THE RESIDENTIAL SYSTEM IN THE
PROTECTED MALAY STATES,
1874-1895

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The thesis is my own work. Where I have used the findings of others to supplement my own, the notes carry an acknowledgment.

[Signature]

Emma [Signature]
I should like to thank the people who have helped me with this research. I am deeply indebted to Professor J.W. Davidson and my colleagues in the Department of Pacific History for their criticism and suggestions. The Libraries of the Australian National University and the University of Malaya in Singapore, the Australian National Library and the Raffles National Library in Singapore have given me facilities and assistance, particularly with microfilming programmes, without which this research could not have been attempted. My thanks are also due to the staff of the Selangor Secretariat for their courtesy and help.

I should especially like to thank Lieut.-Colonel M.E.S. Laws, who helped to locate material in England for microfilming; Mr E. Feeken of the Geography Department, Institute of Advanced Studies, Australian National University, who drew the map; and Mrs A. Guenot and Mrs M. Cameron, who typed the thesis.
**ABBREVIATIONS USED IN NOTES**

<table>
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<tr>
<th>Abbreviation</th>
<th>Description</th>
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<tr>
<td>C.O.</td>
<td>Colonial Office</td>
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<td>C.S.</td>
<td>Colonial Secretary</td>
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<tr>
<td>EPO</td>
<td>Enquiry as to the Complicity of Chiefs in the Perak Outrages</td>
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<tr>
<td>JMBRAS</td>
<td>Journal of the Royal Asiatic Society, Malayan Branch</td>
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<tr>
<td>JSBRAS</td>
<td>Journal of the Royal Asiatic Society, Straits Branch</td>
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<tr>
<td>PCM</td>
<td>Perak Council Minutes. The minutes for 1877-80 and 1880-2 are published in Papers on Malay Subjects, 1st Series, History 3 and 4 (see under Harrison and Wilkinson), and the date of the Council meeting provides a sufficient reference. The minutes for 1888-95 were published in the Perak Government Gazette, and the date of the Gazette entry is given as an additional reference.</td>
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<tr>
<td>PGG</td>
<td>Perak Government Gazette</td>
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<tr>
<td>SCM</td>
<td>Selangor Council Minutes</td>
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<td>SGG</td>
<td>Selangor Government Gazette</td>
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<tr>
<td>Sel/Sec.</td>
<td>Selangor Secretariat Papers</td>
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<td>SSSGG</td>
<td>Straits Settlements Government Gazette</td>
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This study deals with the establishment of British rule - the 'Residential system' as it was known to contemporaries - in the Malay Peninsula. It was introduced between 1874 and 1895 into the three west coast states, Perak, Selangor and Negri Sembilan, and the east coast state of Pahang. The study focuses on Perak and Selangor, where British rule was first introduced, the problems of government first encountered, and policies evolved to deal with them as they arose.

The term 'British rule', used of the form of administration in the Malay states during the period, is itself a challenge to conventional interpretations, which represent the British officers as advisers to the Malay rulers, through whom the government of the country was carried on. The interpretation breaks down on investigation, but the theory of government, the way in which it developed and
the realities which it covered remain to be discussed. The thesis describes the accommodation reached between fact and fiction, and the manner in which it was established, the way in which the Secretary of State for the Colonies, the Governor of the Straits Settlements and the Residents exercised authority in the states nominally under 'advice', and finally the part played by Malay rulers and chiefs and Malay local authorities in the government of the states.

The subject of this thesis was originally conceived as a study both of the formation of British policy and its execution through the structure of government in Malaya. It was intended to consider how far uniformity in government had been achieved before 1895, when the state administrations were placed under the control of a Federal chief executive, their civil services amalgamated and many of their departments placed under Federal heads. The whole subject is a large one, and has not been covered in the manner originally intended. The formation of policy is discussed at length, but the structure of government has been treated selectively. The relations between the Colonial Office and the states are dealt with, and the relations between the Governor, the Resident, the Sultan and the Chinese headmen as reflected in the workings of the State Council, are dealt with in a paper on the State
Councils submitted as Appendix III. The policies of the state governments and the implications of Federation have been omitted.

A monograph published by the writer in 1954, and bearing on the development of the residential system in Perak is herewith submitted in amplification of some of the points made in the study.
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The states with which this study is mainly concerned, Perak, Selangor and Sungei Ujong, lie to the west of the main mountain range which runs down the centre of Malaya from the Siam border to Malacca. The northern-most state is Perak, lying between latitudes 6° and 3° 40' north. In 1874 the Krian river to the north provided a common boundary with the Malay state of Kedah and the British settlement of Province Wellesley; the Bernam river to the south marked the boundary between Perak and Selangor. Selangor, lying between latitudes 3° 40' and 2° 30' north, extended in 1874 from the Bernam river in the north to the Langat in the south-east; in the south-west it extended southwards along the coast to include the Lukut and Sungei Raya valleys, but after British intervention these valleys, and the whole

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1 By the Pangkor Engagement of 1874, the Perak-Province Wellesley boundary was redrawn a few miles south of the Krian river.
coastline south of the Seppang river, were given to Sungei Ujong, and Selangor received in exchange the whole Langat valley to its southern watershed.

The Negri Sembilan (literally, 'Nine States'), a federation of petty states which at one time included Sungei Ujong and was to include it again by an agreement reached under British auspices, comprised the hinterland of Malacca as far as the Pahang border on the north, Johore on the east, and Selangor on the west. It was drained by the southernmost tributaries of the Pahang river in the north, by the upper reaches of the Muar in the east and centre, and by the Linggi in the west. The state of Sungei Ujong, which had independent relations with the British and was separately administered during the period under study, lay between Selangor and the rest of the Negri Sembilan. The delineation of its western boundary has already been described. On the north it was separated from the confederate state of Jelebu by the Jelebu range, between the Upper Linggi and the Upper Klawang; on the east it was separated from the confederate state of Sri Menanti by the Linggi-Terachi watershed, and from the confederate state of Rembau by the Linggi-Pedas watershed.

Boundary Agreement between Selangor and Sungei Ujong, 10 February 1878, Maxwell and Gibson, Treaties and Engagements affecting the Malay States and Borneo, 212-13.
Pahang, the only east coast state to come under British control during the period, embraced most of east-central Malaya, between latitudes 4° 45' and 2° 30' north, and between the central mountain range and the China sea. In the Endau river to the south she had a common boundary with Johore; in the central watershed, she had a common boundary with the Negri Sembilan, Selangor and Perak; in the north she had a common boundary with the Siamese-dominated states of Kelantan and Trengganu. Pahang is the largest state in the Peninsula, with 13,873 square miles compared with 7890 for Perak, 3166 for Selangor, 2550 for Negri Sembilan including Sungei Ujong, and 660 for Sungei Ujong.

The west coast states are in close proximity to the territories which then constituted the Crown Colony of the Straits Settlements. The north-west of Perak was contiguous with Province Wellesley and was about eight hours by coastal steamer from Penang. The steaming distance between Klang, in central Selangor, and Malacca Town, about 100

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The figures give the modern areas of the states, and have been taken from the Malayan Census Report for 1947, pp.136-7. The area of Perak has been slightly increased in modern times by the return of a small enclave on the west coast known as the Dindings, transferred by Perak to the Straits Settlements in 1886 and returned in 1935; but the area involved was less than 200 square miles. The Sungei Ujong figure is taken from Dickson to Knutsford, 284 of 10 July 1890, forwarding Annual Reports of the States for 1889.
miles southward in the British settlement of that name, was about twelve hours. Further south, the Linggi river for six miles from its mouth constituted a common boundary between Sungei Ujong and Malacca, and the Linggi estuary was some 25 miles distant from Malacca town; and Malacca itself was 150 miles from Singapore. By contrast the chief township of Pahang (Pekan), was 250 miles distant from Singapore, and isolated from it for five months in the year by the north-west monsoon, which closed the east coast between October and February.

In the nineteenth century the ranges and valleys of Malaya were still covered by equatorial rain forest, intersected by rivers which were the natural highways and obvious lines of settlement. Each state consisted essentially of one or more river systems; the Perak river, flowing 200 miles from its source near the Siam-Perak border to its mouth in the extreme south of the state, formed with its eastern tributaries the main thread of settlement; Selangor comprised the settled valleys of the Bernam, Selangor, Klang, Langat and Lukut rivers; the centre of Sungei Ujong lay in the upper reaches of the Linggi, and settlement in Negri Sembilan followed the upper Muar and its tributaries. The estimates of Malay population advanced before British intervention are pure guesses and are reproduced here only because
they indicate the kind of information available to Straits officials on this question. Newbold, writing in the 1830s, estimated the Malay population of Perak at 35,000; in 1861, Governor Cavenagh estimated it at 50,000; in 1879, a census taken by penghulus (Malay village headmen) placed it at 59,682, including slaves and bondmen, and the first official census, taken in 1891 after twelve years of peace and steady immigration placed it at 100,667. In 1824, Anderson estimated the Malay population of Selangor at about 5400; in 1875, after eight years of fighting on the Selangor and Klang rivers, Swettenham, the Assistant Resident, put it at about the same figure; in 1884, a census taken by penghulus placed it at 17,097, and in 1891 the official census placed it at 23,750. The Malay population of Sungei Ujong was

4 Newbold, Political and Statistical Account of the British Settlements in the Straits of Malacca, i, 419; Speech by Clarke, Straits Settlements Legislative Council Proceedings, 15 September 1874, C.1111, enclosure in no.72; Perak Annual Report for 1881; Perak Annual Report for 1891.

5 Anderson, Political and Commercial Considerations relative to the Malayan Peninsula (Prince of Wales' Island, 1824), cited Winstedt, 'History of Selangor', JMBRAS, xii, 3, p.16; Report of the Asst. Resident at Selangore, 8 April 1875, C.1320, enclosure in no.28; Selangor Annual Report for 1884; Selangor Annual Report for 1891. Between August 1874 and April 1875 the Asst. Resident (Swettenham) went up the Bernam, Selangor, Klang, Langat and Lukut rivers, visiting 'every town and village in the Sultan's country, except Ulu Bernam'. His report gives population figures for each district except Ulu Bernam, Kuala Selangor (which
estimated by Swettenham at about 2000 in 1878; the 1891
census placed it at 9341. The same census placed the
Malay population of Negri Sembilan at 35,377, and that of
Pahang at 50,527. The following table shows the approximate
density of the Malay population of each state for various
years, on the basis of figures given above.

<table>
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<th>Density of Malay Population to the Square Mile</th>
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<td>Perak</td>
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In 1891, after many years of British rule during which there
had been a considerable Malay immigration, the density of
Malay population in Perak, Selangor and Sungei Ujong was
only a little over 11 to the square mile; the figure for
1874 was certainly much less. The population was unstable;
it was extremely sensitive to political events, and a

5 (continued)
was deserted) and Ulu Langat. The figures for the Langat
to the Bernam, excluding aborigines, total 13,600; the
Chinese population of Kuala Lumpur and its suburbs totalled
8000; the population for the rest of the state was es-
timated at 5600. The greater part of this was in the down-
river agricultural districts and was predominantly Malay.

6
Asst. C.S. for Native States, Audit Report on Native
States for 1877, C.2410, enclosure in no.6; Sungei Ujong
Annual Report for 1891. Swettenham's estimate is almost
certainly an understatement, based probably on the Malay
population near the mines.
common response to oppression, invasion or civil war was flight, so that for political or other reasons there were internal shifts of population, and there was also a constant inflow of settlers from Indonesia (mainly Sumatra) and from the Siamese-dominated Malay states to the north. New districts were opened up; in north Perak about the middle of the century, the lower Krian and Kurau, later to be rich rice-producing areas, were brought under cultivation by Malays infiltrating from Province Wellesley, Kedah and Patani; in Selangor the upper Langat was settled in the third quarter of the century both from the Selangor and Sungei Ujong sides.

The traditional homeland of the majority of the Peninsular Malays was the kingdom of Menangkabau in the Padang Highlands of west-central Sumatra, but the population was diversified by the immigration of other Malaysian groups.

7 In 1874 a British observer described the desolation on the Selangor river, and the rapid reversion to jungle of an area which had been populous and cultivated three years before. The people had fled during the wars for possession of the valley, 1871-3. Most of them had gone to Bernam, the next valley to the north.

8 A census of the Malay population of Perak in 1879, taken by village headmen, gave the foreign Malay population as 9274 out of a total free Malay population of 56,632. (The unfree numbered 3050.) An estimate of the foreign Malays of Selangor in 1886, made at the request of the Netherlands Indies Government, put them at 12,000 out of a total Malay population of 18,000. (Perak Annual Report for 1881; Selangor Annual Report for 1886.)
In Perak there were settlements of Bugis, originally from Southern Celebes, and Rawas and Mandelings from north-east Sumatra; the foreign immigrants - the Bugis particularly - were the principal traders of Perak. In Selangor the population was even more mixed. Part of Selangor had once been tributary to the kingdom of Malacca, and there had probably been settlements of Malacca Malays between the Klang and Selangor rivers from the middle of the fifteenth century. Towards the end of the seventeenth century, the Bugis settled on the Klang and Selangor, and in the middle of the eighteenth century a Bugis prince became the first Sultan of Selangor and established the present dynasty. In the nineteenth century, Sumatrans and Javanese migrated to Selangor and lived in separate communities under headmen recognised as intermediaries by the Selangor chiefs; in 1875 the Resident described the population of Kuala Selangor as consisting of Menangkabau, Mandeling, Rawa, Bugis and Chinese; another report cited the Dato' Dagang (chief of

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9 A Bugis trader, Nakhoda Trong, was partner in a syndicate which leased the tax farms of the Perak river in 1874; a Rawa, Che Karim b. Ibrahim, was rent-collector for the Mentri of Perak in the Krian district in the 1860s, and was sent to open up Selama in the 1870s. During the British occupation of Perak in 1875-6, Bugis, Rawas and Mandelings helped the British in their military operations and in their search for rebels in the north of the state.
foreigners) as the chief Malay authority in Kuala Lumpur. Negri Sembilan, traditionally settled by Menangkabau Malays, had absorbed into its clan system colonies of immigrants from Malacca, Java and Acheh; and on the lower Linggi, a Bugis chief had established a settlement at the end of the eighteenth century under the patronage of the territorial chief of Sungei Ujong.

The nucleus of settlement was the village, commonly founded by the head of a family and his kindred by blood and affinity. The Selangor records for the 1880s and 1890s are full of instances of such foundations, established by headmen who brought in their families and followers, organised their economic life and helped them initially with loans; in some cases the headmen obtained government recognition in the shape of a penghulu appointment and salary. The settlements varied in size from the hamlet of half a dozen houses and twenty odd inhabitants to the long-established village of two or three hundred houses and a thousand inhabitants, the centre of the district and the headquarters of the district chief.

Report of Resident at Salangore, 16 March 1875, C.1320, enclosure in no.27; report of Asst. Resident at Salangore, 8 April 1875, C.1320, enclosure in no.28.
The people lived in an age-old economic pattern of subsistence agriculture based on rice cultivation, both dry rice cultivated in shifting patches on hillsides (ladang), and irrigated rice cultivated in permanent fields (bendang). Fruit and vegetable gardens and coconut plantations provided other elements in their diet; coconut products and bamboo provided most of their household utensils; housing materials - timber and thatch, rattan and bamboo - came from the jungle. The economy was not entirely self-contained, however; there was usually a local exchange of surplus foodcrops and livestock, and there was an export of jungle produce (rattans, gutta, firewood, attap, precious woods), and for centuries there had been an important export of tin and gold. This sustained a trade cycle, in which the tin export was balanced by the import of trade goods, mainly textiles, ironware, tobacco, salt and opium.

On this social and economic basis, a number of autonomous political structures were built, each river system forming a separate unit with its own ruling family. The variety of organisation and political affiliation may perhaps be illustrated by a brief survey of the political

Gullick, Indigenous Political Systems of Western Malaya, provides a full and valuable account.
systems of Negri Sembilan and Perak. Negri Sembilan, a federation of small states to the north of Malacca, was settled from the sixteenth century onwards by colonies of Menangkabau Malays. Though subject to the overlordship of the Malacca Sultans, and to interference from the Portuguese, Dutch and Bugis invaders of Malaya, they were able to preserve in essentials the tribal organisation of their homeland. Society in district and village was divided into clans and lineages counting descent and entailing property in the female line. The leaders of society were the clan and lineage headmen; the family heads and enfranchised clansmen at each level of the kinship structure played a part in the election of leaders at higher levels. Above the clan system was an essentially territorial authority, the district chief; in the four major districts or states - Sungei Ujong, Johol, Jelebu and Rembau - he had the title of Undang (lawgiver). The chiefs claimed authority by virtue of descent from the founding clan, but they were probably descendants of local governors appointed by the Sultans of Malacca, and originally were probably outside the clan organisation. (Till the end of the eighteenth century, for example, the chiefs of Sungei Ujong, the largest of the states, succeeded in the male line.)

By Gullick, Sungei Ujong, JMBrAS, xxii, 2, p.17. The territorial chiefs of Sungei Ujong, Johol, Jelebu and Rembau
the early nineteenth century the territorial chiefs had accommodated themselves to the prevailing social pattern; eligibility to office descended in the female line, and the special status of the chief's clan was expressed in terms appropriate to the clan organisation of society; in a higher bride price, for example, and a higher reparation scale for injuries. The clan's title to ownership of the soil was justified in a manner consistent with the matrilineal descent system by a myth linking the clan with an aborigine ancestress from whom it claimed inheritance of the whole country.

While each lineage and clan headman had jurisdiction only within his own kin group, the chief's jurisdiction covered all the clans in his territory. But his powers were limited by the rights of the clans. No decision affecting them could be made except in council with the clan headmen; no engagement with a foreign power was valid unless it bore their seals. The territorial chief acted as a court of appeal and had sole jurisdiction over certain serious crimes; he alone might award the death penalty,

were given their hereditary titles and seals by the Sultans of Malacca - Johore. From the evidence of seals and genealogies, Wilkinson dates these creations from the beginning of the eighteenth century (Wilkinson, 'Notes on the Negri Sembilan', Papers on Malay Subjects, 1st series, History, Part V).
and he was the final authority on the customary law. But he might not reach beyond the clan headmen to initiate a suit against an individual clansman; the latter must be dealt with first by his own lineage and clan heads, and sent to a higher authority only if the case presented special difficulty or involved one of the major crimes. The special claims and jurisdiction of the territorial chiefs and the rights of the clans were held in uneasy equilibrium by a body of custom expressed in folk sayings known to every peasant. The history of the settlement, the respective land rights of the *waris* and the other clans, the jurisdiction, dues and ceremonial privileges of the territorial chiefs and the clan and lineage headmen, the laws of property and inheritance, were embodied in cryptic images, universally understood and universally quoted.

Outside this system was a form of Malay kingship, introduced for political reasons by the states in combination, but standing in fundamentally hostile relationship to their clan organisation. Malaysia had been in contact with India

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*Waris* - literally inheritors; used generally to mean any descent group with a right to office or inheritance. In Negri Sembilan the term *waris negeri* was used to distinguish the clan of the territorial chief; elsewhere the term was used of the male descendants of former Sultans, who provided candidates for the succession.
for two thousand years and had assimilated the principles of Hindu kingship; royal dynasties with legendary Hindu affiliations had been established in various parts of the archipelago for many centuries. Sovereignty was not necessarily expressed in the exercise of political power, nor in any concentration of government machinery; it was venerated as a sacred symbol of group unity. The person of the Raja was sacrosanct. Certain colours, architectural devices, robes and furnishings were reserved to him; there was a special vocabulary used of royalty, and his greatness was symbolised also in the kebesaran or regalia, which consisted of historic jewels, weapons, robes and other accoutrements, the royal drums, ritual ornaments and vessels and articles of magic workmanship. The unity of the Raja with his kingdom was expressed in symbolic ownership of the land, of natural phenomena and of rare and strange creatures.

14

The Hindu term Raja is the generic term for ruler and is still the title of the Raja of Perlis; it is also the title of male and female descendants of a ruler. It has been generally superseded, as a title of the ruler, by the Turkish Sultan, which will be used in this study to refer to the rulers of Perak, Selangor and Pahang. The Malay designation is Yang di pertuan ('He who is made Lord'), usually shortened to Yam Tuan.
In the late eighteenth century, the Negri Sembilan accepted a Menangkabau prince as their Raja. The traditional explanation is that they wanted a royal leader to help them against the Bugis invaders; another explanation advanced is that the Sultans of Johore, hitherto suzerain over Negri Sembilan, were themselves under Bugis control and no longer effective or even accessible as arbitrators, and that the chiefs wanted someone closer at hand to settle their disputes and validate their authority. They entered into a convention with the Raja, establishing him as a ceremonial and ritual head outside the power structure; he enjoyed a ceremonial precedence as nominal head of the confederacy, certain sovereign powers of jurisdiction, and a prescribed income; but he did not own the soil, nor might he levy taxes, nor interfere in the internal affairs of the states; and in an effort to prevent a royal dynasty from forming, the territorial chiefs imported their first four Rajas in succession from Sumatra. The inevitable happened; there were royal efforts to establish a dynasty in Negri Sembilan and minor dynasties in Rembau and Jelebu. These attempts involved the aspiring Yam Tuans in endless

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15 *Yam Tuan Besar* was the title of the Negri Sembilan ruler; *Yam Tuan Muda* the title of the rulers of Rembau and Jelebu.
conflicts with the territorial chiefs. In 1869 on the death of the *Yam Tuan Besar*, the succession, always precarious, broke down altogether and with it the unity of the confederacy; the royal candidates (who were cousins) continued to live in the districts forming the royal appanage of Sri Menanti, their claims unresolved; the *Yam Tuan Muda* of Rembau was confined to his district of Tampin, on the border of Malacca; the *Yam Tuan* of Jelebu continued to struggle in vain for recognition. The attempt to establish a constitutional kingship in the Negri Sembilan had apparently been too much even for the Malay political genius, with its capacity for compromise, adjustment and absorption.

In the other riverine states, of which Perak was a type, the clan organisation - if it had ever existed - had long since disappeared. Kin affiliations, it is true, remained an important feature of the power structure. Kin groups split off to found new settlements; influence was concentrated in certain lineages which monopolised office; protection by the kin group was a vital feature of social organisation. But the pyramid of control was based on territorial and not kin divisions. The country, as in the Negri Sembilan, was fragmented into districts, each occupying a stretch of the main river or tributary, and each
ruled by a district chief. But the power of the chiefs was not limited, as in the Negri Sembilan, by tribal custom to which the chiefs themselves adhered. The autocratic control of the chief was free of any sanction the ra'ayat could use against him, except the sanction of flight. In a country where people were much scarcer than land, where a village could be dismantled and packed in boats in a matter of days, Malay peasants were mobile and there was always the danger that oppressed groups might cut at the foundation of the chief's power by leaving his district. But the threat of flight, and the suicidal protest of the amok, were the only sanctions the ra'ayat could apply against extreme exploitation.

At the apex of the structure stood the Sultan. According to tradition, the first Sultan of Perak ascended the throne about 1528 and was a son of the last Sultan of Malacca, expelled by the Portuguese in 1511; and according to tradition, the earliest holders of the majority of the Perak offices of state were descendants of the family of Malacca Bendaharas. It appears certain that the royal office and the major offices of state were imported into

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16 The peasant class.
17 The Chief Ministers of the Malacca Sultans.
Perak after the break-up of the Malacca Empire, and that the original title-holders came to Perak as the Sultan's followers. They thus appear to have been mutually dependent from the start; the Sultan depended on the support and counsel of the title-holders, and in turn legitimised their authority. Though conflicts arose from time to time between the Sultan and the chiefs, and though the chiefs might work to replace an individual Sultan, no chief ever dreamt of removing the Sultanate, the symbol of order and the legal source of his own authority.

The Sultan's familiar role was to symbolise unity and order in the state. His resources, derived from the revenues of a royal district, from gifts and from customs duties collected at the main river mouth, enabled him to maintain a court and a royal household, but they did not permit administrative or military control of the districts. The Sultan was theoretically the owner of the soil, and the arbiter of life and death; appointments to office, concessions, and revenue monopolies were in his gift, and theoretically transferred no permanent or hereditary right. But ownership of the soil had only a symbolic importance in a country where land was much more plentiful than people;

For an account of the Perak Constitution see below, Appendix I.
appointments and commissions were usually confirmations of power already established, and were in practice if not in principle hereditary. Furthermore, custom secured to the chiefs a degree of control over the Sultanate, giving them a share in the determination of the succession, and requiring their consent to all important state decisions and to foreign treaties. The one sphere in which the Sultan's prestige received unchallenged expression was in ceremonial life. Here his status was affirmed by an elaborate system of protocol and tabu which maintained, by ritual observance, sumptuary restrictions and special forms of address, distinctions between ruler and subject which were in danger of being blurred by the intimacies of Malay village life.

The constitution and ceremonial of the Perak Court, and the titles and functions of the officers of state were borrowed from Malacca practice, which again derived from Hindu ideas of kingship and government grafted on to Malay society during the pre-Islamic era. The state offices

19 Treaties between Perak and the Dutch East India Company, executed in 1650 and 1655, were sealed by officers of the first rank and by the Laksamana (Winstead, 'History of Perak', JMBRAS, xii, 1, 142); the Pangkor Engagement of 1874, whereby the chiefs accepted Raja Abdullah as Sultan, and accepted a British Resident, was sealed by three officers of the first rank and four of the second. (Maxwell and Gibson, Treaties and Engagements affecting the Malay States and Borneo, 28-30.)
were ranked in multiples of four, a pattern which recurred in other Malay states and in Burma, Siam and Cambodia, and is thought to derive from Hindu cosmology. First came the four great chiefs, nearest the audience hall of the Sultan; then the eight major chiefs, then the sixteen – the last rank consisting of deputies and successors-designate of the Four and the Eight. The offices bore elaborate titles and administrative responsibilities which may have had some meaning in the great port kingdom of Malacca, but which had very little in a small agricultural riverine community where a population of 500 constituted a large township. By the middle of the nineteenth century hardly anything remained of these functions except a residue of ceremony and symbolism which bore little relation to duties actually performed. They were in fact titular honours bestowed in recognition of local influence, and were usually associated with local rights of taxation and control, which consolidated the chief's influence in his district.

The chief exercised direct personal control over his district. His headquarters consisted of a self-sufficient household of about fifty followers, established in a pали-saded compound in the chief village of his district. Here dependents of various kinds dealt with the affairs of his family, his following, his fields and mines, and his district
generally. His family provided him with secretaries and accountants, who worked in return for their keep and either a small allowance or the opportunity to find pickings in their various occupations. Free volunteers and mercenaries in search of a patron made up his guard; debt bondmen and slaves provided him with domestics, boatmen and attendants of all kinds, while bondwomen provided nurses and servants for his household, and mistresses for his male followers. Slaves and bondmen also worked in the fields and gardens to feed this unproductive household. Labour needs that could not be provided within the household were met by the institution of forced labour (kerah), whereby the male inhabitants of each village were liable to answer any call from the chief to work on public or private undertakings, from clearing rivers and paths to poling boats and running messages.

Control over the neighbouring villages was maintained through the village headmen. These were usually hereditary appointments held in most cases by a member of one of the founding families of the village. Length of residence and association with the village, wealth, piety, all affected the choice of the penghulu. The appointment was made

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See Swettenham, *The Real Malay*, 143, for an account of a chief's household.
formally by the Sultan, but this was usually a confirmation of a local choice, in which the qualifications of the candidates, the feeling of the villagers and the approval of the chiefs all played a part. The penghulu, who was sometimes a family connection of the chief, was the link between chief and village. He collected the chief's taxes on a small commission basis (he was otherwise unpaid), he recruited and supervised the labour levies, he kept the chief informed of affairs in the village and referred to him all serious crime. In a crisis of authority he could count on the chief's support. But he was far more than merely the agent of his patron. He represented a practical compromise between outside control and village leadership. He was part of the village society and economy. He kept the peace, arbitrated in village quarrels and punished small crime with the help of other village worthies, the elders of families and the lay officers of the mosque.

Two British Residents with an intimate knowledge of the Malays - Swettenham and Clifford - have likened the relationship between chief and people to that between members of an old Scottish clan; 'they will do his bidding and take harsh treatment from him more contentedly than

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from anybody else'. Malays, speaking for themselves through their own folk sayings, are more cynical. Still, it is possible to understand what the Residents meant. For generations, chiefs and people had lived in close daily contact between the same narrow horizons; they had in common a local attachment of great importance. Also the chief, while often oppressing his people, did provide them with a shield in their quarrels with other groups. Where the safeguards of the clan system had disappeared and the rule of law had not yet developed, the chief provided a primitive social protection, though there was little protection from his own arbitrary decisions.

The economic resources of the Sultan and chiefs were extremely varied, but they derived mainly from two sources: services exacted from slaves, bondmen and kerah levies, and customs duties on trade. Cultivation for subsistence was not taxed as a rule, nor was a capitation tax generally demanded. The Sultan's chief source of revenue was the

22 Both taxes were levied in the Krian district of Perak, which was regarded as the Sultan's personal estate (Maxwell, 'Law and Custom of the Malays with reference to the tenure of land', JSBRAS, 13, p.98). The Krian was a rich padi area; it was still a new settlement in the 1860s, many of the settlers were migratory cultivators from Province Wellesley and Kedah, who stayed long enough in the district to take a yearly crop and then returned to their homes. They were not subject to kerah service or indeed to any close control, and the padi tax and household tax constituted their only revenue contribution.
collection of customs duties at the mouth of the Perak river. The chiefs had their own customs stations on their stretches of river; according to one British observer, 'every chief in his own place took something'. Some of the collections were leased to other Malays or to Chinese or Europeans; others were entrusted to agents who collected on a commission basis, so that the revenue collection rami-fied endlessly and gave profit to large numbers.

Some of the chiefs drew a large part of their revenues as tribute on the tin obtained or the jungle produce collected in their districts, and in the nineteenth century, the tin concessions granted by the Sultan to chiefs or members of the royal family were extremely valuable. Implicit in them was the right to collect a proportion of the produce, on the understanding that part of this was to be paid to the Sultan, though this condition was not scru-pulously observed. The tribute was normally collected in

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23 See Appendix I for details of the chiefs' revenues.
24 In 1874 the Bendahara sublet the Kinta duties to the Raja Mahkota; the (Laksamana's') toll station on the Batang Padang had a large number of shareholders; the Shahbandar got a commission on the Sultan's customs collection at the mouth of the Perak river. (Birch, Report on Perak, 13 December 1874, SSGG 3 April 1875; Report on Perak, 2 April 1875, C.1320, enclosure in no.26.) The chiefs commonly deputed agents to collect their revenues, presumably on a commission basis.
the form of an export tax on the produce, payable at the chief's station. Some chiefs also profited from certain monopolies, notably the monopoly of public gambling, which was carried on in some of the townships; and they also kept the greater part of the revenue from judicial fines.

