the Settlements. Occasionally an officer of the government would make a statement which had the appearance of official policy. Overall, the government's attitude to education was vague and its policy was nebulous. As elsewhere in the colonial world, the missionary bodies took the initiative in establishing schools in the Straits Settlements. The English schools they started had the noble aim of affording intellectual and moral enrichment to the local populace. In practice, the schools tended to be factories for the production of half-literate clerks for the government and the mercantile houses.

The earliest western-type school in the Straits Settlements was the Penang Free School. It was established largely through

the efforts of Rev. R.S. Hutchings, the Chaplain of Penang, who raised donations from the public and obtained a grant from the government to found the school in October, 1816.¹ It was basically a Protestant school dependent on government grant and public subscriptions. The school was managed by a committee of government officials and representatives elected by the subscribers. The original aim of the school was to provide instructions in English as well as to have classes in Chinese, Malay and Tamil. However, the Vernacular classes closed down as demand dwindled and the school remained exclusively an English school concentrating on the three "Rs". In 1817, a girls' department was started but was discontinued in 1851 due to poor response. In 1866, the school had an enrolment of 242 boys and received a government grant of Rs.880 per annum. Seventy-five percent of the pupils were Chinese.

A second school, the Anglo-Chinese College at Malacca, was started in November, 1818. The founder of the school was the well known missionary and Chinese scholar, the Rev. Morrison, who gave a donation of £1,000 when the school was started and an annual donation of £100 subsequently. The government provided a grant of Rs.1200 per annum. Attached to the college was a press and a library stocked with English and Chinese books. The objects of the college were "... the reciprocal cultivation of Chinese and European

¹J. Mackay, Acting Colonial Chaplain, Memo on Schools in Penang, 20.2.1868, C.O.273/25.

literature and the diffusion of Christianity."² The management committee included the treasurer and secretary of the London Missionary Society since it was this body which sponsored the school. The Mission also supported several Malay, Chinese and Tamil schools.³

The Malacca Free School was established in January, 1819 under the patronage of the Dutch Governor, Thyssen, and was administered by a committee. The aim of the school was the teaching of the three "Rs" in both Dutch and Malay. When Malacca was transferred to the British in 1825, English replaced Dutch as a medium of instruction. The school received an annual government grant of Rs.1200. In 1835, the school had only 43 pupils.⁴ By 1866, the enrolment had risen to 265 and the government grant had been increased to Rs.3960 per annum.

The Singapore Institute was established by Raffles in 1823, "... with the professed object of being a university with affiliated colleges."⁵ It was proposed that the Anglo-Chinese College at Malacca be transferred to Singapore and become an affiliate College. Also a Malay College was to be established to educate the sons of

²T.J. Newbold, British Settlements in the Straits of Malacca, Vol. 1, London 1839, reprinted 1971, pp.181-2.

³T.J. Newbold, op. cit., pp.185-6.

⁴T.J. Newbold, op. cit., pp.180-1.

⁵Attorney-General's Report on the Singapore Institute, 8.8.1868, C.O.273/22.

local inhabitants, to afford instruction in local languages to government officials and to collect and publish the scattered literature of the country. It was envisaged that the Institute would have three departments, viz.

- (a) a scientific department for the common use of the colleges to be established,
- (b) a literary and moral department for the Chinese to be afforded by the Anglo-Chinese College, and
- (c) a literary and moral department for Malays, Siamese and others to be provided by the proposed Malay College.

As a result of a public meeting held in Singapore, a sum of \$17,495 was realised. The government promised a monthly grant of \$300 and 545 acres of land in three different sites. But Raffles' vision proved to be only a dream, since the scheme lost the support of the public when he left Singapore. Moreover, not very much later, the Rev. Morrison removed his Anglo-Chinese College to Hong Kong. Work did start on a building sometime in 1823 but three years later the building was abandoned in an unfinished state because funds were depleted. In 1836, a sum of \$1800 was collected to erect a monument to Raffles who had died on 5th July, 1826, and this money was used to complete the building. In 1838, the Committee of Management of Free Schools and the Trustees of the Institute came to an agreement whereby the building would be used as a Free School until such time as the Trustees could raise

enough money to carry out the original intentions of Raffles. In 1839, the School Committee handed over its funds to the Trustees, requesting them to appoint a management committee annually from their body. This arrangement continued until 1846. In that year, at a general meeting of subscribers to the School, it was resolved to regain control of the funds. Moreover, the Trustees of the Institute were persuaded to hand over, for the purpose of the school, rents collected from the Institute's lands.

Subsequently, matters got into such confusion that in 1859 a suit was filed in court. The court ordered the appointment of new trustees and instructed them to establish, in addition to the existing English school, a Malay and a Chinese preparatory school to be gradually developed into colleges. This did not eventuate, and the Institute remained essentially an English school. Although there were Malay and Chinese classes, these did not go beyond reading and writing the language.⁶

In 1866, the Institute (now known as Raffles Institution) had an enrolment of 378 boys and received a government grant of Rs.5472 per annum. A girls' department was started in 1844 with eleven girls. This number gradually increased and in 1866 there were 63 girls. No specific government grant was given for the girls' department, which existed mainly on public subscriptions and school fees ranging from twenty-five cents to two dollars

⁶Ibid.

per month.⁷

Roman Catholic missionaries had been active in the field of education at Malacca during the Portuguese period, but their activities were curtailed during Dutch occupation of the settlement. In 1825, Catholic missionaries established the Christian Brothers' Boys' School at George Town in Penang. After this, no new schools were established either by Catholic or Protestant missionaries until the 1850s. The only exception was B.P. Keasberry of the London Missionary Society's work for the cause of education among Malays in Singapore:⁸ in 1840, he founded the Malay Mission School at River Valley Road in Singapore.

The first Roman Catholic School in Singapore was established in 1852 largely through the effort of the French priest, Father Beurel. In 1848, he had launched a public appeal which brought \$1352. He supplemented this with his own income to start the school which later came to be known as St. Joseph's Institution.⁹ It was also through Father Beurel's effort that the Malabar School at Waterloo Street and the school and orphanage at Victoria Street

⁷Return of Schools, 1865/6, enclosure in Protheroe to India, 18.10.1866, C.O.273/9.

⁸C.M. Turnbull, op. cit., p.227.

⁹By 1869, Fr. Beurel had contributed \$35,000 from his own private means and had raised another \$21,000 for educational and charitable purposes in the Colony. Beurel to Ord, 17.2.1869, C.O.273/27.

were established in 1854. The latter, known as the Good Shepherd School and Orphanage, was managed by the Sisters of the Holy Infant Jesus. In 1866, the School had an enrolment of 180 girls and received an annual government grant of Rs.880.

Catholic missionaries had also established a similar institution, St. Maurs, at Penang in 1852.¹⁰ In 1866, St. Maurs School had an enrolment of 150 girls and received a government grant of Rs.880. There was a Catholic College at Pulau Tikus in Penang which had nothing to do with the Settlement except for the fact that it was located there. The college was run by the French Society for the Propagation of the Faith and was conducted by French priests. The Society brought to the seminary about one hundred Annamese, Chinese and Burmese youths to be trained as teachers and priests in other countries.¹¹

"Apart from the individual efforts of Keasberry and Beurel, there was very little cause for pride in the field of education in the Straits in the mid-1850s."¹² The missionary societies had shifted their interest to China, and the Straits government continued in its apathy towards education. In 1854,

¹⁰The two institutions were subsequently known as the Convent of the Holy Infant Jesus or merely as the "Convent".

¹¹G.W.R. Campbell, Report on Penang for 1872, P.P.H of C. Vol. XLIV of 1874.

¹²C.M. Turnbull, op. cit., p.228.

the Company changed its policy of education. The new policy provided for the promotion of higher education, the extension of vernacular education and the offer of government grants to match private donations. However, it was difficult to implement this policy in the Straits, where there was no institution of higher learning. Moreover, in a multi-racial society the extension of vernacular teaching was a complicated matter. The principle of parity of government grants and private subscriptions threatened the Christian mission schools. The mission schools were free charity schools and Calcutta insisted that "Purely charity schools should be left to pure charity".¹³ Governor Blundell's support of the Company's policy brought him into conflict with the European community in the Straits. They felt that the task of providing charity, including education, fell on a small minority, the mass of the inhabitants being poor. Moreover, the European community felt that English and not Malay should be the lingua franca of the Straits Settlements.¹⁴

In 1862, Governor Cavanagh's proposals to leave town schools as they were and to set up new schools in rural areas providing Western education through the medium of Malay was approved by Calcutta. Consequently, in 1863, eight Malay schools

¹³Quoted in C.M. Turnbull, op. cit., p.229.

¹⁴C.M. Turnbull, op. cit., pp.229-30.

were established at Malacca, in 1864 a Malay school was started at Permatang in Province Wellesley and in 1865 a Malay school was established at Alor Gajah in Malacca.¹⁵ The establishment of small Malay schools did not contribute much to the spread of education among the Malays, since they were neither well attended nor well conducted. In 1866, 382 boys attended the nine Malay schools at Malacca. In 1868, there were only 309 boys and 7 girls in these schools.¹⁶

Although the Straits Settlements had a large Chinese population, Chinese schools were few. There was a Chinese Boys' School at Havelock Road in Singapore and Chinese classes were also held at Raffles Institution. In Malacca and Penang there were a few Chinese schools managed and financed entirely by the Chinese community. English education too benefitted only a tiny minority. In 1866, there were only 1292 boys attending English schools, the majority being Chinese.¹⁷ Education was rudimentary and the graduates could not aspire to any position higher than that of a clerk.

The neglect of education continued during the early years of Colonial Office rule in the Straits Settlements. At Penang,

¹⁵Return of Schools, 1865/6. In 1864, a Tamil school was also started at Tranquerah in Malacca.

¹⁶Return of Schools, 1865/6; Report on the Blue Book for 1868,
P.P. H of C. Vol. XLIX of 1870.

¹⁷Ibid.

the whole educational establishment consisted of the Free School, Christian Brothers' Boys' School (St. Xavier's Institution), St. Maur's School and Orphanage and a few small vernacular schools.¹⁸

The Penang Free School showed a steady increase in enrolment from 250 boys in 1867 to 348 in 1871, 372 in 1872 and 419 in 1873. The school was "free" only in the sense that it was open to all creeds. It was very popular with the Chinese and had a few Eurasians, Klings and a sprinkling of European boys. The school was supported by school fees, voluntary contributions and an annual government grant of \$1200. The school fees ranged from twenty five cents to a dollar per month.

The Catholic community at Penang, which was neither large nor wealthy, had the best record in education and charity in that settlement. The leading Catholic school for boys was the Christian Brother's School, St. Xavier's Institution. This school too showed an increase in enrolment from 150 boys in 1867 to 204 boys in 1872. The great majority of the pupils were Catholic Eurasians. Education was free. The annual government grant amounted to \$900, and the rest of the expenditure was met by the Catholic community. The boys read English well but spoke with a foreign accent since they were taught by French Brothers.

¹⁸The mission school of Plymouth Brethren which had existed for some years was abandoned in 1867. Anson, Report on Penang for 1867, P.P. H of C. Vol. XLIII of 1868-9.

The education of girls in Penang was catered for by St. Maur's School. Attached to the school was an orphanage for girls and women. It was run by nine sisters of the Order of the Holy Infant Jesus presided over by the Rev. Mother St. Appollinaire. The institution received an annual government grant of \$1000. The rest of the expenditure was from fees collected from those who could afford to pay, alms from France and profits from the sale of the millinery and needlework of both girls and teachers. The institution had an average of 200 females of all ages, from infants to grown-up women. The Convent performed good work, sending out into the world girls who apparently became excellent wives and mothers. Chinese men who had become successful farmers in Province Wellesley, were particularly given to seeking their wives from the orphanage. The girls saw little of the men before marriage but the union generally turned out happily. These girls made frequent visits to their old home bringing the Reverend Mother little presents and showing her their children.¹⁹

The Catholic Mission also maintained smaller schools at Pulau Tikus and Balek Pulau. English was the medium of instruction at the Boys' school at Pulau Tikus. The Boys' school at Balek Pulau was essentially a Chinese vernacular school. The girls' schools at both places were Malay schools where the language was

¹⁹Report on Penang for 1872.

taught using Roman script. A small Christian Tamil school was also established at George Town by the Chaplain of Penang.

There were Malay vernacular schools established by the Government at Glugor in Penang and at Bukit Tambun and Permatang Pow in Province Wellesley. The school at Permatang Pow was closed down in 1868. In 1871, however, the Acting Lieutenant Governor of Penang, A. Birch, revived this school and established new schools in Province Wellesley. He hoped to introduce into these schools a little instruction in Malay in addition to the existing parrot-like learning of Arabic texts. In 1872, government grants to these schools were increased from \$500 to \$1200 and the principle of paying teaching by results was introduced.²⁰

In Malacca, the Free School remained the leading school over this period. It was very popular with the Chinese who were also liberal contributors to the school fund. Many Catholics attended the school, since the Catholic schools in that settlement catered mainly for small children and infants. There were in all five small Catholic schools in Malacca, four of which received government grants totalling \$343 per annum. These were, St. Francis Free (average enrolment of 25 boys), Telok Ilir Girls' Free (average enrolment of 50 girls, the youngest class being taught only Portuguese), St. Mary's Boys (average enrolment of 18 boys) and St. Mary's Girls (average enrolment of 10 girls).

²⁰ Ibid.

The remaining Catholic school was attached to the church established by the Jakun Mission of the Christian Fathers at Ayer Salak. The Mission managed to bring education to the aborigines, some of whom were converted to Christianity. The founder of the School and the "church in the wilderness" was the French missionary, Father Borie.²¹

There were nine Malay vernacular schools in the settlement, totally dependent on government grants, which ranged from \$72 to \$96 per annum. The schools were badly conducted and attendance was poor. Members of the Police Force were required to attend Malay Schools in the hope that they would learn to read and write. A small Tamil School was established at Tranquerah (average enrolment of 20). There was also a Protestant Girls' School receiving financial support from the Government and the London Mission. In 1867, the school was closed down due to bad management but was revived in 1869 when a new headmistress was appointed. In addition to these, there were a few private schools whose number varied from year to year. They received no government support and were not connected to any religious body.²²

At Singapore, the educational establishment consisted of:

²¹ Report on Malacca for 1867-1871, P.P. H of C, Vol. XLIII of 1868-9, Vol. XLIX of 1870, Vol. XLVII of 1871, Vol. XLVIII of 1873 and Vol. XLIV of 1874.

²² Ibid.

(a) Raffles Institution. The day school was free but those who could afford to, paid school fees ranging from twenty-five cents to one dollar per month. There were also a few boarders who paid between two dollars and six dollars per month. Some boarders were maintained at the expense of the Trustees. The school received a government grant of \$2502 per month.²²

(b) Good Shepherd Public School (St. Joseph's Institution) receiving a government grant of \$500 per annum.

(c) Good Shepherd School and Orphanage (the Convent) receiving a government grant of \$400. The heavy expense of running this institution was largely covered by the private industry of the Sisters and their charges.

(d) Good Shepherd Free at Waterloo Street for Malabari boys, and the Free School at Queen Street for Chinese boys. Both these Catholic Schools also maintained a few orphans. The Government grant was \$100 per annum.

(e) Kampong Glam Free and Telok Blangah Free. The boys in both these schools were taught in English and Malay. The Government grants were \$18 and \$10 respectively, and the Maharajah of Johore gave an annual donation equalling the government grant.

(f) The Malay Mission's Boys' School and Girls' School. The pupils were taught in both English and Malay. The curriculum

²²The school also had a girls' department which subsequently became a separate establishment - Raffles' Girls' School.

for boys was similar to that of public schools in England. In addition, the boys were also taught type-setting, book-binding and lithography. The girls in the school were taught reading, writing, arithmetic, geography and sewing. These schools received a generous government grant of \$2000 per annum.

(g) The Tamil School at Prinsep Street, sponsored by the Ladies' Bible Tract Society, and the Chinese Boys' School at Prinsep Street. Each of these schools received an annual government grant of \$80.²³

All schools in the Straits Settlements were divided into two categories, viz. Middle Class and Lower Class. Only five schools belonged to the first category. These were the Raffles Institution (Boys' Department), Penang Free School, Malacca Free School, St. Joseph's Institution and St. Xavier's Institution. The government awarded eight scholarships every year - two senior scholarships of \$6 per month and six junior scholarships worth \$4 per month for a year. Scholars were chosen through a competitive examination held at the Colonial Secretary's Office in Singapore and at the Office of the Lieutenant Governor in Penang and Malacca. Candidates were examined in English grammar, arithmetic, geometry, algebra, English composition, dictation, English history, geography

²³S.S. Blue Book for 1868.

natural philosophy, ancient history and astronomy.²⁴

Apart from the award of these small scholarships and the giving of grants to schools, the government did very little to promote education in the Straits Settlements. It is true that some emphasis was placed on Malay education in rural areas. However, the government's efforts even in this field amounted only to maintenance of schools built during Indian Office rule, provision of books and slates for pupils and the payment of teachers' salaries.

The Malay Schools, as a rule, were disappointing. Many of the teachers in these schools were Hajis who were themselves said to be "... sadly in want of light."²⁵ The large number of assemblages of Malay children hardly deserved the name schools since, often instruction degenerated to mere intoning of portions of the Koran in Arabic, "... neither teacher nor the taught understanding one word they repeat."²⁶

Suitable teachers could not be recruited from overseas since they were not acquainted with the Malay language. Nor could teachers be recruited locally since few Malay youths learnt to read

²⁴Annual Return of Schools. Lt. Col. MacPherson to India, 23.8.1865, C.O.273/9. English history covered the period from George I to passing of the Reform Bill. Geography placed heavy emphasis on the physical, political and commercial geography of Europe. S.S. Government Gazette, 23.11.1877, C.O.276/8.

²⁵Capt. Playfair, Report on Malacca for 1867.

²⁶W.R. Campbell, Report on Penang for 1872.

or write correctly. The mere reciting of thirty chapters of the Koran was considered sufficient for a man's interest in the next world and the temporal advantage of learning were hardly felt. Once a youth had learned to recite the Koran and write a simple letter, he was generally taken away from the school to be married or to help in the field "... and from that moment literature and he had parted company forever."²⁷ The Lieutenant Governors of Penang and Malacca tried to inject some quality into the instruction by introducing the system of paying salaries according to results. This led to the closure of schools in some areas and the opening of schools in others. The grant voted for vernacular schools was thus expended but there was little improvement in the standard of instruction.

As far as the other schools were concerned, there appeared to be no logical criterion used in determining the size of grants offered. Generally, the Protestant schools were favoured. Raffles Institution with an enrolment of 282 received a grant of \$3000; Penang Free School with 233 pupils received \$1200; Malacca Free School with 229 pupils received \$1800. The Protestant Mission's Boys' and Girls' schools at Singapore with a total enrolment of only 57 pupils received a generous government grant of \$2000 per annum. On the other hand, the Christian Brothers' School at

²⁷ Capt. Playfair, Report on Malacca for 1867.

Singapore with an enrolment of 215 pupils received a government grant of only \$500. The school also maintained destitute children and provided free education to those who could not afford school fees. The school had to depend heavily on the Catholic community in Singapore which was neither large nor wealthy. Despite its advantages, the School proved to be one of the best in the Colony.²⁸ The same thing could be said about the Christian Brothers' School at Penang.

The Sister Schools both at Penang and Singapore too deserved bigger grants. In 1868, the Good Shepherd School at Singapore with 225 girls and St. Maur's School at Penang with 171 girls received only \$400 each. "Were the government subsidy to be proportional to the amount of good they do, then these two establishments would come in largely for its bounty."²⁹ There was, therefore, a need to deal with education systematically, and the Legislative Council appointed a Select Committee to report on education in the Straits Settlements. The Committee submitted its report in November, 1869 but it was not presented to the Legislative Council for several months. The Lieutenant-Governors

²⁸ S.T. 6.11.1869. The Headmaster of the Raffles Institution was rather perturbed when a number of his advanced pupils transferred to the Christian Brothers' School. Attorney-General's minute on Report of the Select Committee on Education, enclosure in Anson to C.O., 21.11.1871, C.O.273/51.

²⁹ S.T. 6.11.1869.

of Penang and Malacca urged that the recommendations of the committee be embodied in legislation³⁰ and even the Colonial Office was keen to know what action had been taken on the committee's report.³¹ On the other hand, the public was apathetic. The Straits Times wrote, "It is to be regretted that the subject of education which is just now attracting considerable attention in official quarters, does not possess more interest for the public mind."³²

Public disinterest in educational improvements can be explained. It was pointed out above why Malay youths did not stay in schools for long. Non-Malay schools were largely patronised by the Chinese, Eurasians and a few Indians, the majority of the pupils coming from working class families and being removed from school as soon as they were capable of earning a paltry sum to supplement the family income. A few lads stayed on in schools to receive sufficient education to qualify for appointment as clerks in government departments and mercantile houses or be suitably qualified to conduct the family business in English. It is true that there was a sprinkling of European boys in the Free Schools. But theirs was a temporary sojourn until their families made

³⁰ A. Birch, Report on Penang for 1871, Report on Malacca for 1870.
P.P. H of C, Vol. XLVIII of 1873.

³¹ C.O. to Anson, 15.8.1871, C.O.273/51.

³² S.T. 7.5.1870.

arrangements for them to receive proper education in England.

The delay in presenting the report to the Legislative Council was largely due to the great diversity of opinion expressed by members of the Select Committee. Moreover, since education had not been dealt with in any systematic manner, the management committees of Free Schools in each settlement as well as the heads of Roman Catholic Schools had acted independently according to their own views on the subject of education.³³

The government had two options. It could begin de novo and thoroughly re-organise existing establishments or take existing schools as they were and by a gradual process endeavour to place them on a more satisfactory and improved basis. The committee favoured the latter. Increased grants to schools were recommended. It was felt that a Director of Education should be appointed, to work in unison with an Education Committee in each settlement. Schools unwilling to allow government inspection would receive no grants and those receiving grants should be open to all religions, creeds and races. Moreover, the curriculum should be purely secular, religious instruction being confined only to voluntary classes.³⁴

When the Select Committee's report was published, memoranda were received from the non-official members, Adamson and

³³ Anson to C.O., 21.11.1871, C.O.273/51.

³⁴ Report of the Select Committee on Education, 2.11.1869, enclosure in Anson to C.O., 21.11.1871, C.O.273/51.

Thomas Scott as well as from the Attorney-General and J.W.W. Birch, the Colonial Secretary. Differences of opinion were expressed with regard to the nature of the education system to be adopted, the criterion for giving grants, the nature of the curriculum and the method of recruiting teachers. While acknowledging the need for government supervision, no agreement was reached as to how this should be done. Should there be a Directorate of Education or only an Inspector of Schools? If it was decided to appoint an Inspector of Schools, who should this person be? Should he be the headmaster of the Raffles Institution or the headmasters of the leading Free Schools in each settlement or some official completely outside the existing school system? J.W.W. Birch condemned school management committees on the grounds that they had failed miserably in Ceylon. He also advocated strongly the establishment of Tamil schools in Singapore and Penang and was prepared to assist any official in looking after these schools.³⁵ There was also the question as to whether the Free Schools should be considered as government institutions. The Attorney-General took great pains to explain, on points of law, why they could not be so regarded.

³⁵ J.W.W. Birch had served in Ceylon for several years and had developed a fondness for Ceylon Tamils. As Colonial Secretary of the Straits Settlements and later as Resident of Perak, he was responsible for recruiting the first batch of subordinate staff from Ceylon. These men came to be known as the "Birch Boys".

The report of the Select Committee, together with various opinions on it, was eventually brought before the Legislative Council on 15th October, 1872. When presenting the papers, Ord told members of the council that to operate any system of education "... the first step, the very ABC of the thing, is that the government should possess some person upon whom they can rely for information on the question as to what sums should be granted for the purposes of education and how those sums are to be expended. We have at present no answer to these questions, and information upon which to act."³⁶

There was considerable discussion in the Legislative Council as to the nature of the schools and the mode in which education should be conducted. However, the members realised that no satisfactory conclusion could be arrived at until more information was obtained. Consequently, they agreed to the appointment of an Inspector of Schools.³⁷ The officer's first duty was to inspect all existing schools, report on conditions, examine districts where no proper schools existed and report on the manner and extent in which education should be extended to these localities. It would also be the Inspector's duty to watch carefully and inform the government on the progress of education in the Colony.

³⁶Proceedings of the Legislative Council, 15.10.1872, enclosure in Ord to C.O., 26.12.1872, C.O.273/62.