In Selangor, as in Perak, control of the districts was in the hands of territorial chiefs, who derived economic power from similar sources, but the conquest of Selangor by Bugis princes was comparatively recent; the ruling Sultan in 1874 - Abdul Samad - was only the fourth of his line. The Klang and Selangor rivers had formerly been subject to Malacca, and had been governed by headmen appointed by the Malacca Sultans; but though there were occasional references c. 1874 to commoner officers of state, and though two of them were included in the list of Selangor state pensioners drawn up after 1876, 25 territorial power 25

Braddell, citing Newbold, mentions four officers of state in 1874; the Pengawa Permatang, Pengawa Tuah, Penghulu Aroo and Orang Kaya Kechil (Report of Proceedings at Selangor, 18 February 1874, C.IIIII, enclosure 3). Of these the Dato' Aru appeared as a member of a court appointed by the Sultan to try the Jugra Pirates in February 1874 (ibid.), but none of the four appear by title after 1874 either as state pensioners or holders of penghulu appointments. In 1881, an applicant for a state pension claimed to be one of four officers - the Dato' Kaya, the Dato' Engku, the Dato' Mentri and the Dato' Naga - formerly possessing jurisdiction over the Klang valley. (To' Naga to the Governor, 12 September 1881, Sel/Sec., 381/1881). Winstedt mentions a To'Engku of Klang c. 1700, a relative
was in the hands of various members of the Bugis royal family. In 1870, the Bernam, Selangor and Lukut rivers were in the hands of Selangor rajas; Klang, which had once been a royal district, was in the hands of Tengku Zia'u'd-din, the Sultan's son-in-law, and the Sultan himself had been driven by the disturbances of 1866-73 to take up his residence in Langat. In 1883, when a full establishment of penghulus was set up for Selangor, more than half the appointments were held by rajas. The Bugis rajas ruled a predominantly Sumatran population; they dealt with their subjects, in some cases by appointing local headmen, in others, by placing their own relations in authority; and in the townships of Kuala Selangor, Kuala Langat and Kuala Lumpur, a Dato' Dagang ('chief of foreigners', or synonymously 'chief of traders'), was placed in charge of the

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25 (continued)
of the Johor Bendaharas (Winsteadt, 'History of Selangor', JMBRAS, xii, 3, p.3). After 1874, the Dato' Kaya and the Dato' Engku of Klang became state pensioners, living in retirement at Singapore; the other two do not appear by title in the lists either of pensioners or penghulus. 26

See note on Tengku Zia'u'd-din below, p. 53, n.54.

27

The Dato' Dagang was placed over settlers of many different origins; this gave rise to some dissatisfaction. The inhabitants of Kuala Selangor complained to the Resident about Dato' Dagang Nakhodah Allang in 1877; his post was abolished and the Dato' pensioned off. (SCM 25 August 1877.)
whole foreign Malay population. Thus in Selangor, a state where the population was heterogeneous in the extreme, where the ruling class was recently immigrant and the district chiefs of royal birth, there do not appear to have been the same links, deriving from kin connections and common territorial origin, that existed between the district and village heads in Perak.

In nineteenth century Malay society, the old pattern of small, self-sufficient peasant communities, living by internally regulated custom, was essentially preserved, but with important changes. Tribal controls had long been superseded by the personal rule of local chiefs, and though society was still partitioned into small local loyalties, all were in principle united under a single acknowledged head of state. A social and political formula appropriate to these conditions had long been established, it had weathered many strains, and there seemed no reason why it should not persist indefinitely. But already in the neighbouring world social and economic forces were gathering which were to change the foundations of life and government in the Malay states.

Tin and the Chinese

For a thousand years or more, Malaya's chief interest for foreign traders lay in her mineral and particularly her
tin supplies. Old mines, ascribed by modern Malays to 'the Siamese', are thought by some scholars to be the work of colonists who brought an Indo-Chinese bronze culture to Malaya about two thousand years ago. Tin is mentioned as a staple of commerce from the ninth century; in the fifteenth century it was the chief support of the trade of Malacca. Contemporary Chinese accounts describe the use of tin as currency and record the standardisation of the ingots in a weight range not very different from that of the Malay ingot four hundred years later. According to sixteenth century Portuguese writers, there was a standard tin currency from Java to Lower Burma, and all transactions at Malacca were made in tin or gold.

All the states in the Peninsula have been mentioned at various times as tin exporters; but probably because of their proximity to Malacca, the east coast states were the most prominent. The country from Linggi to Kedah was known as the 'tin lands' and provided Malacca with a large tin tribute. After the fall of Malacca, the Portuguese, and later the Dutch, tried to secure a monopoly of the tin of these states. Dutch treaties with Perak, Selangor and

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the Linggi states provided for the enforced sale of all tin to the Company at a buyer's price, and Dutch forts commanding the Perak and Selangor river mouths enforced compliance.

Until the nineteenth century, tin mining was a Malay industry, controlled by members of the royal and chiefly families. They enjoyed a large part of the profits, either by direct ownership of the mines or by levying tribute on production and export. The carriage of the tin was also in their hands. The Malacca Sultans and Bendaharas took part in trading ventures as a matter of course; in the seventeenth century, Dutch records describe the large trading expeditions of the Sultan of Kedah, carrying tin to the Coromandel coast; and even in the 1860s, Malay rajas and chiefs still had a share in the tin trade and the return trade in miners' provisions. There was no attempt by the Portuguese or Dutch, in the period of their ascendency, to take a direct part in the industry, or stimulate its development beyond occasional loans to rulers on the security of the tin supplies. They appeared content to siphon off the produce, and it was of course contrary to their monopolistic practice to permit individuals in their colony to trade directly with the Malay tin producers. Tin mining therefore remained a local industry, financed internally from the resources of the ruling class.
In the nineteenth century the whole picture changed, in a way which meant not only a revolution in the tin industry, but a fundamental change in the structure of society. Between 1786 and 1819, British settlements were established in Penang, Malacca and Singapore; the tin trade was thrown open to private individuals. The great development of the Straits Settlements, the expansion of population and trade stimulated a search for new fields of enterprise; and Chinese finance, labour and mining techniques were introduced into the Malayan tin industry. European and Chinese merchants in Malacca, the natural outlet for the tin of Lukut, Sungei Ujong and other parts of the Negri Sembilan, appear to have been the first to engage in large-scale investment in the mines. At first their investments took the form of advances of money, rice and opium direct to the chiefs, who in turn provided the...
miners with these necessities, bought the tin at a favourable price, and resold it to Malacca at a profit. The advances to the chiefs, and their interest in the industry as investors and traders, continued throughout the period of Malay rule; but in the 1830s production in Sungei Ujong and Lukut was already passing into the hands of Chinese management and labour, and the development of the great new tin fields of Larut and Kuala Lumpur, discovered in the 1850s, was entirely in Chinese hands. While continuing their advances to the chiefs, the Chinese traders in the settlements advanced direct to Chinese mine-owners and mine-managers in the fields, the Malay chiefs tapping

30 (continued)
17 January 1879, CO 273/98/3689). The loan was almost certainly made as a speculation on the development of tin land. In the late 1840s the Sultan again borrowed from Malacca merchants - one Eurasian and three Chinese - to prospect on the Upper Klang; and in the 1850s his son-in-law borrowed money from two Malacca Chinese and with $30,000 began to prospect in the same area; the discovery of the Kuala Lumpur fields followed. (Middlebrook, 'Yap Ah Loy', JMBRAS, xxiv, 2, pp.17-18; p.102,n.6.)

31 Newbold, writing in the 1830s refers to the massacre of 1000 Chinese miners in Sungei Ujong by Malays in 1828 and the despatch of 400 more miners to the state by Malacca merchants in 1830; he also mentions a rebellion by 300-400 Chinese miners in Lukut in 1834, against their Malay masters. (Newbold, Political and Statistical Account of the British Settlements in the Straits of Malacca, ii, 97, 34.)

32 Braddell, in a historical account of British relations with Sungei Ujong, written in 1874, states that Malacca traders, who had advanced money, rice and opium to the chiefs on account of tin supplies, began advancing direct to the miners c. 1840. (C.1320, enclosure in no.8.) See also p.30, n.29.
the flow of wealth from the mines by drawing an agreed tribute.

Investment was accompanied by the introduction of Chinese mining methods and machinery which made possible, for the first time, the full-time employment of a large labour force, recruited by mass Chinese immigration. Malayan tin is alluvial, occurring at the base of hills flanking the main mountain range. The ore appears as heavy granules in a stratum of gravel and sand, six to thirty feet under an unproductive soil overburden, and mining consists simply of removing the overburden and lifting and washing the tin sand. Malay mining consisted of breaking down the soil sides of the tin working and shovelling the pay dirt into a stream of running water; the particles of ore fell to the bottom while the earth was carried away by the stream. It was a simple process which cost little initial outlay, but was wasteful both of tin and labour. It was a method adapted to work in small valleys and along hillsides; it was not adapted to deep excavations which in the Malayan climate would in any case have been under water for most of the year. Working therefore tended to be distributed over a large number of small, shallow mines which were soon exhausted; it was carried on intermittently by a few
Malays at a time, usually in addition to their other oc-
cupations.

The Chinese introduced an ingenious hydraulic device, used to irrigate rice fields in South China, which enabled them to drain the mines and at the same time direct the drainage waters into long wooden gutters where the ore was washed. It consisted of an endless chain of wooden troughs revolving round a wheel turned by muscle-power — or more commonly in Malayan tin mines, by water power. The equipment was simple and cheap enough, but it enabled the Chinese to make deep excavations (typical of Chinese mine workings) reaching down to the ore strata at low levels, and providing regular work for a large and specialised labour force. The tin was smelted in brick ovens many times more efficient in their use of labour than the Malay oven, and capable of smelting, in the 1830s, 800 lb of metal a night. The rest of the equipment was simple and cheap; wooden hoes, baskets for the ore, notched wooden

35 Newbold, op. cit., ii, 100-101. According to an account of mining in Perak in 1886, a Malay oven smelted 250 kilograms a day, and a Chinese brick oven 2,200. (M.J. de Morgan, Explorations dans la presqu'ile Malaise, 59.)
beams giving access to the mine floor, and a palm-leaf shed to house the miners.

The introduction of these methods made possible a great expansion in the industry. The interest of Malacca traders in the Negri Sembilan fields was soon followed by heavy investment in Selangor, and the discovery of rich deposits in Larut in 1848 began a tin rush from the neighbouring settlement of Penang. In the 1830s, Newbold estimated the tin output for Selangor at about 1200 bharas annually, mostly from the mines of Lukut, Klang and 'Langkat'. In 1872 the Kuala Lumpur field, which had first begun exporting in 1859, was alone exporting 1000 bharas a month. In the 1830s, Perak production came mainly from mines on the Kinta, Batang Padang, Bidor and Upper Perak rivers, and Newbold estimated the annual export at roughly 3000 bharas. In 1871 Penang's yearly import from Larut alone was about 11,000 bharas. The value of the tin imports

Newbold, op. cit., i, 425; Petition of Malacca Traders to Singapore Chamber of Commerce, 27 July 1872, C.1111, enclosure in no.1.

Bhara = 3 piculs = 400 lb.

Newbold, op. cit., ii, 23; Straits Daily Times, 19 March 1872. The figure of 10,000 bharas a year for the Larut export to Penang circa 1870-2 is supported from other sources. The Penang trade figures for 1870 put the import from the Malay states (excluding Siam) at 13,000 bharas; this probably included the Perak river export of about 3000 bharas. (Revenue figures for Penang for 1870, in C.1038 of 1875, Statistical Tables relating to the
in proportion to total imports into Malacca for this period shows a spectacular rise. Between 1825 and 1835 the tin imports from the Malay states (i.e., from the Negri Sembilan and Selangor mines) into Malacca averaged 91,158 sicca rupees out of an average of 1,123,287 sicca rupees for all imports; in 1870, after the field at Kuala Lumpur had come into production, the tin import was $898,178 out of a total for all imports of $2,260,875.

These economic changes took place in conjunction with a social change of even greater importance - the first large-scale immigration of the Chinese into the Malay states. Before the nineteenth century the Chinese colonies in Malaya were small settlements of merchants, established during the long history of trade with China. The oldest recorded community was that of the Malacca Chinese founded during the rule of the Malay Sultans. This was probably the first, and certainly the largest of many such

37 (continued)
Colonies and other Possessions of the United Kingdom.) In 1874, when the mines were brought into working order under British administration, after the troubles of 1873, the average production for the last four months of the year was 830 bharas a month (Report of the Asst. Resident, Perak, for 1874, C.1320, enclosure in no.20).

38 Newbold, op. cit., i, 149; Revenue figures for Malacca for 1870, C.1038 of 1875. (The actual figure given for the total value of Malacca's imports in 1870 was £stg 452,475, and this has been converted into dollars at the rate of 4s to the $1.)
settlements all over the Peninsula — licensed communities of traders and craftsmen living usually in the Sultan's village at the river mouth. In the 1830s there was hardly an important river-settlement in Malaya or south Siam which did not have such community, well-established, accepted and reasonably prosperous, living in one quarter of the Sultan's township. These were permanently settled communities, whose founders had intermarried with Malaysian women and had thereby established a hybrid type characteristic of Malayan society; sentimentally attached to a mother culture, but soon acquiring the patina of a new environment, and sharing with the 'local-born' of other races, a common fund of new experience. These settlements — particularly that of Malacca — formed the nucleus of the Straits Chinese community, long established, prosperous, enjoying a stable family life, yet most adaptable and responsive to new influences and new cultural forms.

In the nineteenth century this leisurely, stable type of settlement was succeeded by a new immigration pattern — the wholesale importation of adult male labourers. They came mostly from the maritime provinces of Kwangtung and Fukien in south China, the traditional place of origin of Chinese immigrants to South East Asia. They were recruited in Macao, Hongkong and south China ports by coolie-brokers,
stowed in junks under slave-trade conditions and shipped to the Straits as indentured labour. On arrival they were bound to mine-owners for a year or more, until the cost of their initial advances had been worked off. They were then free to try independent mining or trading if they were exceptionally fortunate, or to continue, as most of them did, to work in the mines as wage or contract labour.

On leaving China, the immigrants were cut adrift from all the normal bases of authority and all their family and neighbourhood bonds. They came to a strange country where language barriers cut them off from communication with all but their fellow-Chinese; and with these, their only links were associations based on clan membership or common place of origin in China. The fortunate were helped by prosperous clansmen and relations; but the majority had no contacts except with employers and fellow immigrants. In the hard and dangerous conditions of the Malay states, the mine dormitories provided the only shelter and protection they knew. Their domestic lives and social activities revolved round their work. They lived near the mines in large dormitories (kongsi-houses) - atap sheds housing 20 to 100 men and managed by the mine-contractor. The

Kongsi - any joint association for common social, economic or political ends.
barest needs - shelter, a suit of clothes and a rice allowance - were provided free. Everything else was provided by the mine-owner at a considerable profit. The government records make matter-of-fact reference to the incidents of the miner's life, the gambling booth, the opium shop, the arrack shop, the brothel, the pawnshop and the home for destitutes. In this pattern of hard work, barrack life and barrack companionship and amusements, thousands of Chinese lived and died in the second half of the nineteenth century, initiating the profound changes in Malayan life and society which have continued ever since.

The size of the Chinese mining population in the 1870s has been the subject of various estimates, but there was no count made before British intervention, and the population, like most pioneer mining populations, fluctuated wildly with changes in the tin price and the productivity of the fields. It was also much affected by political conditions; in the decade before British intervention, the continuous troubles in the Malay states made life and work precarious and caused large internal migrations. It is therefore impossible to establish numbers. The estimates do however at least indicate the scale of the Chinese influx. Larut in north-west Perak had hardly any Chinese in 1848 when tin was first found there. In
In 1872 there was a Chinese population estimated at 20,000 to 25,000. In 1873 the population dropped with the secret society wars; but at the end of 1874 after a year of British administration, it recovered, and was estimated at 26,000. In Selangor, prospecting on the Upper Klang began in 1857 with 87 men. This was the beginning of the Kuala Lumpur fields; in 1872 the number of miners at work there was estimated at 12,000.

The mines were for the most part away from traditional Malay areas of settlement. The Larut valley and the upper Klang were hardly inhabited before the Chinese influx;

Perak figures: 1872, Irving, Memorandum relative to the Affairs of Perak, 24 July 1872, C.1111, enclosure 2 in no.52: 1874, Report of the Assistant Resident, Perak, 2 April 1875, C.1320, enclosure in no.20. A comparison of the Chinese and Malay populations of Perak is given in the following table, taken from the rough census of 1879.

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<tbody>
<tr>
<td>Malays</td>
<td>59,682</td>
</tr>
<tr>
<td>Chinese</td>
<td>20,373 (figures from Perak)</td>
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<tr>
<td>Total population</td>
<td>80,977 (Annual Report for 1881)</td>
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</tbody>
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Selangor figures: 1872, Petition of Malacca Traders to Governor, 20 July 1872, C.1111, enclosure in no.1. (In 1880 a rough count by the Superintendent of Police for Selangor placed the mining population at 12,424, Sel/Sec. 11/1880.) A comparison of the Malay and Chinese populations of Selangor is given in the following table, taken from the rough census of 1884 (Selangor Annual Report for 1884).

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<tr>
<td>Malays</td>
<td>17,097</td>
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<tr>
<td>Chinese</td>
<td>28,236</td>
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<tr>
<td>Total population</td>
<td>46,568</td>
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clearing the jungle was an essential prelude to settlement and took a heavy toll of miners. The situation of the mining areas, and the close organisation of the Chinese population meant that they lived in autonomous communities under their own leadership. The nucleus of the community was the mining kongsi. It might consist of half a dozen men sharing a hut near a small mine in a lonely jungle clearing, or it might be one of many large mines grouped round a thriving township, with a market, gambling-booth, shops, theatres and secret society lodges. The remoter miners lived outside all authority, regulating their own affairs; but in the large centres the miners were drawn together into a single community by a mesh of associations, of which the most important were the kin and territorial associations, the former based on membership of a surname group tracing descent from a common ancestor, and the latter based on common dialect or common place of origin in China. In modern Malaya both types of association perform ritual and welfare functions, building temples, maintaining cemeteries and providing burial insurance, acting as loan societies, providing social assistance and employment services, and providing and maintaining schools. It is likely that in the mining communities of the 1860s and 1870s they had much the same functions, except for the
last; there were few children and these were probably privately taught.

In addition to their occupational, clan or district associations, which appear to have been principally mutual benefit associations, the Chinese were organised politically in secret societies, into which immigrants were inducted. Secret societies had existed in China for centuries, and during the Manchu dynasty had taken on a political aspect, stimulating resistance to the Manchu invaders and encouraging anti-dynastic rebellions in China in the eighteenth and nineteenth centuries. In Malaya they became the harsh instruments of group control, developed by a struggling immigrant community in a strange and potentially hostile environment. Fear, isolation, the absence of all traditional authority, the complete estrangement from an alien and incomprehensible government, resulted in a deliberate withdrawal within a mutual protection society which tried to exclude external contacts altogether and itself perform the functions of government, raise revenues by the levy of protection money or by compulsory subscription, regulate the behaviour of members, arbitrate in their quarrels, punish transgressions and protect members in their conflicts with the government or with rival societies. Inevitably the society became tyrannical in its relationship
with members, and hostile to all other institutions which might divert their loyalty.

The Malayan societies were offshoots of the Triad, the parent society in China, from which they derived their ritual, symbolism, cryptic signs and disciplinary codes. They were not organised on a territorial basis, and in principle they cut across territorial and even kin divisions; but the lodges came to be identified with particular territorial and kin groups. The two societies most prominent in the nineteenth century Malay states - the Ghi Hin and the Hai San - were identified in the 1870s with the Cantonese and Hakka respectively, the former from the south, the latter from the north of Kwangtung Province. In the Straits Settlements from about 1850 these societies were in opposition to each other. Territorial antagonisms in China may have contributed to the hostility between the lodges in Malaya, but local economic competition for revenue monopolies and - in the Malay states - for tin concessions, certainly intensified if it did not initiate the conflicts. The secret societies were organised in Penang, Singapore and Malacca soon after the establishment of British rule, and soon came to dominate the life of the Chinese; and since Chinese mining enterprise in the Malay states was initiated by the community in the Straits Settlements, it was natural that the mining colonies in the states
should carry with them their secret society affiliations. The Larut colony in particular was economically and politically a dependency of the Chinese community in Penang and the Penang and Larut secret societies acknowledged a common leadership.

The secret societies dominated the life of the community in the Malay states even more than in the Straits Settlements, for in the Malay states there was no government able to challenge their authority. Leadership in the community was expressed in terms of secret society leadership. The society headmen combined political and economic power; they were the chief advancers, the importers and employers of labour and the tax farmers; and their political authority in turn provided opportunities for an immense increase in economic power. They rose from immigrant beginnings, in conditions of great hardship and violence. Their administration had a simple materialist objective - to maintain services essential to tin production. To that end they built mining tracks, kept order in the community, arbitrated in disputes, supervised markets, and opium, spirit and gambling shops and, most important of all, organised the defence of the mines.

See Appendix II for short biography of Yap Ah Loy, Capitán China of Kuala Lumpur, 1868-85.
The headmen constituted the link between the Chinese community and the Malay chiefs in whose districts the mines were established. They were officially recognised as leaders of the Chinese, and went by the historic title of Capitan China. The style of Capitan is recorded in the time of the Malacca Sultans and the practice of treating with the Chinese community through these headmen persisted to the end of the nineteenth century, in the Portuguese, Dutch and British settlements as well as in the Malay states. The Malay chiefs negotiated conditions of mining with the Capitans, leased them the farms of monopolies, consulted with them on all matters relating to the mines and the Chinese community, and joined with them in military action. In Selangor, where the Capitan of Kuala Lumpur, Yap Ah Loy, and the Malay ruler of Klang were thrown into close mutual dependence, the investiture of the Capitan by the Malay raja was a formal ceremony in which Chinese and Malay ceremonial elements combined, and where the chief actor in the proceedings appeared in Malay dress.

The accounts of the times are full of references to the business contacts between Chinese and Malays, and the

See Middlebrook, 'Yap Ah Loy', JMBRAS, xxiv, 2, pp.40-1, for an account of the installation of Yap Ah Loy by Raja Mahdi in Kuala Lumpur in 1869. The biography gives an invaluable account of the life of a Chinese mining community in a Malay state.
military alliances they established in defence of common economic interests. But their only point of contact was the tin industry - the Chinese world. Outside this they found nothing in common. Their respective areas of settlement, economic concerns, social institutions and objectives were utterly different. The Chinese in their mining kongsis and the Malays in their riverine kampongs lived in mutual isolation, following their separate ways under separate dispensations.

Civil War

In 1870 the main tin centres were in Perak, in the north-west coast province of Larut; in Selangor, on the Upper Klang (the Kuala Lumpur field) and on the Upper Selangor, and in Sungei Ujong on the Upper Linggi. The development of Larut dated from about 1850, and was controlled by the Mentri, Che Ngah Ibrahim, who had inherited the concession from his father, and who had obtained the title in consideration of his wealth and influence. The Mentri

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The Mentri, 'Che Ngah Ibrahim, was a family connection of the Panglima Bukit Gantang, the warden of the western approach to the Perak river valley. Larut had been part of the territory of this chief, and before the discovery of tin, had been placed under the management of his brother, the grandfather of Ngah Ibrahim. Ngah Ibrahim's father had developed Larut after the tin discoveries, and had been granted the area in written concessions from or on behalf of successive Sultans in 1850 and 1856. He died in 1857, and the concession was reissued to Ngah Ibrahim in 1858. Ngah Ibrahim was made Mentri in 1862 or 1863.
ruled Larut and made his own financial and political ar-
46 rangements with Chinese mining leaders, without refer-
45 ence to the Sultan; he was bound only by the obligation
to pay to the Sultan ½ on every bhara of tin exported.
In 1873 the Sultan, Ismail, lived forty miles away on the
middle Perak; there is no record that he ever visited
Larut or that he had any financial interest in the mines
there. In Selangor, the rajas themselves controlled the
districts and were deeply involved in the mining invest-
ment and shared out the concessions between them. Raja
Juma'at, the son-in-law of one Sultan and brother-in-law
of the next, developed the Lukut concession and governed
the district with great skill until his death in 1864; his
brother initiated the development of the Kuala Lumpur
field, the richest in the state, and in 1870 this came
under the authority of Tengku Zia'u'd-din, a son-in-law of
the Sultan. (The Sultan, Abdul Samad, had shares himself

45

The Mentri appears to have farmed out the tin mines to
a Hai San leader, Law Ah Sam, who was then left to make
the distribution of allotments (see Part II, p.115, n.39).

46

The diagram overleaf shows some of the relationships
of the Selangor rajas and their interest in various con-
cessions. It is taken from Gullick, Indigenous Political
Systems of Western Malaya, p.72.
S. Mohammed (1826-1857)

Raja Sulaiman, chief of Klang (1850s)

Raja Mahdi (contender for Klang, 1866-1873)

o = R. Juma'at of Lukut

R. Abdullah = o.

(chief of Klang, c.1866)

o = Sultan Abdul Samad (r. 1857-1898)

o = Tengku Zia'u'd-din eventual ruler of Klang (1870-1875)
in mining ventures on the upper Selangor, and later on the upper Langat.)

The chiefs had a double interest in the mines. They acted as advancers, borrowing from Straits Settlements merchants and lending to mine-managers against a supply of part of the output, and the right to buy the rest at a buyer's price; and they enjoyed tribute and taxation rights as political rulers of the area. The expansion of mining in the 1860s brought the chiefs enormous revenues, much larger than the revenues of the Sultans. The chief revenue source of the Sultan of Perak (the customs collection at the mouth of the Perak river) brought only $26,000 in 1874; in contrast, the Larut revenue for 1874, the first year for which systematic accounts are available, was $101,554, and then the mines were in full production only in the last four months. In 1870 the tin export was three times the 1874 figure and the revenues correspondingly larger. The chief source of revenue of the Sultan of Selangor was the customs collection in Langat. In 1877,

The Sultan was the financial backer of one Chin Ah Chan, a miner in Ulu Selangor, who then moved to Ulu Langat and opened mines there with the Sultan's support. There are references in the Selangor Secretariat papers to advances made by the Sultan to this man (Sel/Sec. 426/1876).

Report of Assistant Resident, Perak, for 1874, Appendix B, SSGG 3 April 1875.
the second year of organised collection by British officers, the Langat revenues totalled $18,233; by contrast the revenues of Klang, the outlet for the Kuala Lumpur mines, amounted in 1874 to $114,000. The chiefs owed a proportion of their collections to the Sultan, but this was not large, nor did it appear to be regularly paid. A part of the mining revenue was spent on administration and war; but the revenues were still regarded as the personal estate of the chiefs, some of whom were now very much richer than their sovereigns. This, together with the scramble that now took place for a share of the tin profits, all but wrecked the Malay political structure. The Malays made some attempt to meet this challenge to the balance of their society, and to remedy the great discrepancies of income between one chief and the next; in Selangor, for example, the chiefs, prompted by their Malacca creditors, tried to come to some rational solution of the problem.

In 1858 Raja Juma'at of Lukut put before the Selangor rajas

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Asst. C.S. for Native States, Audit Report on Native States Accounts for 1877, C.2410, enclosure in no.6; Memorandum on the Financial Condition of the Native States, 8 February 1877, Paper laid before the Straits Settlements Legislative Council, Appendix 4 of 1878.

The contribution to Perak in 1874, based on the traditional contribution to the Sultan, was $16,446 (see note 48 for reference). Middlebrook puts the Klang contribution to the Sultan c.1870 at $6000 a year. (Yap Ah Loy, p.29.)
a solution inspired by his friend and adviser, the Resident Councillor of Malacca; he proposed that tin duties be fixed and paid into a State Treasury which would then pay allowances equitably to all Selangor rajas. But the prerequisite for such a solution was a centralised administration which Selangor did not have. In Sungei Ujong another sort of adjustment was attempted; in 1850 the conflicting claims of the Dato' Bandar, the Dato' Klana and the Dato' Muda Linggi were settled by the arbitration of the Yam Tuan Besar of Negri Sembilan; but this settlement again


Before the eighteenth century, the predecessors of the Dato' Klana and Dato' Bandar were styled Penghulu Mentri and Dato' Shahbandar respectively, and the offices they held originated in appointments of local representatives made by the Sultans of Malacca-Johor. They appear to have been co-rulers and the relative authority of the Dato' Klana and the Dato' Bandar, in consequence, has always been obscure, and the Malay sources avoid definitions. The Dato' Klana held the title of Undang over the whole of Sungei Ujong, and was first of the chiefs of the Negri Sembilan; but the Dato' Bandar was independent in his own district, and after the Klana, took precedence over all the other chiefs of the Negri Sembilan; in 1898 he joined with the Klana in signing an agreement on behalf of Sungei Ujong, accepting a Yam Tuan over the state. The territory of the Klana lay on a tributary of the Upper Linggi, in the Pantai district; that of the Bandar lay on the middle Linggi, below Seremban, and included the tin port of Rasah. The Bandar was therefore in a better position to tax the tin trade. A conflict between them in 1849 was settled by the arbitration of the Yam Tuan Besar; the settlement gave the Dato' Klana, the Dato' Bandar and the Dato' Muda Linggi (a Bugis chief settled lower down
was precarious in the absence of authority able to enforce it.

The struggle for control of the mines and river outlets continued, and perpetuated old rivalries in a new form. In Perak a succession quarrel between the ruling Sultan, Ismail, who controlled the upper Perak, and Raja Abdullah, a disappointed candidate whose sphere of influence was on the lower river, was given a sharper edge by the value of the revenue contributions from Larut; while

52 (continued)

the river) one third each of the dues on ships and merchandise entering or leaving the mouth of the river. (Gullick, 'Sungei Ujong', JMBRAS, xxii, 2, p.29.) In 1874, however, this arrangement seems to have broken down, as the Klana complained to Pickering that he was getting none of the tin revenue, and that his main source of income was the capitation tax on Chinese miners. (Pickering, Journal of a visit to Sungei Ujong, October-November 1874, Swettenham Papers, no.72.)

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The Perak Succession rotated between three branches of the royal family; on the death of each Sultan, his heir was made Raja Bendahara, while the current Raja Bendahara became Raja Muda and the Raja Muda became Sultan. On the death of Sultan Abdullah Mohammed Shah in 1857, his son Yusuf should have become Raja Bendahara; but the chiefs passed him over because of his unpopularity and Ismail, who was of Perak royal descent only on his mother's side, was made Bendahara. He had clearly only a caretaker position, for he remained Bendahara at the death of the next Sultan (Ja'afar) in 1865; Yusuf was again passed over, and Abdullah was made Raja Muda. On Sultan Ali's death in 1871, both Abdullah and Yusuf were passed over, and Ismail was made Sultan, apparently by a coup of the up-river chiefs. The relationships between the various Sultans and pretenders between c. 1800 and 1916 are shown in the diagram overleaf, based on Wilkinson, History of the Peninsular Malays, 97. The dates in brackets are the regnal dates.
Sultan Ismail supported the Mentri and his Hai San allies, Raja Abdullah tried to secure the support of the Ghi Hin opponents of the Mentri, in return for promises of concessions. In Selangor the struggle for control of the Selangor and Klang rivers (particularly the latter) involved the whole royal family. The main struggle was between a Selangor raja (Raja Mahdi) on the one hand and Tengku Zia'u'd-din on the other; it lasted from 1869 to 1873.

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Tengku Zia'u'd-din (familiar abbr. Tengku Kudin) was the brother of the Sultan of Kedah. In 1868 he married the daughter of Sultan Abdul Samad of Selangor, and was drawn into Selangor politics in alliance with the Sultan's nephews by marriage, who had been expelled from Klang by Raja Mahdi (a cousin of the Sultan) in 1867. Tengku Kudin helped the displaced heirs to expel Raja Mahdi in his turn (March 1870). He then assumed control of the Klang administration and entered into an alliance with Yah Ah Loy, the Chinese Capitan in Kuala Lumpur. Mahdi established himself on the Selangor river but clashed with the Straits government in 1871 after an attack on a junk from Penang, which was found in the Selangor river; his forts at Kuala Selangor were shelled by the 'Rinaldo' in July and occupied by Tengku Kudin the same month, and the Sultan was compelled by a British mission to recognise Tengku Kudin as 'Wakil Yamtuan' or Viceroy of Selangor. But by August 1872, both Kuala Selangor and Kuala Lumpur had fallen to the Mahdi party. In March 1873, Kuala Lumpur was retaken with the help of forces from Pahang, and in November Mahdi's party was expelled from Kuala Selangor as well.