³⁷Ibid.

A.M. Skinner, who was then the Sheriff of Singapore and had been for some time acting Police Magistrate of Province Wellesley, was appointed Inspector of Schools on a salary of £400 per annum.³⁸ The creation of the post of Inspector of Schools was the beginning of an Education Department in the Colony.

Hospitals and Asylums

The government's involvement in providing education had been minimal. However, even greater apathy was shown in the provision of proper medical facilities to the general populace as well as in caring for the sick, the infirm and the poor. All hospitals in the Straits Settlements were unsatisfactory mainly because no written regulations were provided for their management and all nurses employed were convicts.³⁹ Moreover, there were no surgeons or physicians in constant attendance. According to the existing system, the surgeons in charge of hospitals were allowed to practise privately in compensation for the low salaries they were paid. Consequently, their hospital work was not the most time-consuming part of their duties. They were quite content with making flying visits at stated hours and leaving actual working control in the hands of subordinates.⁴⁰

³⁸Ord to C.O., 26.11.1872; C.O. to Ord, 18.2.1873, C.O.273/62.

³⁹C.O. minute on Ord to C.O., 5.6.1868, C.O.273/19.

⁴⁰S.T. 17.9.1870.

The hospitals in Singapore were in separate buildings. These were the General Hospital, the largest in the Colony and representing half the total hospital accommodation, the Convict Hospital and the Jail Hospital. The General Hospital also accommodated a lunatic asylum. The Jail Hospital had no indoor baths, but nevertheless, it and the General and Convict Hospital appeared to be comparatively efficient. On the other hand, the lunatic asylum was in a dreadful state. It consisted of four large rooms each capable of taking 25 patients and 14 cells. The attendants, who were all convicts, were anxious to keep many inmates in cells in order to save themselves trouble. Sometimes they used methods of restraints such as tying to beds and handcuffing. The books kept at the asylum contained only the barest information, such as admission, discharge or death.⁴¹

At Penang, the General Hospital was situated at an inconvenient distance from the town for treatment of bad cases of sickness or accidents requiring immediate attention. It was in a deplorable state. Actual management of the institution was in the hands of nurses who were convicts, and who probably spoke a language different from the language of most of the patients. The surgeon who was to supervise them had his own private practice as well as the task of supervising more than half a dozen other medical

⁴¹C.O. minute on Ord to C.O., 5.6.1868, C.O.273/19.

institutions in Penang and Province Wellesley.⁴² Space in the hospital was insufficient and the death rate was three times higher than in any other hospital.

Penang also had a lunatic asylum whose construction "... might be more properly be designated a cage."⁴³ The actual management of the asylum was in the hands of the cook who had two convict assistants. Only inmates trusted not to run away were allowed out between the hours of 6 a.m. and 10 a.m. and between the hours of 3 p.m. and 6 p.m. to be employed in gardening, cooking and fetching water from the hill. Others were locked up in the ward daily, all day long and every day of the year. Troublesome patients were restrained by handcuffs or stocks. The cook used his discretion as to who should be thus restrained. No record of restraints was kept.⁴⁴

There were three Gaol Hospitals in Penang. The Colonial Jail Hospital was small and had a daily average of less than ten patients. The House of Correction Jail hospital consisted of one room which was poorly ventilated. The room was too small,

⁴²His duties were somewhat lightened when an Assistant Colonial Surgeon was appointed to Butterworth in 1869. Ord to C.O., 29.7.1870, C.O.273/39.

⁴³Report on Penang for 1867.

⁴⁴C.O. comments on Colonial Surgeon's report, enclosure in Ord to C.O., 21.6.1869, C.O.273/27.

giving patients less than 600 cubic feet of space per head. The House of Correction Jail adjoined the Convict Jail hospital. A tidal ditch ran at the back of both these buildings. The latrines of both hospitals were next to the cook-room.⁴⁵ Penang also had a Leper Hospital which was built between 1865 and 1867, entirely from the contributions of the Chinese Community. The hospital was situated in a malaria infested island, Palau Jerajah, eight miles away from the town jetty. The institution had a daily average of 30 patients.⁴⁶

In Province Wellesley, there was a small General Hospital at Butterworth. This hospital required alterations and extensions. Planters complained about the expense and inconvenience of sending sick labourers to Butterworth or Penang, and in 1869, with the concurrence of the Governor, they set up a hospital at their own expense at Val D'Or in Southern Province Wellesley. The hospital was placed under the charge of the newly appointed surgeon at Butterworth. This arrangement saved the government some expense.⁴⁷ The state of the hospital was average, being neither good nor bad.

The General Hospital at Malacca was a pauper hospital or poor-house although it received police personnel as well. A

⁴⁵C.O. minute to Ord to C.O., 5.6.1868, C.O.273/19.

⁴⁶Report on Penang for 1971.

⁴⁷Ord to C.O., 29.7.1870, C.O.273/39.

Leper Hospital was established on an off-shore island, Pulau Serimbon. Both hospitals were supported by charity and government grant. However, government assistance was small. For instance, the annual grant to the General Hospital was only \$45. Although Malacca had a large Malay population, most of the patients were Chinese. The Malays were very much prejudiced against going to hospitals.⁴⁸

Pauperism was one of the continuing problems facing the Colony. "The annual influx of penniless Chinese, the fluctuations of demand for labour and the high rate of sickness threw many immigrants on to the streets ..."⁴⁹ Moreover, when a Chinese coolie in the Malay States became incapacitated from further work in mines and elsewhere, it became customary to ship him to the Colony to exist as best as he could on charity.⁵⁰

In 1844, Tan Tock Seng, a wealthy Chinese merchant in Singapore erected a hospital for paupers.⁵¹ Strictly speaking, it was not a hospital but a poor-house. It was open to destitutes of all nationalities but more than ninety-five per cent were Chinese. The government supplied medical aid and medicine whilst

⁴⁸ Report on Malacca for 1869. Malacca also had a separate hospital of two wards for convicts. Ibid.

⁴⁹ C.M. Turnbull, op. cit., p.213.

⁵⁰ Report on Penang for 1871.

⁵¹ The hospital was originally situated at Pearl's Hill. In 1860 it was moved to Serangoon Road when the military wanted the first site for their offices. A. Knight, "Tan Tock Seng's Hospital", JSBRAS, Vol. LXIV, 1913, p.72.

the "Poor Fund" raised by subscriptions provided food, clothing and certain medical comforts ordered by the Medical Officer. The institution was a single large building containing four wards with a capacity of 196 patients. There was also a leper-shed a quarter of a mile away with accommodation for 36 inmates. Both buildings were inadequate for meeting the existing demand.⁵²

The poor-house at Penang was under the Anti-Mendicity Society and was maintained through public subscriptions and certain charitable bequests held in trust by the Supreme Court. The building was capable of accommodating 80 persons. However, by 1871, the committee of management was forced to restrict the number to 35 largely as a result of fall off in subscriptions.⁵³ As mentioned earlier, the General Hospital at Malacca was in fact a pauper hospital.

Conditions in the hospitals and especially in the pauper establishments were the subject of much correspondence between Singapore and London. The Colonial Office regarded the state of pauper establishments as bad and felt that it should not be allowed to continue. Ord was instructed to take vigorous and

⁵² Annual Medical Report on Civil Hospitals, 1871, C.O.273/59.

⁵³ Report on Penang for 1871.

immediate action to effect improvements.⁵⁴ However, the government needed accurate information before any better arrangement could be considered. A Select Committee on Pauper Hospitals was therefore appointed in November, 1870. Its report was published in June, 1871.

According to the Committee, additional accommodation was required in Singapore for 80 pauper lepers, 10 lunatic lepers and 420 other paupers; in Penang, for 220 paupers and in Malacca for 60 paupers.⁵⁵ In Singapore, the pauper lepers were badly housed. Because of the "loathsome character" of the disease, there was a strong desire in the community to move them to more isolated places.⁵⁶ The Committee proposed that leper asylums should be sited on islands in each of the settlements. As already noted, such asylums already existed in Malacca and Penang, but there was the need for a suitable island around Singapore where the lepers would be provided with attap huts and allowed to provide for themselves by gardening and fishing.⁵⁷

⁵⁴C.O. to Ord, 12.11.1868, C.O.273/19. Ord was also supplied with a copy of the Printed Digest on Colonial Hospitals of 14.1.1864 as well as copies of circulars on Hospitals and Asylums sent to governors during the years 1863 and 1864. Ibid.

⁵⁵Report on Pauper Hospitals, 5.6.1871, C.O.273/49.

⁵⁶Anson to C.O., 25.10.1871, C.O.273/50.

⁵⁷Report on Pauper Hospitals, 5.6.1871.

The Committee's report was presented to the Legislative Council in September, 1871, and the Legislative Council passed a resolution to the effect that the government should undertake care of all lepers. However, the Council was unwilling to disturb the existing organisation of private charity and felt that, instead of taking over these functions, the government should assist the organisations involved to meet the exigencies of the situation adequately. In other words, it should supplement charity with government grants.⁵⁸

Even today, when a great deal is known about leprosy, those afflicted with the disease are regarded as out-casts. So the desire of the nineteenth century Singapore community to keep lepers out of sight is understandable. However, secluded institutions had a habit of becoming neglected and abused. The Colonial Office realised this, and wanted the work of surgeons and attendants supervised by surprise checks made by an Inspector of Hospitals⁵⁹

⁵⁸ Anson to C.O., 25.10.1871, C.O.273/50. The estimated cost of implementing the Council's recommendations was, for Singapore \$3890, for Penang \$3050 and for Malacca, \$240. The King of Siam had granted a sum of \$5000 to be used for Educational and Pauper institutions in Singapore. It was proposed to place part of this money in the hands of the Management Committee of Pauper Hospitals in Singapore. Furthermore, Mr. Young of Boustead & Co. had given an undertaking to raise sufficient money to maintain 600 paupers for one year provided the government supplied accommodation for them, took complete charge of pauper lepers and prevented them from being an annoyance to the public. Ibid.

⁵⁹ The Secretary of State for the Colonies had in mind the system operating in Ceylon. C.O. minute on Ord to C.O., 1.1.1870, C.O.273/36.

and occasional visits by the Governor, the Lieutenant-Governors, the Colonial Secretary and other high ranking officers.⁶⁰ The leper settlement at Pulau Jerajah was not approved since the Medical Officer of Penang had pronounced the place unhealthy. However, the Colonial Office was willing to allow the settlement to continue if the place could be rendered healthy by land clearance and by the provision of better water supply.⁶¹

As for pauper establishments, Lord Kimberley felt it was the duty of the government to make provisions for the weak and the infirm if private organisations could not do this. There should be an effective system of medical aid and the pauper hospitals should not be allowed to degenerate into a system of wholesale almsgiving by the state. He recommended that the sick poor and the destitute should be entrusted to the care of one officer directly responsible to the Governor.⁶²

Consequently, A.M. Skinner, the newly appointed Inspector of Schools was also made Inspector of Hospitals and Asylums.⁶³ Furthermore, in October, 1872, the Legislative Council resolved that the government should take over the management of pauper institutions. The administration of the institutions in each

⁶⁰C.O. to Anson, 24.1.1872, C.O.273/50.

⁶¹Ibid.

⁶²Ibid.

⁶³Ord to C.O., 27.12.1872; C.O. to Ord, 18.2.1873, C.O.273/62.

settlement, was left in the hands of a committee of government officers and gentlemen chosen from the civic community. Each month, the committee would select three members to visit the institutions. As expected, with this assumption of responsibility by the government, public subscription dwindled and the institutions were almost entirely dependent on government funds.⁶⁴

At Singapore, a new block was added to Tan Tock Seng Hospital and the building opposite, formerly used as barracks by convicts employed in brick-making, was converted into a suitable premises for lepers. At Malacca, the General Hospital was given entirely to paupers. Sick police and prisoners were treated in a ward in the prison building vacated by transmarine convicts. The leper hospital at Palau Serimbun was regularly visited and favourably reported on. At Penang, a new wing was added to the Pauper Hospital. The situation at Pulau Jerajah had improved vastly as a result of land clearance, drainage and tree-planting. Water was good and the supply was abundant.⁶⁵ It was hoped to make Pulau Jerajah the leper hospital of the Settlements. The island had some drawbacks. First of all, the hospital lacked a resident apothecary. It was, therefore, decided to recruit from India an

⁶⁴Clarke to C.O., 23.4.1875, C.O.273/80.

⁶⁵Ord to C.O., 4.11.1872, C.O.273/62; Clarke to C.O., 23.4.1875, C.O.273/80; Report on Hospitals and Asylums, enclosure in Ord to C.O., 23.10.1873, C.O.273/70.

apothecary skilled in leprosy. Secondly, the island itself was inaccessible especially during the monsoons. The problem was overcome by transferring the government steam launch Mata-Mata from Singapore to Penang.⁶⁶

These changes together with the general improvement effected by the reorganisation and expansion of the medical establishment after 1871 could not reduce the high percentage of death in the pauper hospitals. Many of these deaths were among new admissions picked up by the police from the streets in a condition near death. Moreover, because pauper hospitals existed in the Colony, it became a receptacle for sick, diseased and destitute Chinese from neighbouring countries. In Hong Kong and Jamaica, a system was employed whereby the master of a ship landing migrants was required to enter into bond to indemnify the government for any charge on account of the migrant's destitution. Such a system would not work in the Straits Settlements because of the connection between the Chinese in the Colony and those in the Malay States and the impossible task of keeping track of movement to and from the Straits Settlements.

Under India Office rule, not only were medical and pauper establishments neglected, but little was done to curb the spread of contagious diseases. A half-hearted attempt was made to offer

⁶⁶Ord to C.O., 23.10.1873, C.O.273/70.

free vaccination against small-pox. Cholera was endemic in the Straits towns, yet suggestions for strict quarantine regulations were dismissed on the grounds that they would interfere with trade. The problems of prostitution were recognised but the ruling class was not concerned with the spread of venereal disease. The main concern was with the embarrassment caused by the presence of a large number of European prostitutes.⁶⁷ So the Colonial Office administration inherited the problem of stamping out contagious diseases.

The new government undertook this task with great vigour and determination. New legislation was introduced, beginning with Vaccination Ordinance XIX of 1868. The Ordinance was introduced into Singapore in May 1869, at Penang in October, 1869, at Province Wellesley in November 1869 and at Malacca in September 1870. There were two vaccinators at Singapore, one at Penang and Province Wellesley and one at Malacca. The police stations were regarded as the most convenient places for operation. The system of conducting work was by giving notice to the public that vaccinators would visit certain stations on certain days.⁶⁸ As a rule, the Chinese were advocates of vaccination, the Malays came forward except in one or two areas, the Hindu Klings were apathetic,

⁶⁷ C.M. Turnbull, op. cit., p.222.

⁶⁸ Report on Vaccination, 11.3.1873, C.O.273/64.

whilst the Muslim Klings tended to shelter behind a barrier of religious prejudice. With the exception of the epidemic which hit Penang during the months of August and October, 1871,⁶⁹ the Colony was almost completely freed of small-pox largely as a result of the Vaccination Ordinance.

The worst scourge of the Straits ports was cholera. The disease was generally brought from overseas by passengers travelling in crowded ships. In the Colony, cholera tended to spread with great speed especially during the hotter months when the water-supply and sewerage were affected. Despite spirited protests from the mercantile community, attempts were made to curb the disease by introducing strict regulations under the Quarantine Ordinance and the Passenger Ships Ordinance. Nevertheless, a severe outbreak of cholera occurred in Singapore in 1873. The first case was detected at the lunatic asylum on 15th July, and by 26th July, there were 268 cases, 113 of which ended fatally. The disease subsided in August as a result of medical attention assisted to some extent by the appearance of rain.⁷⁰

The problem of venereal disease was not tackled until the passing of the Contagious Diseases Ordinance in 1870. The Ordinance was first brought into effect in Singapore in September,

⁶⁹ Report on Penang for 1871

⁷⁰ Ord to C.O., 9.8.1873, C.O.273/69.

1872 and was subsequently extended to Penang in December, 1872 and to Malacca in January, 1873. According to the legislation brothels and prostitutes were to be registered and prostitutes were compelled to undergo periodic medical inspection. The working of the Ordinance during the first six months at Singapore showed little evidence that venereal disease had subsided. However, there were some hopeful signs. For instance, the disease among professional prostitutes was milder.⁷¹

By the end of 1873, the general public health had generally improved except for the brief cholera epidemic at Singapore. Yet the overall death rate showed an increase of four per cent over 1872. This was largely due to people and especially paupers, availing themselves of the facilities provided by the government and deaths were officially recorded.⁷²

Excluding cholera cases, a total of 5588 patients were admitted into the hospitals in the Colony. This, together with 478 patients still remaining in hospitals at the end of 1872, swelled the number to 6299. Of these, 530 were Europeans. There were 776 deaths representing a high mortality rate of 12.3 per cent. Among the Europeans, the death rate of 5.5 per cent was largely

⁷¹Report on the Working of the Contagious Diseases Ordinance in Singapore, enclosure in Ord to C.O., 5.10.1873, C.O.273/70.

⁷²Annual Medical Report for 1873, S.S. Government Gazette, 30.1.1875, C.O.276/6.

due to cases being brought to hospitals at advanced stage of illness. Among the others, the high fatality rate was largely accounted for by the increasing number of deaths at Pauper Hospitals. Fatalities among pauper patients at Singapore were 310 (21.2%) at Penang 171 (25.6%) and at Malacca 101 (28%). The General Hospital at Province Wellesley recorded a death rate of 11 per cent largely as a result of patients being brought from different estates at an advanced stage of illness.⁷³

	1872			1873		
	A	D		A	D	
Singapore	2705	281	10.3%	3036	408	13.4%
Penang	953	61	6.4%	1567	215	13.7%
Province Wellesley	280	21	7.5%	379	47	12.4%
Malacca	664	60	9.0%	606	106	17.5%
Total	4602	423	9.2%	5588	776	13.9%

Admission/Death ratio. Source: C.O.276/6

Great improvement had been effected in hospitals in the matter of efficient medical attendance and supervision.⁷⁴ However, the hospitals were still far from affording that measure of public convenience which such institutions should afford. This could only be done by large scale allocation of government funds. The

⁷³Ibid.

⁷⁴S.T. 15.8.1874.

medical institutions in the Colony were running at a loss. All government employees received free medical attention; and private patients paid only a small fee since even the better class patients found it difficult to pay the dollar per day required to maintain hospitals.⁷⁵ Pauper institutions too were a drain on government funds: as mentioned above, when the government assumed responsibility for these institutions, public subscriptions dwindled. Moreover, the annual average number of paupers had increased from 300 in 1864 to 600 in 1874 and the cost of maintaining a pauper for a year had risen from \$20 to \$40 during this period.⁷⁶

Prisons

There were three kinds of prisons in the Straits Settlements. These were Convict Prisons for felons transported from overseas, Houses of Correction for local criminals, and Jails for debtors, untried criminals and occasionally and for a limited time, persons sentenced to transportation. Convict Prisons and Houses of Correction were under the charge of the Colonial Engineer acting as Controller of Convicts. Those at Penang and Malacca were under the charge of the respective Assistant Engineers. Her Majesty's Jails were under the control of the Sheriff and Deputy Sheriffs in the respective stations.

⁷⁵S.T. 28.2.1874.

⁷⁶S.T. 18.4.1874.

There were several systems of treatment of prisoners used in various parts of the world. For their hardened criminals, the Americans used the separate system complete where the prisoner never left his cell, never heard a voice and was kept unemployed. A modified version of this was the separate system partial. Under this system, a prisoner was confined to the cell only during the early stages of sentence. Subsequently he was allowed outside the cell to work at the crank or tread-wheel. However, he was not permitted to mix with other inmates. Such a penal system was in use in most Houses of Correction and Jails in England.

The English jails at Millbank and Penterville used the solitary system. The prisoners were separated and confined to the cell day and night but were kept employed within the cell throughout the term of confinement. Other English jails, such as those at Portland and Chatham, used the silent system. Under this system, prisoners were separated at night but performed labour with their associates during the day under strict silence.

The system of discipline and management in force in the Straits could be termed the Association system. Prisoners worked together during the day and at night slept together in open wards. There was no provision for religious instruction, and the accommodation provided was inferior. However, the prisoners enjoyed a greater amount of freedom, many being employed as messengers and orderlies without direct control of their actions and movements during the whole day. Moreover, the maintenance of discipline in

prisons was mostly carried out by the prisoners themselves. The prison population was almost entirely composed of the natives of India, Ceylon, China and the Malay Archipelago. European prisoners were not detained in the Straits Settlements for more than a limited period.⁷⁷

The Colonial Office was not particularly happy with the principles of management and discipline in the prisons and jails of the Colony. It believed that strict discipline and firm control was indispensable to suppression of crime. However, the Office realised that the bulk of convicts were Indians and the Indian Government had devised the existing system. Since the convict establishment would soon be removed from the Colony, there was no necessity for changes in convict prisons.⁷⁸

On the other hand, there was a need for reform in Houses of Correction and Jails. The Colonial Office believed that these prisons should be brought as close as possible to the English

⁷⁷Ord to C.O., 2.6.1868, C.O.273/19.

⁷⁸C.O. to Ord., 15.12.1868, C.O.273/19.

system rather than perpetuate the Indian system.⁷⁹ Generally, the separate system was accepted as the foundation of prison discipline. Next in importance was the penal efficacy of the labour exacted from offenders under sentence of imprisonment with hard labour and the methods by which that efficacy could be ensured. It was believed that the object of sentence would inevitably be sacrificed when industrial and productive employment was substituted for labour strictly penal either in short terms of imprisonment or in the earlier stages of long terms. However, strictly penal labour, which of necessity would be wholly or more or less unproductive, could be relaxed and be combined with industrial employment in the later stages of long term sentences.⁸⁰ The Colonial Office supported the system of dividing prisoners into classes and promoting prisoners from one class to another. However, it was felt that promotion should proceed upon such evidence of

⁷⁹ Ord was provided with several circulars on the subject sent to the colonies since 1863. These were, copies of the Duke of Newcastle's despatches of 19.8.1863 and 19.10.1863 containing copies of the Report and Evidence presented by the Committee of the House of Lords on the State of Discipline in Gaols and the Report and Evidence presented by the Royal Commission on Penal Servitude, Colonial Office circular despatch of 16.1.1865 containing a series of Interrogatories regarding Prisons and Colonial Office circular despatch of 18.6.1867 containing copies of Digest and Report, as well as Prison's Act XXVIII and XXIX Victoria Cap. 126 of 1863. Enclosures in C.O. to Ord, 15.12.1868, C.O.273/19.

⁸⁰ C.O. Circular Despatch dated 16.1.1865, enclosure in C.O. to Ord, 15.12.1868, C.O.273/19.

self control as would be afforded by actual labour performed where the labour was industrial rather than upon the more uncertain indications of improvement in character and disposition.⁸¹

As a result of the instructions from the Colonial Office, the Legislative Council passed Prison Ordinance IX of 1868. In each settlement a Board of Visiting Justices was appointed and all police magistrates were made ex-officio Visiting Justices. The Assistant Colonial Surgeons were required to visit prisons at least twice a week. The officer directly responsible for the proper and orderly behaviour of prisoners was the gaoler, who would reside in the prison. Under him were prison officers who were given the same powers, authorities, protection and privileges as a police officer. Each prison was to make provision for an infirmary for the sick. Provisions were also to be made for Christian prisoners to receive religious instruction if they so desired.⁸² The hours of employment within prison walls were fixed as 6 a.m. to noon and 1 p.m. to 5 p.m. There would be no hard labour on Sundays, Christmas Day, or Good Friday, or on days appointed for Public Fasts and Thanksgiving. The hair of female prisoners would no longer be cut without the consent of the prisoner, except

⁸¹ Ibid.

⁸² Ord calimed that the other prisoners were almost exclusively heathen and had no priests equivalent to a Christian minister who would visit them. Neither did the prisoners desire to see such a person. Ord to C.O., 24.2.1870, C.O.273/36.

on account of vermin or dirt. On the other hand, a Chinese male prisoner could lose his pig-tail on orders from the Superintendent of Convicts. A new scale of diet was also provided. European prisoners had a different diet and criminal prisoners were required to cook their own food.⁸³

The rehabilitation of ex-prisoners was not a major problem in the Colony, and released prisoners had little difficulty in returning to society. Many rejected the government's offer to rehabilitate them by working for the government in return for food and accommodation. As a rule, released prisoners returned to their former employment or were looked after by friends and relatives until they obtained the work they wanted. Only rarely did a prisoner ask help from prison authorities and even then what he wanted was a small gratuity to enable him to buy rattan to make chairs or to set himself up as a street vendor.⁸⁴

The Prisons Ordinance of 1868 thus introduced comparatively minor changes in the existing system, and the Colonial Office suggestions for a separate system and the associated mode of penal discipline were forwarded to the Superintendent of Convicts for his views. McNair submitted his report in January, 1871. He pointed

⁸³ Rules and Regulations for Prisons, S.S. Government Gazette, 12.11.1868.

⁸⁴ Letter from McNair, Superintendent of Prisons. Proceedings of the Legislative Council, 17.2.1869, C.O.273/27.

out that the government had to deal with two distinct bodies of prisoners, namely, those under confinement prior to trial and those sentenced by the courts. There were four categories of punishment for the latter group. These were,

- (a) Transportation out of the Colony.⁸⁵
- (b) A sentence of transportation which however could not be carried out so that the prisoner was required to serve hard labour up to a period of seven years instead.⁸⁶
- (c) A sentence of hard labour up to a period of not exceeding three years.
- (d) A sentence of simple imprisonment not exceeding, generally, two years.

In addition, there was also a class of prisoners imprisoned for their inability to provide security of keeping the peace. These prisoners were kept in convict prisons.⁸⁷

McNair recommended that those receiving simple sentences as well as those imprisoned for default of providing security

⁸⁵ Section V of Ordinance XI of 1868 empowered the Governor to transport local prisoners to other colonies. The place chosen was Labuan since Governor Hennessey had requested 50 convicts per annum. The scheme was subsequently dropped when the Colonial Office pointed out that the powers given to Colonial Governors to nominate places of transportation ended in 1853 and as such Section V of Ordinance XI of 1868 was ultra vires. C.O. to Ord, 19.12.1868, C.O.273/21.

⁸⁶ Provided for by Section 37 of India Act XXXI of 1838. The Attorney General's Report on the Sentence of Mat Oosope, 25.9.1868, C.O.273/31.

⁸⁷ McNair's Report on Prison Reforms, 1.1.1871, C.O.273/44.

should be placed in Colonial jails where their sentences could be properly carried out. He felt greater attention should be paid to prisoners sentenced to hard labour, and that these criminals needed not only safe custody but also careful classification and a well organised system of penal discipline. The discipline had to be extreme in the earlier stages in order to convince the felons of the inevitable punishment of crime. The severity of punishment should be relaxed in the later stages in accordance with the prisoner's efforts to reform, thus giving him confidence, encouragement and self-reliance so that he may be better fitted to rejoin society.

Whilst recognising the need for stricter discipline, McNair believed that the separate system could not be applied to Straits Settlements. First of all there was the heavy expenditure involved in converting existing open wards into separate cells. Secondly, McNair was doubtful whether the method of treating criminals in England and America would have similar effect on the Chinese, Malays and Klings. He felt that seclusion would not help the Asian criminal who would retire to his cell only to brood or fall into torpid sleep and not to reflect on his misdeeds.⁸⁸ He, therefore, suggested a modified system.

Under this system, all criminals under sentence of hard

⁸⁸ Ibid.

labour would be divided into two classes, namely, short term and long term. Short term prisoners, with sentences of less than six months, would come under the task system for the whole period of confinement. They would be assigned heavy work such as breaking stones, pounding coir and husking rice to be performed in separation, as far as prison facilities allowed this.

Long-term sentences would be divided into three stages. The Early Stage of penal labour would last six months and would be similar to that of the short term prisoners. The Middle Stage would be half the remaining sentence and would not exceed eighteen months. During this period, prisoners would be employed in jail yards either in trade or in labour. During the Final Stage lasting the rest of the sentence, prisoners would be engaged in public works outside the jail. They would also have the privilege of receiving a small payment for their labour and the money would be given to them on release. The prisoners would not automatically be promoted from Middle Stage to Final Stage. The promotion depended entirely on the prisoners' behaviour.⁸⁹

McNair's proposals were aimed at making the prisoner, while suffering for his crime, reimburse to the government at every stage of his punishment, the cost of his maintenance. At the same time, it was hoped that the prisoner would be gradually trained to

⁸⁹ Ibid.

discipline himself, so that he could rejoin society without much difficulty.

McNair's report prompted the Legislative Council to appoint a commission to study and report on prison discipline in the Colony. This commission submitted its report in January, 1872. Having decided to adopt the principal parts of the commission's recommendations, Ord instructed the Acting Superintendent of Prisons, Capt. Innes, to report how these could be implemented first at Singapore and subsequently at the other settlements. The commission's report was tabled at the Legislative Council meetings held in June and July, 1872. The council recognised the need to introduce in colonial prisons a better system of management and more rigid discipline. Capt. Innes' report was referred to a select committee of the Legislative Council in October, 1872. The select committee declared its concurrence with all items included in Capt. Innes' report. Consequently Ordinance XIV of 1872 was passed to enable the government to introduce reforms.⁹⁰

According to the new arrangements Singapore would have a large Central Gaol in which the most approved system of penal discipline which could be applied to the Straits Settlements would be carried out. A similar jail would be set up at Penang and

⁹⁰Ord to C.O., 3.12.1872, C.O.273/62.

Malacca. However, all prisoners sentenced to more than six months would be sent to Singapore.

The proposed introduction of a modified separate system of penal discipline would mean additional expenses for alterations to buildings and an increased number of prison staff. The Legislative Council approved a sum of \$73,700 to be used for alterations to existing jails, and also sanctioned a further sum of \$179,200 to be appropriated later, in order to complete the work in all three settlements. An increase in the strength of the prison staff was also approved.⁹¹ It was further decided to transfer control and custody of prisoners of all kinds from the Public Works Department and the Sheriff to a new officer styled Superintendent of Prisons.⁹²

The Colonial Office highly praised the commission's report and felt that the Legislative Council had acted wisely in adopting its broad recommendations. Nevertheless, the Colonial Office still objected to certain proposals. For instance, it was felt that long-sentence Chinese and habitual Chinese offenders should not be deprived of their pig-tails. The proposal to adopt, as in Ceylon, a penal diet for short periods of rice, water and salt only was regarded as potentially injurious to the health of the prisoners. The recommendation that four principal warders be drafted from the Police Force on six months rotary service was looked upon as an

⁹¹ Ibid.

⁹² Ord to C.O., 3.4.1873, C.O.273/66.

unsatisfactory arrangement since it was considered that the duties of police officers were distinct and of another calling.⁹³ The Colonial Office also felt that appointing a separate officer to be in charge of prisons was extravagant and suggested an Inspector of Prisons who could also report on hospitals and asylums, and sanctioned A.M. Skinner for this position at an additional salary of £100 per annum.⁹⁴

Ord pointed out that all short term and long term prisoners in Singapore would be concentrated in one place, and that long term prisoners from Penang and Malacca would also be sent to Singapore. In 1873, Singapore had 640 local prisoners, about 130 were on their way from Penang, and Malacca was expected to send about 50. To control all these prisoners, a man above the class of gaoler was needed.⁹⁵ The Colonial Office accepted Ord's case, and gave assent to the appointment of a separate Superintendent of Prisons on a salary of £600 per annum.⁹⁶

In May, 1873, the Legislative Council sanctioned the new prison rules prepared under Ordinance XIV of 1872. All prisons were placed under the charge of a Superintendent of Prisons. In

⁹³C.O. to Ord, 24.1.1873, C.O.273/62.

⁹⁴C.O. to Ord, 18.2.1873, C.O.273/62.

⁹⁵Ord to C.O., 3.4.1873, C.O.273/66.

⁹⁶C.O. to Ord, 16.5.1873, C.O.273/66.

each prison, the gaoler would be the principal resident discipline officer. He would be assisted by subordinate officers, and there would also be a matron to supervise female prisoners. The medical officer in each settlement was required to visit prisoners once a week, but those sentenced to corporal punishment or solitary confinement would be visited daily. Each prison would have a proper infirmary. Prisoners not working in the open would be provided an opportunity to exercise. All prisoners would be vaccinated. A new diet scale was provided.⁹⁷ Prisoners other than lower grade prisoners were allowed periodic visitors and to write and receive letters.⁹⁸

The prisoners were divided into four categories.

(a) Simple imprisonment. Prisoners sentenced to simple imprisonment would not, as a general rule, be confined together with those undergoing rigorous imprisonment. They were not required to do any work other than keeping their rooms, furniture and utensils clean.

(b) Persons detained for safe custody. These included debtors, prisoners, awaiting trial, persons detained for want of security and all committed for safe custody only. They were not

⁹⁷ See Appendix VI.

⁹⁸ Rules and Regulations for Management of Prisons and Prisoners in the Straits Settlements, enclosure in Ord to C.O., 29.5.1873, C.O.273/66.

required to do any labour other than to keep their rooms, furniture and utensils clean. Those who could afford it were allowed to make arrangements with other persons to do their work for them.

(c) Persons under rigorous imprisonment, penal servitude and hard labour. These prisoners were divided into short term and long term. The short term prisoners were those sentenced to hard labour for a term not exceeding six months. Every such prisoner, other than revenue cases and those imprisoned for non-payment of fines, would spend two hours each day at shot-drill, tread-wheel or crank. During the rest of the day, they would be employed, in separation where possible, in breaking stones or beating coir. These prisoners would be given the "penal diet" for the first ten days of confinement. On a second conviction, a prisoner would be forced to wear irons.⁹⁹ Revenue cases and persons imprisoned for non-payment of fines would be employed inside or outside the jail on tasks determined by the Superintendent of Prisons.

Long term prisoners were those receiving sentences in excess of six months hard labour. They were clasified into three grades. Marks for diligence or work were granted to those in the middle and upper grades to determine promotion from one grade to the other and the proportion of sentence to be entirely remitted.

⁹⁹ In accordance with rules 65 and 72. These rules were subsequently modified since the Colonial Office refused to sanction the use of chains as an ordinary feature of prison discipline. C.O. to Ord, 22.8.1873, C.O.273/66.

The lower grade included all new prisoners with the exception of revenue cases and those imprisoned for non-payment of fines. This group also included those prisoners demoted from higher grades. Penal discipline was similar to that for short term prisoners. Middle grade consisted of revenue cases, persons imprisoned for non-payment of fines and those promoted from the lower grade or demoted from the upper grade. They would be employed in light industrial labour either in separation or in association with other inmates. The upper grade consisted of prisoners promoted from the middle grade. They were employed in association at any trade or occupation not of a severe or irksome nature. The prisoner earned half a cent for every good conduct mark and the money was paid to him on release.¹⁰⁰

(d) Prisoners condemned to death. These prisoners were confined to their cells and were under the supervision of a prison officer day and night. No visitors were allowed unless they presented a written authority from the Lieutenant Governor or the Colonial Secretary. When prisoners were allowed visitors, a warder would be present throughout the interview.¹⁰¹

The penal diet was in force for six months, after which it

¹⁰⁰ One week's diligent and meritorious conduct could earn nine marks. Rule 69.

¹⁰¹ Rules and Regulations for Management of Prisons and Prisoners in the Straits Settlements.

was reviewed by a board of medical officers. A study of a dozen prisoners from each of the races showed that ten Europeans had lost weight,¹⁰² seven Chinese had an increase in weight, there was no change amongst the Malays whilst all twelve Indians showed a marked increase in weight. The board recommended that the penal diet should be retained. However, it felt that European prisoners should not be subjected to such a diet for long periods.¹⁰³

As a result of the reforms, prisoners lost a great deal of the freedom they had hitherto enjoyed under the more indulgent Indian system, since prison discipline and rigorous penal labour were regarded as important deterrents to crime. The new rules were introduced into the prisons without any serious incidents, but in early 1875, the calmness of prison life was shattered by an uprising in the Singapore prison which now contained all the hardened criminals of the Colony. On 13th February, long sentence Chinese prisoners fell upon the Superintendent and the warders. Although the riot was quelled within half an hour, 11 soldiers, 14 warders and 35 prisoners were wounded. Fifteen prisoners were killed and the Superintendent, Digby Dent, died of his wounds the following day.¹⁰⁴ The uprising took place largely as a result of

¹⁰²Penal diet for Europeans consisted of bread, water and salt.

¹⁰³Report on Penal Diet, enclosure in Clarke to C.O., 28.11.1873, C.O.273/71.

¹⁰⁴Colonial Secretary to C.O. (telegram), 15.2.1875, C.O.273/79.

the difficulty of maintaining strict discipline or security among prisoners in the existing confused cluster of buildings. What Singapore really needed was the erection of an entirely new prison based on the principles of the new penal system. The Commission on prison reforms in 1872 had suggested the construction of a new prison, and after the riots of February, 1876, a committee appointed to enquire into the cause of the riots submitted two reports urging the government to erect a new prison without further delay.¹⁰⁵

¹⁰⁵ Governor Jervois, Speech in the Legislative Council, 7.10.1875, C.O.273/81.

CHAPTER SIX

TRADE AND FINANCE

"The Straits Settlements were at first regarded by the East India Company as guardians of her China trade ...,"¹ a trade consisting mainly of the exchange of the opium of Bengal for the tea of Canton. This trade was vital to the Company because it produced huge profits which helped to offset some of the financial burden of ruling India.

Private British merchants were anxious to break down the Company's trade monopoly, and in 1813, they succeeded in gaining the right to trade with India. In 1833, the East India Company lost its monopoly of the China trade, which was now fully open to private merchants. These merchants hoped that Singapore could be developed into a transshipment port for Chinese goods, especially tea. This hope did not materialise, mainly because direct trade between China and Europe began to increase. Singapore's role in the China trade slipped even further when Hong Kong was founded and five treaty ports were opened up on the Chinese mainland in 1842. However, Singapore was becoming more and more prominent as the emporium of

¹C.M. Turnbull, op. cit., p.176.

South East Asia. In fact, the total trade of the Straits Settlements had increased 3½ times during the thirty years between 1833 and 1863, Singapore claiming the major share of imports and exports.²

Generally, Singapore's trade was sluggish during the 'sixties. Between 1860 and 1869, the value of imports rose by \$5.5 million and of exports by \$7.5 million. But the situation did not inspire confidence since the annual rate of growth was small. In 1868-9, for instance, the total value of imports and exports rose by only \$400,000.³

The mid-sixties also saw the collapse of several commercial firms in Singapore. This was largely due to increasing competition. Singapore was becoming crowded with European trading firms and agencies. In 1827 there had been only 14 firms, but this number had increased to 36 in 1855, 44 in 1858, 52 in 1862, 60 in 1867 and 62 in 1870. Further competition was provided by Chinese firms, although the chief role of the Chinese in the trade of the Straits Settlements was that of the middleman. Time, trading ability and superior knowledge had made them middlemen, and they had an impregnable place in the trading system of the Settlements,⁴ in which they had

²Chiang Hai Ding. A History of Straits Settlements Trade, 1870-1915. Canberra, 1963, p.5.

³G. Bogaars, "The Effect of the Opening of the Suez Canal on the Trade and Development of Singapore," JMBRAS, Vol. XXVIII, pt. 1, 1955, pp.99-100.

⁴Wong Lin Ken, "The Trade of Singapore, 1819-1969," JMBRAS, Vol. XXXIII, pt. 4, p.166.

become indispensable. Keen rivalry among European firms had led to indiscriminate granting of credit to Chinese middlemen, and the inevitable result was commercial crashes.

These commercial failures were also a sign that the trade of Singapore was becoming increasingly sensitive to world trade conditions. Compared with earlier years, fluctuations in the value of trade were greater. This was partly due to increased trade and partly due to the effect of scientific discoveries of the commercial world, especially steam navigation which revolutionised the carrying trade and telegraphy which speeded up the transmission of commercial intelligence from one part of the world to another.⁵

Before 1869, steamships did not play an important role in the Eastern trade. Nevertheless, their presence was felt, especially vessels belonging to the Ocean Steamship Company which were on the Liverpool, Hankow, Sydney run. Governor Ord predicted that the opening of the Suez Canal was likely to increase the number of steamers calling at Singapore and that when the projected telegraph line was completed, Singapore would become "the port of call for all steam vessels trading eastward of these Straits."⁶

Steam traffic did increase. As far as passengers and small items were concerned, steamships eliminated the delay and the expense of transshipment. Moreover, steamers using the Suez Canal

⁵Wong Lin Ken, op. cit., p.169.

⁶Report on the Blue Book for 1869.

could make two or three round trips per year compared to the single journey of sailing ships. Consequently, the movement of goods became easier, quicker and less costly.⁷

The other technological advance which revolutionised the method of trade was electric telegraphy. By 1857, there was already a direct link between London and the East as far as Rangoon. However, it was only in December, 1870 that Singapore was linked to London via a submarine cable between Singapore and Madras. Goods were now bought and sold while they were still in transit across the seas. With the same capital, firms were able to handle a larger volume of trade.⁸

These technological advances tended to reinforce the major advantages already possessed by the ports of the Straits Settlements, especially Singapore, as ideal centres of trade and ushered in a boom period that lasted throughout the seventies. The first of these major advantages was freedom of port. Singapore had remained a free port since its foundation in 1819. With the formation of the Straits Settlements in 1826, Penang and Malacca too became free ports.⁹ This did not mean that the ports were totally free, since

⁷G. Bogaars, "Suez Canal", p.106.

⁸Wong Lin Ken, op. cit., p.173.

⁹Penang was a free port from 1786 to 1801. After this, it became a customs port where taxes were levied on imports and exports. Chiang Hai Ding, op. cit., p.6.

there were port and harbour dues as well as a pilotage fee. However, these were extremely light.

The second feature of the ports of the Straits Settlements was freedom of trade. Traders of all nations were allowed without any restrictions.¹⁰ This was a sharp contrast to the Dutch practice. Although Macassar had been a free port since 1847, private traders were not allowed in the market until the Dutch national trading company, N.H.M. had satisfied all its requirements. Freedom of trade in the ports of the Straits Settlements did not mean that there were no taxes on trade. A great deal of revenue was raised by imposing taxes on such items as opium, spirits, bhang and toddy. However, these taxes were imposed on consumption rather than on re-export. The entrepôt trade was therefore free. This freedom gave rise to something very close to a perfect market with perfect competition.¹¹

The third factor responsible for the growth of the Straits trade was the geographical location of the ports, especially that of Singapore. Singapore was ideally situated for trade with Britain, Europe, India and South-east Asia. It lay on the natural route for both steamers and sailing ships. Moreover, it was easily accessible to small boats from Siam, Indo-China, the Dutch

¹⁰ By 1864, in addition to the British firms, there were in Singapore 1 Swiss, 2 Dutch, 3 French and 7 German firms. In 1865, 25 per cent of Singapore's trade was in German hands. Wong Lin Ken, op. cit., p.168.

¹¹ Chiang Hai Ding, op. cit., p.59.

East Indies, Sumatra and British Borneo. With the advent of steamships, Singapore's location became even more advantageous. The early steamers consumed a great deal of coal, and in order to allow sufficient space for cargoes on board, a series of coaling stations were set up along the route from the Arabian Coast to China. Singapore was a natural choice for a coal depot along this route.

Singapore was also ideally located for Chinese traders. Chinese trade in South-east Asia consisted of two parts, namely, trade with the eastern Malay Archipelago centred on Luzon and trade with the western Malay Archipelago, the richer section, for which there had been no suitable base, until it was established by Raffles.¹² The arrival of the British in the Straits was a blessing to the Chinese, since the unqualified welcome of the British contrasted markedly with Dutch and Spanish suspicion and, at least in the early Colonial period, actual violence.

The fourth factor favouring the Straits ports was the provision of services. Singapore's natural trading centre was the Singapore River with a secondary centre for smaller craft at the junction of Rochore and Kallang rivers. To their various anchoring points near the mouth of Singapore River came the large vessels from Europe, India and the United States, junks from China and Siam,

¹² Wang Gung-wu, A Short History of Nanyang Chinese, Singapore, 1958, p.19.

Wangkang and tope from Indo-China, palari, lombok, golehkkkan and leteh-leteh from the Dutch East Indies. The shipment of cargoes to and from these vessels was undertaken by lighters and small boats. Most of the commerce was conducted at Boat Quay. The Commercial Square (renamed Raffles Square in 1858) developed as an adjunct to Boat Quay. Collyer Quay was completed in 1864.¹³

The increase in trade and the arrival of steamships threatened to choke the traffic in the river mouth. Before this happened, however, ocean-going traffic was diverted to the New Harbour. The New Harbour soon became the resort of ocean-going ships. The smaller coasters and native craft still found the roadstead cheaper and quicker. Hence, the roadstead handled the inter-island trade and the dock companies, the oceanic commerce. This meant a constant movement of goods between the docks and the river - the imports at the docks became exports at the river warehouses and vice-versa. Bullock-carts provided the transport between the two places.¹⁴

Singapore was also becoming the centre of communication network. As noted above, in 1870, Singapore was linked to Madras by a submarine cable thus bringing it into direct contact with India, Europe, Britain and the United States. In 1872, Singapore was linked to Saigon and Hong Kong, and to Australia via Java.¹⁵ In

¹³G. Bogaars, "The Tanjong Pagar Dock Company, 1864-1905," Memoirs of the Raffles Museum, No. 3, 1956, p.117.

¹⁴G. Bogaars, "Tanjong Pagar Dock Company," p.177.

¹⁵G. Bogaars, "Suez Canal," p.119.

addition, efficient and reliable, though slower, means of communication were provided by the mail steamers, the journey from London to Singapore taking about forty days.¹⁶

Another advantage possessed by the Straits ports was the provision of credit. It was the credit given by European merchants which enabled Chinese traders to move into the hinterland and neighbouring islands. It provided them the capital to open up the area and to bring those goods which attracted ocean going ships to the ports of the Straits Settlements.¹⁷

Credit was usually given for a period of six months, and repayment was made in instalments, the size of the repayment depending on the pressure applied. Insolvency was punishable by imprisonment, which sometimes encouraged the guilty party to bolt from the Colony. There were also some cases of deliberate cheating, for example a Chinese trader declaring himself bankrupt after having secretly despatched the money to China, being quite willing to suffer a short period of imprisonment before returning to China to lead a life of ease.

In 1870, Ordinances XXI and XXII were passed amending the Bankruptcy law and abolishing imprisonment for debt. The bankrupt

¹⁶The first P & O mail steamer, Lady Mary Wood, arrived in Singapore in 1845. In 1862, Messageries Maritimes also introduced a mail service to Singapore. Chian Hai Ding, op. cit., p.70.

¹⁷Chiang Hai Ding, op. cit., p.73.

was now required to prove that his plight was due to reverses in business and not due to personal causes. Moreover, he was required to repay the debt.¹⁸ Actual recovery of the money however sometimes proved difficult. In some cases, European firms did not know with whom they had business dealings, for Chinese businessmen were reluctant to reveal who the partners in their firm were. There were only rumours that certain wealthy merchants were partners. Very often they were. However, if the business venture failed, it was easy to disclaim partnership. The European firm was then left to deal with a Chinese merchant of little wealth or standing.¹⁹

Despite these pitfalls, there was a surprisingly small incidence of frauds. This was largely due to the fact that the European and Chinese merchant communities were inter-dependent and a harmonious relationship between them was necessary for their mutual benefit. This in turn was the result of the nature and structure of trade in the Straits Settlements. The Europeans monopolised the trade in the New Harbour whilst the Chinese monopolised the trade in the roadstead. Manufactured goods arriving at the New Harbour were transported to Raffles Place where the European merchants had their shops. The produce of South-east Asia

¹⁸The Attorney-General's Report on Ordinances XXI and XXII of 1870, Enclosure in Ord to C.O., 2.2.1871, C.O.273/45.

¹⁹Chiang Hai Ding, op. cit., p.100.

arrived at the roadstead by coasters and native craft. It was collected by Chinese merchants who had their establishments at Boat Quay. Boat Quay was the centre of trade for South-east Asian produce whilst Raffles Place assumed a similar role for Western manufactures.²⁰

The European merchants handled Western manufactured imports and South-east Asian exports to the West.²¹ They depended on their Chinese employees who knew the local dealers and spoke their language to do the bargaining, buying and selling. Through these employees the European firms disposed of their imports to Chinese merchants on credit. Often the European firms would obtain in return cargo they wished to export to the value of the credit. If this was not possible, the credit was extended for six months.

European merchants, thus did not deal directly with the consumers and producers of South-east Asia, the Chinese middlemen performing this rôle effectively. They had facilities similar to those enjoyed by the Europeans in their Westward trade. They had their own shipping.²² Perhaps their greatest advantage was their

²⁰Chiang Hai Ding, op. cit., p.80.