Kudin's adviser was the Singapore lawyer, James Guthrie Davidson, who helped get him adopted as protege of the Straits government; it was with the approval of the government that he secured the help of Pahang. In March 1873, Kudin granted a large mining concession in Selangor to two men, of whom Davidson was one; and in a letter of 3 June 1873, addressed to Seymour Clarke, a director of the Selangor Tin Mining Company which was subsequently floated to work the concession, Kudin asked whether the English 'or any other Government' would protect Selangor,
and about 1868 it drove the Sultan to the relative peace and neutrality of Langat. In Sungei Ujong the competition for the tin revenues simply perpetuated the ancient rivalry between the Dato' Bandar and the Dato' Klana, joint holders of the office of territorial chief. The Dato' Bandar had the advantage in that he controlled the river outlet for the Linggi mines and thus controlled the revenues, and the equitable division of these between the Klana and himself was the source of constant friction. But the tin trade was damaged less by the rivalry between these two than by the exactions on its passage down the Linggi. Not only did it have to meet the legitimate claims of the Dato' Klana, the Dato' Bandar and the Dato' Muda of Linggi, but it was liable to stoppage by the Undang of Rembau, and indeed by any claimant to office who could collect a few boats and armed followers and hold up traffic. In 1872 and 1873 traffic on the Linggi was held up repeatedly by the contestants for the position of Undang of Rembau, both

54 (continued)
in order to give security for investors. This communication was duly passed on to the Colonial Office and appears to have played a major part in Kimberley's decision to intervene. In 1875, Davidson went to Klang as Resident, staying with Tengku Kudin; but in 1876 Davidson was replaced and his successor preferred to deal direct with the Sultan and the Raja Muda. In 1877 or 1878 Kudin returned to Kedah with a gratuity of $30,000 in Selangor bonds, and a pension of $500 a month for himself and $200 a month for his wife and children.
of whom tried to raise funds by the levy of illegal dues, while the river was also blockaded by Tengku Zia'u'd-din in an effort to stop his enemies using it as an escape route from Selangor.

An account of the rivalries between Malays on the west coast during the period would be incomplete if it did not refer to the lackadaisical way in which they pursued their animosities. The air was filled with abuse and intrigue, but nobody got killed. A network of family relationships usually embraced both contestants for power and probably acted as a deterrent to violence; the low casualty rates may also be due to the Malay tradition of warfare, which consisted of investing a position and waiting for its defenders to run away. But whatever the reason for restraint, it was possible for Sultan Ismail of Perak and his rival Raja Abdullah (later made Sultan in his place) to live on the same river without coming to blows. It was possible for the rivals to the throne of Negri Sembilan (who were cousins) to live in the same state, and for the Dato' Bandar and Dato' Klana to live on the outskirts of the same tinfield ten miles from each other - if not in friendship, at least in suspended animosity. The hostility between the chiefs was mainly expressed in wordy letters of complaint to the Governor or to other British officials.
In 1874, for example, word reached Singapore that the Dato' Klana was about to set out to punish his contumacious fellow-chief; a Straits official was sent up to support the Klana and to restrain him from undue violence, but he found the Klana without men and the Bandar unwilling to fight. 'I am thankful we came', he wrote, 'as it would have been a great disgrace to bring a force to attack a place and find the inmates to be a childish old man and a few followers, with women and children.'

The only state where Malays were involved in bitter fighting was Selangor. There they were led on both sides by foreign Malays of unusual tenacity; more important, their struggle was part of the Chinese struggle for the mines. The Ghi Hin and Hai San had brought their hostilities with them to the Malay states, and these were intensified by the competition for mining land; and the conflicts in the states reacted in turn on the relationships of the societies in the Straits Settlements. In Larut and Selangor fights broke out in which each faction was heavily financed by Chinese backers in the Straits, and carried on a perpetual warfare which showed no signs of ending while

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Pickering, Journal of a visit to Sungei Ujong, 4 October-29 November 1874, Swettenham Papers, no.72.
both sides in the Straits had the resources to mount counter-offensives.

The subsidies by Chinese backers helped sustain the fighting at an intensity unknown in Malay warfare, which was usually limited by lack of funds to the sporadic raiding of stockades. The amounts poured into the Larut and Selangor wars give some indication of the extent to which Straits merchants were committed in the Malay states. The creditors of the Mentri were awarded $166,753 in settlement of debts incurred on account of the Larut wars; in Selangor the war debts of Tengku Zia'u'd-din, bonded as a state debt, amounted to $300,000. These sums were equivalent to the whole revenue of Perak and Selangor for 1876, and they represent only part of the expenses of one side in the fighting. The tin at stake amounted to seven per cent of the total Penang imports in 1870 and forty per cent of the Malacca imports for that year. Malacca was especially affected by the troubles; at one stage in 1872 it was claimed that tin to the value of $300,000 was held up by the blockade on the Linggi river.

56 PCM 27 February 1879; Asst. C.S. for Native States, Audit Report on Selangor, 27 March 1880, C.3095, enclosure 1 in no.2.

The fights reached a peak of destructiveness between 1870 and 1873. In Larut in 1872 the mines changed hands twice, each time with great slaughter, and each faction on defeat retired to Penang to mount counter-offensives. In September 1873 Larut was a Never-Never-Land where the Hai San in the mines were blockaded by the Ghi Hin on the river, who were in turn blockaded by the Hai San on their seaward side, while the Mentri on behalf of his Hai San allies prepared to attack them by land. In Selangor, Capitan China Yap Ah Loy and the Malay followers of Zia'u'd-din fought for the upper courses of the Selangor and Klang rivers against a rival Sino-Malay faction, while Malay parties fought for the river mouths. Between 1870 and 1872 the Selangor river mouth changed hands three times; Kuala Lumpur was attacked twice, and in 1872 it fell, leaving the Tengku and the Capitan nothing but the Klang river mouth. The next year the picture was changed again by Malay mercenaries sent over the mountains from Pahang, who helped the Klang party recapture Kuala Lumpur, and cleared their enemies off the whole course of the Selangor river. It is probable that the fighting would have begun again, and the situation changed once more, had it not been stabilised at this point by the intervention of the British Government.
The Decision to Intervene

The British settlements of Penang, Malacca and Singapore, collectively known as the Straits Settlements, were established by the East India Company between 1786 and 1825, and were governed by the company till 1858, when, together with the company's other possessions, they came under the India Office. In 1867 they were transferred to the Colonial Office and were constituted a Crown Colony. Through these changes in control, metropolitan policy with regard to the native states remained consistent in principle, and so did local attitudes to the same question. The value of the Straits Settlements to the East India Company lay primarily in the commercial and strategic link they provided between the Indian empire on the one hand and the Chinese trade on the other; and the aim of metropolitan policy was, broadly, to protect the sea route without incurring territorial responsibilities which might prove uneconomic, and which might provoke the intervention of a major power. Britain accordingly encouraged the two minor European powers in the Archipelago, Holland and Spain, to consolidate their position in the East Indies and the

The point is developed in Tarling, 'British Policy in the Malay Peninsula and Archipelago, 1824-1871', JMBRAS, xxx, 3, pp.9-18 and sqq. We are indebted to him for this analysis.
Philippines respectively, despite the fact that they were her local rivals; and since she feared to precipitate an international 'scramble for China', she refused to permit the local government to challenge Siam ('an actual feudatory of the Chinese Empire', in the judgment of the Supreme Government in India) by a forward policy in the Peninsula.

Imperial policy conflicted, as it often does, with local policy, which was to break down the obstructions to the entrepot trade by native and European monopolies and exactions. The levies on the trade by native rulers, whether sanctioned by custom or not, were characterised as 'piracy' and naval power invoked to put them down. Commercial considerations demanded that the Siamese, who already had suzerainty over Kedah, Kelantan and Trengganu, should be prevented from extending their authority southward. The refusal of the Home Government to sanction a forward policy left the local government little room to manoeuvre; but local officials did succeed in establishing Britain by treaty and in practice, as the paramount power in the independent states of the Peninsula. The treaties, in general, excluded Siam from interference south of the Kedah-Kelantan boundary, prevented the states from interfering in each others' affairs, and asserted British control of their foreign relations. The intention of the
treaties was to immobilise each state within its boundaries as much as possible. Treaties with Perak and Selangor in 1825 established the Bernam river as the boundary between them, provided for the recall of Selangor tax-collectors in Lower Perak, and bound Selangor not to interfere in Perak affairs. A treaty with Siam in 1826 guaranteed Perak against attack, either by Siam or Selangor, and a treaty with Perak in the same year (Treaty 2 of 18 October 1826) bound the Ruler to apply for British help if his country were disturbed. On the other side of the Peninsula, Pahang and Johore in a treaty of 1862 agreed to refer any dispute between them to the Straits Government, and undertook not to correspond with a foreign power except with the consent of that government.

The Straits Government managed to maintain a balance of power on the Peninsula by using considerable diplomatic finesse, but it had no weapons except diplomacy and the occasional display of naval force; and without control over the internal affairs of the states, it could not stop dynastic quarrels, or put an end to interference with the tin trade, or stop the Chinese secret society conflicts.

The treaties are published in Maxwell and Gibson, Treaties and Engagements affecting the Malay States and Borneo (Lond. 1924).
for the mines. The use of naval power gave only temporary relief. River stockades were destroyed, but the naval and police parties no sooner left the scene than the exactions began once more. The Sultans could not themselves enforce order; this was demonstrated by the events of 1862, when the Sultan of Perak was called upon to make restitution for the losses of Penang Chinese forced out of Larut in the secret society clashes of the previous year. The Sultan agreed to settle the disputes, and the Laksamana made an award to the injured parties; but nothing more was done till the British blockaded the Larut river, and forced the ruler of Larut, Che Ngah Ibrahim, to pay.

After the transfer to the Colonial Office, the Governor, Sir Harry Ord, and his locum tenens, Colonel Anson, attempted to interfere actively in the Peninsula on their own

60 Braddell describes the fruitless attempts to clear the Linggi in the 1850s (Report of Proceedings in Sungei Ujong /1874/, C.1320, enclosure in no.8). In 1871, a British sloop, the 'Rinaldo', destroyed Raja Mahdi's fort at the entrance to the Selangor river, and Tengku Zia'u'd-din occupied it; a year later it was retaken by Mahdi's party.

61 Sir Henry St. George Ord, R.E., C.B., Commissioner to the Gold Coast, 1855-6, Lt.-Governor of Dominica, 1857, Governor of Bermuda, 1861, Special Commissioner to West Africa in 1864, served as Governor of the Straits Settlements between April 1867 and November 1873. Lt.-Colonel Anson, R.A., was Lt.-Governor of Penang from 1867 to 1882, and administered the government for periods in 1871, 1877 and 1879, in the absence of the Governor.
responsible. In 1867, the year he arrived in the Straits, Ord engaged in trade and boundary discussions with Kedah, and in 1868 he negotiated an agreement on these matters with her suzerain, Siam. The same year, he began unauthorised negotiations with Perak for the cession of territory on the mainland opposite the British-held island of Pangkor. In April 1868 he pointed out to the Secretary of State that in all the independent states except Johore, the insecurity of life and property discouraged investment and Chinese immigration, and proposed, as a remedy, the extension of British influence to that part of the Peninsula south of the Siamese-dominated Malay states. He declared, 'The subjection of the native States of the Peninsula to powers more civilised than themselves is an advantage to themselves and to all who have relations with them', and announced that he would use every opportunity that presented itself for extending British influence.

Ord's despatch crossed with a Colonial Office directive on the Governor's responsibilities in relation to the native states. The directive acknowledged that the Governor might have to act independently in certain circumstances,

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Ord to Buckingham, 8 April 1868, CO 273/18, cited Cowan, Origins of British Political Control in Malaya, 1867-1878, p.74, n.76.
but warned him against entering into formal negotiations with native powers, and particularly against concluding any agreement except in pursuance of a policy approved by Her Majesty's Government. Ord had offended on all counts; he had acted independently, with no emergency to justify him, he had concluded an agreement on his own initiative, and his proposal to extend British influence, and indeed to add to British territorial possessions in the Peninsula, was a radical departure from established policy. The Colonial Office reacted strongly. It had already received a letter from W.H. Read, a leading Singapore merchant, recounting the state of affairs in Perak, Pahang and Selangor, giving details of the trade and the importance of the area to Straits commerce, and begging for authorised intervention and 'regular government under British influence and supervision'; and in reply the Secretary of State had instructed emphatically that the policy of Her Majesty's Government was not one of intervention in native affairs. He now wrote to say that the government was 'not disposed to adopt the duty, directly or indirectly, of taking steps

63 Buckingham to Ord, 22 April 1868, CO 273/18, cited Cowan, op. cit., 79, n.87.

64 Read to C.O., 9 May 1868, enclosed in Buckingham to Ord, 77 of 20 May 1868.
for the security of life and property where this security cannot be given by the lawful rulers', and he warned Ord in particular against annexation of Perak territory, in phrases which recurred in the years that followed; 'I should not be disposed to approve of any proceedings which would extend the responsibilities of Her Majesty's Government in the neighbourhood of the Straits Settlements'.

As Ord complained in private, 'nothing is more difficult than to get these people (the Malay rulers) to make treaties from which they derive no benefit, except it be to persuade the Colonial Office to approve of them!'

In 1871 the Colonial Office was again provoked by the efforts of a local official to initiate policy in relation to native affairs. In May, Colonel Anson, while administering the government in Ord's absence, officiously appointed a committee to report on relations with the native states. His justification was the importance to Penang of the trade with the west coast of the Peninsula and with

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Buckingham to Ord, 4 June 1868, CO 273/18, Cowan, op. cit., p.81, n.89.

Granville to Ord, 157 of 10 September 1869.

Ord to Anson, 20 October 1870, Anson Correspondence, Raffles Library Archives, Singapore.
north Sumatra, the 'very unsatisfactory state of our rela-
tions with all these States, and the injury to trade which
is the natural result'. The committee recommended that
the native authorities be induced to 'introduce into these
states a European of character and ability, who while the
officer of the state, would be the medium of communication
between this Government and the people among whom he re-
sides'. Anson, acknowledging that the states would not
welcome such officers, and doubting whether the Legislative
Council would pay for them, put forward a modified proposal
for an itinerant Political Agent, whose duty it would be
to visit these states frequently, and who might be employed
to carry on correspondence with them. The Colonial Of-
office did not see that there was the slightest necessity for
moving, and instructed Anson not to meddle with large
matters of policy.

An incident in Selangor in 1871 is worth recounting
for the light it throws on local developments and metro-
politan attitudes. In June 1871, a month after the

68 Anson to Kimberley, 144 of 3 June 1871, and report of
committee, 19 May 1871, CO 273/47/7609. The committee
consisted of A.W. Birch, acting Lt.-Governor of Penang,
Major J.F.A. McNair, Colonial Engineer and Surveyor-
General, and Commander George Robinson, Commander and
Senior Naval Officer, Straits Division.

69 Kimberley to Anson, 180 of 20 August 1871.
appointment of the ill-fated committee, Anson sent the Colonial yacht 'Pluto' to the Selangor river, then controlled by Raja Mahdi, to inquire into the disappearance of a Chinese junk from Penang. It was found in the river, the missing cargo was rounded up from the Chinese shops in the township, and a number of prisoners were taken. While arresting them, the British officers came into conflict with Raja Mahdi's party, and were forced to retire. A punitive action followed; the sloop 'Rinaldo' was sent to the Selangor river, and she bombarded the forts and burnt the town. The Colonial Secretary, J.W.W. Birch, was then sent to demand further satisfaction from the Sultan, and to require him, among other things, to 'place some person in the office of Governor or chief in the country about the Selangore River, whom this Government can trust'.

Tengku Zia'u'd-din, the opponent of the Mahdi party, was clearly the person intended. He had occupied the Selangor river immediately after the bombardment, and Birch picked him up there and took him on to Langat to see the Sultan. In 1868 Tengku Zia'u'd-din had received from the Sultan an authority to 'govern and develop for Us and Our sons', an undefined territory which the Straits officials interpreted as the whole country of Selangor, though it may only have referred to the district of Langat, granted to the
Birch now required the Sultan to confirm this power. The Sultan tried to procrastinate, and when that failed, he tried to nominate two other Selangor rajas to share authority with the Tengku; finally, under pressure from Birch, and with the guns of a man-of-war bearing on his palace, he submitted and reissued the authority; and he also declared Raja Mahdi, Raja Mahmud and Syed Mashor rebels, and empowered Birch to seize them. At the same time Birch pledged the Straits Government to assist 'our friend's Wakil (Tengku Zia'u'd-din) in case any of our friend's subjects ventured to dispute his authority'.

The Colonial Office reacted to this with surprising equanimity, though the whole action had provoked a strongly critical letter in the Times and produced an uneasy reaction from Gladstone. The Secretary of State was on firm moral ground; the Straits Government had cited 'piracy' as the

Wilkinson gives the document in its English translation and interprets it as an authority to govern Langat only, but the point is still in doubt. (Wilkinson, History of the Peninsular Malays, 145.) On the strength of this authority, the Straits officials styled the Tengku 'Viceroy of Selangor'.

Sultan to Birch, 22 July 1871; Birch to Anson, 26 July 1871, C.466, enclosures in no.6.

Birch to Sultan, July 1871, C.466, enclosure 3 in no.6.

Wakil - agent or attorney.
cause of intervention, and the action taken had the 'apparent approval' of the Sultan; more important, the government was committed to no direct responsibility. Birch's promise of support to the Tengku had caused the Secretary of State some uneasiness, but he inserted an insurance clause in his reply, warning Anson against too active a policy, while approving his support of the Tengku in principle. 'I conclude that this (promise of assistance) referred to general countenance and support and that no promise of material assistance was given by Mr. Birch.'

To quote Cowan, 'British policy at this time was opposed to the extension of British influence when it threatened to involve liabilities and complications, but condoned it when it did not incur technical responsibility'. This generalisation is applicable to Colonial Office attitudes even after heavy responsibilities had been assumed in practice.

Debarred from direct intervention, the Straits Government tried to bring about a lasting solution by intervening diplomatically on behalf of one or other of the Malay

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73 Kimberley to Gladstone, 19 and 23 September 1871, Gladstone Papers, British Museum, cited Cowan, op. cit., p.122, n.81.
74 Kimberley to Anson, 26 September 1871, C.466, no.8.
75 Cowan, op. cit., 123.
parties. There was nothing to be achieved by lending weight to the authority of the Sultans, since they were impotent to restore order, and lived by choice at a distance from the mines and the scene of the fighting. In Selangor the most eligible candidate for support was Tengku Zia'u'd-din. He wore a mantle of legitimacy, since he was fighting on behalf of the true heirs to Klang, and moreover, had a commission from the Sultan to govern the country. He was represented in Singapore by an influential lawyer, J.G. Davidson, who was his financial backer as well as his legal adviser; he was familiar with the life of the colony and paid frequent visits to Penang and Singapore; he was known to be 'Europeanised' and sympathetic to change (naturally, since he was a foreigner in Selangor and in conflict with established interests). Finally, the Mahdi party was characterised as a party of unruly adventurers (which it was) while the Tengku stood for a degree of order and organised government altogether novel in Selangor.  

76 See Part II, p.109, n.35.

77 In July 1871 the British mission to Selangor found one European (a former midshipman in the French Navy) in charge of the Tengku's defences at Klang, and another helping with the revenue collection there. (Commander Bloomfield to Commander Robinson, 6 August 1871, C.466, enclosure in no.20.) The visitors were unimpressed with his financial administration, but acknowledged the sincerity of his requests for advice and help in the conduct of his affairs. (Irving to Anson, July 1871, C.466, Enclosure in no.7; Commander Bloomfield to Vice-Admiral Kellett, 20 September 1871, C.466, enclosure 2 in no.21.)
The Selangor royal family was hostile to him, but this was rather counted to his credit; the Sultan's indifference to him was more embarrassing, but the Straits authorities explained this to their own satisfaction by attributing it to the malign influence of the court at Langat.

In Perak the contestants for British support were the Mentri and Raja Abdullah, the disappointed candidate for the Perak throne; but since Raja Abdullah had no standing in Larut, and the Mentri had, and since the Straits Government was only able to intervene indirectly, and required allies of substance, it decided in September 1873 to throw its weight on the side of the Mentri. It permitted him to import arms, and to recruit sepoys from India under Captain Speedy, formerly Deputy Superintendent in the Penang Police, who entered his service in July 1873; and it initiated a blockade of Larut which was in effect a blockade of the Mentri's Chinese opponents, the Ghi Hin.

To a certain extent these indirect tactics were successful. By the end of 1873, Tengku Zia'u'd-din was once more in control of the Klang and Selangor rivers, and in Larut the Ghi Hin were on the defensive, hard pressed by the Mentri on land and the British blockade by sea. But

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See Part II, p.108, n.35.
it is unlikely that the conflict could have been finally resolved without direct British intervention, either to support the winning party against the armed reaction which was sure to come, or to police a settlement which would give both Chinese factions access to the mines. Before the policy of indirect support had been fully tested, however, the Colonial Office had decided to intervene.

From late 1872, Ord's despatches had dwelt at length on the disturbed condition of the native states and the repercussions on the trade and internal security of the settlements. The enclosures described the involvement of the Penang Chinese in the Larut wars, and included a proposal from the Acting Lt.-Governor of Penang for the annexation (of Perak) or at least the appointment of a Resident or Political Officer to certain of the states. The Governor also forwarded requests from local merchants for a limited intervention. Chinese merchants in Malacca appealed for a more active support of Tengku Zia'u'd-din, and in July 1873 the Governor forwarded a petition from 248 Chinese traders in the three settlements, claiming,

79 The Penang authorities appeared to be powerless to stop the export of arms to Larut (Ord to Kimberley, 216 of 24 July 1873).
80 Act. Lt.-Governor of Penang to Governor, 24 October 1872, C.1111, enclosure 3 in no.3.
as subjects of 'our Most Gracious Majesty', protection in the half-civilised states of the Malay Peninsula, and begging for 'a moral intervention, and a determined attitude in respect of the territories now in a state of anarchy'.

Before the petition arrived in London the Colonial Office had received a letter from a London business man on the same question. In March 1873, Tengku Zia'u'd-din had granted to Davidson and another party a ten-year concession to work all the tin land in Selangor not already occupied by others. The Selangor Tin Mining Company was promoted to handle this concession, and their London representative, Seymour Clarke, applied to the Colonial Office for protection for the enterprise. He quoted from a letter from Tengku Zia'u'd-din, asking 'whether the English or any other Government' would provide security for traders and entrepreneurs. The letter seems to have precipitated the change of policy. On 7 July, Kimberley had minuted on

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81 Petition of the Malacca Traders to the Chamber of Commerce, Singapore, 27 July 1872, C.1111, enclosure 1 in no.1; Petition of Chinese Traders in Singapore, Penang and Malacca, 28 March 1873, C.1111, enclosure in no.12.

82 Seymour Clarke to C.O., 18 July 1873, C.1111, no.20, citing letter from Tengku Zia'u'd-din, 3 June 1873. The emphasis is added.
an account of the Larut wars, 'I think we must endeavour to put a stop to these disturbances.... The difficulty is how to do anything without direct interference with Perak, which is very undesirable'. But a fortnight later, he minuted on Clarke's letter that the British Government could not consent to any European power assuming the protectorate of any Malay state. The Colonial Office was reluctant to be pushed into intervention at the instance either of local Chinese or metropolitan British speculators; but at the point where local disturbances appeared to endanger, even remotely, British paramountcy in the Peninsula, the Home Government was ready for closer control.

The change of policy was communicated to the Straits Government in a despatch of 20 September 1873. The Secretary of State referred to the prevailing anarchy in the Peninsula, the damage to trade, and the need for a remedy. He went on:

83 Minute by Kimberley, 7 July 1873, in CO 273/64, cited Cowan, op. cit., 206, n.64; Minute by Kimberley, 22 July 1873, in CO 273/74/7, cited Cowan, op. cit., 211, n.79. The omissions are mine.

84 This thesis is developed in Cowan, Origins of British Political Control in Malaya, 1867-1878. The original draft of Kimberley's despatch brings out clearly the strategic fears that underlay the change of policy; but these sections were cut out of the final despatch. (Draft of Kimberley to Clarke, 20 September 1873, in CO 273/67/8641.)
Her Majesty's Government have, it need hardly be said, no desire to interfere in the internal affairs of the Malay States. But looking to the long and intimate connection between them and the British Government...and to the well-being of the British Settlements themselves, Her Majesty's Government feel it incumbent upon them to employ such influence as they possess with the native Princes to rescue, if possible, these fertile and productive countries from the ruin which must befall them, if the present disorders continue unchecked.

I have to request that you will carefully ascertain, as far as you are able, the actual condition of affairs in each State, and that you will report to me whether there are, in your opinion, any steps which can properly be taken by the Colonial Government to promote the restoration of peace and order, and to secure protection to trade and commerce with the native territories. I should wish you especially to consider whether it would be advisable to appoint a British officer to reside in any of the States. Such an appointment could, of course, only be made with the full consent of the native Government, and the expenses connected with it would have to be defrayed by the Government of the Straits Settlements.

The tone of the despatch was extremely cautious, and it did no more than ask the Governor to report on the steps he proposed to take. It was addressed to a new Governor, Sir Andrew Clarke, who took up his duties in the Straits on the

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Lt.-General Sir Andrew Clarke, RE., GCMG., CB., CIE., was born in 1824 and educated at the Royal Military Academy, Woolwich. He entered the Royal Engineers in 1844, and was appointed ADC to the Governor of Tasmania in 1846. He served there and in New Zealand until 1853, when he was appointed Surveyor-General of Victoria. He was elected to the first Victorian Legislative Assembly under the constitution of 1855, and became Minister for Public Lands. He returned to England in 1858 and became Commanding Engineer, Eastern and Midland districts, till 1863, when he became Director of Works, Admiralty. He was Governor of the Straits Settlements between November 1873 and May 1875. He
4 November. It does not appear to have been supplemented by any confidential instructions, written or verbal, empowering him to act on his own initiative, but that is exactly what he did. His first report on his proceedings informed the Colonial Office that he had settled the Perak succession, had got the Sultan and chiefs to accept a Resident, and had posted an officer as Assistant Resident in Perak, to take up his duties in Larut. Before he left the Straits in May 1875 he had established Residents in Selangor and Sungei Ujong as well.

85 (continued)
served as Member for Public Works on the Council of the Governor-General of India, 1875-81; Commandant of the School of Military Engineering, Chatham, 1881-2; and Inspector-General of Fortifications and Director of Works, 1882 till his retirement in 1886.

He had a reputation throughout his life for taking vigorous and independent action first, and reporting afterwards. His action in the Straits was inspired not only by a natural decisiveness but by a strong patriotic and personal ambition. 'I feel I have done a good stroke', he wrote after the event; 'all the people here say nothing has been done so complete and equal to it since Raffles' time.' (Clarke to Childers, undated, Vetch, Life of Clarke, 154.)

86 He wrote to Anson after the Perak settlement, 'If the S. of S. does not recall me for what I have done at the Dindings I shall be lucky. If...the Chinese stick quietly to their mining for the next year or two and he does back me, I shall be luckier still.' (Clarke to Anson, 1 February 1874, Anson Correspondence, Raffles Library Archives, Singapore.)

87 Clarke to Kimberley, 14 and 15 of 26 January 1874.
The Colonial Office had stipulated that the Residents were to be introduced with the consent of the native rulers, and in the event, this was not difficult to secure. In Perak, Raja Abdullah provided the 'key to the door' by writing to the Governor soon after his arrival, offering in effect to receive a Resident in exchange for recognition as Sultan. Before he received this letter, Clarke had already arranged a cease-fire in Larut, and had summoned the Chinese factions and a number of the Perak chiefs to meet him at Pangkor Island, where the question of the Perak succession was to be settled. The final settlement was embodied in the Pangkor Engagement, executed by the chiefs before the Governor on 20 January 1874. It dealt with two important questions, the succession and the appointment of a Resident. Abdullah was recognised as Sultan; the Mentri was confirmed in his title to Larut; Ismail (referred to in typical official phraseology as 'Acting Sultan') was to be pensioned off in a small territory of his own. The Engagement went on to provide: 'That the Sultan receive and provide

88 Sultan Abdullah to Governor, 30 December 1873, C.1111, enclosure 12 in no.39.
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The chief Malays present (the Malay signatories to Pangkor) were Raja Abdullah; the Bendahara, the Temenggong and the Mentri, of the chiefs of the first rank; the Laksamana, the Shahbandar and the Dato' Sagor, of the chiefs of the second rank; the Raja Mahkota of the third.
a suitable residence for a British officer who shall be accredited to his Court, and whose advice must be asked and acted upon on all questions other than those touching Malay religion and custom' (Article VI), and 'That the collection and control of all revenues, and the general administration of the country, be regulated under the advice of these Residents' (Article X). The Residents and their establishments were to be a first charge on the revenues of Perak (Article VIII) and a Civil List was to be drawn up to regulate the incomes of the Sultan and officers of state (Article IX). An officer was immediately appointed to reside with the Mentri in Larut. Finally, Clarke took the opportunity to obtain the cessions of territory on the Province Wellesley border, and opposite Pangkor Island (the Dindings) that Ord had wanted, but had been prevented from acquiring.

90 Engagement entered into by the Chiefs of Perak at Pulo Pangkor, 20 January 1874, Maxwell and Gibson, op. cit., 28-30.

91 Clarke took pains to emphasise that Abdullah had been 'elected' by the chiefs at Pangkor and that he had been a mere witness to the election (Clarke to Kimberley, 43 of 24 February 1874). The eye-witness official account of the proceedings, written by his Attorney-General, Braddell, tells a different story (C.1111, Enclosure 7 in no.52. A brief extract is printed as Appendix 2 of 'Swettenham's Perak Journals' (ed. C.D. Cowan), JMBRAS, xxiv, 4). By his account, the Governor had decided on Abdullah, and had broken down his most determined opponent (the Mentri) before the matter was discussed with the
In May, the Secretary of State wrote approving the proceedings at Pangkor; in June he telegraphed a 'conditional authority to proceed with the appointment of Residents', and in a despatch of the 4 September he confirmed this authority, with special reference to Selangor. Clarke had by this time formed his policy in relation both to Selangor and Sungei Ujong. He voiced the common opinion about Selangor royalty ('The Sultan and his family and followers are all thoroughgoing pirates') and decided to continue Ord's support of the Tengku. In February 1874 he administered a sharp correction to the Sultan on the chiefs; when they were assembled, they were asked individually whether they would support Abdullah, and individually agreed. The three surviving office-holders of the first rank - the Bendahara, the Temenggong and the Mentri - had all endorsed Ismail's succession in 1871, and now endorsed Abdullah's; but the Mentri acted under duress, and there is no record that the other two ever went near Abdullah from the Pangkor meeting till his final departure from Perak in 1876. Sultan Ismail was not present, nor was Raja Yusuf, the other claimant to the throne; and of the six surviving chiefs of the second rank, only three were present, and none of the others ever endorsed the Engagement.

We have no note of the telegram, and it appears in subsequent correspondence that Clarke never replied to it. The reference to a telegram of 1 June comes from Carnarvon to Clarke, 4 September 1874, C.1111, no.68, in which permission to appoint Residents was confirmed. The 'conditional authority' meant probably that the Residents were to be provisional.

Clarke to Anson, 16 February 1874, Anson Correspondence, Raffles Library Archives, Singapore.
occasion of a piracy at the mouth of the Jugra river (near the royal township) and forced him to appoint a court to try the culprits. In August, a piracy at the junction of the Langat and Labu rivers (again in the Sultan's district, though he had no part in either outrage) gave Clarke the excuse to send a junior officer, later styled Assistant Resident, to live with the Sultan; and in January 1875, intervention in Selangor was completed by the appointment of a Resident.