²¹Some of the leading firms were, Boustead & Co., Guthrie & Co., Patterson, Simon & Co., Gilfillan, Wood & Co., Borneo Co., and Behn, Meyer & Co.

²²Development of Chinese shipping was encouraged by legislation in 1852 under which long term Chinese residents could apply for naturalisation as British subjects. By the 1860s, Chinese owned ships flying British colours were plying between the ports of South-east Asia. Wong Lin Ken, op. cit., p.232.

numerical strength as the largest community in the Colony.

The trade of the Straits Settlements can, therefore, be divided into East-West trade monopolised by the Europeans and intra-Asian trade controlled largely by the Chinese. The foreign trade of the Settlements consisted of,

(i) The import of commodities for local consumption and the export of local produce.

(ii) Transit trade, i.e. that portion of goods meant for other destinations but held temporarily in the Straits Settlements before being loaded into other ships to continue their journey

(iii) Entrepôt trade consisting of that portion of imports subsequently exported with value added in the form of processing, grading, packaging and profit mark-up.²³

The foreign trade of the Straits Settlements can be divided into three sections on a regional basis. The three regions are, South-east Asia, South and East Asia and the West.

²³Chiang Hai Ding, op. cit., p.19.

	IMPORTS		EXPORTS	
	1870	1875	1870	1875
S.E. Asia	44	47	43	44
S & E Asia	23	28	20	21
West	32	25	37	35
Total	100	100	100	100

The Regional Trade of the Straits Settlements on a percentage basis.
Source: Chiang Hai Ding, p.140.

Inter-Settlement Trade

The trade between the three settlements was largely speculative. From its earliest days, Penang had been a distribution centre for Indian cotton piece goods. Singapore, on the other hand, was a distribution centre for British textiles. There was, therefore, a constant flow of British goods from Singapore to the other settlements and Indian piece goods from Penang to Malacca and Singapore. There was also a speculative market in opium. Straits produce formed the principal import to Singapore from Malacca and Penang. The major exports from Singapore to these settlements were, besides opium and British textiles, beers, wines, spirits and various sundry goods needed by the Chinese settlers.²⁴

²⁴Wong Lin Ken, op. cit., p.82.

Trade with South-east Asia

(a) Malaya

There was very little direct trade between the Malay Peninsula and the outside world. The ports of the Straits Settlements were also Malaya's ports. Large numbers of Chinese had entered the Malay States as tin-miners, gum gatherers and cultivators of gambier and pepper. The product of their toil together with that of the indigenous population found its way to the ports of the Colony. At the same time, the Colony exported to them the goods and commodities they needed.

The trade with the western Malay States was shared by Arabs, Malays and Chinese. However, the more lucrative east coast trade was largely in the hands of the Chinese. The major imports from the east coast States were gold-dust, Malay cotton piece goods, black pepper, rattan, salt, tin and aloes-wood. The principal exports to these states were British and Indian textiles, opium and Javanese tobacco.²⁵

(b) The Dutch East Indies

Before 1870, there was no direct steam-ship service between the Dutch East Indies and Holland. The quickest communication with Europe was by British lines centred on Singapore. In 1870, the Nederland Line was established to recapture some of the carrying

²⁵Wong Lin Ken, op. cit., pp.78-80.

trade from British shipping, and in 1874, a monthly steamship service between Batavia and Holland was inaugurated. Port facilities in the Dutch East Indies were improved and a new harbour, Tanjong Priok, was built for Batavia in 1873. All these tended to reduce Indonesia's reliance on Singapore. Nevertheless, the trade of the Straits Settlements with the Dutch East Indies continued to remain substantial and formed a large part of the Colony's overall trade. This was largely due to the services provided, especially at Singapore. Singapore could offer the services of a greater number of shipping lines to a greater number of European ports than any other port in South-east Asia. Moreover, Singapore provided special facilities for processing, sorting, grading, bulking and despatching the produce of South-east Asia. The pull of Singapore, therefore, remained strong.²⁶

Singapore's main trade in the Dutch East Indies was with Java, whence came European piece goods, rice, birds' nests, gold dust, indigo, rattans, benjamin, brass, copper-ware, tin, tobacco, copper, sandal wood, arrack and other spirits, pepper, cloves, cassia, cinnamon and other spices. Singapore exported Indian, Chinese and British piece goods, nankeens, iron, opium, raw silk, wheat, china-ware and iron-ware, cordage and saltpetre. Because of the arbitrary fluctuations of exchange rates from time to time, there

²⁶Chian Hai Ding, op. cit., p.154.

was also a speculative trade in treasure between Singapore and Java.²⁷

Sumatra was the main source of betel-nuts sold in Singapore, and also sent benzoin, benjamin, pepper, rattans, tortoise-shells, rhinoceros horns and elephant tusks. Singapore exported to Sumatra Indian, Malay and European piece goods, opium, raw silk, woolens, salt, tobacco, fire-arms, steel, copper sheathing, alum, porcelain, and iron-ware.²⁸ Singapore also maintained trade links with the islands of Bali and Lombok. These islands, especially Bali, were centres of contraband traffic, from which opium and British manufactured goods from Singapore were smuggled into Java. In return, Bali received contraband coffee from the Eastern districts of Java where coffee was a monopoly of the Dutch Government.²⁹

(c) Indo-China and Siam

The French authorities in Indo-China were able to restrict, to some extent, the trade with Singapore. This was largely due to the facility of direct trade between Indo-China and France. The French had taken Saigon in 1859 and in 1862 Messageries Maritimes had inaugurated a monthly service between France and Saigon. The main item of export from Singapore to Indo-China was British textiles

²⁷Wong Lin Ken, op. cit., p.50.

²⁸Wong Lin Ken, op. cit., p.54.

²⁹Wong Lin Ken, op. cit., p.63.

which were usually bartered for rice.³⁰

As far as Siam was concerned, the established practice was towards an increasing amount of direct trade with Europe. This avoided competition with Chinese traders as well as the transshipment costs at Singapore. For instance, Siam's exports to Great Britain increased from 1.2% in 1864 to 28.6% in 1869 whilst Siamese exports to Singapore increased from 11.1% in 1864 to 21.1% in 1869.³¹ On the other hand, for the same years, Siam's imports from Great Britain had increased from 6.9% to 17.6% whilst imports from Singapore fell from 70% to 42.4%. The main imports from Singapore were cotton and woolen piece goods, iron and steel, opium, glass-ware, copper and metal sheeting, brass and copper ware and crockery. Besides rice, the main items of export to Singapore were tin and teak.³²

The rest of South-east Asia

After the opening of the Suez Canal, Burmese exports were possibly diverted to Europe largely as a result of the shipping facilities provided by the British India Steam Navigation Company. Imports from Burma to the Straits Settlements were small and exports from the Colony to Burma were even smaller. On the other hand, there

³⁰Wong Lin Ken, op. cit., p.158.

³¹A substantial portion of Siam's exports to Singapore was rice which was basically an item of intra-Asian trade.

³²Wong Lin Ken, op. cit., pp.149-50.

was a healthy trade between Singapore and British Borneo. Between 1870 and 1875, imports from British Borneo averaged \$1 million whilst exports averaged \$2/3 million. The principal imports were gutta percha, rattans, gambier, sago, pepper, gums, birds' nests, copra, coffee and tobacco. Singapore exported to Borneo, rice, fish, opium, clothes and machinery.³³

Trade with South and East Asia

(a) India

Imports from India fell steadily in relation to total imports. This was largely due to the opening of the Suez Canal, since whereas previously European goods for the Straits were sometimes transhipped from India, they now began to arrive direct from Europe. Moreover, during the period under review, the suspension of Indian coolie immigration had some effect on trade. Coolie ships were deprived of their *raison d'etre* and consequently there was a decrease in import of the type of goods they usually brought with them, mainly salt, sacking, copper ware, hides, piece goods, earthen ware, curry stuff and sharks' fins.³⁴ The most important item from India was opium which accounted for about 10% of the total imports by value. Exports to India were mostly Straits produce, especially betel-nuts, rattan, gambier and tin.

³³Chiang Hai Ding, op. cit., p.164.

³⁴Report on the Blue Book for 1872.

(b) China

It was reasonable to expect that after the founding of Hong Kong, that Colony would cut into the trade of Singapore. Although China's foreign trade had increased, especially after the Second Opium War (1856-1860), Singapore failed to retain her former share of profits from European products in demand in China, although it remained China's main source of Straits produce. The total value of exports from Singapore to China in 1860 was Rs. 7,450,283. In 1863, it increased to Rs.13,003,155. Thereafter, it dropped a little and fluctuated from year to year with no overall rise until the end of the 'seventies.³⁵

Singapore's imports from China, on the other hand, increased rapidly. This was largely due to the growing demand for China goods as a result of the increasing Chinese emigration to South-east Asia. At the same time, imports from Hong Kong were assuming a European character. Some of these items were wheat flour (brought to Hong Kong from the United States), glass-ware, machinery and clothing apparel. In other words, some of these commodities which had earlier come from Europe were now supplied by Hong Kong.

³⁵G. Bogaars, "Suez Canal", p.122.

Trade with the West

	IMPORTS		EXPORTS	
	1870	1875	1870	1875
Great Britain	85	79	66	63
Europe	12	16	3	14
United States	1	1	29	19
Others	2	4	2	4
<hr/>				
Total	100	100	100	100

Distribution of Western Trade by Percentage. Source: Chiang Hai Ding, p.169.

Imports from the West consisted mainly of manufactured goods and of full or partly processed raw material. The greater part of this trade was with Great Britain. In quantity, cotton goods led the way. Other important commodities were hardware and cutlery, matches, glass-ware, weaving apparel, clocks and watches, steel and machinery. Exports to the West were almost entirely made up of natural products which had acquired established places on the export list long before 1860.³⁶

³⁶G. Bogaars, "Suez Canal", p.109.

	1870	1875
Tin	37	31
Gutta	17	2
Pepper	21	29
Rattans	4	4
Gambier	14	24

Major commodities exported to the West - percentage of total export.
Source: Chiang Hai Ding, Table XXXI.

Singapore had the lion's share of the trade of the Straits Settlements, and from 1826, when the first records of imports and exports were maintained, its share never fell below 63% in any one year and averaged about 71%. Penang's share of the trade averaged 24%.³⁷ Malacca's meagre share dropped to below 2% when only the foreign trade of the Straits Settlements was taken into account. With slight modifications, the nature, structure and pattern of trade at Penang was very similar to that in Singapore.³⁸

The trade of the Straits Settlements showed rapid progress up to 1859. Comparing the years 1825/6 and 1859/60, Singapore showed an increase of 301% (annual average of 9%), Penang 216% (annual average of 6.5%) and Malacca 118% (annual average of 3.6%).

³⁷ See Appendix VII. It is difficult to know the full extent of the trade. A large portion of the coasting trade was carried on by small craft, the owners of some of which, through ignorance or to avoid trouble, did not report arrival and departure. Sometimes too the value of cargo was over-estimated or imports were under-estimated.

³⁸ Penang had a lucrative trade with Sumatra.

The average annual growth rate for all three settlements was 6.4%.³⁹ After 1859, this rate of progress was hardly maintained. Moreover, the trade of the Straits Settlements had become highly sensitive to external influences and there were fluctuations from year to year. Nevertheless, the Straits Settlements trade continued to grow. This was due to the overall development of world trade as well as to the development of the South-east Asian region served by the Straits Settlements.

Revenue and Taxation

The increasing commercial prosperity of the Colony was not reflected in a comparable increase in the Government's revenue. It was a policy dictated from Britain not to tax trade or introduce direct taxation. The Colony could, therefore, benefit only indirectly from the increased prosperity and expanding population through excise duties on opium and spirits as well as from stamp duties. In 1867, for instance, about 5/8 of the estimated revenue of \$1 million came from these two sources. The balance was made up by property taxes, port dues and fines. The Indian Government also reimbursed the expenses incurred on account of the convicts and the municipalities made contributions towards support of the police force.⁴⁰

³⁹Based on trade statistics in Blue Book for the Year, 1868.

⁴⁰Report on the Blue Book for 1867.

Until the last few years of Company rule, the revenue raised in the Straits was insufficient to meet the expenses of administration. The resulting deficit had to be met by the Government of India. With the exception of defence and convict charges, Singapore was able to meet the cost of its administration, but both Penang and Malacca had insufficient revenue to cover even local expenditure.⁴¹

As noted above, almost from the foundation of the Settlements, the principle of free trade was adhered to, in spite of several attempts by officials in Singapore and India to modify it. It was believed that, "... the key to economic success lay in British leadership combined with the energy of Chinese settlers, untrammelled by official economic shackles."⁴² The freedom of port and trade became a sacred tenet to the merchants of the Straits, who tended to interpret it rather loosely to oppose any legislation objectionable to them. So during the greater part of Company rule, the Straits Settlements were exempt from import and export duties, tonnage and port dues, wharfage and anchorage duties as well as port clearance and stamp duties. In forgoing this revenue, the government had to keep down the cost of administration. The government was forced to economise to the extent of neglecting essential reforms and improvements, a policy which became increasingly unworkable.⁴³ The effect of this

⁴¹C.M. Turnbull, op. cit., p.188.

⁴²C.M. Turnbull, op. cit., p.189.

⁴³C.M. Turnbull, op. cit., p.191.

was a state of continual friction between the government and the European mercantile community over the provision of the necessary budget.

During the 1850s, the Government of India took steps to improve ports and shipping facilities in the Company's territories. The Indian Ports Act of 1855 was extended to the Straits Settlements and in the same year, Raffles Lighthouse was completed. In 1858, an act providing for the regulation of Asian Passenger Ships was introduced and the following year, a shipping office was set up in Singapore. All these improvements led to additional expenditure and proposals were made to introduce a tonnage fee, clearance fee or pilots fee to cover costs. These proposals were, however, abandoned as a result of spirited opposition from the European merchants. No other attempt was made to tax trade during the final years of Company rule in the Straits. Trade and port remained free with the exception of payment of light dues by certain vessels under India Act XIII of 1854. These dues were small and amounted to one anna per ton.⁴⁴

The government was forced to rely heavily on excise for its revenue. However, raising this revenue was difficult since the administrative body was small and the population was impermanent. The government, therefore, resorted to the system of "farming", a practice common in European colonies in Asia. The system guaranteed

⁴⁴C.M. Turnbull, op. cit., p.195.

a certain sum of money to the government without the necessity of organising collection.

The farming of the right to sell spirits was first introduced in Penang in 1789. Two years later, the opium farm was introduced there⁴⁵ and it was subsequently extended to the other settlements. Other farms which were later introduced were for toddy, bhang, betel-leaf, gambling and the privilege of killing and selling pork. There were also small duties on tin-mining, timber-cutting, brick making and granite-cutting and these, too, were generally farmed out. The gambling tax was subsequently abolished in 1811 at Malacca, in 1826 at Penang and in 1829 at Singapore.⁴⁶ The pork tax was finally abolished in 1838. Municipal Act XIV of 1856 re-introduced it in the form of licences for slaughter-houses.⁴⁷

These farms, and especially the opium farm, were right from their inception the government's main source of revenue. Excise Ordinance IV of 1870 consolidated and amended the laws relating to opium, spirits and toddy farms. According to the new legislation, the opium "farmer" received exclusive rights to sell opium in quantities of less than one chest, as well as the right to cook, prepare and sell chandu. The spirit farmer received a tax of 75 cents

⁴⁵C.M. Turnbull, op. cit., p.196.

⁴⁶Report on the Blue Book for 1868.

⁴⁷The Auditor-General's Report, 13.4.1871, C.O.273/41.

for every gallon of spirit⁴⁸ imported. The toddy farmer charged a fee to all producers of that beverage.⁴⁹ Opium and spirits not consumed in the Colony but held for transshipment were not taxed. Those consumed locally were marked up by the farmers. Inevitably there was smuggling and tax evasion. The farmers employed revenue agents who were given some powers of search, and the government tried to discourage smuggling by imposing heavy fines on offenders.

The ordinance referred to also gave the government the right to raise further revenue in the form of fees for licences. This applied to distilleries in sugar factories, hotels, taverns and shops selling spirits as well as to farm shops selling excisable articles.⁵⁰ Additional revenue was obtained from levying a tax on owners of fish-stakes (although there was no legislation providing for this), from annual fee for the licences of pawn-brokers, from permits for owning firearms, from licences for hackney carriages,⁵¹ and licences for passenger boats plying at the ports,

⁴⁸Mainly arrack. Wines and beers were not regarded as excisable items. Ibid.

⁴⁹Toddy was mainly consumed by Indians and the toddy farmers were also Indians. With this exception, all farms were monopolised by the Chinese. C.M. Turnbull, op. cit., p.198.

⁵⁰The Auditor-General's Report. C.O.273/41.

⁵¹Other than those used for hire which came under Municipal revenue.

from registration fee of brothels and prostitutes and from fees for registration of births and deaths.⁵²

The financial crisis which followed the Indian Mutiny of 1857 had led to the introduction of new taxes in India. The main new source of revenue was income tax, introduced in India against much opposition. Fearing extension of the tax to the Straits Settlements, local merchants held protest meetings and throwing moral compunctions to the wind, even urged the resurrection of the gambling farms if the government needed additional revenue.⁵³ Income tax was not introduced in the Straits. In 1862, however, Indian Stamp Act was extended to the Straits Settlements. After initial opposition, the merchants grudgingly accepted the imposition of stamp duties. The revenue from sale of stamps helped to eliminate the deficit suffered for so long by the Straits Government.⁵⁴

The other source of income was land. In the early days, at Penang and Singapore, great importance was placed on immigration and to encourage it, individuals were granted perpetual titles to large areas of land. Subsequently, attempts were made to grant land on short leases. In 1830, new land regulations were introduced in Singapore whereby agricultural land could be leased for fifteen

⁵²Some of these new sources of revenue were created after 1867.

⁵³C.M. Turnbull, op. cit., p.202.

⁵⁴In 1867, the sale of stamps contributed 13% of the total revenue.

years and the lease could be renewed for a further three terms of fifteen years, each at progressively higher rents. These terms did not have much appeal, so in 1837, the Government of India repealed the land regulations and appointed a commissioner to study land problems in the Straits Settlements and recommend a suitable tenure system. The commissioner's report led to the formulation of a new land legislation for the Straits in 1839.⁵⁵

	Approximate Population	Revenue
1829	100,000	n.a.
1838	150,000	£ 36,000
1846	195,000	48,000
1856	248,000	81,000
1866	273,000	126,000

Revenue of the Straits Settlements excluding income from sale of lands and municipal contribution. Source: Blue Book for 1868.

According to the Act,⁵⁶ lands for purposes of agriculture were granted on a lease of twenty-five years, renewable for a further period of thirty years. Once again the terms were not attractive, especially to spice planters. In 1841, therefore, the lease system was discontinued and land was sold in perpetuity. In

⁵⁵C.M. Turnbull, op. cit., pp.140-1.

⁵⁶India Act XVI of 1839, C.O.273/60. The Act did not affect those cultivators in Malacca who held their lands under the old Dutch system. Article, XII.

Penang and Province Wellesley the price of land ranged from Rs.5 to Rs.10 per acre, depending on the nature of the soil and other circumstances. Moreover, lease holders who were paying a quit rent in excess of one dollar per acre per annum were given the option of purchasing the land by paying a sum equivalent to five to eight years aggregate rent. Other lease-holders could also purchase the land. However, the purchase price was based on a new rate. Similar arrangements were made for Singapore. The annual rent rate at Singapore was generally calculated as \$2.50 per acre, and in some areas was increased to \$5.00 per acre. Malacca was not included in the new arrangement.⁵⁷

Subsequently, land was, wherever possible, not sold in fee simple but was put up for auction on perpetual lease to the highest bidder subject to the payment of a small ground rent.⁵⁸ At the same time, grants of lands were also made. Land for the cultivation of tapioca or gambier could be leased for ten years by paying a premium of one dollar per acre and annual quit rent of thirty cents per acre. The lease was renewable for a further term of ten years. Land to be used as gardens, coconut or fruit plantations could be leased for 99 years by paying a premium of one dollar for ten acres and an annual quit rent of thirty cents per acre. Lease holders

⁵⁷ Government Notification, 20.12.1844, C.O.273/60.

⁵⁸ Report on the Blue Book for 1871.

were given the option of purchasing their lands at a price of three dollars per acre. In Singapore, the lands to be leased were also put up for auction, the potential lease-holders bidding on the premium to be paid to the government.⁵⁹ The land tenure system in Malacca which had a long history of settlement was different. Until 1838, the Company followed the Dutch practice of collecting a tenth of the produce or an equivalent sum of money. In that year, the system of a fixed rate for a lease of twenty years was introduced as an optional alternative. However, the majority preferred to remain under the old and uncertain system of annual assessment.⁶⁰

In 1861, the Legislative Council of India passed an Act to regulate the occupation of land in Malacca. According to the Act, all cultivators and resident tenants who had held their lands by prescription prior to 1828, were allowed to pay their rent in the form of a tenth of the produce or equivalent sum of money. All others were brought under the provisions of Act XVI of 1839. The Governor was also empowered to sell lands outright, the purchaser being freed of any liability for the payment of an annual rent.⁶¹

⁵⁹Rules for Sale and Grants of Land, 9.5.1870, C.O.273/60.

⁶⁰Report on Malacca for 1867.

⁶¹India Act XXVI of 1861, C.O.273/60.

In 1867, commutation by means of annual money payment was declared compulsory. The fixed valuation was as follows:

Upon lands within 2 miles of town	-	50 cents per acre p.a.
Upon lands within 4 miles of town	-	45 cents per acre p.a.
Upon lands beyond 4 miles of town	-	25 cents per acre p.a. ⁶²

However, it subsequently became apparent that crops grown in the highlands and in gardens were more valuable, acre for acre, than grains. So the regulation were modified to grant the Lieutenant-Governor the discretion to assess such highlands and gardens at existing rates or according to the estimated value of a tenth of the produce.⁶³ In practice, the government experienced great difficulty in collecting the money due to it fairly and honestly. Since the bulk of Malacca's income came from land revenue, there was a need to devise a suitable and workable tenure system for that settlement.

Malacca's share of the total revenue of the Straits Settlements was meagre, amounting to about eight percent. Penang contributed about a fourth of the total revenue. The rest of the revenue, was raised at Singapore.

At the end of 1867, the Colony had a revenue of £227,000 after deducting reimbursements amounting to £33,000. This was raised from,

⁶²Report on Malacca for 1867.

⁶³Ibid.

(a) Opium, spirits and pawnbroking	£ 150,000	-	66.1%
(b) Stamps	30,000	-	13.2%
(c) Municipalities	20,000	-	8.8%
(d) Land etc.	17,000	-	7.5%
(e) Fines, fees and port dues	10,000	-	4.4%

The greater part of the revenue was contributed by the Asian population, especially the Chinese. The European community's contribution to item (a) was the 6d. duty charged on every bottle of spirit consumed. Stamp duties affected the European community much more than the Asian population. They were taxed on business transactions, but small traders did not use documents needing stamps. The European community also contributed its share to the Municipality in the form of rates on land, houses, horses and carriages. But the amount levied was small, and ranged from a minimum of £10,10s. to a maximum of £28.0s. per annum. As far as items (d) and (e) were concerned, the Asian population was almost exclusively the buyer of land and the payer of fines and fees.⁶⁴

During the period 1867 to 1874, the Colony's revenue did not show a great increase. The income for the first nine months of Colonial rule in 1867 was \$1 million. In 1868, the revenue was \$1.3 million and in 1874 rose to \$1.5 million. After deducting annual military contributions amounting to \$186,040, the Governor

⁶⁴Report on the Blue Book for 1868.

was left with the balance to provide for an administration which could keep pace with the increasing population and create and maintain efficient establishments for carrying out the colonial system of government. At the same time, he was required to maintain a surplus of income over planned expenditure in order to defray unexpected expenditure.

In the early months of Colonial rule, the exact financial situation of the Colony was not known, since the Indian system of keeping accounts differed from the Colonial system. Nevertheless, Ord launched one major public work which brought no benefit to the general population and was designed to enhance the vice-regal dignity. He had persuaded the Legislative Council to pass a resolution appropriating a sum of \$100,000 for the erection of a Government House. The money was to be borrowed from the public debt at five per cent interest. The public debt was then \$3.7 million.

The money approved for the Government House was a substantial portion of the Colony's revenue. The Colonial office was not prepared to sanction the expenditure until more was known about the Colony's financial position. Ord then forwarded estimates of income and expenditure for 1967 and 1968 which showed a surplus of \$50,000 and \$160,000 respectively.⁶⁵ The Colonial Office regarded the financial information provided as defective in many respects, but

⁶⁵Ord to C.O., 18.9.1867, C.O.273/12.

the Government House project was nevertheless sanctioned subject to any restriction that might be given in the future.⁶⁶

The Colonial Office began to have doubts about the Colony's financial management. There was a general feeling that Ord should be curbed and that the Home Government should keep a careful check on the finances of the Straits. Ord was given instructions that in future he should provide the following information together with the estimates:

- (a) Statement for 1st of January of the preceding year,
- (b) Statement for 1st of January of the month preceding despatch of estimate,
- and (c) Statement for 1st of January of the year of estimate.⁶⁷

Meanwhile, Ord had made plans to replace the Government steamers. The Straits government had at its disposal a paddle steamer, Pluto and an iron-screw steamer, Rainbow. The seaworthiness of the Pluto had been questioned as early as 1864 when the ship was sanctioned to carry troops from Singapore to Labuan. The commander had pointed out to the Governor that the ship was unsafe to sail across to Labuan.⁶⁸ The Governor and the Master Attendant had inspected the ship and concluded that the vessel would be serviceable

⁶⁶C.O. to Ord, 26.11.1868, C.O.273/13.

⁶⁷C.O. to Ord, 27.11.1868, C.O.273/13.

⁶⁸Governor's Diary (Foreign and Military) No. 34 of 1864, S.S. Records, No. X39.

for another two or three years if a few defective plates were covered over.⁶⁹ The Pluto and the Rainbow were surveyed in 1867 by Admiral Keppel, and it was found that the Pluto was completely unseaworthy and that the Rainbow needed extensive repairs.⁷⁰

Ord then purchased a new steamer, the Pei-ho, for \$62,000. Moreover, the Legislative Council voted an additional sum of \$100,000 for the construction of a steamer of 437 tons also to be named Pluto. The Colonial Office considered these justifiable expenditures and gave its approval.⁷¹

This co-operation of the Legislative Council was not destined to last long. Ord's honeymoon with the non-official members and the European community at large came to an end in 1868 when in the speech to the Legislative Council he hinted the possibility of imposing import duties or of introducing direct taxation.⁷² It is very likely that Ord was genuinely stirred by a sense of justice. Of the total revenue of the Colony, the European community, "... who from their wealth and position in the country claim to be considered the representatives of its interests ..." ⁷³ contributed

⁶⁹Governor's Diary (Military) No. 26 of 1865, S.S. Records No. X50.

⁷⁰Ord to C.O., 6.7.1867, C.O.273/11.

⁷¹Ord to C.O., 3.10.1867, C.O.273/16; C.O. to Crown Agents, 22.2.1869, C.O.273/33.

⁷²Speech to the Legislative Council, 22.4.1868, C.O.273/25.

⁷³Report on the Blue Book for 1868.

about one-tenth. Ord felt that the Asian paid taxes on what were to him almost necessities. On the other hand, the European received not only his necessities but even his luxuries free of any tax. If, for some reason, the Chinese decided to leave the Colony, there would be a fall in the revenue and additional taxation would be imperative. In such an event, Ord felt "... it would be necessary to fall back on the European community, and to require them to assume that share of the fiscal burden of the settlements from which they have been hitherto exempt."⁷⁴

Ord was obviously testing the mood of the European community. It proved to be a costly experiment. He lost the goodwill of the European community, and the speech led to the formation of the Straits Settlements Association which henceforth became a tenacious critic of the government and a painful irritant to the Governor.

The Straits Times reported that His Excellency was radically wrong. Free of municipal rates, no one, either European or Chinese, was taxed. Tax was imposed only on certain items of luxury. The fact that the Chinese were consumers of opium did not mean taxing the Chinese, the paper argued. Opium was a luxury and the Chinese could refuse to consume it.⁷⁵

⁷⁴Ibid.

⁷⁵S.T. 25.6.1870.

The European merchants claimed that they paid a higher proportion of tax than reported by the Governor. Moreover, they paid more municipal dues, heavy assessment on places of business and warehouses and were almost the sole contributors to the revenue from stamps. What they did not explain was that the resident merchant re-couped most of these expenses.

As a rule, merchants in the Straits did not trade on their own account but acted principally as Commission Agents. When a merchant received a consignment of goods for sale, he landed it and stored it in his warehouse. On its being sold, he probably bought produce in return which he also stored before shipping. The commission rates charged were laid down by the Singapore Chamber of Commerce. The commission for sale of goods was five per cent whilst the commission for purchase of goods was two and a half per cent. In addition, the merchant was also entitled to a fixed sum to cover receiving, landing and shipping the goods. He received a further fixed sum for storage. This list covered almost every conceivable item of trade. For landing a hold of beer or brandy, for instance, the charge was \$1.10 cents. There was an additional charge of \$8.20 cents for storing it for a year. Generally the charges more than compensated the warehouse assessment paid by the merchant. Similarly, the merchant also recovered stamp duties often charging more than he actually paid.⁷⁶

⁷⁶Ord to C.O., 18.5.1870, C.O.273/38.

The European mercantile community in the Straits had enjoyed a privileged position for several decades. It had successfully opposed attempts to remove some of these privileges. It had safeguarded the freedom of trade and port. The status quo had been maintained by forcing the government to cut down on public spending thus removing the need for additional revenue. The European community, united more than ever before under the Straits Settlements Association, now launched an attack on government spending. The Association claimed that the Pei-ho alone was sufficient for the Colony's needs and that Rainbow and Pluto, when completed, should be sold.⁷⁷ The Government House was regarded as an extravagance.

Ord argued that there was a genuine need for a Government House. He was confident that, although provided for by a loan, the building would be fully paid off from ordinary funds in less than three years without burdening the people with additional tax or postponing needed public works. However, the cost of Government House began to mount. In February, 1869, the Colonial Engineer reported that he needed an additional sum of \$39,736 in order to complete the building.⁷⁸ Money was also needed for hire of ordinary labour to supplement convict labour so that the building

⁷⁷S.S.A. to C.O., 10.3.1869, C.O.273/34.

⁷⁸Proceeding the Legislative Council, 17.2.1868, C.O.273/27.

would be ready for occupation when H.R.H. the Duke of Edinburgh visited the Colony.

The Colonial Office sanctioned the additional expenditure of \$40,000 but disapproved the expense involved in hiring free labour. The Secretary of State for the Colonies was displeased with "... the unbusinesslike manner in which the arrangements connected with the building of the Residence has been carried out."⁷⁹ The Government House was completed and occupied in October, 1869. The final cost was \$160,000.⁸⁰

The Straits Settlements Association could not prevent the construction of the Government House. However, it succeeded in obtaining an assurance from the Colonial Office that there would be economy in the expenditure for the provision of ships to the Colony. When Ord sought approval for the purchase of a steamer for \$15,000 as relief for the lighthouse, the Colonial Office refused sanction. Moreover, he was instructed that when the Pluto arrived in the Colony, Pei-ho and Rainbow were to be sold. He was also reminded that the Colony was provided with a steamer primarily for the relief of lighthouses and other government service. When not so employed the Colonial Office had not objection to the steamer being used for

⁷⁹C.O. to Ord, 11.6.1869, C.O.273/34.

⁸⁰Ord to C.O., 8.10.1870, C.O.273/40.

conveyance of the Governor.⁸¹

Construction of the Pluto was completed at Clyde shipyards in September, 1871.⁸² The entire cost of the steamer, when it arrived in Singapore, was £14,130. At trials in England, the vessel had a speed of eleven knots at full speed. However, when put to service in the Straits it could not exceed eight knots. In order to save the boilers, instructions were issued not to exceed six knots. A survey by the chief engineer of H.M.S. Zebra showed that the engine and boilers were not well constructed.⁸³ A further survey in 1873 by engineers of H.M.S. Thalia showed that the ship needed extensive repairs. The Legislative Council approved a sum of \$5,000 for this purpose and also sanctioned the hire of a private steamer for the Governor.⁸⁴

Meanwhile the Straits Settlements Association was protesting against the Pilotage Ordinance and the Quarantine Ordinance on the grounds that they interfered with trade. Memorials were also sent to the Colonial Office protesting against extravagance in Government spending. The Association had set up a committee of its own to examine the accounts of the Colony. The committee cast doubts on

⁸¹Ord to C.O., 14.2.1871, C.O. to Ord (telegram) 24.2.1871; 1.4.1871, C.O.273/45.

⁸²The old Pluto was disposed of in 1870. The Pei-ho was put up for auction in April 1870 and realised only \$26,450. The Rainbow was sold in May 1871 for \$11,025. Anson to C.O., 11.4.1871, C.O.273/46; 1.6.1871, C.O.273/47.

⁸³Ord to C.O., 1.6.1872, C.O.273/58.

⁸⁴Ord to C.O., 31.5.1873, C.O.273/66.

the government's accounting system. For the year ending 31st December, 1868, the committee claimed that the surplus shown depended on the claims of the Colony on Hong Kong, Ceylon and India for maintenance of convicts. If this sum was deducted, it was alleged, there would be a deficit. Moreover, the committee added, "... the ordinary expenditure has been increased till it absorbs the whole increase of Revenue leaving no recourse, except loans, for extraordinary expenditure."⁸⁵

As a result of these charges, the Colonial Office instructed Ord to submit a detailed report on the financial situation of the Colony. A report by the Auditor-General's report was submitted in January, 1870. In order to make comparison possible between the last financial year under Company rule (1st April, 1866 to 31st March, 1867) and the first full year of Colonial rule (1st January, 1868 to 31st December, 1868), certain adjustments were needed because of the differences in the method of accounting. Certain conjectural amounts had to be added to Expenditure for such items as stamps, stationery and medical supplies which were provided by Calcutta without their value appearing in Treasury accounts. Conjectural amounts were also added to the income and expenditure of the Public Works Department representing the value of convict labour and reimbursement for maintenance of convicts. These were not shown

⁸⁵Report of S.S.A. Committee on Finance, 1869, C.O.273/35.

in Indian accounts because the system of reimbursement of convict labour did not then exist. These, together with the other adjustments, provided a reasonably accurate figure for comparing the years 1866/7 and 1868. The revenue for 1866/7 was calculated at \$1,219,314 and the revenue for 1868 was \$1,301,843 showing an increase of \$82,529. The main increase was from licences farmed out. This was not due to increase in population only but was also due to alterations in excise law. Under Indian rule, farms were auctioned. However, after Transfer, a system of private traders had been adopted.⁸⁶

The total expenditure for 1866/67 was calculated at \$1,137,031. The expenditure for 1868 was \$1,197,177 showing an increase of \$60,146. The largest increase was accounted for by the establishment due to the increase in personnel and increase in the salaries of certain officials.⁸⁷

The Colonial Office was satisfied with the report and wrote to the Straits Settlements Association stating that the Association's view of the financial situation of the Colony was not supported by facts.⁸⁸ The argument was somewhat clinched when Ord wrote to the Colonial Office claiming that at the end of 1870 the balance of revenue over expenditure, after paying for Government House and

⁸⁶ Auditor-General's Report, 18.1.1870, C.O.273/37.

⁸⁷ Ibid.

⁸⁸ C.O. to S.S.A., 8.1.1870, C.O.273/35.

every liability expected, would be £60,000. He forwarded £30,000 to be invested by the Crown Agents.⁸⁹ Lord Kimberley was "... glad to receive so satisfactory an account of the financial position of the Colony."⁹⁰

The Straits Settlements Association now changed its line of attack. In April 1870, resolutions were passed condemning the government for spending large sums of money on minor and unimportant works such as the Government House and steamer whilst neglecting important projects such as water works, the expansion of hospitals and land drainage in Malacca and Province Wellesley.⁹¹

The water supply scheme began in late 1865 when the government passed an estimate of Rs.1,06,460 for the project, made up of a donation of Rs.28,600 from Tan Kim Seng, a wealthy Singapore merchant, convict labour valued at Rs.33,501 and a cash outlay of Rs.44,359.⁹² The valley at Thompson Road was selected as the catchment area. The Government and the Municipality came to an agreement whereby the Government would bring water to the town but the Municipality would bear the expense of distribution from the town reservoir.

⁸⁹Ord to C.O., 25.10.1870, C.O.273/40.

⁹⁰C.O. to Ord, 18.12.1870, C.O.273/40.

⁹¹Resolutions of S.S.A. Enclosure in Ord to C.O., 9.4.1870, C.O.273/37.

⁹²India to Governor of S.S., 21.12.1865, C.O.273/9.

The plan of the works, the dam and aquaduct were drawn by the Government engineer.⁹³

Work on the project did not commence until after Transfer, when a brick conduit was built up to the foot of Government Hill at a cost of \$53,000. As agreed, the Municipality was to build the distribution reservoir and take over and maintain the water-works. However, water refused to flow beyond Kampong Kerbau where there was no facility for distribution throughout the town. The aquaducts, too, were unsatisfactory. The Municipality, therefore, decided not to have anything to do with the scheme.

The Colonial Engineer reported that the conduits could not be used for the intended purpose. He suggested that the most effective and economic scheme was to lay two 15-inch pipes in the conduit. The estimated cost of bringing water in this way from Thompson Reservoir to Singapore River was \$149,229.⁹⁴ Ord felt it was unjustified to spend such a large portion of the common revenue for the benefit of one settlement, since Malacca had no water supply, and Penang had water only as a result of additional taxation imposed on the public.⁹⁵

⁹³S.T. 22.1.1870.

⁹⁴S.T. 8.5.1872. E.J. Wells of the Singapore Gas Works wrote a letter to the paper guaranteeing to bring water in two 15 inch pipes for \$107,000 (if laid in culvert) or for \$102,000 (if laid along roadside). He also expressed his willingness to distribute water to the town for \$152,000 (including stand-pipes and fire-wells). S.T. 18.2.1871.

⁹⁵Ord to C.O., 28.4.1871, C.O.273/55.

The Straits Times commented, "To attempt to cast upon the general funds of the Municipality any part of the cost of just bringing water to a given point in town would not only be an evasion of responsibility on the part of the government, but be a palpable injustice to the Europeans, who are at all events the chief contributors to the Municipal revenue and who would benefit in no way by the Town supply of water."⁹⁶ The paper added that if His Excellency considered Chinese the taxpayers, he could support a project by which they would almost exclusively benefit.⁹⁷

Towards the end of 1871, the Colonial Engineer's plans and schemes were forwarded to the Colonial Office with a plea from the Acting Governor, Anson, that the works should commence without delay and a statement that the population was experiencing great inconvenience, sickness and suffering during the dry season for want of a proper water supply.⁹⁸

While agreeing that water supply was important, the Colonial Office was not prepared to sanction the project without first obtaining professional advice. The plans were therefore handed over to R. Rawlinson, Civil Engineer and adviser to Crown Agents. There was much correspondence between Singapore and London as to

⁹⁶ S.T. 25.6.1870.

⁹⁷ Ibid.

⁹⁸ Anson to C.O., 6.11.1871, C.O.273/51.

the most effective and inexpensive means of providing water to Singapore town. In December, the Colonial Engineer, McNair, who was on leave in England, was ready to prepare the final reports and plans under the guidance of Rawlinson.⁹⁹

The Straits Times was irked by the delay and felt that the advising engineer need not take twelve months "... to brood over such a matter." It added that the whole water-works project was "... a standing scandal to the government, from the time Mackenzie's earthenware pipes, sold to pay freight, down to the present brick conduit, which is no conduit at all and no better than an open drain, although it has cost half a lakh of dollars."¹⁰⁰

The final plans were sent to Singapore in February, 1873. Further delay was caused by cost cutting suggestions made by the Governor and the Legislative Council. These were rejected and the Legislative Council had to approve Rawlinson's original plans and estimates. The Crown Agents recommended T. Colson (who was then working for Messrs. Avid and Son, Contractors) to be foreman of the water-works.¹⁰¹ Finally, in early 1874, Rawlinson's elaborate scheme of delivering water under pressure by means of iron-pipes throughout the town got under way, the streets through which mains

⁹⁹ Rawlinson to Crown Agents, 18.12.1872, C.O.273/63; McNair to C.O., 21.12.1872, C.O.273/64.

¹⁰⁰ S.T. 8.5.1872.

¹⁰¹ Clarke to C.O., 1.1.1874, C.O.273/75.

and sub-mains were to pass were measured and orders were placed in England for all cast iron pipes, pumping engines and machinery. Water was to be brought from Thompson reservoir by conduits to a point where iron-pipes became servicable. For this purpose the conduits were repaired and brought up to the required level. An excellent site for distributing reservoirs was chosen on a hill 90 feet above sea level near Dr. Robertson's house. At the foot of the hill facing Bukit Timah Road, a low level reservoir and pumping well were constructed.¹⁰² The water works scheme was a project "... perhaps of the greatest magnitude undertaken in the Colony."¹⁰³ Work continued up to the end of 1875.

The other major public work undertaken was the construction of a screw-pile lighthouse at North Sands. Navigation in the Straits of Malacca was assisted by six lights maintained by the Colony. Five of these were fixed lights and one was a lightship, Torch, which was anchored at a dangerous shoal called North Sands between Malacca and Penang at latitude 3°10'N and longitude 101°E. This was a much used route and the shoals presented a danger to vessels.

The Torch had been built at Hoogli and sent down to the Straits in 1852. This lightship had certain disadvantages. It could not show a powerful light, and in bad weather it broke its moorings and became adrift. Moreover, it had undergone extensive repairs in

¹⁰² S.T. 29.8.1874.

¹⁰³ McNair's Memorandum, enclosure in Ord to C.O., 24.4.1873, C.O.273/66.

1859, 1865 and 1869. As far back as 1862 the Indian Government had contemplated replacing the Torch with a lighthouse. Plans were drawn for an iron-lighthouse on screw-piles, but the project was abandoned because of impending transfer.¹⁰⁴

In November, 1870, the Legislative Council voted a sum of \$40,000 for a lighthouse. The work was to be completed by the end of September, 1872. When the lighthouse was finally built, it had cost the government \$55,000 and the time limit had been exceeded by 18 months.¹⁰⁵

The Government House (which the Straits Times not so fondly referred to as "His Excellency's Palace"), the water-works and the lighthouse were not the only major public works undertaken in the Colony. Contrary to the charges made by the S.S.A. Ord had completed or initiated an impressive list of public projects.

At Singapore seven new police stations were erected. Formerly, the married men of the Police Force had been required to provide their own quarters and consequently lodged about the town in all directions. Married quarters were now provided for them in the barracks at Sepoy Lines. Extensive tracts of land were reclaimed and sea-walls were constructed. On one portion of the reclaimed land, near Clyde Terrace, a large Iron Market, completely under the control of the Public Works Department, was constructed. A considerable

¹⁰⁴Ord to C.O., 19.2.1870, C.O.273/36.

¹⁰⁵Clarke to C.O., 3.10.1873, C.O.273/76.

sum of money was spent on the reconstruction of China Town and Ellenborough markets. Work had commenced on a new Post Office building in Fort Fullerton, a site much nearer the commercial centre of the town. A new building was being erected to accommodate the law courts.¹⁰⁶ The Government House, the chief police stations and the public buildings were all connected by telegraph. The removal of transmarine convicts left extensive buildings at the disposal of the government, which were modified so that the "separate system" provided for in the Prisons Ordinance of 1872 could be introduced. Many new roads and bridges were constructed and existing roads were widened and metalled. In 1873 alone, over \$80,000 was spent on public works in Singapore.

Penang needed a Town Hall where public meetings, balls and concerts could be held. In 1869, a sum of \$33,535 was paid in to the Treasury. This was the money paid by certain residents of Beach Street for encroachment or supposed encroachment on government rights. The payment was a compromise to avoid expensive and uncertain litigation, and it was understood at that time that the money would be used for the improvement of Penang. Ord proposed using the money

¹⁰⁶The need for a new Court House was "... made apparent by the sudden falling in of the ceiling whilst the court was sitting." Ord to C.O., 22.8.1873, C.O.273/69.

for a Town Hall as well as a similar building for the Chinese community since they were the chief contributors.¹⁰⁷

Two important police stations were constructed in the heart of George Town and four smaller stations elsewhere in Penang. Almost every station was provided with married quarters. The Government Bungalow in Penang Hill was connected to the town by an electric telegraph, the principal prison was enlarged, and improvements were made to public buildings, the Court House, roads and bridges. In 1873, over \$90,000 was spent on public works in Penang.

In Province Wellesley a pier was erected at Butterworth, and several police stations were built, the most important station being that at Nibong Tebal, near the frontier with Perak. The dyke known as Muda Bund was completed with government assistance. The rivers Juru, Tebing, Tinggi, Tumbus and Paku were bridged. Plans were made for an iron-bridge over Prai River.¹⁰⁸ Of the \$67,500 spent on Province Wellesley in 1873, a large portion went to the maintenance of the 200 miles of roads in that settlement.

At Malacca, a substantial timber pier, 800 feet in length, was erected for the landing and shipping of passengers and goods.

¹⁰⁷ Ord to C.O., 22.8.1873, C.O.273/69. Subsequently, the Municipality of Penang promised a sum of \$10,000. Plans were then made to use both sums of money for a Town Hall to be maintained by the Municipality. Speech of H.E. the Governor, 7.10.1875, C.O.273/81.

¹⁰⁸ The iron-work for the bridge had to be ordered from England. Jervois, Speech to Legislative Council, 7.10.1875, C.O.273/81.

A central police station in the town and three small stations on the frontier were constructed. The Stadthuys and Government Offices were repaired and a clock tower was built to house a large clock presented to the town by Tan Beng Swee. The bridge across Batang Malacca River at Gadoh was completed and a drainage canal was opened from Pulau Gadong to Ching.¹⁰⁹

Needless to say, more public works were still needed in the Colony. The 150 miles of roads in Malacca and 200 miles of roads in Province Wellesley were inadequate. These settlements, and especially Province Wellesley, needed more drainage and irrigation canals. Malacca town had no water supply. With increasing sea traffic, more navigational aids were needed especially light-houses at Pulau Pisang and Sultan's Shoal near Singapore and at Muka Head in Penang. An allotment survey was urgently needed in Malacca so that the land question could be settled. Despite these remaining needs, the Colonial government could hardly be accused of having neglected public works.

The financial situation of the Colony remained healthy. Revenue continued to increase. For the period 1868 to 1873 the annual average revenue was as follows:¹¹⁰

¹⁰⁹ Progress of the S.S. since 1867, C.O.273/71.

¹¹⁰ Ibid.

From Land Revenue	\$16,000
Licences	84,000
Stamps	24,000
Postage	36,000
Interest	34,000

There was also a considerable increase in expenditure.

A large portion of this was accounted for by the bigger establishment required for a Colonial system of government. Other increases were due to the new pension scheme and expenditure on education, police and public works. Despite this, the government built up a considerable reserve. The Colony had commenced its career without a credit balance, but in 1868, it had a surplus of income over expenditure of \$104,366. This surplus was augmented annually and the amount in hand at the beginning of 1873 was \$689,602. At the beginning of 1874, the balance to the credit of the Colony was \$745,000. Although a large portion of this would have to be spent on specific public works undertaken earlier, the Colony would still be left with a sizeable reserve.¹¹¹ There had been a great deal of criticism about government expenditure. This was clear proof that the critics were more emotional rather than rational in their outbursts.

¹¹¹ At the end of 1874, the reserve was reduced to \$614,000. Of this, a sum of \$523,000 was appropriated for specific public works leaving a balance of \$91,000 at the beginning of 1875. However, this sum was augmented during the year and the estimated reserve at the end of 1875 was \$200,000. Jervois, Speech to the Legislative Council, 1875.

CHAPTER SEVEN

CONCLUSION

The Transfer of the Straits Settlements from the administration of the Government of India to that of the Colonial Office had been carried out at the almost unanimous request of the British residents and merchants in the Straits Settlements. When it was carried out in 1867, the Straits Settlements became one of the newest colonies of the British Empire. To what extent were the objects which promoters of transfer had wanted achieved during the first seven years of Colonial rule?

One of the strongest grounds on which transfer was urged was that it would give the local government powers to pass laws which the requirements of the Straits Settlements demanded. A review of the legislative work of the government during the period under consideration shows that more than one hundred and thirty ordinances were passed. Of these, forty-five were either repealed or had lapsed. Of the ninety-one ordinances in operation, twenty-three were enacted on instructions from the Secretary of State for the Colonies, and eight initiated by the Legislative Council contained amendments recommended by the Colonial Office.