In Sungei Ujong the Dato' Klana proved himself a willing instrument of British policy; he had the advantage of seniority over his rival, the Dato' Bandar, and the latter was identified with the Selangor enemies of Zia'u'd-din; Clarke therefore decided to support the Klana. By an agreement of 21 April 1874, the Straits Government recognised him as the legitimate authority in Sungei Ujong, and released to him a quantity of arms and ammunition which he was to use to keep the river open, and free of illegal toll-stations. Since this arrangement took no account of the rights of the Dato' Bandar, it aroused his resentment; and on 24 September, the Dato' Klana

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94 Bond entered by Datu Klana Abdulrahman and Datu Muda Lingie, 21 April 1874, Maxwell and Gibson, op. cit., 38.
wrote to say that he was in danger from his colleague and to ask for help, and he coupled this appeal with a request for a British officer to reside with him. Both requests were answered; by the end of the year the Dato' Bandar had been chastened, and an officer was left in Sungei Ujong as Assistant Resident.
THE FIRST RESIDENTS

The Idea of a Resident

The whole intervention policy centred on the appointment of a British officer to the native states, yet no one seemed to have any clear idea of what this appointment would involve, or what responsibilities the Resident was to discharge. A British officer accredited to a native court might be the instrument of any one of a number of policies: he might discharge consular functions, with extra-territorial jurisdiction over British subjects and certain foreigners; he might, as in the Indian native states, control external relations and defence and exercise an informal influence over internal administration. Certainly nothing so specific as a formal control of legislative, executive and judicial processes was contemplated by the Imperial Government; and the colonial government, mindful of the long opposition to intervention, took care not to phrase its policy despatches in terms which suggested a radical extension of responsibility. The plan to establish Residents in the Malay states was necessarily
vague and ill-formulated; it suggested, without defining, the role of the Resident - as protector of British subjects and foreigners engaged in trade; as the medium of communication between the native states and the outer world, and as a progressive influence on government organisation and policy. The first essential was to establish a permanent channel of communication with the native states. The erratic intercourse between the colony and the states was a source of concern; Clarke wrote that 'this periodical visiting, without any consistent plan or fixed policy, on one occasion by one officer and on the next occasion by another...has clearly never been productive of good....'\(^1\)

The chief duty of the Political Agent recommended by Anson in 1871 was to maintain communication and carry on correspondence with the states.\(^2\)

For the local government and the unofficials, the encouragement of trade, economic development, and the provision of security for traders were the most important functions of the Resident; and an especially important task was the protection of existing Chinese populations and the encouragement of immigration, essential to the development

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1 Clarke to Kimberley, 43 of 24 February 1874.
2 Anson to Kimberley, 144 of 3 June 1871.
of the states. Clarke emphasised the scarcity of Malay population and the fact that the Chinese were 'the only industrial population' and 'the backbone of all trade and commerce throughout the Malay Peninsula'. Both officials and unofficials looked forward to a Chinese migration which would eventually swamp the Malays; at the Legislative Council debate on the Pangkor Engagement, one speaker expanded on the slow rate of Malay increase and concluded that 'to open up that country you must introduce the Chinese element' and that 'Malay States with a large Chinese population must be under the influence of the British flag'.

The Inspector-General of Police and the Colonial Engineer looked forward to a tenfold Chinese increase, 'to the manifest development of the resources of this fine portion of the Malayan Peninsula'. Swettenham wrote in retrospect that, '...while their first object was to benefit the Malays and make their lives easier and happier, they recognised that they must look to the Chinese as the workers and revenue producers'. Until the end of the century at

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3 Speech by W.R. Scott in Proceedings of the Legislative Council, 15 September 1874, C.1111, enclosure in no.72.

4 Proceedings of McNair and Dunlop, 15 January 1874, C.1111, enclosure in no.39; Swettenham, Footprints in Malaya, 72. See also memoranda (undated) by members of the Executive Council on the despatch from Kimberley to Clarke of 20 September 1873, C.1111, enclosures 1-5 in no.54.
least, the Chinese immigration figures were, for the Residents, an index to the prosperity of the states.

The expansion of trade (which meant of course primarily the expansion of tin production), the establishment of suitable conditions for investment, the encouragement of Chinese immigration, all clearly required the Resident to be more than a means of communication or a court diplomat. The 1871 commission had stressed the influence which such an officer might be expected to have over internal administration, and suggested that he might give the native rulers professional advice in opening up roads, and assist them in all matters connected with their government. The point was continually emphasised in the despatches home, and in the memoranda on the Resident's duties prepared by the members of the Executive Council immediately after the Pangkor Engagement. The stress was on informal guidance and suggestion; one official, writing in 1872, referred to the Political Agents in the Indian native states, the value of the work done by a 'single well-selected British officer' in encouraging the development of communications, schools and police, and recommended the appointment of an officer to perform similar functions in the Malay states.

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5 G. Campbell, Acting Lt.–Governor of Penang, cited Wilkinson, History of the Peninsular Malays, 119.
The Pangkor Engagement, and the despatches and memoranda in which Clarke and his officials made their policy recommendations, spoke in terms of advice, guidance and persuasion when describing the influence to be exercised by the Resident at the native courts, and these references have established a long-lived myth about the nature of British intervention in the native states. The myth may be expressed in the words of a permanent official of the Colonial Office, seeking to explain the juridical position to the law officers of the Crown. '(Tell them) that about 10 years ago the Native Rulers of three of the States requested that English Residents should be placed with them to advise them on the ways of good government; that after some unfortunate disturbances the Secretary of State finally sanctioned the Residents as permanent institutions, strictly laying down that beyond the control of the collection of Revenue the Residents were only to interfere in administration by means of advice tendered to the Native Rulers.' It need hardly be stressed that this representation

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6 Minute by de Robeck, 12 January 1885, CO 273/130/21537. With occasional lapses, the officials adhered to this interpretation in their formal correspondence. In 1883 the S. of S. disclaimed any 'desire to interfere in the minor details of the administration of the Native States by their Rajahs' (Derby to Weld, 116 of 10 May 1883); the Governor, in presenting the Annual Reports for 1892, spoke of Malay rulers as 'de facto as well as de jure the rulers of their States' (Smith to Ripon, 246 of 2 August 1893).
of the native states administrations is false; it is not sustained even in the despatches, it is constantly belied in the minutes, and it breaks down on the most cursory survey of the government of the native states; indeed, there is enough in the published accounts of native states' rule, written by Governors and Residents, to cast doubts on the validity of this stereotype, without recourse to other material. It is, however, legitimate to argue that whatever may have been the later relationship between Resident and Malay ruler, the original intention of Clarke and his colleagues was that the Residents should exercise a salutary pressure rather than rule directly; and that circumstances forced the assumption of a direct control that was not originally intended. The thesis adopted here is that the creation and control of the organs of government by the Resident was essential to the purposes of intervention - the achievement of security and the guarantee of economic development; that Clarke saw this and intended his Residents to assume administrative responsibilities wherever they could safely and profitably do so; and that the representation of control as 'advice' was a concession as much to the sensibility of the Colonial Office as to that of the Malays.
Swettenham claimed in his autobiography that the system of administration called 'Indirect Rule', which had been introduced by British officers into Africa in the twentieth century, and which he understood to mean 'the principle of employing the people of the country to share with British advisers and their staff the direction and control of public affairs', originated with the system devised by British Residents in the Malay states in 1874 and subsequent years. It is sufficient here to say that whatever influence the philosophy of colonial government known as 'indirect rule' may have had on colonial practice in Malaya in later years, it does not appear to have played any part in the shaping of Clarke's policy. It is true that indirect rule is pragmatic in the sense that it finds in native institutions and native leadership a cheap and convenient means of organising subject populations; but it also values the integrity of native society and the traditions and institutions which maintain it; and though the inevitability of change is admitted, the theory of indirect rule seeks to regulate change by gradually adapting native institutions to new political and economic modes of action, instead of exposing them unprotected to the destructive impact of external forces.
When Clarke and his advisers spoke of teaching the Malays good government, they were not thinking in terms of development from Malay traditions or institutions. There is nothing to show that they put any value on these institutions, either for their own sake or as a necessary context for Malay social growth. On the contrary, they wrote of Malay government with general disapproval. According to Clarke, 'The Malays, like any other rude Eastern nation, require to be treated like children and to be taught, and this especially in all matters of improvement, whether in the question of good government and organisation or material improvement....' According to Braddell, the Attorney-General and Clarke's closest adviser, '...the condition of the Malayan States at present is so primitive that the duties of their rulers are of the most elementary character....' According to Birch, the Colonial Secretary and first Resident of Perak, '...my experience as an Executive and Judicial Officer for the last twenty-seven years among an Eastern people has taught me that they are perfectly incapable of good government, or even of maintaining order, without guidance or assistance from some stronger hand than

The exception was the Auditor-General, C.J. Irving, whose views had no influence.
is ever to be found amongst themselves'. The officials did not write in terms of adjusting the Malays to modern conditions at a pace appropriate to their society, for change had already overtaken the Malays and was to be accelerated; the external pressures which had already caused the breakdown of the Malay system of government were to be increased. Intervention was seen to be necessary because Malay authority had proved incapable of dealing with Chinese immigration and mining activity; and it was this enterprise which the British were proposing to encourage. Considerations of economy, which might force other colonies to use indigenous authorities for want of a sufficient revenue for a European establishment, did not apply. There was admittedly a 'paucity of competent officers to undertake the work' (the one invariable feature of colonial expansion) but Clarke and his officials looked forward confidently to the growth of large revenues, sufficient for all the needs of an advanced administration. The themes and policies of indirect rule, systematised and perfected half a century later in Africa, fitted neither the conditions of the Malay states nor the motives and sentiments of the utilitarian

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8 Clarke to Kimberley, 43 of 24 February 1874; Memoranda by Braddell and Birch, C.1111, enclosures 4 and 5 in no.54.
administrators in Singapore. The authorities who had to be coaxed and taught, and whose advance had to be adjusted to their prejudices, lived not in Perak or in Selangor but in Whitehall; and it was for their mental comfort that definitions were avoided, in correspondence about the functions of Residents.

Clarke did not conceal the fact that the Residents were to undertake wide responsibilities. As a later Resident remarked, the Pangkor Engagement itself covered all executive authority; and in his explanatory despatch a month after Pangkor, Clarke emphasised the fiscal responsibilities of the Resident:

This watching the collection of the Revenue and controlling its expenditure will form no insignificant part of a Resident's duties and...will be about the most important of them. The collection of the revenue from whatsoever source derived and however legitimate, is carried on at present among these States with a perfect absence of all system...while it is at all times accompanied by individual instances of extortion.... To check this, and to induce the Sultan to select proper men for the collection, will be the Resident's special care....10

Clarke forestalled questions about the possible Malay reaction to these innovations by representing that the rulers

9 Swettenham, The Real Malay, 22.
10 Clarke to Kimberley, 43 of 24 February 1874.
themselves wanted the Residents and their advice, were anxious to reform the administration of their states, and were only waiting to be told how to do it. He had plenty of supporting documents; Sultan Abdullah, while he was still Raja, had written to express the desire of himself and his great men 'to settle under the sheltering protection of the English flag'; he asked 'for a man of sufficient abilities to live with us in Perak, or at any fit place not far from us, and show us a good system of government, for our dominions, so that our country may be opened up, and bring profit, and increase the revenues, as well as peace and justice'. The Dato' Klana declared his wish to have his country populous, and a good straight road for traders; he declared further, '...we would like very much for an officer from the Great Governor, who can give good advice, so that we may do what is right under that protection'. Tengku Zia'u'd-din had asked for closer British protection in 1873, and the Sultan of Selangor gracefully accepted the officer sent him in 1874; 'As regards our friend's intention of having us enter into an engagement

11 Abdullah to Clarke, 30 December 1873, C.1111, enclosure
12 in no.39.
12 Dato' Klana to Lt.-Governor of Malacca, 24 September 1874, C.1320, enclosure in no.8.
so that our friend will collect the revenue of our country, we feel very glad of it, provided our friend will put to right our country and collect the revenue'. All these communications were duly forwarded to the Colonial Office and formed the basis of the official thesis that the British went to the Malay states by invitation. But the request for Residents was itself a token of the isolation of the chiefs who asked for them; it is clear from their communications that Sultan Abdullah and the Dato' Klana were merely seeking British support for their disputed authority. Sultan Ismail, and the Mentri in Perak, and the Dato' Bandar in Sungei Ujong were just as clearly opposed to British interference. The Sultan of Selangor had no interests in reforms or Residents, and intervention

13 Sultan Abdul Samad to Clarke, 1 October 1874, Maxwell and Gibson, Treaties and Engagements affecting the Malay States and Borneo, 35-6.

14 It is sometimes asserted that the Sultan of Selangor asked for a Resident. The evidence suggests the contrary. The Proclamation issued by Clarke's command on 25 January 1875 certainly says that English officers had been sent to the Sultan 'at his request' but this is not corroborated by any communication from the Sultan himself. On the contrary, the Sultan's letter to Clarke of 1 October makes it clear that the proposal to send him an officer and collect his revenues originated with the Governor. The kind of pressure that was brought to bear on the Sultan by Birch in 1871 and by Clarke in February 1874 (see Birch to Anson, 26 July 1871, C.466, enclosure in no.6; Clarke to Childers, 11 February 1874, cited Vetch,
there depended on the support of Tengku Zia'u'd-din, a Kedah prince and a foreigner, and on such bad terms with the royal family of Selangor (including his own wife) that between 1871 and 1874 he never visited Langat except in the company of British officers. A careful reading of the enclosures would have suggested to the Colonial Office that the anxiety for better government was not as general or as disinterested as the despatches showed; but the Colonial Office seemed content to take the assurances of the Governor at their face value.

The fact that Abdullah had asked for a Resident, and eleven days after his request had been received, had been made Sultan, might have raised doubts about the nature of

14 (continued)

Life of Clarke, 157-9) suggests that however precarious the Sultan's position, he did not necessarily think the intervention of the British would improve it. It is sometimes argued that the Sultan 'had always been in favour of letting others bear the burden of administration so long as his revenues were forthcoming', but it does not follow that because a Malay ruler was forced to delegate the administration of certain districts, he was pleased to surrender his powers in his own. In fact, the Sultan kept the revenue collections of Langat in his own hands as long as he could. The Sultan did not oppose the Resident, but there is nothing to prove that he welcomed his advent. On the contrary, a Resident is likely to have been unwelcome because he would be bound to advance the dignity of Tengku Zia'u'd-din at the Sultan's expense.

Proclamation of 25 January 1875 by the Governor of the Straits Settlements; Maxwell and Gibson, Treaties and Engagements, 37; Sultan of Selangor to Governor, 1 October 1874, op. cit., pp.35-6.
his authority, and his ability to carry out 'advice'. In his official correspondence, Clarke justified his support of Abdullah by representing him as the rightful ruler, excluded from the throne by a conspiracy, and now restored by the choice of all the chiefs except the Mentri. The chiefs also gave their 'fullest concurrence' to the appointment of a Resident. In his private correspondence, however, Clarke showed himself perfectly aware of the nature of Abdullah's elevation, and the real sentiments of the Perak chiefs towards British intervention.

I believe I was right in putting up Abdullah. Had I taken the other man, I could not have secured the lower part of the rivers, my first object, as Abdullah and his party are strong there, while Ismail and his followers are high up the river where we have no trade and need not go for years....

His rationalisation of his choice, written two years after the event, need not be accepted in whole; it might have been even more useful for his purposes if the Sultan's jurisdiction had not extended over the lower river. But the passage sufficiently discredits Clarke's formal representation of Abdullah's election, as a free election by the chiefs in recognition of his hereditary right. The willingness of the chiefs themselves to accept British interference

15 Clarke to Childers, 10 December 1875, cited Vetch, Life of Clarke, 187; see also 154.
may be gauged by the fact that Clarke thought it essential to get them to Pangkor in a week, without giving them time to consult their lawyers.

Even if the chiefs were willing to accept advice, it is a question whether the local officials thought them capable of carrying it out. It is true that among the Malay rulers in the nineteenth century there were some who were alive to the political and economic changes which had overtaken the Peninsula, who realised that new administrative methods were required, and who took advice and profited by it. The criterion of enlightenment was not merely that they should understand the importance of Chinese immigration (they nearly all did) but that they should attempt to rationalise their revenue collection and provide security for their foreign population. One ruler who did this, with the help of advice from friendly British officials, and who achieved a standard of public order rivalling that of the neighbouring settlement of Malacca, was Raja Juma'at of Selangor, who ruled the tin district of Lukut until his death in 1864. But the most obvious example of the way in which pliant and able rulers might profit from advice was provided by the Temenggongs of Johore. They had been

16 The Temenggongs were court officials who administered Johore and Singapore in the latter part of the 18th century on behalf of absentee Sultans living at Riau. In 1819
proteges of the British Government from the cession of Singapore in 1824, and successive rulers had assumed the sovereignty of the state and the title of Maharaja with the assistance of the Straits Government. In return they adapted themselves to the requirements of British policy. In 1862, by the Treaty of Pahang, Johore agreed to refer any dispute between the states to the British Government; in 1868, she accepted British arbitration in the Johore-Pahang boundary settlement, and in 1870 the Johore Government stopped an attempt by the north German confederation to survey a naval station at the mouth of the Endau river. There was no British political agent in Johore, but such contact was hardly necessary; till 1862 the official residence of the Johore ruler was in Singapore, and after that date he kept a large private establishment there. He was in direct and constant contact with the Governor; Braddell, the Attorney-General, was his legal adviser. The aspect of Johore administration that appeared most impressive to the Straits officials, was the encouragement of Chinese

the Temenggong Abdulrahman and Sultan Husain (a pretender whom Raffles recognised for the purpose) assented to the lease of Singapore. In 1855, by an arrangement sponsored by the Governor, the de jure Sultan ceded his sovereignty over Johore to Temenggong Ibrahim, and in 1868 his son Abubakar was recognised as Maharaja by the then Governor, Sir Henry Ord.
immigration and the consequent economic progress of the state. Newbold guessed that the population in the 1830s was about 25,000; the Temenggong encouraged the immigration of Chinese pepper and gambier planters, and in the early 1870s the Chinese population alone was estimated at 60,000. In the 1830s, the Singapore opium former offered £300 a month for the Johore farms; in 1857 the farms were worth £5000 a month. In 1855 Johore Bahru was a fishing village; thirty years later, according to Winstedt, the Duke of Sutherland found it 'a gay little Malay town', with 10,000 Chinese inhabitants, and such modern amenities as 'a gaol and hospital and police stations and schools, and a steam saw-mill reported to be the largest in Asia'.

Clarke and his advisers did not fail to point to the Maharaja of Johore as an example of an enlightened Malay ruler whose constant association with European advisers had led to the establishment of an orderly government which enjoyed the confidence of the Chinese and Europeans. But it was acknowledged that the circumstances of Johore were special. The Johore ruling house had been placed in intimate association with the Government at Singapore for half a

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century; and in that time the Temenggongs had shown themselves outstanding among Malay rulers for their ability and energy. The Maharaja had had an English education, had visited Europe, and entertained with magnificence and style; his hospitality was an important element in the European social life of Singapore. The most Europeanised of the Malay Rajas were clumsy imitators by comparison.

In the western native states there were chiefs — notably the Mentri and Tengku Zia'u'd-din — who, like the Maharaja of Johore, were experienced in dealing with large Chinese populations and large revenues, and who acted extensively outside a traditional Malay context. Both of these chiefs were sufficiently sophisticated to employ European legal advisers; both recruited mercenaries under European leadership to fight their wars; both derived

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18 See Emily Innes, The Chersonese with the Gilding Off, i, 175, for an account of an unfortunate dinner-party 'Government House style' given by Tengku Zia'u'd-din.

19 Many of the chiefs whose interests brought them into judicial or economic relations with Europeans or Chinese, employed Straits lawyers. The Mentri's lawyer was R.C. Woods of Penang; Tengku Zia'u'd-din's was J.G. Davidson of Singapore.

20 In July 1873 the Mentri employed T.C.S. Speedy, formerly Assistant Superintendent of Police, Penang, to recruit and command Indian sepoys for his service, and in September Speedy returned with 110 men. Tengku Zia'u'd-din had a small force of mercenaries, fluctuating in number between 40 and 200 in the years 1871-4, guarding the entrance to the Klang river and commanded by a former midshipman in the French Navy.
their large revenues mainly from duties on tin, centrally collected at the mouths of the Larut, Selangor and Klang rivers. But their control was restricted to positions en route to the mines; on the fields, where the bulk of the population lived, Malay controls of any sort were nonexistent. As to their revenues and financial system; the Mentri, until the August 1873 at any rate, was content to farm the mining rights of Larut to the Hai San headman for a fixed monthly rent, leaving him to allocate the mining land and make what profit he could. Tengku Zia'u'd-din collected his own revenues at the mouth of the Klang river, in the form of duties on tin in cash and kind, but receipts and payments were made without system and only occasionally recorded.

The Malay rulers clearly could not control either Larut or Selangor; finances were inefficiently managed and heavily burdened by debt. Still, it is conceivable that with the support of the Resident and with European police

21 Skinner, 'Precis of Perak Affairs', 10 January 1874, C.1111, enclosure 1 in no.52; Irving, 'Memorandum relative to the Affairs of Perak', 24 July 1872, C.1111, enclosure 2 in no.52.

22 Report of Asst. Resident, Salangore, 18 December 1874, C.1111, enclosure in no.75; Commander Bloomfield to Vice-Admiral Kellett, 20 September 1871, C.466. For Mentri's financial administration, see below, p.115, n.39.
instructors, the problem of public order might have been solved, and the revenue collection systematised, without the assumption of direct control. Irving pointed out ways in which Tengku Zia'u'd-din might be helped; by the organisation of his finances (concerning which he had already consulted British officials) by a small loan, assistance with his scheme of a road to the Pahang tin and gold mines, by inspection and advice on his fortifications. Here was a progressive chief with 'ideas in his mind on the subject of education and the administration of justice', who was eager and quick to learn. Irving, taking the policy of 'advice' seriously, and enunciating the principles of indirect rule, pleaded for an itinerant Resident,

...if the policy of Her Majesty's Government were to keep pushing our influence in these countries, and becoming virtually the governing power, the appointment of permanent Residents would probably be a step in the right direction. But this I understand from the Secretary of State's despatch is not the course that is designed, and that what is desired is to interfere as little as possible; compatible with saving the countries from open disorders, and for the rest to treat the native governments and native institutions as things to be improved as occasions may show to be possible, but in the main to be recognised as they are, and their self-dependency rather encouraged by a wholesome neglect, than weakened by perpetual training and fostering.23

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23 Memorandum by Irving on Kimberley to Clarke, 20 September 1873, C.1111, enclosure 2 in no.54.
But though Clarke and his officials spoke exclusively of 'advising' and pointed to the example of Johore, Johore did not provide Clarke with the model he wanted. Clarke disapproved of the Maharaja's handling of his revenues, just as a previous governor had disapproved of his haphazard administration of justice, and he looked to the organisation of government on different principles,

I cannot, however, conceal from myself the fact that even there it is quite possible that, for the great future we have hardly yet received sufficient guarantees to secure the continuance of that prosperity...we cannot accept as a fact that enough has been done, and that there may not be more for you or our successors to do, to secure that future in those elements of prosperity.25

Irving's blueprint for a genuine advisory system met with a chilly reception; his analysis of the Secretary of State's intentions went without comment, but his suggestion of an itinerant Resident was rejected outright by Clarke, Birch and Braddell as likely to confirm all the evils which had already arisen out of intermittent interference. Braddell emphasised the deficiencies in native government which must increase the Resident's responsibilities and transform 'teaching' into direction:

24 Clarke to Kimberley, 43 of 24 February 1874.
25 Speech by Clarke, Proceedings of the Legislative Council, 15 September 1874, C.1111, enclosure in no.72.
to preserve order, to do justice, to collect the revenue on fixed principles, to spend a portion of it in making roads and waterworks, and in providing for the security of the people, are the simple duties required in the first instance. The native chiefs may be said to know this, but they are indolent, self-indulgent, and averse to continuous exertion in any direction. They do not know how to commence a new line of conduct, still less how to persevere in it.  

Clarke's private correspondence and instructions to Residents indicate that the policy to be followed was not government through native institutions but the assumption by stages of direct control; control initially of the economically important areas - the tin fields and the coasts - and laissez-faire in the predominantly Malay interior, until a further advance might appear easy and profitable. Braddell wrote in retrospect,

the interference with Upper Perak was deprecated by Sir Andrew Clarke, and advised against by me, as premature and unnecessary...the population was purely Malay, with a few Chinese shopkeepers and hawkers, scattered over a large territory; and although great benefit naturally would arise in time, when the proper moment for intervention should have arrived, it was felt that the time had not yet arrived in 1875.

Memorandum by Braddell on Kimberley to Clarke, 20 September 1873, C.1111, enclosure 4 in no. 54.

Braddell to Derby, 27 April 1883, enclosure in Derby to Weld, 10 May 1883. Thomas Braddell first came to the Straits Settlements in 1844, to manage a sugar estate in Penang. In 1849 he entered government service as Deputy Superintendent of Police, Penang. He qualified for the Bar while on leave in England, was called to the Bar in
He had specified Larut, Sungei Ujong and Klang as the areas where intervention would be desirable and profitable. Clarke had put things more bluntly in a letter to Birch, the first Resident of Perak, 'Limit all your efforts to the sea-coasts, do not bother about the upper rivers where there are only Malays....' A year later, when suggestions of annexation were in the air, he wrote that such a change of policy was foolish; 'till each state pays we must be patient, and not hasten too much the ideas of how things should be done. Let us know the country well, and having established our police posts, our advance, when we make it, will be easy. If you annex you must be prepared to spend money and lose many lives'.

Of the instructions to Residents, there survive only a letter to Davidson, the first Resident of Selangor, and

27 (continued)
1859, and in 1863 went into private practice in Singapore. In 1867 he became Attorney-General, and remained in that office until 1882 when he went on leave before retirement. When Clarke arrived in the Straits there was no department dealing with native states' affairs, and Braddell took over the duty of collating the material and reducing it to reports published in C.1111 and C.1320. He was Clarke's closest adviser, and between October 1874 and April 1875 (when he went on leave to recruit his health) he was Colonial Secretary and Secretary for Native States.


29 Clarke to Childers, October 1875; ibid., 183.
fragments of instructions to Birch; but these indicate sufficiently the responsibilities which the Residents were required to fulfil. Their most important duties related to revenue collection. Birch was to 'allow the existing system to go on when not of such an irregular character as to require immediate alteration', but this licence was cancelled in the next sentence, which required him to 'put down, by force if necessary, all unlawful exactions of whatever nature, so as to ensure that whatever revenue is collected shall be for the State alone...and paid into the general treasury of the country'. The Residents were further instructed, in a circular letter from the Colonial Secretary, that the Governor favoured 'one uniform system of revenue in all the Native States, which should be on as simple a scale as possible, putting restrictions on as few articles as possible....' Birch, who had submitted a detailed revenue scheme for Perak in December, was told that he might put it into force provisionally until reports from the other states were received, and a general scheme had been drawn up.

30 C.S. to Resident of Salangore, 20 January 1875, Sel/Sec. 3/1875; Clarke to Birch, 26 October 1874, cited Jervois to Carnarvon, 62 of 10 February 1876.

31 C.S. to Birch, 12 February 1875, EFO Appendix XIV; similar instructions were sent to Selangor in C.S. to Asst. Resident of Salangore, 12 February 1875, Sel/Sec.742/1875.
To put the matter beyond doubt, the Governor wrote to Sultan Abdullah two months afterwards, enclosing a proclamation forbidding the collection of revenue without written instructions from the Resident or Assistant Resident, or the payment of tax to any but their officers. In Selangor, Davidson was required to report as soon as possible on the revenue system to be adopted, and to provide for the settlement of the Tengku's debts (now the obligation of the state). He was required to forward to Singapore a regular monthly report of progress and a monthly statement of accounts, showing the revenue and expenditure of the country, 'which you will take under your special charge, being assisted by such officers, clerks etc. as may be sanctioned by His Excellency, on your representation after arrival at Klang'.

The argument here is not that Clarke had any detailed plan for the development of the administration of the native states, or that he wished control to be assumed without regard for the interests or sensibilities of the rulers and chiefs. On the contrary, his letters to the

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32 Clarke to Abdullah, 22 April 1875, enclosing Proclamation of 9 April 1875, EPO Appendices XVII and XVIII. The instructions to Residents were not forwarded to the Colonial Office, but the letter to Abdullah referred to here, with its blunt assertion of authority, was sent home with a despatch of 26 April 1875.
first Resident of Perak convey warnings against clumsiness and haste; the Resident was told to be gentle with Ismail, the Sultan whose authority was set aside by Pangkor, and not to press him to give up anything; he was told to leave debt slavery alone for the time being; 'Have patience with them. Debt slavery is a bad thing, but until we are prepared to compensate in full and to show a better system to secure credit, let it for the present alone'. It was ordinary common sense to enjoin care and patience in instituting change, and even if common sense did not impose caution, the hesitant and qualified approval given by the Colonial Office to the policy of intervention would have warned Clarke against treating the Malays like defeated enemies. But the key to his policy and to future development was not in the advice he gave on conduct in transitory situations, but in the provision for control of revenue and general administration laid down in the Pangkor Engagement and in the instructions. These made it certain that whatever form of government was established in the native states, it would not be 'government by advice'.

**First Steps**

The first appointment of a Resident was made at Pangkor, when Captain T.C.S. Speedy was appointed Acting Assistant Clarke to Birch, undated; Vetch, *Life of Clarke*, 182.
British Resident at Larut. In August, F.A. Swettenham was sent to the court of the Sultan of Selangor at Langat. In November, Clarke sent his Colonial Secretary, J.W.W. Birch, to Perak as Acting Resident with Sultan Abdullah; and in December, after a police action in Sungei Ujong, Captain W. Tatham, R.A., who accompanied the expedition, was left to enforce the settlement of the troubles. In the same month, Clarke submitted these four names to the Secretary of State for confirmation, and added to them J.G. Davidson, whom he proposed to send to Selangor as Acting Resident, living with Tengku Zia'u'd-din at Klang. Speedy was at his post by the end of January; Swettenham was in Selangor by mid-August; Birch at the Perak estuary in the first week of November; and Davidson in Selangor in the first week of February 1875. Though the Secretary of State had

He fell ill soon after he was posted and was succeeded in April 1875 by Commander P.J. Murray, R.N.

Three of the Residents had been in the service of the Straits Settlements Government; all except Captain Tatham had had recent connections with the western Malay states, though in only one case—Davidson's—did these connections date from before 1872.

Tristram Charles Sawyer Speedy had had an adventurous career as a British Agent in Abyssinia and had served in the Indian Army before joining the Straits Settlements service as Deputy Commissioner of Police in 1871. In July 1873 he resigned his post with the consent of the Governor, to enter the Mentri's service as Commander of his troops; and with soldiers recruited in India, he joined the fighting in Larut towards the end of 1873, on behalf of
doubts about their ability to discharge responsibilities 'so novel and delicate', and particularly objected to the Mentri and the Hai San faction. It was decided at Pangkor to appoint him provisionally to Larut as Assistant Resident, and he took up his duties at once. He was a soldier and adventurer, not a routine administrator, and as the administration of Perak settled down into a system, relations between Speedy and his superiors became very strained. In 1876, in an effort to get him out of the service, his salary was halved and in 1877 he was moved to the very much less important district of Lower Perak. He resigned the same year.

Frank Athelstone Swettenham was only a recently passed cadet when he was posted to Langat. He had joined the Straits Settlements Civil Service in 1870; in 1872 he went to Klang and Kuala Lumpur as Davidson's guest, and was entertained by Tengku Zia'u'd-din and Yap Ah Loy. In the same year, he passed his final examination in Malay, and accompanied the Governor, Ord, as interpreter on visits to the east coast, Johore and Kedah. In January 1874 he was sent to Larut to summon the Chinese headmen to the Pangkor meeting, and immediately after it, he was sent back there as one of the commissioners to enforce the agreement with the Chinese. In April he accompanied Birch as Malay interpreter on a mission to Perak, and in June he went back on another, and partly successful, mission to persuade Sultan Ismail and Raja Yusuf to meet the Governor to discuss the Pangkor settlement. In August he was posted to the Sultan of Selangor, ostensibly to protect him, in fact to see that his court did not become the focus of intrigue against Tengku Zia'u'd-din.