On the Statute Book of the Straits Settlements were forty-one laws dealing with such important subjects as government administration, improvement in the law and in the administration of justice, preservation of public health and security, and trade and commerce. The Straits Times cynically commented "... we do not think that there ever was, or will be any State or Colony in the world, a finer exemplification of 'hurry-scurry' debates and 'helter-skelter' legislation than that afforded by the Straits Settlements Legislative Council under the management of its first President, Major-General Sir Harry Ord, K.C.B."¹ The paper could not deny that many of the laws passed were measures that were necessary and beneficial to the place and the community. Indeed, the wonder is that how the Straits Settlements could have existed for so long without some of the legislation passed during this period.² Future Legislative Councils would not be troubled with anything like such a volume of legislation.

It was sought to obtain by a change of Government local representation and this was achieved when Crown Colony government was introduced and a Legislative Council was set up. It is true that almost from the start there was dissatisfaction in the Council largely as a result of the personality of Ord, aggravated by his

¹S.T. 19.9.1874.

²See Appendix VIII for some of the major ordinances passed by the Legislative Council.

personal interest in legislation where he evidently took pride in drafting with his own hand or under his own supervision every clause in a bill. Ord genuinely felt that the various items of legislation were needed for the betterment of the community, and opposition to any bill by the non-official members was consciously or unconsciously treated as a personal attack on the Governor. This was conspicuous at the beginning of Ord's administration when he appeared to carry any measure through per fas et ne fas, regardless of everything else. However, Ord's attitude and bearing was partially modified later as a result of determined opposition from the Straits Settlements Association and some disapprobation from the Colonial Office. On the other hand, the opposition was not completely devoid of personal feelings of antagonism towards the government, and every opportunity was taken to attack government measures which posed a real or imaginary threat to trade and profit. Nevertheless, what is important is that a government machinery with local representation had been introduced. With goodwill and mutual respect, a repetition of the trauma of the early years could be avoided. The local European community had expected a pliant governor who would listen to them and thus entrench their special interests. Ord, on the other hand, was interested in working for the whole community and tried to do too much too soon. One of the first acts of his successor, Clarke, was to persuade the non-official members to rejoin the Legislative Council. The Straits Times remarked that Clarke was "... as opposite

to him (Ord) in character as the two poles. The community are, therefore, content ... and the future is looked forward to with hope and confidence."³

It was sought with a change of government an improvement in the judicial system which then existed. The judicial question hinged on the fact that the Charters of 1807, 1826 and 1855 did not separate the Executive from the Judiciary. Moreover, the Judicial establishment was too small to deal adequately with the increasing amount of business triggered by the growing prosperity of the Settlements. Measures were taken over this period which led to the complete reconstitution of the judicial system and effected a great improvement in the administration of justice. What was still needed to complete reforms in this field was an ordinance for establishing a Code of Procedure.

It was sought to obtain some control over the Chinese and other Secret Societies whose rivalry had led to disturbances of a serious nature. Although riots were not altogether eradicated, they became less frequent in number and much less serious in nature. The laws which were passed and the arrangements made under them, gave the government the power of controlling Secret Societies who were responsible for the riots. Moreover, the reconstitution and enlargement of the police establishment enabled the police to handle

³S.T. 15.8.1874.

such situations with little help from the military.

The perceived injury inflicted on the Settlements generally by the presence of a large number of Indian convicts had been a source of complaint. The convicts were to be removed by 1873 under the terms of transfer. However, when the time for their departure came, strong opinions were expressed in favour of their retention. Convicts on tickets of leave were in the event retained.

The increasing demand for labour was met by making arrangements with the Government of Madras to supply free labour on a regulated basis. Measures were also taken to provide better protection to Chinese immigrants. The appointment of a competent Chinese Interpreter was a major step in bringing the Chinese community to better understanding of the Government.

One problem which had been in a big obstacle delaying transfer was the almost perennial deficit of the Straits revenue. Despite criticisms of government extravagance expressed by the European community, which feared imposition of direct taxation or a tax on trade, the Straits Settlements in the event showed a steady increase in revenue after transfer. A colony which started without a balance in hand, had to its credit towards the close of 1874, a sum of \$614,000.

The trade of the Straits Settlements had increased steadily during the last six years prior to transfer reaching a peak in 1866. There had been a small fall off in trade during the early

years of Colonial rule, but it later rallied and showed an increased growth rate. The total increase in trade from the time of transfer to the end of 1873 was about thirty per cent. The returns of shipping during the six years prior to transfer and during the six years after transfer showed an increase of forty per cent in the shipping entered and an increase of forty-five per cent in the shipping cleared. The difference of five per cent indicated that a number of ships were built in the Colony itself.

Government expenditure, too, showed a progressive increase. A great deal of money was expended on setting up the Colonial system of government. It is doubtful whether the quaint system of administration which had existed under Indian rule could have coped with the many pressures placed on it by the increasing trade, increasing population and increasing demands of a growing colony. After the reconstitution of the civil establishments, the Colony did possess the framework of an efficient administrative system which, with minor alterations and enlargement, could cope with the anticipated growth of the Settlements. Moreover, for the first time, the Straits Settlements had a Civil Service of their own supplemented annually with cadets specially trained for service in the Straits. It was these cadets who subsequently played a major role in the history of the Straits Settlements and the Malay States.

Criticisms expressed by the Straits Settlements Association as well as the close scrutiny of expenditure by the Colonial Office possibly contributed to lessen government spending. Reference has

been made to the public works undertaken during the period. One important public project was the construction of the controversial Government House which even today provides a handsome residence for Singapore's Head of State. Perhaps the most important public project undertaken was the provision of water to Singapore town. The Colony would have benefitted from a greater expenditure on roads, sewerage system, hospitals and schools, but nevertheless, the work that had to be done by the second and third Colonial Governors was small in amount compared to what Ord inherited in April, 1867.

Immigration increased greatly and the first official census taken in 1871 showed a total population of 308,097. The value of real estate increased especially in the town districts. There was also readiness on the part of people living outside to invest in the Colony, thus showing confidence in Colonial administration. There were all the ingredients of a boom.

"Throughout the Indian regime in the Straits Settlements, the Calcutta authorities, the Directors, the Board of Control and later, the India Office in London, maintained a policy of non-intervention in the Malay States."⁴ It was a policy which proved difficult to adhere to. Because of the Colony's close proximity to the Malay States and interests there, events in one area would have reactions in the other. With an increasing commerce with the Malay

⁴C.M. Turnbull, op. cit., p.256.

States, the opening up of the tin mines, the presence of increasing number of Chinese immigrants and the more frequent instances of piracy, the British authorities were inevitably to be drawn into the affairs of the Malay Peninsula. It has been suggested that British Governors of the Straits Settlements did not merely react to changing circumstances in the Malay States but consciously pursued a policy of extending British influence there.⁵

It was sought to obtain by a change of government such an influence over the Malay States as the large commerce of the Straits Settlements seemed to demand. The Colonial Office, however, preferred to continue the previous policy of non-intervention in the internal affairs of the Malay States, although the influence exercised over these States by British authority was certainly no less than it had hitherto been. Officers of the government as well as persons outside the government maintained increasing contacts with the Malay States at what might be termed a non-official level. Ord himself was largely responsible for the increased British influence over the Maharajah of Johore, for persuading Siam to force the Sultan of Kelantan to abandon monopolies, and for bringing about a settlement between the Maharajah and the Bendahara of Pahang. He traced the work which was accomplished by his successor in the Dindings, Krian, Perak and Selangor.⁶

⁵N. Tarling, Imperial Britain in South-east Asia, Kuala Lumpur, 1975, p.58.

⁶M.I. Knowles, op. cit., p.74.

Ord's request, while home on furlough in 1871-72, to be permitted to undertake a policy of official intervention in the Malay States, was refused.⁷ During Ord's absence on leave, Anson had appointed a commission to consider and report on the relations of Penang and its neighbouring states. The report, submitted in May 1871, suggested that more communication should be established with the petty rajahs of the territory south of Province Wellesley up to Malacca and that attempts should be made to induce them to employ some educated Europeans to assist them in opening up and developing their resources.⁸ The recommendations of the report could not be implemented and contacts with the Malay States continued along hitherto established patterns. It is not surprising, that when the official policy towards the Malay States was changed in 1874, British activities in the Malay Peninsula took place within the existing framework.

To regard 1874 as a watershed or to look upon the period 1867-1874 merely as a "run-up" from Indian rule to British Intervention in the Malay States is a misconception of the events that took place. The extension of British influence in the Malay States, official or otherwise, was a continuing process and the first years of colonial rule in the Straits occupy an important place in the continuum. Despite official policy of non-intervention,

⁷ Ibid.

⁸ Report on Penang, 1871.

intervention of varying degrees was taking place frequently. Private individuals, generally persons representing the interests of some group in the Colony, gave advice to local chiefs, and British officials also rendered advice in a non-official capacity. There was occasionally intervention by force such as in the "Selangor incident" of 1871. Although Ord was not permitted to take an active part in the affairs of the Malay States, he continually forwarded to the Colonial Office a great deal of information on the States' affairs. It is possible that this information was influential in bringing about the Colonial Office's subsequent change in attitude towards the Malay States, and Ord's reports certainly helped Andrew Clarke to have an intimate knowledge of the problems of the Malay States prior to his arrival in Singapore.

Clarke arrived in November 1873 and by January 1874 the Pangkor Treaty had been signed. The paralysing conditions along the West coast of the Malay Peninsula demanded quick and effective action. However, neither Clarke nor his successor, Jervois, could have devoted so much of their time to the problems of the Malay States if it had not been for the tremendous improvements in the organisation of the trade, revenue and administration of the Straits Settlements during the first seven years of Colonial rule.

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APPENDIX I

Establishment List in 1864*

	Salary p.a. (Rupees)
<u>SINGAPORE</u>	
Col. Orfeur Cavanagh, Governor	42,000
Liéut. M. Protheroe, Dep. Sec. to Governor	4,200
W.S. Leceister, Head Clerk	3,000
Lieut. Col. MacPherson, Resident Councillor	18,000
Sir R.B. McCausland, Recorder	25,000
Capt. J.O. Mayne, Chief Engineer, S.S.	13,123
Capt. McNair, Exec. Engineer and Sup. of Convicts	12,210
Surgeon Major Rose, Senior Surgeon, S.S.	9,600
Rev. C.J. Waterhouse, Chaplain	9,600
Asst. Surgeon Ferguson	5,640
Lieut. H. Burn, Master Attendant	6,000
T. Dunman, Commissioner of Police	12,000
W.W. Willans, Asst. Res. Councillor and Collection of Stamps	9,600
J.D. Vaughan, Asst. R.C. & Police Magistrate	8,400
C. Baumgarten, Registrar of Court of Judicature	12,000
D. Quinton, Straits Surveyor-General	8,600
F.H. Gottlieb, Commissioner of Court of Requests	5,400
K.B.S. Robertson, Dep. Comm. of Police	5,280
J. Bennett, Asst. Sup. of Convicts	6,000
J. Eales, Commander of "Pluto"	4,200
W. Cuppage, Post-Master	3,960
H.W. Hewetson, Deputy Sheriff	3,600
G. Norris, Asst. Collector of Stamps	3,600
J. Cooper, Dept. Registrar of Imports and Exports	3,000
G.W. Le Cerf, Senior Sworn Clerk	6,000

PENANG

Lieut. Col. Man, Resident Councillor	24,000
Sir P.B. Maxwell, Recorder	20,000
Maj. G.T. Hilliard, Sup. of Convicts and Executive Engineer	12,490
C.B. Plunket, Comm. Court of Requests and Police Magistrate	8,460
G.W. Earl, Police Magistrate	7,200
Rev. J. Mackary, Chaplain	9,600
A. Rodyk, Registrar	10,800
J.B. King, Asst. Surgeon	5,640
G.B. Gottlieb, Harbourmaster, Postmaster and Registrar of Imports and Exports	4,800
J.B.D. Rodyk, Deputy Sheriff	3,000
P. Jones, Collector of Stamps	4,800
C.B. Waller, Dep. Comm. of Police	3,960

MALACCA

Capt. J. Burn, Resident Councillor	12,000
Capt. F.L. Playfair, Asst. R.C.	7,200
W. Rodyk, Senior Sworn Clerk	6,000
P.J. Lenthal, Surveyor	6,000
A.C. Maingay, Asst. Surgeon	5,640
W. Hacket, Chaplain	4,200
J. Overee, Stamp Collector	2,400
T.A. Fox, Commander of <u>Tonze</u>	2,400
C.A. Evans, Supervisor, P.W.D.	2,400
G.L. Baumgarten, Commander of <u>Torch</u>	2,160
H.A. Baumgarten, Head Clerk, Land Officer	1,920
F.L. Baumgarten, Sheriff	1,800
C.J. Hanson, Dep. Police Commission and Coroner	1,800

SOURCE: C.O.273/8

*More junior positions have been omitted

APPENDIX II

Robinson's Proposed Establishment*

	Salary p.a. (Rupees)
<u>GENERAL</u>	
Governor	50,000
Private Sec. & A.D.C.	3,000
Colonial Secretary	18,000
Attorney-General	10,000
Auditor-General	10,000
Chief Engineer	14,000
Surveyor-General	8,640
Colonial Surgeon	9,600
Three Cadets	6,000
<u>SINGAPORE</u>	
Treasurer & Commissioner of Stamps	10,000
Treasury Cashier & 1st Clerk	3,900
Deputy Commissioner of Stamps	3,600
Asst. Surveyor, Land Office	1,800
Dep. Registrar of Trade & Shipping	3,000
Head Overseer, Public Works	3,000
Asst. Colonial Surgeon	5,600
Colonial Chaplain	9,600
Chief Justice	25,000
Registrar of Supreme Court	12,000

1st Sworn Clerk, Supreme Court	6,000
Sheriff	3,600
Judge, Court of Summary Jurisdiction	15,000
Senior Police Magistrate	9,600
Junior Police Magistrate	5,400
Master Attendant & Shipping Master	8,400
Deputy Attendant & Shipping Master	3,600
Commander of "Pluto"	4,200
Post-Master	6,000
Assistant Post-Master	4,000

PENANG

Govt. Agent	18,000
Collector of Stamps and Assistant to Treasury	4,800
Exec. Engineer	7,200
Colonial Chaplain	9,600
Asst. Col. Surgeon	5,640
Chief Justice, Supreme Court	20,000
Sheriff	3,000
Commissioner, Court of Requests (Police Magistrate, ex-officer)	
Police Magistrate, Penang	7,200
Police Magistrate, P.W.	7,200
Commissioner of Police & Coroner	5,280
Asst. Commissioner of Police & Coroner	3,000
Harbour Master & Shipping Master	6,600
Post-Master (Harbour Master ex-officer)	-

MALACCA

Government Agent	12,000
Collector of Stamps and Assistant to Treasury	2,400
Government Surveyor	6,000
Sub-engineer - Public Works	3,000
Colonial Chaplain	4,200
Assistant Colonial Surgeon	5,640
Sworn Clerk Supreme Court	6,000
Police Magistrate	7,200
Commissioner of Police and Coroner	3,600
Post-Master (Government Agent ex-officer)	-

SOURCE: Enclosure 9 in Robinson's Report C.O.273/8

*More junior positions have been omitted

APPENDIX III

Estimates 1/4/67 to 31/3/68

		Est. 66/67	Est. 67/68
<u>REVENUE</u>			
1. Land Revenue	Rs.	94,250	98,970
2. Forest		3,180	3,050
3. Abkaree (Excise)		12,68,070	12,63,640
4. Customs		2,750	2,700
5. Stamps		2,68,164	2,76,120
6. Law & Justice		1,17,300	1,28,163
7. Police		1,86,890	1,94,085
8. Marine		37,640	38,560
9. Miscellaneous		1,39,360	1,70,925
	TOTAL	21,17,610	21,76,220
<u>EXPENDITURE</u>			
1. Interests on Service Funds, etc.	Rs.	3,150	4,750
2. Land Revenue		40,460	41,080
3. Forests		720	520
4. Customs		8,660	8,770
5. Stamps		28,620	30,190
6. Administration & Public Depts.		1,34,000	1,34,560
7. Law & Justice		2,78,880	2,81,600
8. Police		2,35,800	2,40,565
9. Marine		1,43,940	1,45,780
10. Education		30,570	30,910
11. Ecclesiastical		26,808	27,925
12. Medical Services		72,607	74,517
13. Stationery & Printing		4,080	5,160
14. Pol. Agencies & Other Foreign Services		700	700
15. Allowances, etc. under Treaties		53,835	53,835
16. Miscellaneous		21,794	17,901
17. Superannuation		17,627	17,603
	TOTAL	11,02,200	11,16,364

SOURCE: C.O.273/10

APPENDIX IV

Convicts in the Colony on 1.5.1868

	from India	from H.K.	from Ceylon	Total
In Singapore	1120	49	129	1298
Penang	499	13	94	606
Malacca	197	-	435	632
Total	1816	62	659	2536

Convicts on Tickets of Leave

	from India	from H.K.	from Ceylon	Total
In Singapore	410	-	3	413
Penang	134	-	-	134
Malacca	37	-	9	46
Total	581	-	12	593

SOURCE: C.O.273/19

APPENDIX V

Year	Number remaining	Entitled to Tickets of Leave	Entitled to release by expiry of sentence	Probable number of casualties	Probable number remaining	Probable number of convicts and T.O.Ls remaining
1868	2536	105	9	92	2330	2823
1869	2330	446	42	113	1729	2294
1870	1729	186	88	89	1366	1899
1871	1366	164	81	75	1046	1553
1872	1046	94	114	58	780	1265
1873	780	142	38	46	554	1045
1874	554	158	36	33	327	760
1875	327	60	50	24	193	610
1876	193	31	23	17	122	519
1877	122	9	19	9	85	463

The number of convicts who would be released on Tickets of Leave or by expiry of sentence and the probable number remaining in the Colony each year. SOURCE: C.O.273/19

APPENDIX VI

New Prison Diet

MALAYS AND KLINGS

CHINESE

EUROPEAN AND EURASIANS

Description of Food	EUROPEAN AND EURASIANS			CHINESE			MALAYS AND KLINGS		
	Simple	Rigorous	Penal	Simple	Rigorous	Penal	Simple	Rigorous	Penal
	Lbs	ozs	dwt	Lbs	ozs	dwt	Lbs	ozs	dwt
Bread	12	1							
Beef	8								
Fresh fish	10	12		4	4		4	4	
Salt fish				2	2	8	2	2	8
Rice	6	8		1	12	1	1	12	1
Vegetables	10	10		6	6		6	6	
Lard	1					8			
Tea			1½						
Sugar	1								
Salt		12				8		8	
Curry stuffs		7½		7½	7½			7½	
Pork									
Cocoanut Oil	1								
Soap									1

The weights are for uncooked provisions, and include bone in meat and fish.

- a Five times a week to Europeans.
- b Twice a week to Europeans; Three times a week to Chinese; Four times a week to Malays and Klings
- c Thrice a week to Chinese, Malays and Klings.
- d Curry stuffs Chillies 3½ dwt Pepper 1½ dwt Turmeric ¼ dwt
Coriander Seed ¼ dwt Cummin Seed ¼ dwt.
- e Once a week to Chinese.
- f Twice a week to Europeans.

APPENDIX VII

	<u>Singapore</u>	<u>Penang</u>	<u>Malacca</u>
1825-6	64	28	8
1833-4	75	21	4
1845-6	74	22	4
1855-6	75	20	5
1859-60	70	24	6
1860-1	73	22	5
1861-2	70	25	5
1862-3	71	24	5
1863-4	70	25	5
1864-5	71	24	4
1865-6	74	22	4
1868	73	22	5
1869	72	23	5
1870	70	26	4
1871	63	32	5
1872	65	30	5
Average	71	24	5

Distribution of Total Trade by Percentage

SOURCE: S.S. Blue Books, 1867-1872

APPENDIX VIII

Governor Cavanagh had pointed out in his Report that legislation was urgently required on the following subjects:

The better regulation of secret societies and the prevention of illegal assemblies.

The better prevention of riots and unlawful assemblies.

The registration of trade.

The registration of births, marriages and deaths.

The better regulation of hack carriages.

The better regulation of passenger boats.

The amendment of the Municipal Act.

The registration of assurances.

The amendment of laws regarding passenger ships.

The registration of native servants.

The extension of the powers of coroners.

The punishment of escaped convicts.

The revision of the Schedule to the Stamp Act in the dollar currency.

During Ord's Governorship, laws were accordingly passed dealing with eight of these thirteen questions. The amendment of the Municipal Act was deferred and subsequently abandoned. The punishment of escaped convicts no longer required a special law. The registration of trade, assurances and native servants had not yet received the attention of the Legislative Council.

Some of the important Ordinances which were passed by the Legislative Council, the necessity for which, with few exceptions, had not been urged prior to the Transfer were:

- An Ordinance for the improvement of Criminal Justice known as the Penal Code of India.
- An Ordinance to reorganise the Courts of Justice and afford increased facilities for the administration of Justice.
- An Ordinance for registering and controlling Chinese and other dangerous societies.
- An Ordinance for the Preservation of the Peace in cases of riot.
- An Ordinance for regulating the Ports and Harbours of the Colony.
- An Ordinance for the regulation of Passenger Ships.
- Ordinances dealing with Bankrupts and Debtors.
- An Ordinance for the prevention of the spread of Contagious Diseases.
- An Ordinance for the improvement of the Summary Jurisdiction of Magistrates.
- An Ordinance regulating the business of Pawnbrokers.
- An Ordinance for re-organising the Prisons of the Colony.
- An Ordinance for better protection of town from fire.
- An Ordinance providing for safe-keeping of Gunpowder.
- An Ordinance dealing with Gambling Houses and Gamblers.
- An Ordinance establishing Quarantine and for the preservation of Public Health on shore.
- An Ordinance regulating Stamp Duties.
- An Ordinance consolidating and amending the Excise Laws.
- An Ordinance re-modelling and amending the laws establishing a Police Force.
- An Ordinance providing for Vaccination.
- An Ordinance for regulating the Pension of Public Officers.
- An Ordinance for the regulation of Hack Carriages.

SOURCE: Review of the Progress of the Settlements since April, 1867.

APPENDIX IX

Population of the Straits Settlements

	1849	1860	Total	1871 M	F
Chinese			104,615	87,327	17,288
Eurasian			5,772	2,763	3,009
European			2,429	1,848	581
Indian			33,390	25,526	7,864
Malay			159,459	81,356	78,097
Others			2,438	1,613	825
Total	248,000	274,222	308,097	200,433	107,664

Population of Singapore

	1849	1860	Total	1871 M	F
Chinese		50,043	54,572	47,104	7,468
Eurasian		2,445	2,164	1,063	1,101
European			1,946	1,528	418
Indian		12,971	11,501	9,533	1,968
Malay		15,202	26,141	14,610	11,531
Others		131	787	510	277
Total	59,043	80,792	97,111	74,348	22,763

Population of Penang

	1835	1860	Total	1871 M	F
Chinese			36,561	30,347	6,214
Eurasian			1,383	644	739
European			433	289	144
Indian			18,611	14,047	4,564
Malay			75,216	38,170	37,046
Others			1,026	652	374
Total	86,009	124,772	133,230	84,149	49,081

Population of Malacca

	1835	1860	Total	1871 M	F
Chinese	4,613	10,039	13,482	9,876	3,606
Eurasian	2,227	2,848	2,225	1,056	1,169
European			50	31	19
Indian	2,960	1,637	3,278	1,946	1,332
Malay	21,927	53,724	58,096	28,576	29,520
Others	181	410	625	451	174
Total	31,908	68,658	77,756	41,936	35,820
Naning	5,329				
Grand Total	37,237				

SOURCE: H. Marriot, "Population of the Straits Settlements and the Federated Malay States during the last century," JSBRAS, Vol. LXII, 1912.