James Guthrie Davidson was a Singapore lawyer who had been for many years Tengku Zia'u'd-din's legal adviser and financial backer. In March 1873, after the Tengku's enemies had been expelled from Kuala Lumpur with the help of Pahang troops, he granted a concession to Davidson and a partner to mine tin over a large area in Selangor. Davidson sold his share to the Selangor Tin Mining Co., floated to work the concession. There were obvious objections to his appointment to a state where he had commercial interests, objections which were not removed by the transfer of his interests to a firm in which his uncle was a partner; but his tact and experience with Malays, his knowledge of Selangor, and the close relations which he had always had
Davidson's financial interest in Selangor, he did not press his objections, and the Residents remained in their appoint­ments till the disturbances in Perak towards the end of 1875 disorganised the whole arrangement.

In Sungei Ujong the Malay ruler, the Dato' Klana, lived near the mines; a single officer was sufficient to maintain communication with him and control the mining population, and he established his headquarters at Seremban, near the mines and about three miles north of Rasah, the tin port on the Linggi river. In Perak and Selangor, where the courts of the rulers were set apart from the centres of economic activity, officers were posted separately to the Sultan's township and to the tin fields or ports. The Resident of Selangor set up his headquarters at Klang, the port for the Kuala Lumpur tin and the headquarters of Tengku Zia'u'd-din, while the Assistant Resident went to the Sultan at Langat. In Perak the Resident established

with the Tengku were outstanding qualifications, especially when the Governor scarcely knew where to look for suitable officers.

James Wheeler Woodford Birch — see below, p. 131, n. 56. Walter Tatham was an officer of the Royal Artillery, and senior auxiliary officer of the troops sent to the relief of Pickering in Sungei Ujong in December 1876. He knew Malay and had often acted for officers in the civil police. He undertook an enquiry into the condition of Indian labourers in Province Wellesley in 1875. He went on sick leave in April 1875 and was replaced permanently by Murray.
himself at Bandar Bahru, near the Sultan's 'place' on the lower Perak, and the Assistant Resident fixed his headquarters in Taiping, the chief town in Larut. The responsibilities of officers posted to the mining areas were mainly administrative; those posted with the Sultans had in the first instance the task of conciliating the Malays and getting them to accept the new dispensation; they had to travel and report on unmapped country and little known people. 'We spent our time getting about the country, as best we could, roughly mapping it out, seeking out the best points for village police stations, customs houses and landing stages, and we did what we could to meet, and make friends with, the influential people of the country.'

In all the territories, the most urgent tasks of the British officers were basically the same; to restore order after recent fighting, to disarm the Malays and Chinese and destroy their fortifications; to restore confidence and encourage the return of Malays and Chinese to their fields and mines; to make a provisional settlement of mining boundaries and get the mines going; and to take whatever administrative action was necessary to encourage tin production, whether by improvement of lines of communication

by regularising conditions of tenure, or by easing the fiscal burden on the industry.

In Larut and Sungei Ujong, the Residents were posted immediately after pacification, in order to uphold an improved settlement, and restore the mines to working order. In Larut the work of disarming the Chinese was entrusted to commissioners who had been appointed by the Governor at Pangkor, and who accompanied Speedy on his return there; they were also to settle disputed claims to the mines between the Ghi Hin and Hai San factions, and secure the return of Ghi Hin women and children captured by the Mentri and his faction. The Commissioners destroyed the stockades of both parties, and secured the return of the captives, searching for them in Larut, in Kurau and in the Perak river valley. They also inquired into the ownership of the mines and called for documents of title; they found only four papers in Malay, permitting the holders to clear jungle, but giving no right to mine. Of the 150 claimants, not one could show a written title to mining land, and no clearing permit made any reference to boundaries; and since each party laid claim to nearly all the mines, a judicious consideration of claims was out of the question. The

37 See report of Larut Commissioners, 21 February 1874, Swettenham Papers, no.72.
Commissioners summarily settled the matter by drawing a line across the tin fields and allocating the area north of it to the Ghi Hin and that south, to the Hai San.

It was part of the Commissioners' duty to bring the Mentri and his Hai San allies to a proper understanding of their position under the Pangkor Engagement. Neither he nor they had sought the settlement which elevated the Mentri's opponent, Raja Abdullah, and in consequence appeared to favour the Ghi Hin with whom he was associated. Much pressure had to be brought to bear on the Hai San before they would destroy their stockades, and on the Mentri before he would return the Ghi Hin women and children allocated to him as war booty. The Mentri, further, was caught taxing tin at Kota, his old stronghold; when the Commissioners remonstrated he declared that he had not understood the Pangkor Engagement to forbid his levying taxes, but if the Commissioners wanted him to stop, or even to leave Larut, of course he would obey. Speedy made him return the receipts, and the Commissioners gave him a memorable lecture on his position; the Chinese were told that they were not indispensable, and that if they would not accept the settlement peaceably, the Governor would expel them and bring in others.
The return to the mines began sluggishly after Pangkor, but accelerated with the months. By the end of the year, the district had again mushroomed into life and prosperity. In February there were only 4000 left of a Chinese population which in times of peace had reached 20,000 or more; the mines were waterlogged and choked with debris, and the tin export was only 213 piculs (about 12 tons). By the end of the year the population was estimated at 33,000, of which 26,000 were Chinese; thirty of the old mines had been drained and cleared and re-equipped, and ninety new mines opened. The tin export in December was 2848 piculs, and Speedy hoped for more than double this monthly output in 1875. Four months after Pangkor, Larut presented 'an animated scene of industry and good fellowship'; the Chinese were opening shops and vegetable gardens and stocking the bazaars with wines and beer and tinned provisions, among other goods, and the Assistant Resident was laying out streets and building lots. Two townships, Taiping, with a Chinese population of 5000, and Kamunting with 4000 were established in the Hai San and Ghi Hin areas respectively. Madras coolies were hired to repair

existing roads between the landing place and the mines, and plans were made to connect Larut by road with Province Wellesley, and with Upper Perak through the Gapis pass to Kuala Kangsar on the Perak river.

To begin with, the Larut government was subsidised by the Penang treasury, but by the end of the year, Speedy had a small surplus of revenue, after making a grant to the newly established Residency of Perak and after paying about eight per cent of the revenues to the Mentri. The tin industry had been exorbitantly taxed in the past; the Mentri had levied $19 a bhara, of which $6 went to the Sultan, and at 1874 prices (admittedly low) this represented nearly 30 per cent of the market price. He had levied other charges on the tin; the carriage of the tin was farmed out to a Hai San leader, and fees were charged for weighing, stamping and storing the tin at his customs house, so that altogether $22 was paid on each bhara exported. From January 1875 the duty was reduced to

The Mentri's collecting procedure is obscure. In a statement made at Penang on 26 August 1873 (C.1111, enclosure 6 in no.52), he declared that he farmed the tin mines to a Hai San leader, Law Ah Sam, for graduated payments which reached the fixed sum of $15,000 a month, the farmer making what profit he could. At the time of the statement, however, the Mentri was getting only $1000 a month. The Report of the Larut Commissioners suggests that in February 1874 he was collecting the revenues on his own account.
$15 a bhara, and it was to be further reduced to $12. The second most important item of revenue, the opium import duty, was directly collected to the end of 1874; then the opium and spirits import duty collection was farmed out to a syndicate of Chinese traders and miners in Penang and Larut.

The reports show Speedy administering what was virtually a Chinese province, unhampered by Malay precedents. He had departments of Mines, Revenue, and Roads, each under a European officer, and staffed by Eurasian, Chinese and Malay clerks and interpreters. He had an establishment of 266 police, officered by three Europeans, as well as a personal guard of 25 Sepoys; after the disarmament of the Chinese, his police constituted the only armed force in Larut. The police were concentrated in stations between the anchorage at Telok Kertang and the mines at Kamunting 14 miles to the north-east; they guarded the custom-house, the treasury, the court-house, and kept order in the townships. To insure against future disturbance, nine of the chief Hai San fighting men were deported, and with more enthusiasm than knowledge, Speedy determined to make the establishment of secret society lodges a penal offence. He claimed to have the entire support of the Chinese headmen (who were of course, secret society leaders themselves)
and of the Mentri, who was probably affiliated to the Hai San secret society.

Speedy's report makes no reference to the administration of justice among the Chinese before his arrival, and he is hardly more informative about the Malays. Each penghulu was 'magistrate of his own petty district and had almost unlimited power to levy fines and punish misdemeanours according to his own judgment...the definition of the law was of the vaguest description'. He instituted a Magistrate's court, with the Treasurer on the Bench, where he tried as far as possible to follow the Indian Penal Code, and conduct proceedings as in the Straits Settlements' courts, with warrants and subpoenas issued in the name of the Sultan.

In Sungei Ujong the Dato' Klana's authority was disputed and his village threatened by the Dato' Bandar; there was also a fear that the Dato' Bandar might provide shelter for disaffected and intriguing Rajas from Selangor. To secure the British position in Selangor as well as Sungei Ujong it was necessary that the Dato' Klana's authority be established, particularly as control of the mines was at stake. W.A. Pickering, a Singapore Magistrate with a

William Alexander Pickering, CMG (1884) was the key figure in the negotiations with the Chinese which accompanied intervention in Larut and Sungei Ujong. He began his career at sea, on a tea clipper trading to China; he then
fluent command of several Chinese dialects, was sent in October to secure the Dato' Bandar's submission; failing this, he was to support the Dato' Klana in a punitive action, and keep the Chinese neutral. The Dato' Bandar proved to be ancient, stubborn and conservative; angry that his co-ruler had made arrangements with the British over his head, '...the English do not rule in this country; the Governor does not understand Malay custom; I am not under the Klana'.

The Dato' Klana set out bravely to punish such contumacy, and Pickering went with him to see that he did not massacre half the countryside in a fit of aggressive zeal; but the Klana's men melted away into Chinese gambling houses en route, the Klana himself lagged by the way; Pickering and a handful of men were left to do the fighting. They would have achieved their object, except that the Klana was resting on the track far behind with the only gun. The arrival of a noted Malay fighting man on the other side completed the Klana's demoralisation, and he returned to

40 (continued)
joined the Chinese Maritime Customs, and learnt Chinese. In 1871 he was appointed Chinese interpreter to the Straits Settlements Government. In January 1874 he was entrusted with the task of persuading the Hai San and Ghi Hin factions in Larut to submit to the arbitration of the Governor, and after Pangkor, went back to Larut as one of the Commissioners to enforce the agreement with the Chinese. In 1877 he became the first Protector of the Chinese in Singapore. He retired in 1889.
his stockade much chastened, without his stage army, and utterly dependent on Pickering for protection. ('Really, these people are not fit to take care of themselves.') The Dato' Bandar eventually had to be punished by British troops; his stockade was destroyed, his tin confiscated and a settlement with the Chinese dictated by the officer in charge of reinforcements (Captain Dunlop, the Inspector-General of Police, Straits Settlements, who had been present at Pangkor and had helped to settle Larut earlier in the year as one of the Commissioners appointed under the Pangkor Engagement). Through all this the Dato' Klana hovered in the background, helpless, timid and grateful, '...the most meek and sincere Malay I ever saw.... I never saw a Malay more amenable to counsel or more anxious to be under the Governor's advice and protection'.

Although the Chinese had remained detached from the fighting, Dunlop was satisfied that two of the headmen had helped the Dato' Bandar to escape; the third, though friendly, had presumed to burn the Dato' Bandar's port of Rasah after its capture by the troops. Each of the three was made to pay a fine of £3000 on pain of flogging and

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41 See W.A. Pickering, Journal of a Visit to Sungei Ujong (October-November 1874), Swettenham Papers, no.72; Report of Captain S. Dunlop, 29 December 1874, C.1320, enclosure 18 in no.8.
banishment, and sign an undertaking to forget their old quarrels and return to the mines.

The rehabilitation of the mines and the regulation and development of the tin industry were taken in hand at once. The immediate consideration was the settlement of the revenue, the establishment of a secure mining tenure, and the improvement and extension of communications. In Sungei Ujong the Chinese had been given cause for apprehension by threatened changes in the revenue system; under advice from Malacca officials the Dato' Klana had proposed to farm the opium duty collection to a Malacca Chinese. This plan Pickering and Dunlop persuaded him to abandon, and on their advice the opium duty collection and the spirit and pawnbroking monopolies were leased to the three local Capitans jointly for six months. The poll-tax of £1 on each Chinese miner, hitherto the Dato' Klana's chief source of income (since the port of Rasah had been in the hands of his rival, he was precluded from collecting duty on tin) was replaced by a royalty of one-fifteenth on all tin exported. A twenty-year mining lease was instituted,

Because of lack of capital, however, the Sungei Ujong workings were small, and the miners did not take advantage of the lease, preferring to take out short-term mining licences. See Sungei Ujong Annual Report for 1885.
reserving control over water-supply to the government. In December, Tatham wrote to say that the Chinese had gone back to work and that everything was quiet; boats had been arriving at Rasah and there were now about seventy, laden with rice, salt-fish, tobacco and salt; the duty on rice had been halved and he proposed to abolish it at the end of the year, and he asked also for instructions as to abolishing the duties on salt, salt-fish, tobacco and other necessaries. Rasah, the port for the tin, was being rebuilt, and a road marked from the township to the landing place; a temporary police station had already been built there. Tatham reported that through all these changes, the Klana was 'most anxious to do everything in his power to assist me', and took the greatest interest in everything going on.

In Selangor there was no urgent need for control. Tengku Zia'u'd-din was master of Klang, and was assisted by Davidson for part of 1874; Birch, visiting Selangor in April found Davidson and Zia'u'd-din at Klang, busy with the problems of government. Zia'u'd-din's associate, Tatham to C.S., 18 December 1874, C.1320, enclosure 23 in no.8.

Birch, Journal of a Visit to Perak and Selangor in March and April 1874, Swettenham Papers, no.72.
Yap Ah Loy, was in undisputed control of Kuala Lumpur, and kept the township and the tin fields orderly and peaceful. Clarke contented himself, for a start, with sending Swettenham to the Sultan at Langat, to see that his court did not again become the refuge for Zia'ud-din's enemies. Swettenham was a gregarious young officer with tremendous energy, verve and curiosity, who liked the Malays and enjoyed their company, and whose immaturity and self-assurance no doubt amused them; and he was given a task perfectly in keeping with his tastes and interests. He had no administrative duties; he was required merely to establish good relations with the Sultan and other Malays of consequence, and explore the country. He pleased the Sultan, a tolerant old cynic who had for some time been content to watch from Langat while a succession of people fought over Selangor. Swettenham brought Tengku Zia'ud-din to visit his father-in-law, and — his most spectacular success — he received the surrender of Raja Mahmud, the most noted fighting man in the Peninsula. Between August 1874 and April 1875 he went up every river in Selangor and Sungei Ujong from the Bernam to the Linggi, visited every town and village, reported on the population, native authorities, produce and revenue of each district, and he completed his travels with a journey overland on foot from the upper Langat to the
upper Selangor, visiting every important tinfield in the state.

The important centre, however, was Klang, the Tengku's headquarters, and the customs station for the Kuala Lumpur tin. Birch, during a visit in April, found the usual evidence of orderly administration, a police station at Klang and another at Damansara, the landing place about eighteen miles upriver; a custom house where tin was landed, weighed and branded; he met the Tengku's Secretariat 'all intelligent and smart young fellows'. Davidson was with the Tengku, instituting useful reforms, lowering the freight charges between Kuala Lumpur and Klang, lowering the duty on tin. But informal European advice was clearly not enough to restore order and confidence; the Pahang Malays who had retaken the Selangor river valley on behalf of the Tengku were still in Kuala Selangor, and under their headman, Che Wan Dah, were burdening the countryside with exactions and acts of violence, so that people who had run away during the wars would not return to their homes. In a despatch of 30 December 1874, Clarke announced his intention of sending Davidson as Resident to Selangor, to stay with the Tengku at Klang. Davidson was actually in

Report of Asst. Resident, Salangore, 8 April 1875, C.1320, enclosure in no.28.
Selangor, helping the Tengku and issuing administrative instructions from Klang, when he was appointed.

Davidson's instructions required him to establish himself at Klang in the first instance, where he was to organise a Resident's guard and Police force, applying to the Straits Inspector-General of Police for a few men from Singapore or Malacca. He was to take charge of the revenue collection, and make recommendations for changes in the fiscal arrangements, and for repayment of the debts which the Tengku had incurred during the Selangor fighting, and which now became an obligation on the state. The instructions also made certain recommendations on the subject of land policy, and suggested, as a first step in the development of communications, that a road be made from the landing place to the mines, a distance of sixteen miles. Finally, Davidson was to do his best to secure the friendship and confidence of the Sultan.

Davidson's first act as Resident was to pay a courtesy visit to the Sultan, and submit for his seal certain

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46  His appointment dates from 20 January 1875. On 19 January he wrote from Klang to forbid the illegal exactions of one Raja Legong on the trade between Klang and Kuala Lumpur. (Resident to Shaikh Mohammed Taib, 19 January 1875, Sel/Sec.2/1/1875.)

47  C.S. to Resident of Salangore, 20 January 1875, Sel/Sec.3/1875.
notices recalling the fugitives from the recent wars. But his real work was in Klang and Kuala Selangor. In Kuala Selangor he left a European, Denholm, as Collector and Magistrate, with a police force of twenty, to check the activities of the Pahang men. Klang he took under his own charge. Much of 1875 was spent in checking unauthorised collections by Malay and Chinese local authorities; for example, by one Haji Kechil, who was levying duty on livestock overlanded from Pahang, and by the Capitan China Yap Ah Loy, who was collecting $2 on each bhara of tin to make the road from Damansara to Kuala Lumpur.

British control lay lightly over Selangor in this first year; it was confined to the coast stations of Klang and Kuala Selangor. Kuala Lumpur was left in the charge of the Capitan China and the Dato' Dagang, the headman of the Sumatran Malays who formed the bulk of the Malay population in the town. On the Langat river, the Sultan

48 Resident to Yap Ah Loy, 21 August 1875, Sel/Sec.101/1875.
49 Davidson was replaced by Capt. Bloomfield Douglas, a Resident notably lacking in enterprise. He established a magistrate in Kuala Lumpur only in 1879; despite prodding from Singapore he did not move his Residency there till 1880. Though Police stations were established in Ulu Langat in 1876 and Ulu Selangor by June 1878, district officers were not sent there till 1883, the year after Swettenham became Resident.
was left to collect his own revenues for another year, despite instructions from Singapore that the method of revenue collection there was to be assimilated to the rest of Selangor. The Resident delayed, perhaps for diplomatic reasons, perhaps for lack of staff, and in any case Langat as a revenue producing area was insignificant compared with Klang. But on 1 February 1876, after persistent prodding from Singapore, Langat lost its fiscal independence. A proclamation was issued by the Sultan, declaring that all taxes in the state were to be collected by officers of the Selangor Government. In 1876 the post of Assistant Resident at Langat was abolished, and Langat became an administrative division under a Collector and Magistrate.

The pressures put on Malay rulers, and the relationships established with them, varied with the circumstances of intervention and past intercourse. In Sungei Ujong the Dato' Klana readily acquiesced in the assumption of authority by British officers and showed himself 'most anxious to do everything in his power' to assist their work and fall in with their suggestions. In Larut on the other hand, the Mentri had suffered great loss by the Pangkor Engagement, which displaced his overlord Ismail and forced him

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Jervois to Carnarvon, 155 of 5 April 1876.
to accept a new Sultan and a British officer against his will; he was disaffected and obstructive and was excluded from association in government. The Straits Government made their distrust of him quite clear, and Speedy was under pressure to be firmer with him, though he took little enough part as it was, in the administration of Larut. In Selangor, Tengku Zia'u'd-din was persona grata with the Straits Government, and had as Resident a close and trusted adviser, and he appears to have been more closely associated in government than any other Malay ruler. He acted for the Sultan in all business transacted with the Resident, his name was associated with the Resident's in acts of government, and even after Davidson was replaced, the

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51 Clarke to Birch, 16 November 1874, cited Vetch, Life of Clarke, 176; Jervois to Carnarvon, confidential of 18 October 1876.

52 Affairs in Perak at the end of 1875 completely disorganised the establishment in Selangor. The Asst. Resident, Swettenham, was on special duty in Perak for the last half of 1875 and the first half of 1876 and did not return to Selangor; Davidson, the Resident, was appointed Queen's Commissioner in Perak in October 1875, and though he did not formally take up his post till April 1876, he was present at the March trial of Birch's murderers at Bandar Bahru. Swettenham was replaced as Asst. Resident in November 1875 by Captain Bloomfield Douglas, R.N.R., late Second Police Magistrate in Singapore. Captain Douglas acted for Davidson during his absences from Selangor and on 1 June 1876 formally replaced him as Resident of Selangor. (Sel/Sec.186/1876, Resident to C.S., 25 June 1876.) The post at Langat then became a collectorate filled by a Collector and Magistrate, James Innes.
Tengku's influence persisted for a time; he was consulted about changes in the method of collecting revenue, and his sanction formally required for public works; during the Resident's absence from Selangor in 1876, Syed Zin, the Tengku's Arab deputy, signed an execution warrant on the Resident's behalf. But the position of the Tengku depended on the special relationship between himself and Davidson, and on the flexibility which this lent to their official association. When Davidson was replaced by a Resident who did not know Selangor, Tengku Zia'u'd-din's authority rapidly declined, and in 1878 he returned to Kedah.

The distinction between policy and tactics is always difficult to determine, and the clearest and most logically consistent policy must be modified by the social impacts inherent in the colonial situation. Still it is possible to see the differences in the treatment of native authorities in the years immediately after intervention, as variations in the application of a policy of administrative control - as the inevitable consequence of transition -

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53 Resident to Collector, Langat, 15 June 1876, Sel/Sec. 738/1876; C.S. to Resident, 29 August 1876, Sel/Sec. 179/1876; Zia'u'd-din to Resident, 2 September 1876, Sel/Sec.185/1876; Syed Zin to Supt. of Police, 16 August 1876, Sel/Sec.166/1876.
and not a contradiction in the policy itself. The Straits Government set out with the object of restoring order to the western states and accelerating their economic development, and this involved them in administrative responsibilities from the beginning. Jervois was justified in his declaration to the Secretary of State, in defence of the policy he subsequently pursued,

*When I arrived here in May last, I found that each Resident was personally administering the Government of the State to which he was accredited, and I certainly always understood that this was understood to be the case in the Colonial Office, (sic) as it certainly was by everyone out here, from the very commencement of the Residential system.*

The Resident in Perak

Perak, as distinct from Larut, was the last territory to receive a Resident, and it was there that the intervention policy received its most serious test. British contacts with the Perak river in 1874, after Pangkor, were confined to a mission undertaken by the Colonial Secretary, J.W.W. Birch, in April and May, to persuade Sultan Ismail to sign the Pangkor Engagement and surrender the regalia to Ismail. Birch visited Larut, crossed to Kuala Kangsar, and came down the Perak river to the sea, stopping on the way to visit Ismail at Blanja, Yusuf at Senggang, and

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Jervois to Carnarvon, 62 of 10 February 1876.
Abdullah at Batak Rabit. The journey was fruitless in that Ismail refused to give up the regalia or adhere to Pangkor, but friendly relations were established with Abdullah, who was anxious for a Resident to support him against Ismail. In October, Birch was sent to Selama (a mining area in north Perak which was claimed by Britain under Clause 13 of the Pangkor Engagement) to put down illegal taxation of the tin export, and on the completion of this task he went to Lower Perak as Resident with Sultan Abdullah. He arrived at the entrance to the Perak river on 4 November; the Sultan was living in boats at Pasir Panjang, about 45 miles up-river, and Birch established his headquarters near him, at Bandar Bahru.

In the history of colonial rule there can hardly be a more disastrous episode than Birch's tenure of office in Perak, or a more complete misunderstanding between European and native authority. Like his colleagues, Birch eagerly welcomed the extension of British influence in the Peninsula, and he badly wanted to inaugurate the new policy in Perak. He wrote to Clarke: 'I believe I can really be of use. My whole life has been spent in opening up new country and in improving and enriching a country, and in teaching the native chiefs good government.' But nothing in his

experience or temperament fitted him for the task before him. Most of his official life had been spent in Ceylon. Ceylon had been a Crown Colony since 1802; in 1834 the whole island came under a uniform administration. Judicial and revenue responsibilities were discharged by British officials, and a separate judicature administered European civil and criminal law for all sections of the population. Indigenous leaders were deprived of power and even of official recognition; in 1870, the year that Birch came to the Straits, the Kandyan chiefs had been deprived of their last privilege - the right to demand personal services from their tenants. Birch's Ceylon experience had taught him that natives were 'perfectly incapable of good government, or even of maintaining order, without guidance or assistance from some stronger hand....' About Perak he felt, 'It concerns us little what were the old customs of the country, nor do I think they are worthy of

James Wheeler Woodford Birch first went to Ceylon in 1846, to the Department of the Commissioner of Roads. From 1853-6 he served as Commissioner of Requests and Police Magistrate, and later as Assistant Government Agent in various districts of Ceylon, before becoming Government Agent for the Eastern Province in 1867. In 1870 he was transferred to the Straits Settlements as Colonial Secretary. He became Resident of Perak in 1874 and was murdered at Pasir Salak on 2 November 1875.
consideration'. He knew no Malay, and his experience of the native states before 1874 was confined to a mission to Selangor in 1871, when his peremptory behaviour to the Sultan provoked the criticism both of the Governor and the Colonial Office.

Birch's character, as much as his name, exposed him to local jokes about classroom discipline and new brooms. Winstedt has given an unequalled description of the 'earnest rationalist form-master' and the Sultan:

For almost a year they faced each other, those two protagonists at the estuary of the Perak River.

One was an English gentleman with all the virtues and defects of his class, period and upbringing, brave, honourable, kind, a lover of thrift and order, a strong, confident administrator...though he had served for years in Ceylon, (he) never clearly saw the Asiatic ruler against his historic background of Hinduism, harems and monopolies, but only as an anomaly against the very modern background of an English public school.... Years in the tropics had tinged his nordic energy with nervous irritability. Not far from the end of his official career he was a man in a hurry to carry Victorian light to Perak while he still had time, for even long experience had failed to bring home to his unimaginative mind that hurry is futile in the training of childlike chieftains.... He was sent to Perak to educate its chiefs in administration on lines entirely new to them, but he knew no Malay and could not talk to his pupils. His pliant interpreter from the Colony had no fine public-school 'scorn of consequence' but interpreted as far as

possible to avoid rebuke and give satisfaction to all parties: 'these are not the Koran', he remarked when posting the notices that caused Birch's murder; 'they can be disregarded as soon as the Resident leaves'.

The other protagonist was a young Malay raja with the charming manners of his class and the vices proper to the spoilt darling of a royal harem.... Duty was a concept entirely foreign to him. Work of a kind was a tiresome necessity, for without intelligent effort it was impossible to borrow enough money for his harem, his gambling and his cockfighting. Unpleasant business...must wait till tomorrow and tomorrow and tomorrow; an elementary instinct of self-preservation that European administrators and Chinese creditors seemed strangely and inconveniently to lack.... These were the protagonists in that long duel when Mr. Birch landed at Batak Rabit on 5 November 1874 and confronted 'Abdu'llah as Perak's first Resident, eager to pour new wine into old bottles.58

Birch would probably have experienced difficulty in dealing with any situation demanding tact and patience; but he was faced with extraordinary problems. The Pangkor Engagement was a piece of emergency diplomacy which secured an immediate settlement and a basis for intervention; but - full of ambiguities and contradictions as it was - it could hardly provide a stable settlement for the problems of Perak. It concealed the intended role of the Resident in equivocal phrasing, which provided for control and called it advice. It took a secular view of the scope of Malay

religion and custom, regarding these as separate from government, while in fact Malay Government was regulated by custom and tradition. Taxation and justice and local controls were all sanctified by custom; yet these were the very departments which the Pangkor Engagement put under the discretion of the Resident. Finally, the settlement recognised one of three claimants without securing his acceptance by the other two. Birch found himself accredited to a Sultan whose right was denied by half his subjects, and who could not guarantee the support of the Perak chiefs for the Resident, whatever his own attitude might be.

The difficulties were increased by Abdullah's personality. He had accepted a Resident because he needed British support, and thought of Birch as a paid servant whose business was to enhance his own authority. When he realised that the British connection might secure him recognition, but would never allow him independence, he schemed to free himself of it altogether. 'He will only be a puppet, and I believe, do all that one advises', but, unable to think or plan beyond his momentary convenience,

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Birch's diary, November 1874, quoted Winstedt, 'History of Perak', JMBRAS, vol.12, pt.1, p.103. For other references to the 'baby down at Batarabit', see extracts from Birch's diary, November-July, C.1505, enclosure 3 in no.49.
Abdullah was a bad puppet. His weakness and lack of realism handicapped Birch greatly in dealing with Ismail, who steadily refused to adhere to Pangkor or give up the regalia, and who was not therefore implicated in the surrender of vested rights which the Malay chiefs saw to be inherent in the Engagement. Though he was offered a title, a pension and a small territory by Clause 2 of the Engagement — 'a regular income without trouble, larger than any my friend has ever got before with trouble' — and though in July 1875 Birch suggested that he might get himself recognised as Sultan if he declared himself ready to hand over the government of Perak, Ismail remained uncompromising. His final word was that he would accept a Resident who would 'follow my government and carry out all my laws....' Ismail was as 'impracticable' as Abdullah.

The chiefs, whose incomes and powers were threatened by Birch's revenue and judicial reforms, and who suffered humiliations and insults in their personal relations with him, were even more hostile than Ismail and Abdullah, and it was probably the opposition of the chiefs which stiffened

60 Evidence of Raja Yahya and Haji Mat Dawood, EPO, Abridgment of Evidence, 'C', p. 17.
61 Ismail to Jervois, 13 September 1875, EPO, Appendix XLII.
them in their obstruction to Birch. The only ally the British found in Perak was Raja Yusuf, who had been passed over twice for the succession, who was hated by the chiefs and kept in ignorance of events; and even Yusuf, who had told Birch that he had much better take the country than keep Abdullah as Sultan, was reluctant to put his signature to such a suggestion.

The first object of the Pangkor Engagement - the settlement of the succession - Birch found as far from achievement as ever. The second - the establishment of a reformed administration - bristled with difficulties; and though they were not entirely of his making, and though in the matter of revenue reform he was acting under instructions, yet he approached his task in a way that made failure certain.

The right of the Governor to interfere in the revenue collection was asserted months before Birch arrived.

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62 The chiefs disliked the cession of territory at Pangkor far more than Abdullah, who was only worrying about establishing his own position; but at their instance he sent an agent to Penang to try and get the Dindings cession rescinded. (EPO, Precis of Evidence, p.2.) For the opposition of the chiefs at Blanja in September 1875, to Jervois' proposals for the cession of Perak, see EPO, Abridgment of Evidence, 'H', pp.52-8.

63 For an account of the Perak revenue system c.1874, see above, pt.I, pp.23-5.
Braddell had visited Abdullah in Perak in April and warned him not to farm the Perak taxes without consulting the Governor; but as soon as he left, Abdullah leased the collection of the Perak river revenues to the firm of his Singapore Chinese backer, Tan Kim Ching, for ten years at £26,000 a year.

Birch came to Perak with instructions to rationalise the revenue administration and abolish all the 'double inland taxes'. He characterised the collections by chiefs as 'blackmail' and 'squeeze' - a perverse departure from Victorian revenue principles. Two days after he arrived he explained to the chiefs his plan to 'have the revenue all collected at proper and stated places and by a fixed method, and in the name of Sultan Abdullah only'. He reiterated these proposals at frequent intervals during the next few months to the chiefs, Sultan Abdullah and Sultan Ismail, and pointed his argument by burning a toll-house

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Tan Kim Ching, a Singapore Chinese and Ghi Hin leader, had sponsored Abdullah's visit to Singapore in October 1873, and tried (unsuccessfully) to bring him to the notice of the Governor, Sir Harry Ord. When Clarke replaced Ord, Kim Ching and his European associate, W.H. Read, renewed their attempts to secure the Governor's interest on behalf of their nominee. Abdullah's letter of 30 December 1873, inviting the British Government to send a Resident to Perak, was probably written at their prompting. (See EPO, Precis of Evidence, p. 2.)
belonging to the Panglima Besar on 12 December. On 31 January he tried to get Abdullah to sign two documents, one giving him control over customs collections and the other appointing him a Judge. At the beginning of June Abdullah was warned that if he did not sign he would be deposed; under this pressure, and advised by Kim Ching, he agreed to sign in return for allowances to himself and some of the chiefs. On 25 July he signed powers appointing Birch and Raja Dris judges, and Birch and the Shahbandar to manage the revenues and appoint and dismiss all headmen. But Abdullah continued to levy at the entrances of the Kinta and Batang Padang rivers and empower others to collect taxes, and fine those who refused to pay.