APPENDIX X

Return of the Population of the Three Settlements, 2nd April, 1871

	Singapore		Prince of Wales Island and Province Wellesley		Malacca		Totals of the Three Settlements		Total
	M	F	M	F	M	F	M	F	
ans									
ans	1,026	303	228	126	28	19	1,282	418	1,730
ans	36	28	11	5			47	33	80
ans	30	27	8	8			38	35	73
ans	1,063	1,101	644	739	1,056	1,169	2,763	3,009	5,772
nians	1	2				2	1	4	5
se			64	19			64	19	83
ns	4			1			4	1	5
nese						1		1	1
	274	191	179	175	152	151	605	517	1,122
ees and other									
s of India not									
ularised	636	304	1,028	777	38	13	1,702	1,094	2,796
se	1,377	257	7		118	17	1,502	274	1,776
	1,014	978	6	8	47	38	1,067	1,024	2,091
e		9	103	93			120	102	222
e	46,631	7,467	30,168	6,214	9,850	3,606	86,619	17,287	103,936
Chinese	12	8	74				86	8	94
		1	1				1	1	2
s			7,190	1,976			7,190	1,976	9,166
se	1		10				11		11
se	2,155	1,084	804	283	246	93	3,205	1,460	4,665
akans			1,718	1,773			1,718	1,773	3,491
	7,661	1,633	5,136	1,687	1,556	1,318	14,356	4,638	18,994
	10,041	9,209	35,504	34,963	28,102	29,372	73,644	73,544	147,188
en	7						7		7
s					18	12	18	12	30
s	24	11	1	1			25	12	37
ns	4	1	1				5	1	6
e	25	19	266	183	3	3	294	205	499
lese	6	1	5	1	18	6	29	8	37
ry British	481	115	58	18	3		512	133	675
ry Indian	412	3	191		186		789	3	792
ers Local	529	3	290		99		918	3	921
ers Transmarine	878	8	437	31	416		1,751	39	1,790
Total	74,348	22,763	84,149	49,081	41,936	35,820	200,433	107,664	308,097
	97,111		133,230		77,756				

APPENDIX XI

Currency Reforms

One of the major commercial difficulties throughout the period of Indian rule was the lack of a sound currency for the Straits. Since the earliest days of European trading in South-east Asia, the currency in general use was the Spanish or Mexican silver dollar.¹ When the Straits Settlements were formed in 1826, India gave instructions to maintain all official accounts in Rupees.² Henceforth, official accounts were kept in Rupees but all other accounts were kept in dollars and cents. With the exception of stamps, which could be bought in dollars or Rupees, all public revenue was paid in dollars and the accounts were kept in Rupees. Moreover the conversion rate at Penang was different from those at Penang and Singapore. The state of confusion and chaos arising out of adherence to a currency not in general use and dealing with the public in a currency not considered legal tender, continued until 1867.³ Since the Rupee was unpopular, there was a need to legalise the Spanish dollar or any other silver dollar of equivalent value and maintain all accounts in dollars and cents.

¹These coins were the most widely circulated coins in history. Between the years 1537 and 1903, about 3,500 million coins were struck. R. Chalmers, A History of Currency in the British Colonies, London, 1893, Appendix A.

²C.M. Turnbull, op. cit., p.204.

³See Chapter One.

British merchants in the East had long called for a British silver dollar. In 1830, a deputation of Singapore merchants complained to the visiting Governor-General of India about the absence of a local currency. In 1856 and 1858, an E.I.C. dollar was mooted. In 1863, merchants and bankers of Hong Kong and Singapore made fresh representation and this led to the establishment of a mint in Hong Kong.⁴

One of the first acts of the new colonial government in the Straits was to settle the currency problem. Ordinance IV of 1867 repealed the Indian legislation regarding Rupee currency and the following coins were made legal tender:

(a) The Hong Kong dollar, the silver dollar of Spain, Mexico, Peru and Bolivia and any other silver dollar specified by the Governor in Council provided the coin had the same fineness and intrinsic value of the Hong Kong dollar, i.e. not less than 15 grains Troy.

(b) Silver dollars or fractional parts of a dollar issued by Her Majesty's Mint or a branch of the Mint.

(c) Copper and bronze coins used in the Colony on 1st April, 1867 as well as any copper and bronze coins issued by Her Majesty's Mint representing one cent, half cent and quarter-cent.⁵

⁴R. Chalmers, op. cit., p.375. The mint produced two million Hong Kong dollars between 1866 and 1868. The high cost of mint led to the closure of the mint. The equipment was sold to the Japanese who began producing the successful Yen. Chiang Hai Ding, op. cit., p.353.

⁵Attorney-Generals Report on Currency in the Straits Settlements, 8.2.1870, C.O.273/36.

By Act V of 1867, all public accounts would be henceforth kept in dollars and cents. The Act also determined the conversion rate of Rupees 220 for \$100 where Rupees were mentioned in existing legislation. By Act XXVI of 1867, stamp duties would be paid only in dollars and cents and, later, by an Order in Council, postage stamps were also denominated in the same currency. By a Royal Proclamation, the dollar was fixed as equivalent to 4s.3d.⁶

The coins in circulation were the silver dollar and the copper cent, half-cent and quarter-cent issued by the East India Company. There were no intermediary coins between the dollar and the copper cent. Calcutta continued to supply the smaller coins until 1871 when Ralph Heaton & Son of the Birmingham mint were given the task of producing these. The basic design of the old coins was retained except for slight alteration in the pattern of the garland and replacement of "Straits Settlements" for "East India Company" and "Regina" for "Queen".⁷

The need was felt for intermediary coins between the dollar and the cent. Consequently plans were made to produce silver coins of five cents, ten cents, twenty cents and fifty cents. The design of the new coins contained Chinese inscriptions. Drawings were shown to several Chinese. Many of them could not explain or understand the Chinese characters and felt Chinese inscriptions were superfluous. Their attitude was "... the Government makes the coin, the

⁶Ibid.

⁷Ord to C.O., 6.12.1870, C.O.273/41. The cost of the coins were,
1 cent coins at 18s.6d. per 1000 pieces,
1/2 cent coins at 9s.6d. per 1000 pieces
1/4 cent coins at 5s.3d. per 1000 pieces.

Government pays it away, the Government receives it back in payment, the Government makes a law that we are to receive it from one another at the same value and if we can pay it away for as much as we receive it that is all we care for."⁸ The Chinese inscriptions were omitted. The design recommended by the Executive Council was similar to the design of the new copper cent. The reverse side contained only the number of cents in large English figures in the centre and the words "Straits Settlements", the value of the coin and the year in figures in the centre ring.⁹ The new coins came into circulation in 1872.

The only paper money in circulation were those issued by banks by authority of warrants from Lords of the Treasury. At Singapore these banks were the Oriental Banking Corporation, the Chartered Bank of India, London and China and the Chartered Bank of India, Australia and China. At Penang, the Chartered Mercantile Bank was the sole issuer of paper money.¹⁰ The currency notes were meant only for a limited circulation. As late as 1892, Frank Swettenham had suggested that the government should issue its own notes on a limited scale. However, the banks which had the monopoly of note issue raised such a strong objection that the proposal was dropped.¹¹

Merchants in the Straits complained about the scarcity of silver coins. This was largely due to the practice of hoarding

⁸Official memo from the Colonial Treasurer, 20.4.1871, C.O.273/45.

⁹Anson to C.O., 25.4.1871, C.O.273/45.

¹⁰Attorney-General's Report on Currency.

¹¹Chai Hon Chan, The Development of British Malaya, 1896-1909. Kuala Lumpur, 1967, p.84.

precious metals in India and China. Recorded values of imports and exports of treasure, which consisted mostly of silver coins, show an excess of exports over imports. Moreover, this did not take into consideration the fact that a Chinese worker leaving for home after a few years sojourn in the Straits took with him more money than he brought in and no record of this was kept.¹²

¹²Chiang Hai Ding, op. cit., p.355.

APPENDIX XII

Security and Defence

Authorities in India did not show much interest in providing adequate defence for the Straits Settlements. From the early days of Company rule, Penang was protected by a small fort known as Fort Cornwallis. The garrison here consisted of a small force of Madras Native Infantry and a detachment of European Artillery. Malacca had no fortifications, those constructed by the Dutch having been pulled down during the British occupation of the settlement.¹ In 1827, work began on the construction of a small battery at the entrance to Singapore River. However, the work was not completed, and Singapore's defence consisted of only a few guns mounted on the sea-front. There was also a small contingent of Madras troops who lived in tents.

In 1856, plans were drawn up to provide permanent barracks for the Madras troops stationed in Singapore. A detachment of European Artillery would be sent to that settlement once barracks for them were made available. Permission was also granted for the construction of a new commissariat and arsenal, for, hitherto, arms, ammunition and supplies had been stored up in a private house. In

¹The British occupied Malacca in 1795. Realising that the settlement would be returned to the Dutch after the Napoleonic Wars, the merchants of Penang convinced the Directors of the East India Company to destroy the trade and defences of Malacca. During the years 1806 and 1807, Malacca's fortress was systematically destroyed. The Dutch returned to Malacca in 1818. Ironically, in 1824, the British were given possession of the settlement.

addition, Singapore would be provided with two gun boats to protect the harbour and suppress piracy. These plans were made at a time when the Indian Government was taking economy measures and it appeared that very little change would be made in the defence arrangements for Singapore. However, troubles in India and China as well as disturbances in Singapore convinced the Indian Government that the defences of Singapore should in fact be improved.

In 1858, Capt. Collyer of the Madras Engineers arrived in Singapore. He drew up plans for military works for Singapore, which included a citadel to be used by the European community as a refuge during local disturbances. At Penang, much of the outworks of Fort Cornwallis had been swept away by tides and Collyer recommended that the fort should be repaired. Malacca was regarded as a place of little commercial importance, and Collyer felt that any defence expenditure there would be unjustified. His main concern was for the defence of Singapore. He recommended the construction of extensive fortifications on Government Hill, with an arsenal, workshops, commissariat, powder-house and barracks for two Companies of European Artillery. Collyer also suggested the construction of smaller forts on the other hills surrounding the town and the erection of a refuge area at the foot of Government Hill. He placed great emphasis on the navy providing protection against external attacks, and therefore submitted a separate report on the sea-coast defences of Singapore.²

The Government of India was concerned about the expense involved in providing and manning the extensive fortifications recommended by Collyer. When he became Governor of the Straits

²C.M. Turnbull, op. cit., p.237.

Settlements in 1859, Cavanagh submitted a report urging the Indian Government to look upon Singapore not only as a commercial centre but also as a military post. The military command at Calcutta, too, had come to realise that Singapore was an important station on the route to China and Australia. Moreover, compared to other territories under Company rule, Singapore had a salubrious climate and would be a healthy place for stationing European troops. The Government of India relented. The fortress on Government Hill was completed in 1860 and was named Fort Canning. The unfinished fort at the mouth of Singapore River was also completed and it came to be known as Fort Fullerton. Work began on the construction of the barracks and other military works, but they were left unfinished as a result of the transfer negotiations taking place in London.³

The long drawn out negotiations ended in 1866 and the transfer took place in April, 1867. According to the transfer terms the forces to be stationed in the Straits Settlements were two battalions of Royal Artillery consisting of 212 men and six companies of Ceylon Rifles consisting of 668 men. For this defence force, the new colony was required to pay the Imperial Government £59,300 per annum. The Imperial Government also undertook to station at Singapore, at its own expense, a detachment of European Regiment.⁴

After the transfer, however, the garrison in the Straits consisted of two regiments of Madras troops, namely, the 7th and 8th Madras Native Infantry, as well as two battalions of Royal Artillery. In 1869, a wing of European Infantry arrived and the 8th Madras Native Infantry was sent back to India. The defence force in the

³C.M. Turnbull, op. cit., pp.238-241.

⁴Treasury to C.O., 12.5.1866, C.O.273/8.

Straits was 1135 men strong, comprising 326 men of the European Infantry (the 75th Regiment), 619 men of the 7th M.N.I. and 190 men of the Royal Artillery. The force was distributed as follows:

	R.A.	75th Regt.	7th M.N.I.	Total
Singapore	138	326	280	744
Penang	52	-	210	262
Malacca	-	-	129	129
Total	190	326	619	1135 ⁵

This force was considered sufficient to protect the important civil establishments in the Colony and to provide defence against local uprisings and external attacks. No major external attacks on the colony were actually envisaged. However, the possibility of an attack by a cruiser or a small squadron which had escaped the vigilance of the British Navy in the Eastern Seas was considered. Was Singapore properly equipped to ward off such attacks? Before the problem could be considered, there were other matters which needed tidying up.

The question of transfer had been decided when all sides involved in the negotiations had agreed that it should not, directly or indirectly, cause an expenditure of Imperial money. The War Office now claimed that the barracks set aside for the troops were badly maintained and were in a state of disrepair. The cost of repairs, especially to Tanglin barracks where the Imperial forces were to be quartered, was estimated at £14,000. The War Office felt

⁵Ord to C.O., 5.5.1869; 5.4.1870, C.O.273/37.

that the Colony was obliged to repair the barracks at its own expense.⁶

At first the Colonial Office insisted that the annual payment of £59,300 would be the Colony's only contribution for the entire cost of stationing 880 men in the Straits. The barracks, once being handed over in good repair, were the concern of the War Office. As for the barracks of the Imperial troops, the Colony was bound to hand them over in their actual state of repair.⁷ However, despite Ord's protests, a compromise was reached when the War Office pointed out that the Imperial Government was under no obligation to furnish fortifications or their accessories for the Straits Settlements.⁸ The officer commanding troops in Singapore was informed of the decision, that with the exception of the barracks provided for a detachment of European Regiment, the Imperial Government would not meet the expenses of repairs to military buildings. However, the officer was required to assist and superintend repairs to other military buildings whose cost would be borne by the Colony.⁹

Further complications arose when the India Office made a claim on the War Office for £ 31,644, being the cost of armaments and military stores left behind in the Straits after the Transfer. The War Office was quite willing to pay for the military stores, valued at £ 17,640, but it was not prepared to pay for the armaments. It was felt that if the Colony was not willing to pay for these or

⁶W.O. to C.O., 11.5.1867, C.O.273/14.

⁷C.O. to W.O., 21.4.1868, C.O.273/17.

⁸Ord to C.O., 13.5.1869; W.O. to C.O., 16.2.1869, C.O.273/35.

⁹W.O. to O.C.T., 16.4.1869, C.O.273/35.

if India refused to present them to the Colony, then India should be asked to remove them. The matter was resolved when the Colonial Office wrote to the India Office claiming that the armaments should be regarded as permanent fixtures. Subsequently, these were given to the Colony gratis.¹⁰

Another problem concerned the provision of military guards for important civil establishments such as prisons, jails and the Treasury. Altogether 31 sentries were required for civil establishments, 18 at Singapore, 5 at Penang and 8 at Malacca. The Madras troops were insufficient in number to fulfill their normal duties and could provide only one-third of the sentries required. Ord felt that the Royal Artillery was so organised that it did not fit them for duties designated as "local purposes" let alone to provide sentries for civil establishments. The War Office and the Horse Guards had ruled that the entire contingent of Royal Artillery should be stationed at Penang. However, when they arrived, less than half were allowed to disembark at Penang and the others were sent to Singapore.¹¹ The military arrangement in the Colony was such that a total force of 1074 men was unable to supply, without undue hardship, 31 sentries. Taking Singapore alone, 409 rank and file were unable to supply 18 sentries, that is, 22 men per sentry-box.¹²

The important questions raised were (a) were the troops supplied to the Colony, for which the local government paid a substantial portion of its revenue, suitable to the needs of the

¹⁰C.O. to I.O., 28.2.1871, C.O.273/53.

¹¹Ord to C.O., 28.4.1868, C.O.273/18.

¹²C.O. minute on Ord to C.O., 26.2.1868, C.O.273/17.

Colony? and (b) was it possible to make an alternative and more appropriate defence arrangement for the Colony for the same cost or even with a considerable saving?

It was Ord's view that the Horse Guards' mode of raising and maintaining troops was extravagant and inappropriate to colonial needs. The Infantry provided support to the Artillery and some of the guns were also protected by them. The Infantry chosen for the Colony was one which the Horse Guards could trust. Invariably, this proved to be an expensive kind. Moreover, the Horse Guards insisted that whole regiments should be stationed in one place claiming that breaking up regiments would destroy discipline. The money extracted from the Colony was, therefore, not used to its best advantage.¹³

Ord claimed that the Colony would save a considerable sum of money by raising its own military force or a special armed police force for guarding civil establishments, mounting guards and quelling disturbances. General Hodgson, the Officer Commanding Troops in Singapore, agreed with Ord that it was not advisable to recruit Malays for such a force. Ord envisaged recruiting low-caste South Indians, such as those who formed the bulk of the Sappers and Madras Regiments. The Madras troops stationed in the Colony numbered about 500. Ord claimed he could raise a force of 1,200 men for £30,000, slightly more than half the existing military contribution of the Colony. Being raised from the same class of people and given proper training and discipline and officered in a similar way, this Armed Police Force would, in every respect, equal the Madras Regiment. Also, under existing conditions, it was

¹³ Similar complaints had been made by Governor Robinson of Hong Kong, Governor Wodehouse of Cape Colony, Governor Skinner of Ceylon and Governor Sir Grey of New Zealand, ibid.

necessary to relieve the Indian troops every three years in order to enable the men to join their families, and the cost of sending back the 8th Madras Native Infantry was £12,000. This money would be saved since it was hoped that men in the special force would be recruited for longer periods, being encouraged to bring their wives and families with them. Further savings could be effected by a reduction in the number of staff officers in the Engineers, Ordnance, Barracks, and Commissariat. It was Ord's contention that the existing force of 880 men, including 200 men of the Royal Artillery, could hardly protect the three settlements separated by 300 miles.¹⁴

The Colonial Office informed Ord that the problem of finding sufficient sentries could be solved by making use of policemen, since the training given to them fitted them for such duties. A force of armed police had to be specially trained and this would take considerable time, but the Colonial Office was in favour of the idea and instructed Ord to get the approval of his Legislative Council.

The suggestion that the Police undertake guard duties at civil establishments was strongly objected to by the European community in Singapore. A public meeting was held under the chairmanship of W.H. Read, and resolutions were passed to the effect that it was dangerous to leave the guarding of civil establishments to any but the military and that the withdrawal of military guards was not only unjust but was also a breach of the Transfer understanding.¹⁵ The crux of the matter was whether the Colony was getting its money's worth. The Secretary of State for the Colonies succinctly expressed

¹⁴Ord to C.O., 26.2.1868, C.O.273/18; 8.10.1868, C.O.273/22.

¹⁵Enclosure in Ord to C.O., 8.10.1868, C.O.273/22.

Ord's view when he minuted, "He says in effect, you take a quarter of our revenue and give us a force not suited to our needs, maintain an expensive staff for which we pay and above all this, make us pay for special police to guard our buildings. Under the Indian system, all this was free and we felt £59,300 a year will give us the same protection."¹⁶

The problem of military guards for civil establishments was solved when the Officer Commanding Troops in Singapore agreed with Ord that by re-distributing the forces and diminishing some duties, a full complement of sentries could be provided. The War Office agreed to the changes provided they were without injurious consequences to the troops.¹⁷ However, the question of the nature of the ultimate defence arrangements of the Colony still remained.

Three main considerations were involved in the defence of the Straits Settlements. These were,

- a) what defences were to be provided,
 - b) how the cost was to be met
- and c) how to modify the existing arrangement so that the cost of providing defence of the Colony would be within £59,300 per annum.

Few could deny the strategic importance of Singapore. There were only two direct sea-routes from the West to China and the East. These were the Straits of Malacca under British control, and the Sunda Strait under the control of the Dutch. The Straits of Malacca

¹⁶ C.O. minute on Ord to C.O., 8.10.1868, C.O.273/22.

¹⁷ W.O. to C.O., 31.12.1868, C.O.273/24.

was Britain's highway from Aden, India and Ceylon to China and the East. Singapore, at the narrowest part of the Straits, was ideally situated as a coaling station for both merchant ships and men of war. Singapore was to China and the East what Gibraltar was to the Mediterranean Sea. However, Gibraltar was open to attack by strong European powers whereas there was little likelihood of a major attack on Singapore. There was some fear of danger from Saigon where the French had stationed about 6,000 troops, presumably in anticipation of a war with Britain. However, it was felt that the British troops stationed in India were more than a match for the French troops. Hence, Singapore did not require extensive defence requirements.

Nevertheless, the defence provisions made, even on the small scale considered sufficient, had defects. At Singapore, defence against local uprisings was provided by Fort Canning which commanded a good view of the town. The earthwork, though weak and straggling, was considered sufficient for its purpose. The fort was manned by 68 pounders which were more than powerful enough. In case of casual naval attacks, the two sites to be defended were the outer roadstead in front of the town and the New Harbour. The New Harbour was protected by a battery located at Mt. Faber. Three other batteries defended the other roadstead. These were the sea battery at Fort Canning, another at Fort Fullerton and a third at Mt. Palmer. A survey made by the War Department¹⁸ in early 1869 however, stated that none of the three batteries defending the outer roadstead could achieve the intended object. The Fort Canning battery was 2640 yards from the three-fathom line and the other two were about 2300 yards away. A raiding cruiser, invading from the eastward, could attack

¹⁸ Memorandum from Deputy Director-General of Works, War Department, 20.1.1869, C.O.273/35.

merchant ships without the risk of being hit by the shore batteries. In fact, the fire from the batteries would be more damaging to the merchant-men at anchor than to the raider. The batteries were at the time fitted with 56 pounders and 68 pounders, but even if these guns were replaced with more powerful rifled guns, it was felt, the result would be the same.¹⁹

The construction of new and effective batteries would mean considerable expense to the Naval Department. Therefore the recommendation of the Deputy Director-General of Works, War Department, was to abandon Fort Fullerton and Fort Palmer, and to defend the roadstead instead by a war-steamer and 3 or 4 small gun-boats. These armed boats together with strategically placed torpedoes could ward off any possible attack.

As far as the New Harbour was concerned, the armed vessels would be supported by works on shore. It was suggested that a fort fitted with six guns should be constructed at the site of Mt. Faber. In addition to giving support to the defence vessels, the fort could also deny entry to the Harbour to raiding vessels. Together with the defence ships and torpedoes placed at the two entrances to the Harbour, the fort could effectively defend the docks, coaling establishments and other property unless the attack came from a very strong squadron with long range guns, and such an eventuality was considered most unlikely.²⁰

¹⁹ Ibid.

²⁰ It was suggested that additional expenses involved by the proposed changes could be defrayed from the sale of the Fort Fullerton site valued at £10,000-£20,000. Mt. Palmer was regarded as worthless. Ibid.

Ord's proposals for the ultimate defence of the Colony took into consideration the War Department's recommendations, and he suggested that the defences of the Colony should be re-modelled and re-organised along the lines suggested by the Deputy-Director General of Works. The Colony would meet the expenses incurred by the changes, and would also undertake the maintenance of barracks at Singapore, Malacca and Penang. As for man-power, Ord proposed that the force maintained for local purposes at the Colony's expense should consist of a force of Indian troops raised by the Colony, one battalion of Royal Artillery, and half a battalion of native troops replacing the other battalion of Royal Artillery. The garrison staff would also be reduced to within limits suited to local requirements. Ord suggested that the subsidy of £59,000 per annum should be divided into (a) £50,000 per annum to be paid by the Colony for the defence forces, and (b) the balance to be given to the Colony to defray expenses incurred in re-modelling and maintaining the defence works. He also felt that the Imperial Government should bear the cost of organising and arming the local force if this could not be met within £9,500.²¹

It would appear that Ord was unable to make up his mind as to the nature of the force to be raised by the Colony in India; whether it should be an Irregular Army or a Special Armed Police Force. The War Office was against the idea of raising an Irregular Army for the Colony but was prepared to consider his proposal for raising an armed police force. The Colonial Office, therefore, instructed Ord to bring the matter before the Legislative Council.²²

²¹Ord to C.O. (Confidential), 20.5.1869, C.O.273/29.

²²C.O. to Ord (Confidential), 24.9.1869, C.O.273/35.

Members of the Legislative Council were unwilling to express an opinion since they had very little information on the subject. Ord then consulted Colonel Wooley, Officer Commanding Troops in Singapore. Colonel Wooley agreed with Ord that it was possible to recruit men in India and organise them into a Special Armed Police Force and that these men could perform duties undertaken by the Madras sepoy, including defending the Colony against local insurrections. However, there were certain difficulties in organising and maintaining such a force in an efficient state. The main difficulty was proper officering. The officers had to be military men who had served with Indians. The Colony could not attract officers then serving in the Straits. Secondment was possible but inadvisable since frequent change of officers would be prejudicial to the morale and discipline of the force. The whole experiment was, therefore, considered unwise if not dangerous.²³

Ord then proposed an alternative scheme. He suggested that the military force paid for by the Colony should consist of one European Infantry of 900 men and a single battalion of Royal Artillery. In addition to this, the Colony would raise a police force of 250 men, training and arming them. The Police Force would have a suitable proportion of European sub-officers. This Armed Police Force was expected to cost 10,000, which could be covered by the reduction in the Artillery force and by the removal of Madras sepoy whose relief cost 24,000 every three years.²⁴

Meanwhile, the 7th Madras Native Infantry was about to complete its three year term of service and there were rumours that

²³Ord to C.O., 5.4.1870, C.O.273/37.