The chiefs' objection to the proposed reform was, of course, that it was an invasion of their custom and threatened their livelihood; let Birch fix allowances first or, better still, let him begin by abolishing the taxes in Ismail's territory. Article IX of the Engagement had tried to forestall their objections by providing for a

Birch diary, 8 June, cited Winstedt, 'History of Perak', JMBRAS, vol.12, pt.1, p.109; Abdullah to Bendahara, 10 July 1875, EPO, Appendix XXXI.

Raja Dris was Abdullah's cousin and became an important ally of the British - see p.147, n.78.
civil list regulating the income to be received by the Sultan and officers of state. Birch reiterated in all his discussions with Abdullah and the chiefs, that allowances would be given in lieu of abolished rights; but when Abdullah, after investing Birch with judicial and fiscal powers, submitted a civil list in July, he was told to refer it to the Governor. Carnarvon, writing nearly a year later, noted that 'no definite settlement of allowances had yet been made'. Money was doled out to buy support or as a reward for obedience; it was withheld when raja or chiefs were recalcitrant, with the explanation that there would be no money for allowances until the revenues were properly collected. The chiefs were unwilling to exchange their rights for irregular and arbitrary payments, and Birch was not in a position to make fixed allowances until he had a revenue. His establishment was insignificant; till the middle of March he lived in a boat, and

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67 Birch diary for 25 July, EPO, Abridgment of Evidence, 'C'.
68 Carnarvon to Jervois, 135 of 1 June 1876.
69 Birch was chronically short of money. The Perak river revenues had been farmed to Tan Kim Ching and until August 1875 at least, were collected by his agents and the Shahbandar, though the collections were made at Birch's customs station at Kota Stia, under the supervision of his clerks. (Evidence of d'Orville, customs officer at Kota Stia, EPO, Abridgment of Evidence, 'E'.) Larut, the richest part of Perak, was separately administered, and though it made a
then moved into temporary quarters at Bandar Bahru, 45 miles up the Perak river, near Sultan Abdullah's equally makeshift quarters at Pasir Panjang. Outside Bandar Bahru there was a Customs House at Kota Stia with a European customs officer and 14 police; there was besides, on the Perak river, one police station built at Durian Sebatang (downriver) and three more in process of building by April 1875. In short, British influence on 180 miles of river was represented by three Europeans (Birch, d'Orville, and Birch's secretary Keyt), a Eurasian interpreter, a Malay writer and an ill-disciplined force of about 40 Sikhs who ran away at the first shot. The chiefs could have had little confidence in his resources; they likened him to a Dutch sailor, 'who had nothing to fill his own belly, and came to Perak to collect the revenues of others'.

There were other sources of conflict. The system of debt slavery in the native states has been mentioned. Though the enslavement of Muslims was contrary to Mohammedan law, it was sanctioned by Malay custom, and throughout

69 (continued) contribution to the Government of Perak, this in 1874 was only $16,446, and in 1875 $29,640. In 1876 the estimate for native allowances alone (mostly on the Perak river) was $48,000 p.a. (Jervois to Carnarvon, 73 of 6 March 1877). Birch was supplied with funds by the Penang treasury (Birch to Anson, 1 September 1875, Anson correspondence, Raffles Museum).
Malaysia slaves were kept, particularly by the Raja class. They fell into two categories—those enslaved outright (Malayan aborigines and Indonesian pagans) and debt-slaves. Men who had incurred debts, perhaps to tide them over a bad harvest, or to fulfil social obligations, or who had incurred judicial fines they could not pay, were bound to the service of their creditor till the debt was paid. In fact, payment was often refused, and not only the man, but his family, kept in a servile condition. On the marriage of his daughter, the bride-payment went to the creditor, and the girl on marriage brought her husband and children into bondage with her. The debt-slaves might be assigned to any kind of field and house service, the women particularly being valued as domestic labour, as nursemaids, and to attract the male followers necessary to the prestige of every chief. The slaves do not appear to have been used on any significant scale to develop mining and commercial agriculture; their importance was to help provide subsistence and personal attendance for the chief's household. The reluctance of the owners to relinquish their slaves is explained by the fact that enslavement and debt-bondage provided cheaply a large retinue of young men and
women who added to the prestige of the chief, without necessarily doing any productive work.

The Engagement protected the Malays from any violation of their custom; it said nothing about slavery, as Sultan Abdullah remarked. Birch was humane to the point of rashness; he saw himself as the protector of the weak, and the native rulers as sinister oppressors. He knew that he was on shaky ground when he interfered with slavery, but with his approval the Residency at Bandar Bahru and the customs house at Kota Stia became sanctuaries for runaway slaves; and the fact that all the runaways were women persuaded the chiefs that Birch was stealing their slaves to provide his police with mistresses. The runaways included two from the Sultan's compound who were hidden by Birch's men and smuggled by him to Pangkor, after the Governor in September had once ordered their return and promised that until the whole question of debt slavery had been considered there would be no shelter at the

70 Minutes on Slavery in the Malay states by Douglas, 28 May 1878; Low, 28 May 1878; Birch, 28 July 1875; Davidson, 23 August 1875; Swettenham, 30 June 1875; C.3285, enclosures in no.2. Also W.E. Maxwell, Minute on Slavery among the Malays, 27 May 1882, C.3429, enclosure 1 in no.4.

71 Evidence of Edward Bacon, EPO, Abridgment of Evidence, 'C', p. 16.
Residency for escaped slaves. The chiefs were so humiliated by this interference, and by Birch's public treatment of them, that it is doubtful whether anything could have reconciled them to an administration which he headed.

There were other examples of his precipitance. Notices giving effect to his fiscal policy were prepared in May 1875, waiting the day when he was given authority to govern Perak. On that day (2 October 1875) the notices were produced for Abdullah's seal, and all except one were to come into effect from the moment of publication. The exception was a notice introducing a household tax 'in the nature of the ancient *klamin asil*', which was not customary on the Perak river, and which was not to come into effect for two months. (Hugh Low, Resident of Perak from 1877-89, brought up the question of this tax at State Council meetings every year for six years, and then did not bring it into operation, because of its unpopularity.)

The notices cover the question with a completeness and detail appropriate to a highly organised administration, but out of place in a native state with hardly any European establishment. The notice against smuggling, for example, restricted boats from landing anywhere except at

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72 EPO, Appendices LVII-LXIII.
four points on a long and unguarded coast. The revenue notices provided for the registration and taxation of every boat and canoe, and every adult male householder in Perak. Birch of course depended on the penghulus to make these rules effective, to register people and boats and help officers sent to collect the tax, in return for which they would receive a proportion of the collections and fines for non-compliance. But since some headmen recognised Ismail, some Abdullah and some neither, they could hardly be used as instruments of policy while the succession question was unresolved.

Crisis

From the date of his arrival in Perak, Birch filled his official diary with complaints about Abdullah, his personal unfitness, his obstructiveness and refusal to accept advice. It may be imagined that these complaints were embarrassing to Clarke. He had chosen Abdullah, reversing the policy of the previous Governor; he had filled his despatches home with assurances of Abdullah's friendship and co-operation; Birch's reports so soon after arrival revealed the hollowness of the settlement he had pushed through at Pangkor. Clarke would acknowledge no defects in his settlement, only in the instruments chosen to carry
it through. Also, he was about to leave the Straits (he was replaced by Jervois on 8 May 1876). He contented himself therefore with severe letters to Abdullah, reminding him of his obligations under the Engagement, and with expressions of annoyance to Anson, the Lt.-Governor in Penang, about the 'head over heels way' in which Birch was doing things.

Just before he left, he expressed apprehension also about the determined way in which Jervois seemed to be going into native states affairs, and he was justified by events. Jervois early decided that the position of the Residents in Perak must be strengthened. In July he proposed in a private letter to Carnarvon that Perak should

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Lt.-General Sir William Francis Drummond Jervois, R.E., GCMG, CB, FRS, was born in 1821 and educated at the Royal Military Academy, Woolwich. He was commissioned in the Royal Engineers in 1839. He was Assistant (later Deputy) Inspector-General of Fortifications, 1856-75, and during this period reported on defence works in Canada, the West Indies, India and Burma. He was Governor, Straits Settlements, from May 1875-February 1877, and after advising on the defence of the Australian colonies, 1877, he became Governor of South Australia, 1877, and of New Zealand from 1882 till his retirement in 1889.

Clarke to Abdullah, 22 April 1875 and 13 May 1875, EPO, Appendices XVII and XXI. When the second letter was written, Clarke was no longer Governor.

Clarke to Anson, 25 March 1875, cited Anson, 324. Clarke did not leave Singapore till May 21st. He had therefore an opportunity of observing, critically and perhaps with some jealousy, the 'head over heels' way in which Jervois plunged into native affairs.
be annexed and without waiting for the reply he put his plan into operation. Between 31 August and 18 September he toured Perak with a large official staff, and put his proposals forward in interviews with Ismail, Abdullah, Yusuf and the major chiefs. His earlier intention had been to annex Perak. A document was prepared for the Malays to sign, in which they begged the Governor to 'give complete assistance to Perak and to govern Perak'. The leading Malays were to be represented on an advisory council to assist the British officers and were to receive allowances. Two of the Rajas identified themselves with the Resident

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Jervois to Carnarvon (Private and Confidential), 10 July 1875. Carnarvon Papers, PRO 30/6-40, cited C.D. Cowan, 'Swettenham's Perak Journals', JMBRAS, vol.24, pt.4, p.27. On 16 October he received a reply rejecting his proposal of annexation (ibid., p.28), but by that time he had carried out his reorganisation in Perak. Among the Swettenham papers in the National Museum in Kuala Lumpur there is a memorandum no.83 initialled by Swettenham and dated July 1875, recommending annexation. It appears to be written in the form of answers to questions, and recounts the hostility of the chiefs, the recalcitrance of Abdullah, the need for rapid development in order to pay the Mentri's debt, and the need for a change of policy if any economic and social advance was to be made. The rather obvious points are repeated in Jervois' explanatory despatch to Carnarvon of 16 October. The memorandum is probably one of a number which Jervois called for from his advisers a few weeks after arriving in the Straits, and it is a curiosity in that it shows Swettenham's early ideas on the subject of Native States policy.

C.1505, enclosure 9 in no.49.
Abdullah, given fifteen days in which to sign and threatened with complete ruin if he did not, capitulated at the last moment and signed; Ismail wrote rejecting

Raja Yusuf, the son-in-law of Sultan Abdullah Mohammed Shah (reigned 1851-7) had been in the direct line of succession but his harsh, autocratic and quarrelsome nature made him so unpopular that he was passed over in 1857 and again in 1865; he was not present at Pangkor, and none of the Straits officials realised the strength of his claim till Swettenham met him at Senggang on the 21 April 1874 (see Cowan, 'Swettenham's Perak Journals', JMFRAS, vol.24, pt.4, pp.53-7). He then suggested to Swettenham that if he, the rightful claimant, could not succeed, 'far the best way would be for the English Govt. to take over the whole of Perak for their own, and give the chiefs a certain amount per mensem each'. As the tensions in Perak increased, so did the understanding between Yusuf and the Resident. He undertook to persuade Ismail to sign Jervois' paper, and after much hesitation, signed himself on 19 September. In the military interregnum which followed Birch's death, he gave the British active help; his information assisted the capture of Pasir Salak, he joined in the pursuit of Ismail in Upper Perak, and he became involved in the fighting against his old enemies, the Kota Lama people. On 30 March 1877, he was proclaimed the Chief Native Authority in Perak, and in 1886 was made Sultan. He died in 1887.

Raja Dris (abbv. for Idris) was Yusuf's son-in-law, and was a descendant of Sultan Abdul Malik Mansur Shah (see diagram, pt.1, p.52, n.53). He was Abdullah's cousin and had been his constant companion for 1874 and most of 1875. He had been one of a delegation sent to Clarke in May 1875 to complain of Birch's interpretation of the Engagement, and was present at meetings at Durian Sebatang in July and Pasir Panjang in August, at which Birch's murder was said to have been plotted. But he was able and pliable, and Birch nominated him co-judge in July. He detached himself from Abdullah's party and came out with his father-in-law in support of the Resident, signing Jervois' document on 19 September. He succeeded Yusuf as Sultan in 1887, and reigned till his death in 1916.
Jervois' proposals; none of the other chiefs would sign. At
the end of Abdullah's period of grace, Jervois modified his
original proposals; instead of declaring Perak British ter-
ritory, he was prepared to let it remain under the nominal
rule of the Sultan, if he would surrender the government al-
together to British officers. By this time Abdullah had
already submitted. In a letter to Jervois of 2 October
1875, he gave 'our friend's Resident in Perak and to those
officers whom our friend may send to assist him full powers
to fix and collect all taxes' and full powers also 'to
appoint and remove all officers in the districts and villages
of Perak and also to administer justice either personally
or by deputy throughout Perak'. Two Proclamations of
2 October amplified this by prohibiting any but officers
appointed by the Governor from administering justice in
Perak. Cases bearing on Mohammedan religion 'such as
marriage and so forth', might be dealt with by Malays ap-
pointed by British officers, after consultation with the
Sultan and the Waris Perak.

79 Ismail to Jervois, 13 September 1875, EPO, Appendix
XLIII; Jervois to Abdullah, 27 September 1875, EPO, Appendix
XLIX.

80 Abdullah to Jervois, 1 October 1875, EPO, Appendix LII;
Proclamations 'I' and 'J', 2 October 1875, EPO, Appendices
LIV and LV. It would be of interest to compare these
proclamations with those of 25 July, in which Abdullah ap-
pointed Birch and Raja Dris judges, and Birch and the
The new arrangement was instituted by proclamation on 15 October 1875, and under it Birch and Davidson were appointed Queen's Commissioners, the change of policy being marked by a change of title of the British representatives in Perak. They were instructed to 'carry on the Government of Perak, in the name of the Sultan, under the instructions of the Governor and with the assistance of the Malay Council'. They were to issue and enforce proclamations and orders, and generally administer the government of Perak, consulting the Malay Council, and informing Abdullah 'whenever possible' of every action which had been taken by them. The Malay Council was to sit with the Commissioners and was to consist of Raja Muda Yusuf and Raja Dris, as working members, 'from both of whom we are likely to obtain trustworthy information, valuable opinion, and a general desire to benefit the community at large'. It was also to include Sultan Abdullah, Ismail and the Bendahara, from whom nothing of value was expected, but who would represent the main

80 (continued)
Shahbandar to administer the revenue, but we have been unable to trace copies of the earlier documents, though there are plenty of references to them. The obvious difference is that by the proclamations of October the British officers were to act alone, and were given executive authority.

81 Instructions to Queen's Commissioners, 23 October 1875, C.1505, enclosure 10 in no.78.
factions in the State. The Malay Council was to deal, among other things, with questions relating to Mohammedan religion and Malay custom, not specifically protected by the Proclamation of 15 November 1875.

This advance, for which Jervois had no sanction — on the contrary, all his instructions in 1875 warned him against committing himself to 'undefined responsibilities connected with the affairs of these States' — was reported home for the first time on 16 October. He argued that Abdullah had frustrated the intentions of the Pangkor Engagement by refusing to take advice, and he drew special attention to two problems which arose out of that. First, while present conditions continued, it would be impossible to get a revenue out of Perak; the present establishment was being supported by the Straits Treasury, and was already indebted to it by £18,000, and there was no prospect of stopping the drain or getting back the money. The debts of the Mentri, which became the obligation of the State by Article XIV of the Engagement, would not be liquidated till there was financial confidence in the Perak Government. Secondly

82 Jervois to Carnarvon, 291 of 16 October 1875.

83 Clarke's intention was that the Mentri's debt (which included loans from Chinese for the Larut Wars, and the cost of intervention to the Straits Government) should be bonded and scrip issued, payable as the revenues of Perak permitted, and that the dividends should be paid by the Perak Government.
there existed in Perak the abuse of slavery, which it would be impossible to correct until the Resident had effective control. Jervois then outlined his plan for the assumption of administrative responsibilities by British officers. The burden of his despatch was that this was no departure from the intentions of Pangkor, but merely a device for carrying them out, necessary because the assurances on which the whole Pangkor structure depended were and always had been inadequate. It is difficult to see that he was wrong.

Jervois explained that his original plan had been to annex, but that 'on weighing well the impressions conveyed to me by my interviews with the Chiefs, it did not appear to me expedient at present that this course should be adopted'. Also, the cost of government would be less 'when carried on in the name of the Sultan than it would be if conducted on English principles', and finally in carrying out the government of the State at present, 'it would be very inconvenient if the inhabitants of Perak all at once became entitled to the rights and privileges of British subjects'. Difficult chiefs would be easier to deal with if they did not have the protection of English law. In other words, Jervois' tour of Perak had told him that annexation would probably be resisted; he hoped that control without sovereignty might be accepted.
Jervois felt himself able to assure the Secretary of State that the new policy had been 'to a very great extent, brought about owing to the representation and requests of Perak Rajahs themselves' and that there was no need for force to carry it through. He enclosed extracts from a letter from Birch dated the 13th, saying that 'nothing can exceed the general good feeling', though the only feeling communicated to Birch at this time was the general desire to get rid of him. Before Jervois' despatch reached the Colonial Office they had heard by telegram that Birch had been murdered. The gap between reality and official fiction can seldom have been so dramatically displayed.

Within a month of Birch's murder, troops from Penang, Singapore, Hongkong and India had arrived in Perak.

And now up came the Buffs and the Blue-jackets; the Goorkhas and the artillery; and the Hongkong troops and the Madras sappers and miners, all fresh from Rangoon. The electric wire, let us hope, was to the fore, and the engineers were surely not left behind. Everything seemed complete; and yet there was a want - an uncommon want. Where was the enemy? ...Not more than thirty or forty armed Malays were ever seen at

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Birch was killed on 2 November, while posting proclamations at Pasir Salak, on the Perak river a few miles above Bandar Bahru. Jervois' despatch of 16 October reached the Colonial Office on 22 November, three weeks after his telegram informing them of the murder.
any one time; and the whole number in arms in Perak throughout the so-called campaign did not probably exceed three hundred men.\textsuperscript{85}

Jervois had tried to recover his credit by sending for large reinforcements, but unfortunately these had arrived to find that the fighting – the taking of Pasir Salak, where Birch had been killed – had already been done by 150 men under the Straits Inspector-General of Police. There was nothing left to do but occupy Perak until Birch’s murderers were captured. The real value of the troops was that they provided a demonstration of crushing strength. Their operations, and a concurrent enquiry into the origins of Birch’s murder, also cleared Perak of both Sultans and nearly every chief of the first and second rank. The Maharaja Lela and the Dato’ Sagor were hanged for their part in the murder after a Perak trial in December 1876; the

\textsuperscript{85} Sir Peter Benson Maxwell, Our Malay Conquests, 61-2. The pamphlet contains some critical notes on the evidence of the Commission of Enquiry into the Perak Outrages, which provide a useful balance to other writings on the subject.

\textsuperscript{86} The Commission, appointed in March 1876, consisted of the Senior Puisne Judge, Mr Philippo, the Hon. C.B. Plunket, acting Magistrate at Malacca, and Mr W.F.B. Paul, a former Gold Coast officer who was appointed to Perak in 1876 as Assistant Commissioner under Davidson. (Jervois to Carnarvon, 129 of 21 March 1876.) Their findings were published in 1876 under the title ‘Enquiry into the Complicity of Chiefs in the Perak Outrages’, and provide the most valuable source that has yet come to light for the events of Birch’s Residency.
S'adika Raja died as a fugitive in North Perak; Ismail, Abdullah and three other chiefs were dealt with by executive process and banished from Perak. At the end of the military interregnum there were left in Perak one chief of the first rank, one chief of the second, and the lesser royalty, of whom the most prominent were Raja Yusuf and Raja Dris.

The Commission found that there had been a conspiracy to murder Birch, in which Sultan Abdullah, Sultan Ismail and the chiefs of Upper and Lower Perak were implicated, and which they had been planning since July 1875. That the chiefs were extremely hostile and - particularly in September and October - spoke of war, was certain and concealed from no one except the Secretary of State. Whether there was a conspiracy will never be resolved. The Commission's findings provide the only material for a judgment; they are not supported by independent evidence, the witnesses were never cross-examined, those implicated were never formally

87 Entries in Birch's diary for 16 September and 19 October 1875 show that he was aware of the general ill feeling and the danger of an outbreak (EPO, Abridgment of Evidence, 'G'). Swettenham wrote in his diary for 16 September that 'very little would lead to a quarrel now' ('Swettenham's Perak Journals', ed. Cowan, JMBRAS, xxiv, 4, p.95). On 27 September, Jervois wrote to Anson to make discreet inquiries as to whether arms were being exported from Penang (Anson Correspondence, Raffles Library Archives).
charged or questioned, and never provided with details of the evidence against them. That Birch died as the result of such a conspiracy is not borne out by the manner of his death, which suggests a sudden act of passion under considerable provocation. The murder remained an isolated act of violence; Birch's companion, who was shooting snipe on the opposite bank, and Swettenham, who was posting notices upriver, were told of Birch's murder and thus put on their guard, by Malays allegedly party to a conspiracy to kill all the Europeans. The threatened attack on the Residency never took place. Whatever the feelings of the Malay chiefs, they were neither sufficiently resourceful nor sufficiently united to offer any systematic opposition.

It seems certain that a clash of some kind must have taken place at this stage, and had Birch been better prepared and his sepoys better disciplined, the events at Pasir Salak might have developed into a routine 'row with the natives' and a trouncing for the Maharaja Lela. How the Colonial Office would have received this is open to

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The Executive Council considered Abdullah's case on the basis of a letter from Jervois to Abdullah, 16 September, specifying the charges against him, and the Sultan's reply, dated 6 October. (Minutes of the Executive Council, 4 December 1876.) Abdullah had previously complained that Jervois' letter did not furnish him with the names of his accusers, or with the evidence against him (Minutes of the Executive Council, 21 October 1876).
speculation. Certainly it would not have reconciled them to Jervois display of initiative. It is possible that they would have ordered a withdrawal from the Perak valley altogether. It is more likely that they would have ordered— as they did eventually—a return to the vague relations established by the Pangkor Engagement, leaving it to the local officials to struggle with the problems of rival Sultans and obstructive chiefs. Birch's murder saved the Governor from such complexities. It made withdrawal from existing commitments impossible, and it also provided, with the full consent of the Colonial Office, a means of destroying resistance and disposing of obstacles to change.

The choice was between annexation and a return to the Pangkor idea of representation by a Resident—with or without Jervois' modifications. Jervois was soon hopefully pressing for annexation. In a despatch of 16 November he declared a preference for governing in the name of the

89 Carnarvon hinted in a telegram of 25 November 1875 (C.1505, no.55) that it might be necessary to withdraw the Residents unless the natives were willing to receive them on the footing originally sanctioned; and suggested that the Resident might with advantage be stationed on the coast. Jervois strenuously objected to this as prejudicial to Britain's position in the Far East (Jervois to Carnarvon, tel. of 14 December 1875, C.1505, no.73). Carnarvon did not press the point, and it is a question whether he meant it seriously.

90 Jervois to Carnarvon, tel. of 18 November 1875, C.1505, no.54; despatch 335 of 2 December 1875.
Sultan; but two days later he cabled proposing partial annexation of all that part of Perak bounded on the north by the Krian and on the east by the Perak river. He had received information that the Sultan and his advisers were implicated in Birch's murder, and though the evidence was scanty enough, it provided an opportunity to dispose of Abdullah and carry out the annexation policy which he had first contemplated.

Carnarvon's response to this pressure was to refuse to hear of annexation. He instructed repeatedly by telegram and despatch that the troops must not be used for any large political object, but only to restore order and inflict punishment for outrage. In the first instance, his anxiety was probably to stop Jervois from making any further advance on his own initiative, but when future policy came to be considered at greater leisure, the decision against annexation was confirmed. In the past, Carnarvon had shown himself opposed to annexation as

91 The information which he forwarded to Carnarvon consisted of reports picked up from a Bugis trader (C.S. Kynnersley, Report of 18 November 1875, C.1505, enclosure 63 in no.93) and statements from Abdullah's former slave girls (Hewick to Lt.-Gov. of Penang, 14 November 1875, C.1505, enclosure in no.93).

92 Carnarvon to Jervois, tel. of 14 and 25 November 1875, C.1505, nos. 42 and 55; despatch of 10 December 1875, C.1505, no.70.
premature, though not opposed to it in principle. In a private letter to Jervois, he replied to proposals for annexation in these terms,

I will not say that the time may not be at hand when such a step may become necessary. I am quite aware that the change would probably be one for the benefit of the people; and it is possible that, as you say, no serious opposition or difficulty would arise on the spot. But I am clearly of opinion that this time — whether it be near or less near — had not yet come.... It is only within the last few months that the fact that we are establishing a very large system of indirect control over the States of the Peninsula is becoming realised by the general public in this country. We must in all these things move in harmony with that public opinion; and as a matter of wise policy I desire to see our present system somewhat more consolidated and the results of it somewhat better understood, before we take the next move.93

After the murder, the permanent officials, though not opposed to annexation in principle, also saw no immediate need for it. Meade, who was then Assistant Under-Secretary of State, wrote in March 1876, 'I think it not improbable that annexation may be the ultimate result, but I see no reason why it should take place for some time to come and I would do nothing to precipitate it'. Ord, who was in England at this time, and who, as the nearest available authority on the Malay States, was in constant touch with

93 Carnarvon to Jervois, Private of 13 September 1875, cited Hardinge, Life of Carnarvon, II, 137.
94 Minute by Meade, 21 March 1876, in CO 273/83/2930.
the Colonial Office, was consistently opposed to annexation, mainly 'on the score of the expense it must be for some considerable time and the trouble it will give owing to the paucity of competent officers to undertake the work'. He favoured a limited intervention, with the British representative acting virtually as a consular agent, providing security for the Chinese and other foreigners, and interfering not at all with the government of the state. He recognised that this would be a retreat; it was in fact a retreat not only from Jervois' position but from that taken up at Pangkor.

Annexation was discredited by its association with Jervois, a strong Governor who defended his policy in able and insubordinate despatches; if ever a Governor needed to be put in his place it was he. Carnarvon realised that Jervois was trying to rush him into insufficiently considered policies, and reacted accordingly. Jervois defended his departure from Pangkor in a long despatch in which he implied that he had done no more than establish formally a control of which the Colonial Office was aware, and which it had tacitly approved. Carnarvon wrote a detailed and angry minute, concluding, 'Such a course (annexation) may

95 Memorandum by Ord, 3 January 1876, CO 273/89/8744.
or may not become necessary, but I will not sanction a
great measure of State policy being adopted by a Colonial
Governor without sanction, and in opposition to the in-
structions of the Home Government'.

Perhaps the most important consideration was the pos­
sible effect of annexation on the Malays, and the fear of
further disturbances, whose suppression might fall as a
burden on the Imperial Treasury. The Colonial Office 'in
its ignorance and helplessness' (the phrase is Ord's) was
inclined to take the Perak affair seriously; and as it
was followed in December by a brush with Malays on the
borders of Sungei Ujong, there was a fear that country-wide
resistance was about to develop. The Perak occupation had
been costly; by the end of March 1876, £71,074 had been
advanced mainly by the Straits Treasury, towards the cost
of the Indian and Hongkong troops. But in January 1876
the Straits Treasury was empty, and Carnarvon had to em­
power the Governor to draw on the Crown Agents; further
expenses would have to be met by a Colonial Loan, as

96 Carnarvon, minute of 22 March 1876, on Jervois to
Carnarvon, 62 of 10 February 1876, CO 273/83/2930.

97 Minute by Meade, 21 January 1876, 273/81/576; minute by
Cox, 20 February 1876, on CO 273/83/11693; Ord to Anson,
28 December 1875, in Anson Correspondence, Raffles Library
Archives.
Carnarvon was unwilling to approach the Treasury for funds. The War Office, the India Office and the Admiralty all wanted to know what proportion of the total cost was likely to be repaid from Colonial funds, and Carnarvon could not tell them. A policy which might require the indefinite retention of large forces in the Straits was clearly undesirable. It is true that the despatches and telegrams of December and January told of occupation of the Perak valley with little resistance; indeed the Governor was much exercised to justify, in the light of the paltry resistance offered, the presence of so large a force. But the absence of resistance was not necessarily an argument for further advance; it might be an encouragement to let well alone, and consolidate positions already gained, instead of advancing claims to formal authority and thus irritating the Malays. This is how Carnarvon saw the situation. He laid down in his policy despatch of 1 June 1876,

98 Jervois to Carnarvon, 6 April 1876, C.1512, no.60; Jervois to Carnarvon, 24 January 1876, C.1505, no.111; W.O. to C.O., 30 November 1875, C.1505, no.59; Admiralty to C.O., 21 March 1876, C.1512, no.19. Carnarvon intended to ask the Treasury to pay a part of the expenses of the Perak War; but before he could do so, the Treasury returned a statement which had been sent to them 'through inadvertence', with the ominous remark that My Lords could not admit that any of the expenditure on account of the Perak Expedition was to be charged to Imperial Funds.
I fail to perceive any proof that the system under which Residents were appointed to the native States has had such a trial as to justify me in pronouncing that it has failed, or that any other course which has been indicated is not open to graver risk, larger expenditure and more doubtful results. The obstacles which have interfered with its success are apparently such as can be removed.... I see, therefore, no ground for an entire and abrupt reversal of existing arrangements, followed, as such reversal might be, by a further period of uncertainty and transition.99

The question now was whom to recognise as Sultan. It was generally agreed that Abdullah would have to go. Soon after Birch's death, suspicion had rested on him, and this had deepened with the months that followed; but whether or not he was guilty of conspiring to murder Birch he had consistently opposed British policy in Perak and thwarted the Resident, and for political reasons alone it was necessary to get rid of him. He could not be tried for conspiracy to murder Birch, since the trial of an independent Sultan raised juridical problems, and not the least of these was the difficulty of finding evidence that would stand up in court. It was decided to dispose of the case by executive action. The case was considered by the Executive Council on 4 December 1876, and on the 9th, the

99 Carnarvon to Jervois, 135 of 1 June 1876.
100 Jervois to Carnarvon, Confidential of 1 September 1876.
Council decided that Abdullah, Ismail and the leading chiefs were implicated in the murder. Ismail was exiled to Johore; Abdullah, the Mentri, the Laksamana and the Shahbandar were exiled to the Seychelles in July 1877.

The obvious successor to Abdullah was Yusuf, who had supported British policy loyally ever since September 1875, and who had an unimpeachable hereditary right; and the suggestion that Abdullah might be deposed in favour of Yusuf was made soon after Birch's murder. The Secretary of State, aware of Yusuf's unpopularity, demurred, and suggested that Abdullah should be replaced by the Maharaja of Johore. Jervois, who appears to have had some informed advisers, objected that a foreigner not of royal descent would be ill received in Perak, and made the compromise suggestion that Yusuf should be Regent during the minority of Abdullah's eldest son, then eight years old, and this was accepted. On 30 March 1877, by proclamation of the Governor, Abdullah ceased to be Sultan, and Yusuf became Chief Native Authority in the state.

101 Jervois to Carnarvon, 335 of 2 December 1875; Jervois to Carnarvon, telegram of 1 January 1876, CO 537/45.
102 Carnarvon to Jervois, 135 of 1 June 1876.
Part III

THE SYSTEM TAKES SHAPE

The Development of Policy

Birch's murder was followed by a long and acrimonious correspondence between Jervois and Carnarvon in which Jervois refuted the accusation that he had inaugurated an entirely new policy in Perak. He pointed out that there had really been no ruler in any of the states who had the power to carry out the Residents' advice, and that the Residents had assumed control in Selangor, Sungei Ujong and Larut in accordance with instructions issued by his

1 Jervois to Carnarvon, 62 of 10 February 1876; Carnarvon to Jervois, 135 of 1 June 1876. The question arises whether Jervois himself regarded his policy as a great innovation, or, as he now tried to pretend, a slight modification of form. It is difficult to give a direct answer. He was certainly aware that he was placing the British officers in Perak on a new footing, and he certainly knew that he was departing radically from instructions, but the policy represented by Pangkor was sufficiently fluid to enable him to believe that the step he took was in harmony with the spirit of the Engagement. We consider that Jervois' reforms were in keeping with Clarke's Perak policy, as expressed in his communications with Birch and Abdullah, and that Clarke himself would have been driven to take similar action had he remained in the Straits.

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predecessor. He argued that the Pangkor Engagement meant rule, not advice, and had been interpreted in that sense in Larut, but that the division of parties in Perak, and the hostility of Abdullah, nullified the intentions of the Engagement and made it necessary to formulate them in plainer terms. He cited the instructions issued by Clarke to Birch and Davidson, requiring them to take charge of the revenues and put down illegal exactions; he referred to the reports of the Residents for 1875, which made it clear that the Residents were ruling, not advising, and which had been received by the Colonial Office with 'apparent acquiescence'. He implied that the Colonial Office had known all along what was going on and by its silence had indicated consent.

The Secretary of State reacted to this despatch with an indignation which may have been enhanced by the fact that Jervois' analysis was substantially correct. He pointed out that the provisions of the Pangkor Engagement had to be considered in relation to the 'assumed readiness of the Sultan to accept advice', and that the despatches

2  As Meade put it in a minute of 21 March 1876: 'The Treaty of Pangkor was based on the assumption that the Residents were eagerly demanded & that their advice would be readily sought and acted upon. If therefore in process of time they should become virtual rulers of the country, it is plain from the whole correspondence that Sir A(ndrew) C(larke) & the Secretary of State expected that result
received by the Secretary of State gave him no reason to suspect that advice would be resented or ignored. When the despatches came to describe the Residential system in operation they were equally optimistic; though they recounted difficulties (for example, the failure of Sultan Ismail to acknowledge Abdullah as Sultan or surrender the regalia) these were all represented as in course of solution, and the accounts tended to confirm the Secretary of State in the opinion that the system was working well. Carnarvon rejected the argument that Birch's report, which Jervois specially mentioned, had given him any clear idea of what was happening, or that his own acknowledgment, expressing a polite interest, could be taken as wholehearted approval. The instructions to Birch and Davidson, which he acknowledged might 'possibly give a somewhat different complexion to the Residential Schemes proposed by Sir Andrew Clarke', were never sent home, and he declined now to comment on them. Finally, he referred to numerous despatches in which he had warned the Governor against an assumption of undefined responsibilities in the states.

2 (continued) would follow from the influence they were represented as certain of acquiring, as the Sultan & Rajahs were said to be only waiting to have the proper road pointed out to them, to adopt it.' (CO 273/83/2930, on Jervois to Carnarvon, 62 of 10 February 1876.)
Carnarvon had some basis for his argument. Clarke's despatches had been consistently misleading, as the officials now realised. Carnarvon's own pronouncements on policy had consistently advised caution. In his despatch acknowledging Clarke's first reports, and in subsequent correspondence during 1874 and 1875 he had warned the Governor that the Residential system must be considered an experiment and that the appointments of the Residents were provisional. He had warned Clarke against 'unduly compromising Her Majesty's Government in the internal affairs of (the) States', and he had repeated the warning in his acknowledgments of the reports of Birch, Swettenham and Davidson. But these general and non-committal warnings, without a single word of guidance on the line the Resident was to take, or the determination of his jurisdiction, were not policy instructions so much as a transfer of responsibility to more willing shoulders, and the Straits officials interpreted them in that sense. The Colonial Office may have been misinformed by the despatches, but the enclosures - if they were ever read - provided

3 Carnarvon to Clarke, 6 March 1874, C.1111, no.43; Carnarvon to Jervois, 8 April 1875, C.1320, no.17; Carnarvon to Jervois, 4 June 1875, C.1320, no.34, and 15 July 1875, C.1320, no.35.
4 Carnarvon to Jervois, 15 July 1875, C.1320, no.35.
a sufficient corrective; and though the instructions to Residents were not sent home, Clarke forwarded in April 1875 a copy of a letter of rebuke to Abdullah, upbraiding 'our friend' for breaking the Engagement, telling him that no one but the Resident was to collect taxes in Perak, and asking him to consult the Resident if he ever wanted to visit Larut (in his own state!) or Penang. At the same time, Clarke forwarded Speedy's report, describing the most complete assumption of judicial and fiscal responsibility for Larut, and with no screen of native acceptance, since the Mentri was known from previous accounts to be hostile and the Sultan unco-operative. Carnarvon's only instruction was that the Sultan should be addressed on the subject of debt slavery, without being alarmed 'as to any undue interference with him in the internal administration of the State'. It was only two months later, when a Liberal peer (Lord Stanley of Alderley) pointed out to him the degree of administrative control revealed by Speedy's report, that Carnarvon issued another general warning, and enclosed detailed instructions, supplied by

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5 Clarke to Sultan Abdullah, undated, enclosed in Clarke to Carnarvon, 26 April 1875, C.1320, no.26.
6 Carnarvon to Clarke, 25 May 1875, C.1320, no.24.
a friend of Stanley's at the India Office, on the technique of taking over a government without assuming responsibility.

The nearest an official came to defining what the Colonial Office thought the system to be, was Herbert's minute on a despatch from Jervois balancing the arguments for and against annexation.

The system of governing a native country through a Resident may be so applied as to control it absolutely, as is done in those thoroughly subjugated parts of Java, where the Dutch Government governs through the native princes whom it appoints Regents with a Resident and Contrôleurs at the court of each - or simply to influence and advise by accrediting a diplomatic officer to the independent native states, as we supposed we were doing in these Malay States.

It is difficult to know how Herbert could have supposed this, after reading the Residents' reports. They make it

7 The 'friend at the India Office' advised, for example, that work on the roads should be initiated by proclamation by the Native Ruler. This would clear the Resident of all responsibility 'as to those arbitrary measures which are sure to be resorted to in making the road, such as compulsory labour and cheating the labourers of their hire, and the appropriation of land necessary for the roadway'. Memorandum (unsigned), 28 June 1875, enclosed Carnarvon to Jervois, 27 July 1875, C.1320, no.37.

8 Minute by Herbert (Under-Secretary of State), 20 December 1875, on Jervois to Carnarvon, 327 of 16 November 1875, CO 273/81/13784. He had minuted on the Residents' reports to the effect that the Governor ought to be very careful not to allow the 'advice which may properly be given by Residents to assume the shape of a direction as to their policy' (Minute of 27 June 1875 on CO 273/80/6372).
clear that the English Residents were already far from being diplomatic officers, and that they had already assumed all the responsibilities of their Dutch counterparts, without the assistance of an organised native executive such as had been built up in Java.

Whatever their past illusions, however, the Colonial Office now realised the true state of affairs in the Peninsula and that the administrative responsibilities assumed by the Residents or thrown upon them by the events of 1875-6 could not be discarded. It is notable that Meade and Herbert, though critical of Jervois' justificatory despatch, did not condemn it outright. Meade acknowledged that effective government did not exist in Perak and that the Resident had to fill the gap. He minute:

I should turn out Abdullah (requiring him to reside on a pension outside Perak) and put in Raja Yusuf or some other chief to be selected by the Governor, and I should govern the country in his name assisted by a mixed Malay Council. We might thus at some future date find that we have trained up a man to whom the Government could altogether be entrusted....9

The despatch instructing the Governor as to future relations with the native states made no concessions of principle. In paragraph 8, it continued to refer to the 'advice given by the Resident to the Chief native authority'

9 Minute by Meade, 21 March 1876, on Jervois to Carnarvon, 62 of 10 February 1876, CO 273/83/2930.
(though paragraph 11 made it clear that the Colonial Office was aware there was no native authority capable of governing, at least in Perak), and it avoided giving a direct ruling on the role of the Residents, or direct sanction to the assumption of executive responsibility. There was, however, an implied acknowledgment and acceptance of the existing situation.

It is indeed clear that the Residents have exceeded the function of Counsellors which they were intended to discharge, but I do not think that on that account it is necessary either to withdraw them from Perak and the other States, or to revolutionise the conditions of their political and administrative functions. A modification of the previous arrangements will probably be enough for the present, if combined with watchfulness and great caution on the part of the Government....

It is in my opinion undesirable that the British officers should interfere more frequently or to a greater extent than is necessary in the minor details of government. Their special objects should be the maintenance of peace and law, the initiation of a sound system of taxation, with the consequent development of the general resources of the country, and the supervision of the collection of the revenue so as to ensure the receipt of funds necessary to carry out the principal engagements of the Government, and to pay for the cost of British officers and whatever establishments may be found necessary to support them.10

Carnarvon to Jervois, 135 of 1 June 1876. In December, Carnarvon minuted on a despatch from Jervois on the organisation of the Perak Police: '...the creation of this force for the regulation of customs and internal affairs is virtually a step - and a long one - towards the government of the country. I cannot perhaps refuse - The country cannot be abandoned & it must be governed.... But even in accepting what I cannot avoid, I think it well to note the true state of the case'. (Minute by Carnarvon, 4 December 1876, on Jervois to Carnarvon, 369 of 18 October 1876, CO 273/85/13901.)
The Colonial Office still would not acknowledge facts, but at least it was ready to be party to a fiction.

Two years later Jervois' successor, Sir William Robinson, reported the arbitrary action of the Resident of Selangor, who had suspended a Malay member of Council for attempting to bribe a magistrate. Robinson had ordered the member of Council to be reinstated, and had issued a warning to the Residents, '...the Residents have been placed in the Native States as advisers, not as rulers, and...if they take it upon themselves to disregard this principle they will most assuredly be held responsible if trouble springs out of their neglect of it'. The Secretary of State sent a mild reply. While approving the action of the Governor and the terms of his warning, he softened the censure of the Resident and added, 'I fully recognise the delicacy of the task imposed upon the Residents, and am aware that much must be left to their discretion on occasions when prompt and firm action is called for'.

Sir William Robinson, KCMG (1877), GCMG (1887), was Governor of the Straits Settlements from August 1877 to February 1879. He had previously been Governor of the Leeward Islands and then of Western Australia, and subsequently returned to Australia as Governor successively of Western Australia and Victoria. He retired in 1895.

C.S. to Residents, 17 May 1878, enclosed in Robinson to Hicks-Beach, 13 June 1878, C.2410, no.2.

Hicks-Beach to Robinson, 31 August 1878, C.2410, no.3.
The Governor's circular had called forth a spirited protest from the Resident of Perak, Hugh Low. He asked what native ruler he was supposed to advise. He had put the question to Meade before leaving for Perak:

When I asked Mr. Meade, 'who was the Rajah I was sent out to advise?' he said, 'We don't know of one, you must try to ascertain whether there is anyone fit for the position, and then he will be supported.'

Low went on to say that his greatest difficulty in attempting to settle the country had been Raja Yusuf; that unless he could control the Raja, his position would be untenable, and that he was quite prepared to take the responsibility for the course he was pursuing. Robinson wrote reassuringly that there was nothing in Low's dealings with the Raja Muda which was inconsistent with the position the Resident should occupy. 'The advice which the Resident gives is authoritative advice and may not be lightly rejected.... All the same the fiction (if such you prefer to call it) that the Residents are merely advisers must be kept up, and here is just where the adroitness and ability of the Officer are so important....' Low wrote a satisfied and grateful

15 Robinson to Low, 9 June 1878, Governor's Letter Book I in Raffles Library Archives, Singapore.
reply showing that he had taken all the points in the Governor's letter and that they allowed him all the scope he needed.

After Robinson had left the Straits he tried to get the Colonial Office to define the role of the Residents a little more clearly. He stated frankly that the theory of government in the native states had no relationship to practice, and that the Residents had gone far beyond advice. Progress in the states had been brought about by 'pointing out the right path, by saying it must be followed, and by strength of will and influence obliging it to be followed, even though the question were one involving a Malay custom - a very wide term - and especially by personally dealing with every matter of detail in the administration.' He thought it wrong that Residents should be burdened with responsibility without being given formal authority.

That government should hold the Resident responsible for the administration of the country, for its peace, the collection and proper expenditure of its revenues, the arrest of criminals, the administration of justice, and at the same time impress upon him non-interference in matters of detail, and matters of Malay custom, is a position almost impossible for any man to hold.

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16 Low to Robinson, 21 June 1878, enclosed in Robinson to Hicks-Beach, 188 of 1 July 1878, CO 273/94/10142.
17 Robinson to C.O., 29 April 1879, CO 101/7139.
He asked the Colonial Office to instruct the Governor confidentially that annexation was inevitable, or at least that withdrawal was not contemplated. But the officials decided that confidential instructions to the Governor that annexation must come would be 'a very dangerous knowledge', and decided that since things seemed to be going well in the native states they should 'let well alone'. Robinson's letter therefore went unanswered.

The transactions between the Colonial Office, the Governor and the Residents up to 1880 had established the Residents formally as advisers; but the fact that they were administering the states was now generally admitted. It had been acknowledged by a Resident and a Governor in private correspondence, and by an authoritative statement of a Governor in a private letter to the Colonial Office; and in later years the position was to be acknowledged also in official correspondence.

Between 1877 and 1883, the administrations of the native states were firmly established under the Residents. Throughout the 1880s and 1890s there was a great expansion of population, of economic enterprise and revenues, and a corresponding expansion of the public service; departments grew and administrative divisions were created; but the basic pattern was clear by 1880. By then the Residencies
were established in the places where they remained for the greater part of the period. The Perak Residency had been moved in 1876 from Bandar Bahru in Lower Perak to Kuala Kangsar in the north, at the point where the road from Larut met the Perak river. It was in the heart of Malay Perak, and since the population of the state was still largely Malay, and since the recent crisis concerned the Malays, the Resident's chief tasks lay with them, and a Malay centre was the logical place for his headquarters. At the same time, Kuala Kangsar was only twenty-five miles from Larut and connected with it by cart road and telegraph built during the Perak occupation; so that the Resident was able to keep in close touch with the mines. The Assistant Resident was stationed in Taiping, and had immediate charge of Larut; he also supervised the State departments, whose headquarters were in Taiping. In the districts, revenue was collected and justice administered by officers entitled Collector and Magistrate. There were

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By the end of the period the Resident had moved his headquarters to Taiping. Low appears to have had an establishment in Taiping and to have spent much of his time there. In his report for 1886 he referred to Kuala Kangsar as the headquarters of the Resident, who lived there for half the year. His report for 1887 and Swettenham's report for 1889 and subsequent years are written from the 'British Residency, Taiping', but the Kuala Kangsar Residency was obviously still in use. The Perak Handbook and Civil Service List for 1892 gives Taiping as the seat of the Resident.
five main districts: Larut and Matang, Kinta, Lower Perak, Krian, and Kuala Kangsar. The first two were important mining centres; the next two were Malay agricultural colonies which attracted Malay immigrants in large numbers; the last was the seat of the Resident. The relative importance of these districts varied, and new districts were set up from time to time, but these remained the main divisions for Perak.

In Selangor the Residency was moved in 1880 to Kuala Lumpur, the centre of the mines and the Chinese population. A Collector and Magistrate was established in each of the coast townships of Kuala Selangor, Klang and Kuala Langat. Klang's importance was commercial; it was the port for Kuala Lumpur. Langat's was diplomatic; it was the seat of the Sultan, and the Collector, in addition to his administrative duties, acted as the Resident's representative at court. Only two other districts were established in the rest of the period, Ulu Selangor and Ulu Langat, mining centres to the north and south of Kuala Lumpur. In Sungei Ujong, as in Selangor, the Resident lived near the mines; the Residency was permanently established in Seremban. In this small state, smaller than a Perak collectorate, there were no district divisions until a Collector and Magistrate was established at Port Dickson in 1891.
The Residents had under their direction the primary administrative departments - police, treasury, public works and surveys, land revenue and mines. By 1880 these existed in all the states in varying degrees of development, and there were also the beginnings of health and education departments, in the persons of the State apothecary and the Malay teacher in charge of the one-class district school. The organisation of the police absorbed most attention. In 1876 the Colonial Office instructed Jervois to organise a police force in Perak which would be capable of maintaining order after the departure of the troops, and by the middle of 1878, the force was established on permanent principles. It was organised from the first as a paramilitary force; the largest element was a contingent of Sikhs, armed and trained as soldiers and carrying out the duties normally performed by troops. They were concentrated at the district headquarters; they did sentry duty at Residencies, Treasuries, custom houses and other public offices. The largest detachments were in the mining townships, and here their duty was not so much to prevent crime, for which they were imperfectly trained, as to stop Chinese riots. The Malays were distributed in small

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Carnarvon to Jervois, 135 of 1 June 1876.
detachments among police stations in Malay villages and townships where they helped the penghulu to keep order. In Selangor, where there had been no Malay resistance to the Resident, and where the Chinese population of Kuala Lumpur was effectively under the control of the Capitan China, keeping the peace was less of a problem, and the police force was entirely Malay for several years; the greater part of it was distributed in small detachments over a large number of stations, where they performed ordinary police duties.

**Conciliation of the Malays**

The problem of conciliating the Malays and bringing them into the administration still remained to be solved. It had always been formal policy to govern through Malays, and the expediency of using Malay agencies and conciliating Malay interests had been acknowledged in some degree even by Birch and Jervois. Birch, for example, proposed to employ Malay headmen to enforce his numerous regulations, and called attention to the confusion which existed concerning their appointments and authority; and Jervois' 1875 reforms had provided for the formation of a State Council on

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which Sultan Abdullah, ex-Sultan Ismail and three of the rajas would be represented. But Birch thought of the penghulus as revenue and police agents and was in any case thinking in terms of government through a large police force which he intended to spread over Perak; and Jervois' intention was not so much to associate the chiefs in government as to buy them out with pensions and empty honours. There is a strong element of bribery in the whole Malay policy of the Residents, of course; but in its later development there appears a genuine idea of Malay participation which is absent in the discussions of Clarke and Jervois.

The idea may have been in many minds, but its most influential exponent up to 1877 appears to have been Swettenham. He formulated and developed it during his early experience of the native states. In his 1875 report on Selangor he represented the lack of accredited local authorities as a serious problem, and recommended that a headman, if possible of raja birth, should be appointed by the Sultan to each district, and a penghulu placed under him in each village, to adjudicate in petty cases and

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E.g., Raja Yusuf was told that his allowance would be reviewed as soon as the debt slavery question was settled, and in recommending an increase, the Governor wrote, 'The policy of allowing the Rulers of the Protected Native States to benefit by the results of a stable and orderly Government is one which will have a good moral effect'. (Smith to Derby, 188 of 13 May 1884.)
collect local taxes. In a memorandum of October 1876 on local government in Perak, he enunciated the familiar principles of indirect rule, which were soon to have a scriptural authority for administrators in the Malay states. He argued the case for employing native authorities from expediency as well as moral principle. As an agent of government, the penghulu would be cheaper and more effective than the police; he was influential, he was related to many of the villagers and known to all, and his office was an inheritance which could not be taken from him without causing deep resentment. He had resources at his disposal for keeping order and detecting criminals, far beyond those available to the police; and his opposition could render the police quite ineffective. The British were committed in principle to working through native authorities; but this was also the most effective way, in the long run, of introducing reforms.

It is surely a most important point in our newly adopted relations with the Native States to interest the natives themselves in the government of their States and not to take this government out of their hands.

To preserve the accepted customs and traditions of the country, to enlist the sympathies and interests

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Swettenham, 'Some arguments in favour of governing Perak through its Headmen', 8 October 1876, enclosed in Weld to Derby, 208 of 28 May 1883, CO 273/120.
of the people in our assistance and to teach them the advantages of good government and enlightened policy - advantages which they will be far more ready to see and admit when they themselves are instruments in the working of the plan than when they look on and see others holding the positions which they think by right belong to them, introducing reforms which will be received with apathy and opposition because they are not their own reforms (sic).

Carnarvon instructed in his despatch of 1 June 1876:

'whatever may be the ultimate policy which it may be necessary to adopt in the Malay Peninsula, it is clearly our object to make the best use of existing materials....' He approved the formation of a mixed council of chiefs and British officers and recommended its introduction into each of the native states, and he considered that the allowances for the chiefs should be settled as soon as possible, so that they would 'understand their interest in supporting the system of revenue devised by Mr. Birch'. Jervois' reply was based on these instructions. He had called for a report on allowances; he accepted the proposal to establish councils in other states besides Perak, and he also proposed to give a Colony education to the sons of chiefs, to prepare them for appointments in the state administrations. Finally, in a despatch on the organisation of the Perak police, he recommended that government should be carried

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Jervois to Carnarvon, 297 of 19 August 1876.
on as far as possible through native headmen, repeating almost verbatim the arguments in Swettenham's memorandum on the subject.

These points were embodied in instructions to Hugh Low, appointed Resident of Perak in February 1877. Hugh Low was the foremost of a small group of remarkable men who governed the Native States in the next twenty years and gave substance to these policies. The states provided the perfect field for a certain type of colonial administrator, the man who chose the colonial service not only because it provided opportunities of honourable advancement but because it promised a life of physical and intellectual adventure and travel and variety. Low and Swettenham, Maxwell and Clifford were not only great administrators,

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24 Jervois to Carnarvon, 369 of 18 October 1876.
25 We have no copy of the instructions, but it is clear from the Journal that Low was given a list of possible State Councillors and asked to report (Sadka, 'Journal of Sir Hugh Low, Perak 1877', JMBRAS, xxvii, 4 (1954) 80-1. The source will be referred to in future as 'Low's Journal'), and he was instructed to proceed with the appointment of penghulus (Low to Colonial Secretary, 8 July 1878, CO 273/95/11438).
26 Low, see biographical note, Low's Journal, 7.

Sir Frank Athelstan Swettenham, CMG (1886), KCMG (1897), GCMG (1909), was born in Belper, Derbyshire, in 1851. He was appointed a cadet in the Straits Settlements Service in July 1870. He passed his final examination in Malay in July 1872; was appointed Assistant Collector of land
travellers and men of action; they were Malay linguists and authorities on Malay life and custom. Some, like Low

26 (continued)

revenue for Penang and Province Wellesley in August; Collector of land revenue, July 1873; Magistrate and Commissioner of the Court of Requests, Penang, in May 1874. In August 1874 he was sent to reside with the Sultan of Selangor and was appointed Assistant Resident, Selangor, in December. He was employed on several missions to the Native States in 1874 (see Part II, p.109, n.35). In September 1875 he accompanied Jervois on his tour of Perak, and stayed on to help Birch persuade the chiefs to accept the new policy. He was in Perak posting proclamations in an up-river village when Birch was murdered, and the same month, was appointed Deputy Commissioner with the southern column of the Perak Expeditionary Force. He became Assistant Colonial Secretary for Native States, March 1876; Assistant Colonial Secretary, July 1881; Resident, Selangor, September 1882; acting British Resident, Perak, March 1884 to January 1886; Resident, Perak, 1889; Resident-General of the Federated Malay States, 1896; Governor, Straits Settlements, 1901. He retired in 1904 and died in 1946.

Sir William Edward Maxwell, CMG (1884), KCMG (1896), was the son of Sir Peter Benson Maxwell, Victorian jurist and Liberal polemical writer, and Chief Justice of the Straits Settlements from 1867 to 1871. He was employed as a clerk in the Supreme Court from 1865 to 1869, and qualified as an advocate of the local Bar in 1867 (he was called to the English Bar in 1881). He held various posts as Police Magistrate and Commissioner of the Court of Requests in Singapore, Malacca and Province Wellesley, and was working as a settlement officer on the Perak-Province Wellesley border when Birch was murdered. In November 1875 he became Deputy Commissioner with the Larut field force operating in Northern Perak, and in August 1876 he became Acting Assistant Resident, Perak. When Low arrived he was Acting Resident, and after a brief term as Acting Senior Magistrate, Singapore, he returned to Perak as Assistant Resident in 1878. He remained in this appointment till 1882, acting as Resident during Low's absences. In September 1882 he became Commissioner of Lands, Straits Settlements, and was entrusted with the task of reforming the land law of the Colony. He acted
and Maxwell, were trained intellects and scholars of quality; others, like Swettenham and Clifford, made up for their lack of analytical and critical training by an intimate experience of Malay life and manners, acute powers of observation and description and an immense attraction to the surroundings and the people among whom they worked.

The Native States were sufficiently remote from the established routine of administration to attract the most enterprising; they were also a sufficiently promising field of development to keep the most able till the end of their working lives. Low stayed as Resident of Perak from 1877 to 1889; Swettenham spent his entire career in the

26 (continued)
as Resident Councillor, Penang, 1887-9, and in June 1889 he became Resident of Selangor. In March 1892 he became Colonial Secretary (acting as Governor from September 1893 to January 1894) and in March 1895 he left the Straits to become Governor of the Gold Coast. He died in 1897. (See below, part IV, p.228, n.16.)

Sir Hugh Charles Clifford, CMG (1900), KCMG (1909), GCMG (1921), GBE (1925), joined the Perak service in 1883 and served in Perak and Selangor for four years before being sent to Pahang by the Governor to negotiate a treaty with the Sultan. He accomplished his mission and remained as a British Agent till the introduction of a British Resident in 1888. He continued to serve in Pahang as Superintendent of Ulu Pahang and Acting Resident till 1896, when he was appointed British Resident. He remained in that post till 1903, except for a term of 15 months as Governor of British North Borneo. In 1903 he became Colonial Secretary of Trinidad; in 1907, Colonial Secretary of Ceylon; in 1912, Governor of the Gold Coast; in 1919, Governor of Nigeria; in 1925, Governor of Ceylon; in 1927, Governor of the Straits Settlements. He retired in 1929 and died in 1941.
Native States, except for three concluding years as Governor of the Straits Settlements. Maxwell's career was spent mostly in the Colony, but his intellectual bias and the influence of his Native States' experience on his development as an administrator are evident in his work on Malay history and genealogy and his reports and monographs on land administration. Clifford went to Perak as a cadet at seventeen and remained in the Native States for nineteen years before he was transferred outside Malaya. They were in the Peninsula long enough to preserve consistency in government; and they maintained with great fidelity the principle of Malay partnership, even though they have also preserved an idealised picture of that partnership in which the grosser realities of British control have been romanticised almost out of existence.

In 1877, however, the cadre of Native States specialists, later to be so influential, had not as yet come into existence. Swettenham and Maxwell were beginning to build up their vast fund of knowledge of Malay affairs, but their experience was as yet limited. The Resident of Sungei Ujong, Commander Murray, was a retired naval officer with considerable experience of African travel, a love for

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27 See under 'Maxwell' in list of sources.
'the wilds' and a warmth and honesty of purpose which made him at home with Malays and Chinese; but he did not know Malay and appears to have had little time for Malay courtesies, and little understanding of the finer points of Malay custom. The Resident of Selangor, Captain Bloomfield Douglas, was also a retired naval officer with Isabella Bird, travelling in Sungei Ujong in 1879, described Murray as 'professing a misanthropy he is very far from feeling, for he is quite unsuspicious and disposed to think the best of everyone; hasty when vexed, but thoroughly kindhearted; very blunt, very undignified, never happy (he says) out of the wilds; thoroughly well-disposed to the Chinese and Malays but very impatient of their courtesies, thoroughly well meaning, thoroughly a gentleman, but about the last person I should have expected to see in a position which is said to require much tact if not finesse'. (Bird, The Golden Chersonese, 186.)

In 1880, on the death of the Dato' Klana, he was only stopped by the Acting Governor from interfering to effect the succession of the Klana's son, contrary to the customary order of succession. (Anson to Hicks-Beach, 70 of 3 March 1880, CO 273/102/4756.) He refused to establish a State Council in Sungei Ujong, despite Weld's pressure (Weld to Murray, 29 October 1880; 20 February 1881; March 16, 1881; Governors' Letter Book I, Raffles Library Archives).

Captain Bloomfield Douglas, RNR (the title of Captain appears to have been assumed) served at one time in the Royal Navy. He commanded Sir James Brooke's schooner 'Royalist' and surveyed the north-west coast of Borneo in her; served in the Merchant Navy in the early 1850s; became Harbour Master and Naval Officer, South Australia, in 1854, and Collector of Customs in 1858. Between 1870 and 1873 he was Government Resident of the Northern Territory of South Australia, where his administration was criticised for incompetence, bad public relations and financial irregularity. In 1873 he went to Singapore to
a varied career, and also ignorant of Malay language and custom; but while Murray's humanity saved him from making serious errors in his dealings with Malays, Douglas was an incompetent bully, and his relations with them were appalling. He abused and beat his Malay servants, and when reprimanded by the Governor for striking the Malay crew of the Langat government boat, he gave it as his opinion that 'Malays and natives...would sooner be summarily dealt with when committing a fault than be fined or otherwise punished'. A contemporary traveller, Isabella Bird, who has left an invaluable account of the native states and their Residents in 1879, said that the Selangor Residency 'had the appearance of an armed post amidst a hostile population'. She made pointed comparisons between Douglas and Low:

30 (continued)
recruit Chinese to work in Australia, and in 1874 he became a police magistrate in Singapore, and apparently a respected and successful one. In November 1875 he replaced Swettenham as Assistant Resident, Selangor, and in June 1876 he became Resident. His administration was the subject of several adverse reports (e.g., Swettenham's Special Audit Report on the Selangor Accounts, 27 March 1880, C.3095, enclosure in no.2; McCallum, Report on the Selangor Public Works and Survey Department, 22 April 1882, CO 273/114/10025). The discovery that he had permitted deductions to be made from the Sultan's salary, against instructions, led to his resignation in August 1882, and he was succeeded by Swettenham.

31 Resident to C.S., 7 November 1881, CO 273/115/17146.

32 Bird, op.cit., 218. She described how, one somnolent and mosquito-ridden night, the peace was shattered by a police drill; the bugle sounded, the drum beat, and in
Nor is it difficult to perceive whether the relations between the English official and the natives are hearty and cordial or sullen and distrustful, or whether the Resident makes use of his position for purposes of self-aggrandisement, and struts tempestuously and swaggeringly before the Malays, or whether he devotes his time and energies to the promotion of prosperity, good order, and progress, in a firm and friendly spirit.32

It was Hugh Low who did most to establish the principle of Malay association in government as a powerful tradition. Low was already fifty-three when he came to Perak, and had spent his whole official life—nearly thirty years—in the stagnant little colony of Labuan, off the north-west coast of Borneo. By all ordinary standards, his official career was a failure. It had been crippled by personal animosities which frustrated his work in Labuan and his advancement in the service, and in 1872, after twenty-four years' service, in which he had acted as Governor for long periods, he was still only a police magistrate.

Fortunately, Low had rich interests and resources outside Labuan. He had first come to Borneo as a youth of nineteen, to study tropical flora and collect plants, and

32 (continued)
less than five minutes every approach to the Residency was held by men with fixed bayonets (p.240). The Residents of Perak and Sungei Ujong, by contrast, went about unarmed and unguarded.

33 Bird, op. cit., 324.
he stayed in Sarawak and North Borneo for two years learning Malay and other languages, and travelling widely in his botanical researches. He was primarily a naturalist, but his intellectual curiosity drew him into a study of the peoples of Sarawak, their history, customs, religions and economy. He travelled sometimes with Sarawak Government officers, sometimes alone; collecting plants, studying the country's economy, moving with perfect ease and confidence among Malays and Dyaks in remote places, taking notes of everything he saw. In 1848 he published his book, 'Sarawak, its Inhabitants and Productions', the first authoritative account of the west coast of Borneo. It was the work of a typical nineteenth century scholar-traveller, containing meticulous observations of the natural life, the economic geography, history and contemporary politics of Sarawak.