²⁴Ibid.

it would be relieved in early 1871 by the 19th M.N.I. There would be unnecessary expenses if the relief troops served in the Colony for only a few months until a definite decision was taken as to the nature of the defence forces to be stationed in the Straits, so Ord sought to retain the 7th M.N.I. He was unsuccessful, and it was eventually relieved by the 13th M.N.I.

This was in accordance with the Transfer agreement, under which military arrangements made were for a period of five years ending in April, 1872. Both the Colonial Office and the War Office had felt that no changes should be made during this period, but the Colonial Office was dismayed over the protracted delay in deciding on a defence system after April 1872. The Colonial Office wrote the the War Office pointing out that a force of European Artillery was indispensable to the Colony. There had been little disagreement about this, and it was only the nature of the supporting infantry that had been under discussion. The various proposals were Ceylon Rifles, an Armed Police Force, Irregular Colonial troops and European Infantry. The last proposal was currently under consideration but the Colonial Office felt it could not be adopted. It was the understanding of the Secretary of State for the Colonies "... that for Sentry and other duties a white force must be accompanied by a Colored one, and the double force would be more than the Colony could pay for."²⁵

If a European Infantry could not be stationed in the Straits, the question was what native troops should take its place. It was understood that the Ceylon Rifles were not available for this service. The alternative appeared to lie between an Indian Infantry

²⁵C.O. to W.O., 12.12.1870, C.O.273/39.

and a locally raised corps. Ord had considerable difficulty in raising a local force and it seemed doubtful whether, even if raised, such a force could provide fitting support to the artillery. The only possible solution to the problem was the Indian Infantry. The Colonial Office asked the War Office to inform Ord that after April 1872, the Colony would probably have a regiment of Indian Infantry and a battery of Royal Artillery. The Colonial Office believed that the Straits Settlements government would "... probably be called on, and must at any rate be prepared, to provide at its own expense for its defence, independently of the troops now kept in the neighbourhood for Imperial purposes."²⁶

However, a decision was postponed pending the submission of a committee appointed to report on the defences of the Straits Settlements. The committee consisted of Ord, who was then on leave in England, Colonel Jervois, the Deputy Director-General of Works and Fortifications, R.H. Knox of the War Office and Rear Admiral G.H. Richards. The committee produced its report in October, 1871.

Under the then existing system, the defence force consisted of two battalions of Royal Artillery and a Madras Infantry for which the Colony contributed £59,300 per annum. In addition, the Home Government, at its own expense, stationed at Singapore, a detachment of European regiment for Imperial purposes. The committee now recommended that the defence force to be stationed in the Colony, for both local and Imperial purposes, should consist of one European regiment and one battalion of Royal Artillery. This would cost £91,595 per annum and the Colony was expected to contribute £51,595 per annum.

²⁶Ibid.

At first glance, it would appear that the Colony would make a considerable saving on its annual contribution to military expenses. However, the Colony had to pledge to maintain a force of 200 efficient police and another force of 150 men capable of assisting the artillery. This, together with maintenance of forts and barracks, would cost the Colony £67,000 per annum.²⁷ Surprisingly, Ord agreed to the new arrangement, the Colonial Office gave its approval and the War Office recommended the plan to the Treasury. After some minor queries, the Treasury gave its sanction.²⁸

The battery of Royal Artillery would consist of 106 men, who would be stationed at Fort Cornwallis in Penang and at Fort Canning in Singapore, and the European regiment of 906 men, of whom 516 would be quartered at Tanglin Barracks in Singapore. Three hundred men to be sent to Penang would be temporarily quartered in the Colonial Jail and the prisoners there would be transferred to the Convict Lines. Eventually a decision would be made as to whether to modify the barracks occupied by the Madras troops or convert the jail into barracks for the European troops. A similar arrangement was to be made for the remaining 100 men who were to be sent to Malacca. The Royal Artillery was expected to guard the places they occupied. However, the civil authorities were required to provide sentries for the Mt. Palmer battery and the Arsenal at Singapore and for the military hospital and gun-shed at Penang. As a result of the re-organisation of the Police Force, there had been an addition of 84 Non-Commissioned officers and constables.

²⁷ Report on the Defences of the Straits Settlements. Enclosure in W.O. to C.O., 2.10.1871, C.O.273/53.

²⁸ Treasury to W.O., 11.10.1871, C.O.273/53.

It was, therefore, possible for the government to undertake the additional duties entailed by the change in garrison.²⁹

Things did not go according to plan. The 13th M.N.I. left in April, 1872, and the new garrison arriving in the Straits consisted of 110 men of the Royal Artillery and only 618 men of the 80th Regiment. This was a considerable reduction from the originally approved force. Unofficial members of the Legislative Council were furious over the defence force supplied to the Colony and indeed over the whole defence arrangements which had after all entailed an increase in Colonial expenditure. They submitted a resolution to the effect that the defence of the Colony was an Imperial duty and the Colony should not incur any additional military expense.³⁰ This was a view shared by the influential section of the Singapore community. The War Office on the other hand claimed that the Colony was obliged to pay for its defence, and besides, its financial situation was such that it could meet the additional military expenses easily. The Colonial Office accepted this view but expressed concern over the reduced force stationed in the Colony. It was felt that the Colony should not be made to pay for a force which was not there.³¹

Further reduction took place when in November 1872, a detachment of the 80th Regiment stationed at Singapore numbering 430 men was relieved by the 1st Battalion of 10th Regiment from Hong Kong numbering only 389 men. There was much public outcry over this.³² Little could be done however. The Colony's

²⁹Ord to C.O., 6.11.1871, C.O.273/55.

³⁰Proceedings of the Legislative Council, 26.9.1872, 1.10.1872, Enclosures in Ord to C.O., 14.11.1872, C.O.273/61.

³¹C.O. to W.O., 11.1.1873, C.O.273/61.

³²Ord to C.O., 10.12.1872, C.O.273/62.

contribution paid only about half of the maintenance of the approved force. Apparently, the War Office could do what it liked about the other half. Despite this, Ord was able to say, "There can be no doubt that the present force will be found better adapted for the purpose for which a Garrison is maintained than that which it had superceded, whilst out of its total cost (estimated about £100,000 a year) the local government contributes a little more than one-half, the balance being provided by the Imperial Government in consideration of the advantage which is gained by having so large a force of trained acclimatised soldiers in this locality."³³

Whilst Ord could derive some satisfaction over the defence forces he had secured for the Colony, little was done to provide protection against external attacks. The Committee on the Defences of the Straits Settlements had assumed that in time of war, British squadrons would be maintained on the China and India Stations. There was, therefore, no likelihood of a major attack being made on the Straits Settlements. However, a hostile cruiser or privateer could elude the navy and might capture or destroy merchant ships at anchor or the coal depots or under a threatened bombardment of the town, might demand a ransom from the merchant community. The committee felt steps should be taken to resist attacks of this nature especially at Singapore. Penang and Malacca were regarded as places of little importance needing no more than the protection afforded by the British navy.³⁴

³³ Ord, Review of Progress of the Straits Settlements since April, 1867. Papers laid before the Legislative Council, 31.10.1873.

³⁴ Report on the Defences of the Straits Settlements, 1871.

Placing a turret-ship and one or two gun-boats at the roadstead and at the New Harbour seemed to provide the most effective defence, but this plan was rejected since the resources of the Colony could not meet the expenses involved in providing maintaining and manning the floating defences. The alternative was to improve the shore batteries. The existing batteries were all fitted with smooth-bore guns which were regarded as insufficient, and the committee recommended the provision of some rifled-guns such as the 7-inch muzzle loading rifled-guns. Four such guns were needed at Mt. Palmer, four at Fort Fullerton and four more at a new battery to be constructed on the northern shore of the roadstead. The New Harbour should be defended by two batteries of four guns each as well as by electric torpedoes placed at both entrances to the channel.³⁵

There appeared to be no great urgency to improve the external defences of the Colony, and re-modelling proceeded at a slow rate. In 1872, the expenditure on defence works amounted to a mere \$17,000. A sum of \$18,000 was set aside for 1873. Most of this money was to be used for improving and maintaining barracks and other military buildings.³⁶ Major General Whitfield, Officer Commanding British Forces in China and the Straits, reported that the two major forts in the Straits, Fort Canning at Singapore and Fort Cornwallis at Penang, were totally incapable of defence as far as organised sea-attacks were concerned. From the point of view of being strongholds in time if internal strife and overawing a disaffected local population, the existing guns were excessive in weight of metal.³⁷

³⁵ Ibid.

³⁶ Papers laid before the Legislative Council, 26.9.1872.

³⁷ Extract from Confidential Report, 1.1.1873, C.O.273/73.

The Police

In the early days, the Straits towns had small police forces. Malacca town was reasonably law abiding but George Town had a high crime rate. Singapore, with its transitory, poverty-stricken immigrant population and constant influx of sailors, was notorious as a lawless and dangerous place. Increased immigration in the 1830s tended to aggravate the situation. "The government did not pretend to exert any authority in the country districts of Singapore, but life and property were insecure in the town itself."³⁸

In February, 1843, a public meeting was called in Singapore and resolutions were passed calling on the government to increase the police force, to appoint more European constables and to create a harbour police, and Governor Bonham pleaded unsuccessfully with Calcutta to introduce these reforms. One improvement that was sanctioned was the creation of the new post of deputy magistrate and Superintendent of Police. Thomas Dunman, who at that time worked as an assistant in Martin, Dyce and Company, was appointed to the position.³⁹

Dunman's task was formidable. The crime rate in Singapore had soared as a result of the continued influx of destitute immigrants as well as samsengs deported by the Dutch from the Netherland Indies. The country areas of Singapore were still unknown to Europeans. In 1849, an attempt was made to create a rural police, but the plan was abandoned when no agreement could be reached as to whether the government or the municipality should bear the expenses.

³⁸ C.M. Turnbull, op. cit., p.88.

³⁹ There was a great deal of criticism about Dunman's appointment not on the grounds of his inexperience in police matters but because he was not a covenanted official. D. & J. Moore, op. cit., p.218.

The next decade witnessed two major riots among the Chinese population of Singapore. In 1851, members of Chinese Secret Societies attacked plantations owned by Christian converts, a disturbance regarded as Singapore's first major riot. Three years later, a greater disturbance was caused by members of rival Secret Societies. About 600 lives were lost and several houses were destroyed. Dunman's police force was unable to handle the situation and the army had to be called in. The government was severely criticised because conditions took a week to return to normal.⁴⁰

Largely as a result of the widespread violence among the Chinese, members of the European and Eurasian community formed the Singapore Volunteer Corps in 1854. By India Act XXIII of 1857, the Corps was given official sanction. Since it was the first force of its kind to be raised in the Company's territory, the Corps was presented with the motto Primus in Indis. The Governor-General, Lord Dalhousie, took special interest in the Corps, providing everything it needed.⁴¹

In 1857, Calcutta decided to remove the police force from the direct control of the Resident Councillor and created the new post of Commissioner of Police for Singapore. Dunman was elevated to this position. However, there was little improvement in the police force. Morale remained low. The salaries of police peons were much less than those of carriage syces or drivers, and their work was hard and dangerous. A policeman's family was not compensated if he was killed or injured whilst on duty. The police

⁴⁰D. & J. Moore, op. cit., pp.270-2; pp.277-283.

⁴¹Ord to C.O., 4.10.1869, C.O.273/31.

force therefore tended to consist mostly of desperate men who could find no other employment. Most policemen steered clear of dangerous situations whilst in the force and deserted the force for other work at the first opportunity.⁴²

If Singapore was lawless, life in Penang was precarious and the situation in Province Wellesley was worse. When he was Resident Councillor, Blundell had introduced in Penang a self-protection system. The country areas were divided into districts each under a headman (the penghulu) who was made responsible for reporting and helping to suppress crime. The system worked reasonably well in Penang and was later extended to Province Wellesley where it did not have the desired effect. The major crime Province Wellesley had to face was marauding raids made by organised gangs from the neighbouring territories of Kedah and Perak. Many of the penghulus appointed in Province Wellesley were by reputation unqualified for their task. They had no systematic arrangement between themselves and the villagers for co-ordinated action in an emergency. If and when the penghulus decided to give pursuit to a raiding gang, they took care to keep a safe distance from the raiders. Some check was made on gang robberies when a full time Deputy Commissioner of Police was appointed to Province Wellesley. In the Northern Division of the Province, plans were made to organise the Malays into a Volunteer Police Force, arming them and, under Section XXI of the Police Act, enabling a number of them to act as Special Constables.⁴³ However, this proposal was not tried out because of the change in the government in 1867.

⁴² C.M. Turnbull, op. cit., p.92.

⁴³ J.R. Logan, "Plan for a Volunteer Police in the Muda Districts", JSBRAS, Vol. XVI, 1886, pp.175-184.

Compared to the other settlements, Malacca was law abiding. Under the Dutch, Malacca town had a "Burgher Watch". When the British returned to Malacca in 1825, an attempt was made to create a police force. The head men of the old Burgher Watch formed the nucleus of the force. In 1827, the Assistant Resident Councillor was made Chief of Police. The penghulus were retained as instruments of the Police, but the power of punishment was removed from them.⁴⁴

Malacca's weakness was the small size of its police force which had to keep watch on a population of about 70,000 and an area of 1,000 square miles with poor communication. In 1828-30, the strength of the police force was only 63. However, by 1854, the Town Police Force had increased to 117 men. In that year, an Inspector of Police was appointed. The country areas, especially Chinese mines and plantations needed protection since they were occasionally attacked by small bands of Malays. A country police force of 40 strong was established in 1854. The country police posts were generally in the vicinity of mines and were paid for by a 13.25% tithe on the mines.⁴⁵

During the last few years of Company rule, some improvements were made in the maintenance of order and suppression of crime in the Straits Settlements. Governor Cavanagh took a personal interest in the discipline and performance of the police force. He travelled extensively in Singapore, Malacca and Province Wellesley advising on sites for new police stations. Although his suggestions for reforms did not interest India, he did achieve some

⁴⁴A.H. Dickinson. "The History of the Creation of the Malacca Police," JMBRAS, Vol. XIX, pt. 2, 1941, pp.251-5.

⁴⁵A.H. Dickinson, op. cit., pp.258-280.

improvement. The morale of the force improved and men were beginning to join the force voluntarily instead of being forced to do so by poverty. Drill improved, and police peons were given instruction in reading, writing and police duties. By the time Transfer took place, the protection offered by the police was better than it had been a decade earlier. However, the major defects of the system still remained. The men were over-worked, and the meagre pension scheme did not compensate for the poor pay.⁴⁶

The new colonial government inherited the problem of suppressing crime and maintaining law and order. Crime was most frequent among the Malay and Chinese population. The Malays resorted to gang robbery. The gang usually came from a different section of the town or from a different village and in the case of Province Wellesley, from neighbouring states. They attacked some wealthy person at night, killing and wounding everyone in the house. Chinese crimes were robbery and Secret Society violence. Then, they broke out in great violence. Reference has been made to the riots which took place in Singapore. Penang had its share of major disturbance in August, 1867. The passion for gambling pervaded all classes and was almost a national pastime of the Chinese. Attempts to make gambling a crime only tended to demoralise the police force who extorted "hush" money. If the police gave information on gambling, the explanation could be found in the insufficiency of the bribe offered.⁴⁷

Although Chinese and Malays formed the bulk of the population of the Colony, they were hardly represented in the police force

⁴⁶C.M. Turnbull, op. cit., pp.97-8.

⁴⁷Report on the Blue Book for 1867.

which was basically Indian. The Chinese refused to join the force, and there were also problems in recruiting Malays, who were regarded as restless, impatient of discipline and strongly attached to their villages. Few could be induced to remain in the force for any length of time.⁴⁸

The task of suggesting improvements to the police force was given to the committee appointed to report on the re-organisation of civil establishments. The committee recommended an increase in the size of the police force, and that the existing system of classification and salaries should be revised. There were different scales of pay in the three settlements and even within the same settlement, there were different rates of pay for town and country areas. The committee felt that the lower class constables were underpaid. A better ratio between constables and non-commissioned officers was also suggested.

In October, 1871, the Legislative Council altered the salary scale recommended by the committee, since non-official members of the Legislative Council felt that the higher salaries proposed for junior Inspectors, European sergeants and corporals were still too low to attract fit and respectable persons. The number of Europeans provided for was considered insufficient, and the allowances recommended not enough to provide an efficient detective service. It was felt that the Superintendent at Malacca should earn a higher salary than the Assistant Superintendent at Penang since the former had a larger area to cover. As a result of the riots of March and October, 1871, the Legislative Council was anxious to increase the size of the police force. The cost of the old police

⁴⁸Ibid.

force was \$93,657 per annum, and the committee's recommendations, if implemented would have cost \$117,420. The scheme approved by the Legislative Council however, was estimated to cost \$121,260 per annum. The recommendations of the Legislative Council were embodied in Ordinance VI of 1871, "... to consolidate and amend the law relating to the Police Force."⁴⁹

Under the Ordinance, Police Inspectors could no longer be appointed or dismissed without the approval of the Governor. Moreover, the Police Superannuation Fund was discarded. Members of the police force, had been for long dissatisfied with monthly deductions made from their meagre salaries for a benefit which appeared uncertain and which few enjoyed. Members of the force were now granted pensions under Pension Ordinance I of 1871, and were thus placed on an equal footing with other civil servants.⁵⁰

Despite the important changes introduced, the Straits Times regarded the Legislative Council as having failed to re-organise thoroughly a police force which it claimed was the "most inefficient in existence".⁵¹ The inefficiency was attributed to the composition of the force which was mainly Klings with a sprinkling of Bojans and Malays. The Kling's physical weakness, the paper added, was only surpassed by his moral delinquency. He could not refuse a bribe. The paper suggested large scale recruitment of Malays and Chinese since they were the major races of the Colony. The Malays were

⁴⁹ Anson to C.O., 7.11.1871, C.O.273/51. The Ordinance was based mainly on Mauritius Police Ordinance XI of 1860. Anson had served for six years as Inspector General of Police at Mauritius.

⁵⁰ Anson to C.O., 8.11.1871, C.O.273/51.

⁵¹ S.T. 28.6.1872.

regarded as born soldiers whilst the Chinese were fit for anything if properly trained. Some members of the Legislative Council, including Whampoa, had suggested that there would be collusion between Chinese policemen and the Secret Societies. However, the Straits Times felt that the experiment should be tried since only a motley police force could detect crime in a motley population. The editor did not say how Chinese and Malays could be induced to join the police force but expressed hopes that the Governor would introduce further changes.⁵²

The Police Ordinance had been passed when Ord was away in England on leave. He gained the approval of the Colonial Office to introduce certain amendments, and consequently, in July 1872, a new ordinance was passed to repeal and re-enact Ordinance VI of 1871. The major change involved the distribution of police personnel and a revision of salaries. Penang would have two Superintendents of Police and one Assistant Superintendent of Police. The Senior Superintendent at Penang would receive a salary higher than that of the Superintendent at Singapore. Singapore, Malacca and Penang would have a Superintendent each on a salary of \$2,400 per annum. Malacca would also have an additional Inspector and a European Sergeant Major.⁵³

The Straits Times was not enthusiastic about the changes. It claimed that too much arbitrary power was given to the Inspector-General of Police and the Superintendents of Police. The paper claimed promotion opportunities were more restricted, since, formerly, a constable had hopes of becoming a sergeant-major and be in-charge

⁵² Ibid.

⁵³ Ord to C.O., 23.12.1871, C.O.273/55.

of an outstation, but under the new rules, many sergeants-major were Europeans and some of the non-Europeans who had previously held these posts were demoted to Sergeants to make way for them. The paper claimed that European sergeants-major had no knowledge of local languages, and were totally ignorant of police rules and local customs. The new rules it said, have made the police force unattractive to non-Europeans.⁵⁴

The newly re-organised police force had a bad start. In late 1872, while Ord was away in Penang, riots broke out in Singapore, and it was alleged that the Government had not acted with sufficient vigour in suppressing them. On returning to Singapore, Ord instituted a commission of inquiry into the riots. The commission partly blamed the police for allowing the disturbance to reach the heights it did. Although care had been taken to watch the activities of Secret Societies, steps were not taken to organise and train the police force to deal successfully with street riots. The police force needed military training which neither the Inspector-General nor the Superintendent at Singapore was capable of providing. Ord therefore obtained the assistance of Capt. Dunlop then serving in Hong Kong and who had for some time acted as Superintendent of Police in the Straits. Ord envisaged creating a new post of Assistant Inspector-General of Police and offering the position to Capt. Dunlop.⁵⁵

After studying reports on the October riots, the Colonial Office felt that Plunkett was not qualified for the post of Inspector-General of Police. He was removed from the position and Capt. Dunlop was appointed Acting Inspector-General.

⁵⁴ S.T. 15.6.1872.

⁵⁵ Ord to C.O., 14.12.1872, C.O.273/62.

Further changes took place in 1873. Captain Speedy, the Superintendent at Penang resigned in July. He had given no other reason than "private affairs" for resigning. However, there were reports that he had made arrangements with the Mantri of Larut to go to Calcutta to engage 100 discharged sepoy.⁵⁶ Earlier, in May, the Assistant Superintendent at Province Wellesley had been removed to Singapore and appointed as Sheriff. The management of the Police Force in all three settlements was now left entirely in the hands of acting officers. This was at a time when work was becoming heavy especially at Penang and Province Wellesley. In these two territories there was a large influx of unruly Chinese as a result of the disturbances in Larut.⁵⁷

The Straits Times was not sympathetic. It claimed that the police force was unpopular in the Straits Settlements because of its inefficiency. The government had attempted to remedy this, and some good men were detailed for the jobs but without success.⁵⁸ The publication of the Acting Inspector-General's report for the year 1873 did not help matters either. The Straits Times claimed that the force was apparently distasteful to the constables. It pointed out that there had been 626 cases of absenteeism, 171 cases of neglect of duty, 125 cases of disobedience of orders, 146 cases of policemen asleep on duty and 30 cases of insubordination. There were lesser numbers of other offences which included assault, cowardice, disgraceful conduct, gambling, drunkenness, extortion and

⁵⁶Ord to C.O., 14.8.1873, C.O.273/68.

⁵⁷Report of the Ag. Inspector General of Police for 1873 reproduced in S.T. 19.12.1874.

⁵⁸S.T. 21.2.1874.

preferring false charges. There were two cases of bribery and eight constables deserted the force.⁵⁹

The offences were not confined only to constables. Capt. Dunlop reported that "... drunkenness, the ruin of Europeans in these settlements" showed itself in several instances among the Inspectors. The same could be said about the European Non-Commissioned Officers. There was also the problem of obtaining suitable European corporals and many taken on probation were subsequently dismissed when they were found unfit for their positions. However, Capt. Dunlop added, "I cannot speak too highly of the Native Sergeants major and sergeants. They are highly intelligent and their knowledge of the native races among whom they worked rendered them exceedingly useful Public Officers. No report derogatory to the conduct or character of any of them was made during the year."⁶⁰

Despite public criticism, the general efficiency of the police force was unquestionably greater than it had ever been before. The force had been thoroughly re-organised on modern lines. Salaries, quarters and conditions of service were much improved. Married quarters were provided for almost every police station in the Settlements except Malacca where they were under construction. Several new police stations were constructed - seven in Singapore, six in Penang, eight in Province Wellesley and four in Malacca. Nevertheless, the police establishment had two weaknesses. First of all, it lacked a good complement of Non-Commissioned Officers. Men best suited for these positions would be those with a military background, and there was, therefore, a need to devise a system by

⁵⁹S.T. 19.12.1874.

⁶⁰Ibid.

which the services of such men could be obtained. Secondly, the police force needed a more disciplined and better class of constables. The number of misdemeanours reported and punishment meted out to offending constables showed that there was some attempt to enforce strict discipline in the force. However, the bulk of the constables were recruited from that section of the population not used to industry or discipline. Police work was arduous, and intelligent and hardworking men could only be tempted to join the force if the salary paid to them was higher than the wages they would get elsewhere by performing less arduous and possibly less dangerous tasks.

Despite these weaknesses, the police were able to provide reasonable protection to life and property. "Although deeds of violence have been unhappily but too common ... it does not appear that crimes of this character have at all increased in proportion to the augmentation which there has been in the class of people with whom they chiefly originate."⁶¹

⁶¹Ord, Review of the Progress of the Settlements since April, 1867, papers laid before the Legislative Council, 31.10.1873.