After he had entered the Labuan service, he continued to travel in Borneo on diplomatic missions and on privately organised expeditions. The most important of these were to Mount Kinabalu in 1851 and 1858. Kinabalu had not been approached by any European before Low climbed it in 1851, travelling through unexplored country, and among Dusuns and Muruts fearful of any proposals to climb the sacred mountain, and unaccustomed to foreigners. Low calmed
their fears and even persuaded some of them to accompany him to the summit. In 1858 he made two more journeys to Kinabalu with Spenser St. John, then Consul-General at Brunei. All three expeditions were scientifically fruitful; Low made valuable collections of nepenthes and orchids and took copious notes of the country and its inhabitants and their dialects. He was now recognised as the chief authority on north-west Borneo; 'no man possesses more varied experience or a more intimate knowledge of the people'.

Low was acquiring experiences, interests and habits of life which equipped him admirably for the solitary and responsible work of administering a new protectorate. During his Labuan service he had held nearly every office, and he had a complete knowledge of administrative method and procedure, a sense of order, and a respect for routine. He was a naturalist, intellectually absorbed in the Malaysian countries; a thoroughly experienced traveller who moved without benefit of official protection among strange peoples, unassuming, skilful in avoiding quarrels, but prompt and firm in action when necessary. He was well fitted for the experimental and lonely work of administering

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34 St. John, Life in the Forests of the Far East, i, introduction, viii.
a native state, when the administrator must needs be his own ethnologist, scientist and interpreter.

Isabella Bird, who visited Kuala Kangsar in 1879, has written of Low's manner of life, perfectly attuned to his environment. His bungalow, though small and plainly designed in conventional Malayan style, was beautifully situated on a hillside overlooking the Perak river. He was silently and efficiently served, and sat down to a perfectly appointed table: 'linen, china, crystal, flowers, cooking, all were alike exquisite'. His companions were two apes, Mahmoud and Eblis, and a wild siamang that lived in the roof:

This is a curious life. Mr Low sits at one end of the verandah at his business table with Eblis looking like his familiar spirit beside him. I sit at a table at the other end, and during the long working hours we never exchange one word. Mahmoud sometimes executes wonderful capers, the strange, wild, half-human face of the siamang peers down from the roof with a half-trustful, half-suspicious expression...tiffin and dinner are silently served in the verandah recess at long intervals; the sentries at the door are so silently changed that one fancies that the motionless blue turbans and scarlet coats contain always the same men; in the foreground the river flows silently, and the soft airs which alternate are too feeble to stir the over-shadowing palm fronds or rustle the attap of the roof. It is hot, silent, tropical. The sound of Mr. Low's busy pen alone breaks the stillness during much of the day....35

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Low came to Perak after a lifetime among Malays, knowing their language and customs and something of the problem of adapting a European administration to their needs and prejudices. He had seen this problem arise in Sarawak, and saw how a policy of government was evolved to meet it. Sarawak under the Brookes was known throughout Malaysia as a government which identified itself with existing Malay authorities, enlisted them in the administration, deferred to their opinion, and introduced changes, at a pace acceptable to them. Malay chiefs and British officers sat together on a State Council which met monthly to consider government business, and there were district councils to advise the Residents (as the Sarawak district officers were called). Malays sat with European magistrates in the Police and Supreme Courts, and there was a Malay court to deal with divorce and inheritance cases. Raja James Brooke held that:

"governments, like clothes, will not suit everybody, and certainly a people who gradually develop their government, though not a good one, are nearer happiness and stability than a government of the best, which is fitted at random. I am going on slowly and surely, basing everything on their own laws, consulting the headmen at every step...." 36

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Low was the protege and lifelong friend of Raja Brooke, and was identified with his school of government; it was said that the relations in Sarawak between native and European had no parallel anywhere but in Perak.

Low's manner with the Malays, and the relations he established with them, impressed Isabella Bird more than anything else she had seen in the Peninsula.

In this once disaffected region he goes about un­armed, and in the daytime the sentries only carry canes. His manner is as quiet and unpretending as can possibly be, and he speaks to Malays as respectfu­ly as to Europeans.... Apparently they have free access to him during all hours of day­light, and as I sit writing to you or reading, a Malay shadow constantly falls across my paper, and a Malay, with silent cat-like tread glides up the steps and appears unannounced in the verandah, on which Mr. Low at once lays aside whatever he is doing, and quietly gives himself to the business in hand. The reigning prince, the Rajah Muda Yusuf, and Rajah Dris are daily visitors....

The entries in Low's Journal confirm her impression. He laid it down as a first principle that officers should approach the Malays with gentleness and gain their confi­dence. This is not as trite as it might appear. Courtesy in addressing 'natives' did not come naturally to all colonial officers, and without it neither Malay

37 Bird, op. cit., 323-4.
38 Low voiced his suspicion that Maxwell's being with him inhibited his free intercourse with Perak Malays. 'He is a splendid fellow...but he is a little rough and hasty
co-operation nor even the appearance of it could be achieved. Low's relationship with Malays was remarkable by any standards, and his chief contribution, perhaps, was to set it up as the standard for the native states. Penghulus visited him from all over the state, reporting distress in their villages, complaining about the behaviour of the troops, asking that fugitives be helped to return. Dependents of executed and exiled chiefs came to ask for help, their womenfolk came to bargain with him over their allowances. He reassured them, dealt with their difficulties, lent them money - 'everyone tugs at the Resident for this scarce article' - and took the opportunity to accustom them to proposals for land rent and poll tax. A week after his arrival in Perak he set out on a tour of the up-river villages, holding levees of headmen wherever he went, familiarising himself with their politics and problems and again explaining his revenue proposals. At Bukit Gantang he received a deputation of people asking for reinstatement of the Mentri:

I had a conversation with these people and told them that I had been sent here to govern the state for the benefit of all persons inhabiting it and

38 (continued)
in his ways with the natives, especially the inferior classes and the part he took in the war is I expect against him with the Perak Malays for the present'(Low's Journal, 63).
that I thought that after a short time they would be able to trust me and would not miss the Mantri and that when I know them well (sic) I would do my best to employ (those) who deserve it under the Gov(ernm)ent in the Police, as Penghulus, and in other ways and that all men rich and poor should have free access to me whenever they had business or complaints which they were anxious I should hear.39

It is notable that Low communicated directly with Malays of all classes, instead of approaching them through the rajas and chiefs. He used Malays of rank as his informants, but he was not dependent on them; for example, he invited the Temenggong to give him a list of villages and recommendations for penghulus, but he made a point of enquiring into penghulu appointments for himself, instead of accepting candidates proposed by the Temenggong or Raja Yusuf. He did not attempt to work through Raja Yusuf, a vindictive and violent man, for to give Yusuf even the appearance of influence would have upset the Malays and compromised his own good relations with them. Penghulus came to him to complain of peremptory orders which Yusuf had issued (against Low's instructions), and he told them, in effect, that they might ignore any order which did not bear his seal. He was asked to keep the rajas in safe custody at Kuala Kangsar:

39 Low's Journal, 39.
40 Ibid., 101.
41 Ibid., 98. See p.85 for an instance of a proclamation which Yusuf amended under pressure from Low.
Shaik Ma Taib is dead against employing the Rajas and I know all the people are altogether against any native having magisterial or governing (powers). It (is) under the circumstances very difficult to establish a native government.... I told Shaik Ma Taib I intended R(aja) Dris to live at Syong which he highly applauded and recommended that all the Rajahs should be as much as possible collected there, which had also suggested itself to me, as they will be under observation and less able to be mischievous than when scattered about the provinces.42

Fortunately Low did not have to persuade the rajas to settle under his supervision; they were only too anxious to do it for themselves. Raja Yusuf was no fool; he realised his dependence on Low, and a few weeks after Low's arrival, Yusuf and Dris were already planning to move to Kuala Kangsar - ostensibly so that they might benefit by Low's advice, but actually so that they might derive 'an appearance of permanence' from the association.

The essence of Low's achievement is that while keeping rajas and chiefs out of executive positions, he gave them a vicarious sense of responsibility and participation in the work of the state by involving them in daily consultations on state business. He thereby secured more than the appearance of partnership. He records in his journal the

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42 Ibid., 101. Shaikh Mat Taib was a Sumatran ulema (religious doctor) connected by marriage with Sultan Abdullah's family, and an enemy of Yusuf. Low made him a member of the State Council and State Kathi.
value of Yusuf's comments and contributions, when his interest was diverted from his personal concerns to public business. He obtained information, advice and opinions to assist him in making his decisions. So far as the balance of power was concerned, his position in relation to the rajas was not very different from that proposed by Jervois in his plan to govern Perak on behalf of the Sultan; but in spirit it was very different. Jervois and Birch would have excluded the rajas and chiefs altogether from affairs; the Perak monarchy, increasingly detached from the British executive, would probably have ended in pensioned retirement in the Malay quarter of Singapore. Carnarvon's directions and Low's policy and teaching led to the renaissance of the Sultanate within the colonial system and identified the one with the other.

The basis of the Malay settlement in all the states was the provision of allowances and appointments in recognition of rank and influence and in compensation for lost revenue rights. During 1876 and 1877, claims to pensions were considered by the Residents and the Governor.

*Candidates for Selangor pensions who were refused by the Resident (Douglas) sometimes obtained satisfaction from the Governor; e.g., Raja Laut, who was given a pension against the Resident's wishes (C.S. to Resident, 18 April 1878, Sel/Sec. 105/1878).* Low once asked the Governor to
There were two categories of payments: pensions, paid to those who held no office in the state, but who had a claim by reason of rank or past service, and allowances, paid to those who held titles or government appointments. The first category included chiefs in exile and their dependents, and those who had assisted the British Government or their allies; the second was headed by the Ruler and included title holders still in the state, and holders of penghulu appointments. The list of allowances was virtually a Malay establishment list.

The great majority of the Selangor rajas and all the Perak headmen of the third rank came on the establishment as penghulu of mukims, in accordance with the accepted policy of employing headmen to keep order in the villages, instead of relying on a large and expensive police force. Low fully endorsed this policy. The police and troops whom he found in Perak were not only a drain on the revenues,

44 (continued)
approve an increase in the pension of the Panglima Kinta, so that His Excellency might appear as the source of all benefits (Low to Robinson, 21 June 1878, enclosed in Robinson to Hicks-Beach, 188 of 1 July 1878, CO 273/94/10142).

45
A local government division consisting of a chief village or township and a small number of subsidiary villages and hamlets. There were forty-three penghulu of mukims on the Perak Establishment list of 1879 and they had thirteen assistant penghulu helping in their mukims. In Selangor, twenty-three penghulu of mukims were appointed at the Council meeting of 2 September 1883.
but a positive menace to public order. A week after his arrival he received a letter from Shaikh Mat Taib complaining about the behaviour of the police at Blanja, saying that the detachment there was unnecessarily strong, and representing the people as 'wishing only to be quiet, if let alone'. The police, mostly Sikhs and foreign Malays, were unpopular, many of them were diseased and inefficient, and good order and economy demanded that the force be reduced to a well-trained guard for service in the large centres, and that the peace of the villages be entrusted to their own headmen. Low spent much of 1877 investigating claims to penghulu appointments, and at a State meeting in February 1878, penghulus of villages on the upper and middle Perak were formally appointed. By 1879, penghulus had been appointed to nearly all the Perak mukims. Swettenham had been inclined to use the penghulu appointments to bolster up the influence of Raja Yusuf; he suggested, for example, that the penghuluships of Kuala Kangsar and Kota Lama, where Yusuf had most enemies, should be given to his son, and he proposed to replace the penghulu of Bidor, Orang Kaya Mat Arshad, whose father was

46 Low's Journal, 42.

47 Perak Establishment List 1879, Perak Affairs and Despatches, 1874-9, Taiping Museum Library.
under sentence of exile for conspiring to murder Birch. Low had no intention of filling the districts with placemen of Raja Yusuf or Raja Dris or the Temenggong; he wished to appoint those whose leadership would be acceptable to the people. He was therefore ready to forget old scores and appoint those suspected of past disaffection, in the hope that they would settle down peaceably. He appointed the Orang Kaya Mat Arshad to Bidor, and he left Kota Lama, the village with the worst history of opposition to the British, under its old headman, To' Sri Lela.

In Selangor, Douglas had little belief in the value of Malay headmen, and at the end of his six-year Residency there were about twelve Malays listed as 'rajas, penghulus or headmen' in charge of districts. Half of these were rajas in receipt of allowances which they claimed by right of birth, and whose penghuluships appeared to be sinecures. In September 1882, Douglas was succeeded by Swettenham, and one of Swettenham's first concerns was to regularise penghulu appointments. He circularised Collectors, calling

48 Swettenham, 'Some arguments in favour of governing Perak through its Headmen', 8 October 1876, enclosure in Weld to Derby, 208 of 28 May 1883, CO 273/120.

49 Resident of Selangor to C.S., 12 June 1882, enclosure in Weld to Derby, 208 of 28 May 1883, CO 273/120.
for nominations of suitable candidates for the mukims in
their districts; and at a State Council meeting of 2 Sep­
tember 1883, twenty-three penghulus were formally appointed,
though most of the appointments were confirmations of
penghulus already in office or approved by the Resident.

One of the main considerations in the selection of
penghulus appears to have been the need to provide for the
large number of Selangor rajas who would otherwise have
been a burden on their families and eventually on the civil
list of the state. The Malay office-holders and pensioners
were not extravagantly paid, and in Perak the whole Malay
pensions and allowance list came to less than the cost of
the police force which kept order in the non-Malay areas,
but in Selangor the number of claimants created a problem,
particularly as the Malays themselves contributed very
little to the revenues till the organisation of a land
revenue in the 1890s. The difficulty was settled after
a fashion by putting the rajas into penghulu appointments;
of the twenty-three men appointed at the September meeting
of the Council, thirteen were rajas. In the selection of
the non-royal penghulus, popularity and local influence

The Selangor revenue in 1881 was £235,227. The expend­
iture on Malay payments was £60,392. The cost of civil and
police establishments was £60,842. (Annual Report for
1881.)
were cited as reasons for favouring a particular candidate; and local influence and general ability were measured, not unreasonably, by the number of families he helped to settle and the amount of land he helped to bring under cultivation.

Most of the penghulus were paid salaries ranging from $10 to $30 a month (equivalent to the salaries of a constable and a sergeant-major in the Sikh police). Attempts were made to stimulate penghulus to develop their districts commercially by giving them a percentage of the royalty on produce exported from their districts. The penghulus on the Perak river were given a percentage of the duty on tin exported from their mukims, even though they took no part in its collection; but the great development of the Kinta district (by Chinese) in the 1880s meant that some of them were drawing large commissions which they had done little to earn, and the commission was abolished in the case of all appointments made after 1892. In Selangor, Swettenham proposed to pay penghulus a commission on all revenue raised as a result of their colonising efforts - i.e., on produce exported by settlers they introduced into their districts. But settlers came primarily to grow rice, not export crops, and the penghulu commission appears to have been a dead letter; the Collector at Ulu Selangor
disclosed that in the five years he had served in the State, it had never, to his knowledge, been collected.

The bulk of the State revenues came from customs duties collected at the ports or farmed out to Chinese. The penghulu collections, consisting mainly of petty fines, and fees for fishing licences and permits to collect jungle produce for sale, were insignificant. Roads and other public works were built and maintained by private contractors or by the Public Works Department employing paid labour; the penghulu's responsibility was confined to the upkeep of the mukim paths. He was supposed to enforce a number of fiscal and quarantine and forestry regulations, and to persuade the people of the village to bring their children for vaccination and send them to Malay school. The attempt to turn the penghulu into a propagandist for western ideas of education and health care, and into the agent of an increasingly demanding bureaucracy, appear on the whole to have failed, if one may judge by the complaints of the district officers.

The important functions of the penghulu were to report on his mukim and to use his influence to keep the peace. The Perak penghulus had jurisdiction in criminal suits up

Collector and Magistrate, Ulu Selangor, to Resident, 15 March 1888, Sel/Sec. 836/1888.
to a $5 fine and in civil suits up to the value of $25; the Selangor penghulus had a criminal jurisdiction of $5 and a civil jurisdiction of $10. This covered most of the litigation in the villages; more serious cases were reported to the European district officers, with such information as the penghulu was able to provide. The penghulus relieved the district officers of a great deal of petty jurisdiction, and kept the peace in mukims with large Malay populations among whom a European officer or a police constable was very seldom seen.

It was the penghulu's duty to keep the district officer informed of affairs in his mukim, to report serious crime, breaches of the revenue regulations, and outbreaks of disease. His monthly report was a record of births and

52 The jurisdiction of Perak penghulus was defined in the Perak Council Minutes of 4 March 1879, and in the Perak Order in Council 11 of 1890, defining the constitution and powers of civil and criminal courts (PGG, 17 October 1890). The jurisdiction of Selangor penghulus was defined in a memorandum on local district administration, Resident, Selangor, to the Colonial Secretary, 12 June 1882, CO 273/120, and in the Selangor Courts Regulation 11 of 1893, SGG, 11 August 1893. There is a copy of a Selangor penghulu commission, dated 1 January 1891, Sel/Sec. 2556/1891, giving the duties and jurisdiction of penghulus.

53 Perak Annual Report for 1889. The late Sir W.G. Maxwell, one-time Chief Secretary of the Federated Malay States, who served as a magistrate in Perak in the 1890s, informed the writer in correspondence that few Malay cases ever came before the district courts.
deaths, arrivals and departures, cases of petty theft and assault settled in the mukim, cases taken to the district court, impromptu inquests, quarrels, and reports of flood and fire in his own or neighbouring mukims. As a source of information the penghulu had no equal.

Though appointed and paid by the government, the penghulu was far from being merely a petty local functionary. He was rooted in his village, connected by kin ties with many of its inhabitants. His government salary gave him substance and position, without removing him from his context in the village economy. This identification with the village, combined with his traditional status and experience as the agent of the district chief, made him an indispensable assistant to the district officer. Under their penghulus, the Malay villages continued their own way, the rhythm of their existence undisturbed by the new regime.

In the report of Panglima Garang, penghulu of Ulu Selangor, for December 1881, there are two references to cases settled by him with the help of Chinese towkays (popular usage for a Chinese headman or manager). The first concerned a dispute between two Malays over some tin, the second was a debt case, also between two Malays. Ulu Selangor had a mixed population of Malay and Chinese miners and Malay agriculturists, and it seems natural to find Chinese towkays forming part of an informal penghulu court; but that they should help in the settlement of Malay cases seems remarkable. Reference in Sel/Sec. 576/1881.
It was general policy to give members of the chief families in the state appointments commensurate with their dignity, but this was not easy. The administrative functions of the Malay district chiefs - revenue collection, judicial administration and control of penghulus - were now responsibilities of the European district officers; the district administration had removed the chiefs from the line of authority. The policy for the future was to educate the descendants of royal and chiefly houses in State and Colony schools, and recruit them into the administrative service; the first of such appointments was that of Raja Mansur, son of Ex-Sultan Abdullah, who became a cadet in the Perak service in 1883 and was appointed to magistracies in different parts of the state. But the survivors of the pre-British period could not be assimilated in this way. They were classified as 'Judges' and 'Native Magistrates', since they had to be classified somehow, and they sat in the district and Residency courts with European officers; but with the exception of Raja Dris, who held a Malay Court.

55 In the Perak Allowance list of 1879, Raja Dris and the Temenggong were classified as Judges of the Supreme Court; in the Selangor Estimates for 1883 (and in other lists) the sons of the Sultan, Rajas Musa and Kahar, and the brother-in-law of the Sultan, Raja Laut, were classified as Native Magistrates (Sel/Sec. 215/1883).
at Kuala Kangsar, they do not appear to have had any independent jurisdiction at a higher level than the penghulu court. Their function, undefined and unclassified, was to assist the Resident and the district officers in Malay affairs, to keep them informed about conditions and opinion in the mukims, to represent grievances and to help make new measures known and accepted.

The chiefs sat with the Ruler, the Resident and the Chinese Capitans on a State Council which had been designed at an early stage of British rule to assist the Resident in the business of government. The Council was the legislative body of the State; it was the final court of appeal and reviewed all capital sentences; and it also decided matters relating to current administration. The Council was dominated by the Resident. He nominated its members, drew up its agenda, guided its deliberations and influenced its decisions. Independence might be expressed during the discussion, members might put forward critical opinions, but it was very rare indeed for Council members to persist in opposition to the Resident. But with the exception of Douglas, the Residents were intelligent administrators anxious to secure a basis of consent for their proposals. There was always the possibility of securing

See Appendix III for a discussion of the State Councils in Perak and Selangor.
modifications or postponements of unpopular measures by representing the general opposition to them in Council. The Malay and Chinese members made representations and put forward suggestions that were sometimes incorporated in the final decision. Yet these qualifications do not alter the fact that the Council was essentially the advisory body of the Resident.

The constitutional relations between the Resident and the Ruler developed very soon into the kind of relations a twentieth century British Prime Minister might have with his sovereign. The Ruler continued to act as the ceremonial Head of State. The Ruler in Council was the source of legislative and executive authority and the final court of appeal. Instruments of government, such as warrants and commissions, and documents of title, such as land grants and leases, bore his seal. Regulations and Orders in Council were issued in his name. But in fact the Ruler had little control over the contents of the documents he sealed. They were drawn up in the Resident's office and merely

57 In 1877 the State seal of the Sultan of Selangor appears to have been in the keeping of the Collector and Magistrate of Langat. 'I feel a daily satisfaction', he wrote, 'in having the Sultan's chop (seal) under lock and key' (Innes to Resident, 8 April 1877, Sel/Sec. 121/1877). In 1880 the Collector referred to the existence of two keys to the Sultan's seal-box, one kept by the Sultan and one by himself (Innes to Resident, 29 June 1880, Sel/Sec. 172/1880).
presented to him for formal ratification. Apart from his validating function, his share in government was confined to giving the Resident advice and information and helping him to measure feeling in the state. The provisions of the Pangkor Engagement were reversed; instead of the Resident advising the Sultan, it was now the Sultan who advised the Resident.

**Emergence of a Doctrine**

Despite the inadequate constitutional basis for their authority, the Residents by 1880 had become the effective rulers in the states; in the years that followed, their association with Malays developed smoothly on established principles, and the success of the Perak and Selangor administrations was reflected in phenomenal increases in revenues and populations. In consequence there was a change

A _kuasa_ (commission, authority, power) for the _Imam_ of Ulu Selangor was drawn up by the Resident's secretary and sent to the Sultan through the Langat Collector and Magistrate to be sealed (Sel/Sec. 45/1880). A _kuasa_ for the _Imam_ of Klang was similarly forwarded (Sel/Sec. 100/1880). There is a reference to a _kuasa_ for the _Capitan China_ forwarded to the Resident in June 1885; it was probably the letter formally appointing Yap Ah Shak _Capitan China_ and member of Council, in accordance with a decision of the State Council on 23 May 1885 (Sel/Sec. 1051/1885). These instances are all from Selangor, but it is fair to assume that the principle was the same in the other states. The strict rein which the Resident of Perak held over the Regent is illustrated by a number of entries in Low's Journal (pp. 48, 85, 97-8).
in the attitude of local authorities to the problems of government in the states. The years 1875 to 1880 had been spent in fruitless efforts by the Governor to get the Colonial Office to bring the states under formal control. From 1880 these efforts ceased, and Governors and Residents became the stoutest defenders of Malay sovereignty and the opponents of any measure which would bring the states formally under the control of the Colonial Office or the Government of the Straits Settlements.

The personification of this new attitude was the next Governor of the Straits Settlements, Sir Frederick Weld. Weld was the complete imperialist romantic. He was equally captivated by the vision of English liberty, transplanted to the colonies of settlement, and the vision of patriarchal authority, kindly and wisely exercised over the dependent Empire. This was a common dichotomy among imperialists of his generation, a definition of England's

Sir Frederick Aloysius Weld, CMG (1875), KCMG (1880), GCMG (1885), was born in 1823 into an old West of England Catholic family. He emigrated to New Zealand in 1844 and began sheep farming in the Wairarapa district in the North Island. In 1854 he was elected member for Wairau in the first New Zealand General Assembly. In 1860–1 he served as Minister for Native Affairs, and in 1864–5 as Premier. In 1867 he left New Zealand. He was Governor of Western Australia, 1869 to 1874; Governor of Tasmania, 1875–9; Governor of the Straits Settlements from 1880 till his retirement in 1887. He died in 1891.
colonising mission in terms of her traditional political genius on the one hand, and her capacity for leading backward peoples on the other. Weld would have held these attitudes whatever his experience, but they were confirmed by the circumstances of his life. He spent his middle years as a pastoralist in New Zealand, entered politics as a member of the first New Zealand representative assembly (having earlier refused a nominated seat on the non-representative Council), and he had a brief experience of office as Minister for Native Affairs and Premier. In New Zealand he was faced with the personal and national necessity of reaching an accommodation with the Maori, primarily over the purchase of land. He had the typical settler's attitude to the problem; conscious of his own rectitude and good intentions, he took it for granted that any offer for Maori land which seemed fair to him must benefit the Maori also, and concluded that those who objected in principle to land sales must be doing so for selfish personal reasons, and that it was the settlers' duty to put them down. When Maori opposition to land sales led to the wars of 1860-72, Weld preached magnanimity in victory; but it was during his government in 1864 that three million acres of Maori land were confiscated - a measure which one New Zealand
historian has described as 'the worst injustice ever perpetuated by a New Zealand government'.

Weld's 'old New Zealand experience' had given him a taste for native administration and a firm conviction that he was an expert on the subject; and he was captivated by the opportunities for creative benevolence which the Peninsula offered. He lived in a perpetual cloud of sentiment and patriarchal goodwill towards the peoples in his charge, and this expressed itself in an obsessive interest in the native states. His despatches and published letters do not reveal any great interest in the busy, sophisticated and unromantic commercial population of the Straits Settlements. He was not a professional administrator, he was impatient with routine (in his haste and impulsiveness he overlooked or forgot or misinterpreted key points in communications). He was glad to leave the Colony to the Colonial Secretary and travel rough in the native states, being welcomed in villages and small


61 In a letter to Lister, whom he appointed Collector and Magistrate, Sri Menanti, in January 1887, Weld asked for a 'full journal, giving information on all points if you have time to write it.... I read every journal of every Resident and District Officer in the Peninsula that reaches me....' (Extract quoted in Lovat, Life of Weld, 392. The Residents and District officers were required to keep a full confidential journal and forward extracts fortnightly to Singapore.)
towns, conferring with Residents and Malay chiefs and Chinese mine-owners, watching the Sikh 'police' on manoeuvres, shooting and fishing with Malays. (Chinese towkays did not fish or shoot, but they put on magnificent theatrical entertainments, and dinners with three kinds of champagne.) He enjoyed not only the freedom and beauty of the native states, and the flattering deference of Malays and Chinese, but the exercise of an authority and

In 1881 Weld paid four visits to the native states and the settlements north of Singapore, and stayed away five months. In 1883 he paid five such visits and stayed away nearly six months. His reception by the Sultan of Selangor on one visit in 1881 is worth recounting. The Collector at Langat (Innes) told the Sultan he must wear his uniform, 'trousers with gold braid down the legs and his baju with gold braid which Queen Victoria had sent him', and also his sword. But the household was thrown into a panic, apparently, by the imminent arrival of the Governor. Long after eleven o'clock, Innes went into the Sultan's kitchen to find a Malay cook holding a decapitated fowl on high and watching the drops of blood trickle from it while he said a prayer. The tiffin was very badly cooked and was served in the wrong reception hall in full view of the Malay population of Jugra; and the Sultan forgot to wear his uniform. Innes explained that the Sultan was a 'very conservative Malay of the old regime', and European punctuality and civilisation have been brought to bear on him too late in life to change him materially'. (Collector, Langat, to Resident, 8 November 1881, Sel/Sec. 459/1881.)

Weld's susceptibility to flattery was amazing. He describes an interview with the Maharaja of Johore, soon after his arrival in the Colony. 'One of his remarks struck me. He said: "If I saw a thing as clearly as the sun in the heavens, and you saw differently, I would yield (my opinion) to you. You are my Father and I wish always to take advice from you." Very Oriental, but I think he meant it.' (Diary entry for 26 October 1880, cited Lovat, op. cit., 318.)
responsibility beyond anything he enjoyed as Governor of a Crown Colony. He made the final decision as to the disposal of revenues which in 1887 nearly equalled those of the Colony, and he did this without reference to State Councils, Colony Councils or the Secretary of State. The last thing he intended was to permit this nearly absolute authority to be impaired by the creation of formal ties between the Native States on the one hand and the Colonial or Imperial Government on the other. Whatever a strong Governor could do during nearly eight years of office to preserve the principle of the independence of the states, Weld did.

Weld's ideas on the form of government most suitable to the Native States were put forward in a despatch to the Secretary of State in October 1880. He expressed views which were endorsed by all the Residents in later pronouncements on the subject. While Robinson in 1879 had indicated

64 The revenue of the Straits Settlements for 1887 was $3,847,853, and for the Native States, $3,122,876. (See Dickson to Knutsford, 10 July 1890, C.6222, no.1, for figures and for a valuable review of the native states administrations.)

65 Weld to Kimberley, Confidential of 21 October 1880.

66 See for example, Proceedings of the Royal Colonial Institute, xv (1883-4) and xxvii (1895-6) for papers read by Weld and Swettenham and subsequent discussion.
only two possibilities - annexation or withdrawal - Weld indicated three - annexation, withdrawal and a continuation of the present system. The suggestion of withdrawal was merely a literary flourish, not meant to be taken seriously. Weld declared that it would result in anarchy and misgovernment worse than before, since British intervention had made the native rulers more and not less dependent on outside help.

Nothing we have done has taught them to govern themselves; we are merely teaching them to co-operate with us in governing under our guidance. I have always held the theory that to teach men to govern themselves you must throw them a good deal on their own resources; we are doing, necessarily doing, the very reverse. Moreover I doubt if Asiatics will ever learn to govern themselves; it is contrary to the genius of their race, of their history, of their religious systems, that they should. Their desire is a mild, just and firm despotism....

He also rejected annexation. The existing system gave as much scope for economic development as a Crown Colony government; moreover, the Malay States required 'a somewhat elastic form of government', giving to those concerned with their affairs - the Governor, the Residents and the subordinate officers in the states - 'a latitude...which the more rigid and complicated and expensive system of a political and legal organisation suited for a British Colony, does not admit of'. 
Finally, Weld hoped the Residential system would spread, and provide an example of good government to the rulers of the native states still independent; but he thought it much more likely that the contrast between standards of administration in the states with Residents and those without them would lead the latter to ask for Residents too. Weld was preparing the Colonial Office for a further advance in the Peninsula. His third line of policy, which he put forward with an insinuating moderation which deceived no one, was:

To gradually and gently increase our influence as occasion offers, over the Peninsula south of Siam, not necessarily with any view of an immediate extension of the Residential system, and in respect to the protected States to determine never to relax our hold, but not to annex whilst it is possible to go on under the present system. In the mean time to work by and through the native governments by advice discreetly, but firmly administered.

There was really no alternative to Weld's 'third possibility' and it was expressed in such general and diplomatic terms that the Secretary of State was able to endorse it without committing himself to anything. The replying despatch was confined to a guarded approval of a 'more intimate friendship' with the independent states, coupled with a warning not to institute changes without instructions from home. But - as Kimberley recognised in a

Kimberley to Weld, Confidential of 11 February 1881.
minute on Weld's despatch - the extension of British control in the Peninsula was logical and inevitable. Weld devoted himself to the task of establishing Residents in the remaining independent states, and this was for the most part achieved during his governorship. The territories brought under control were Pahang in 1887-8 and the remaining states of the Negri Sembilan between 1883 and 1887. In 1887, Pahang was induced to accept a joint defence treaty and a British Agent 'having functions similar to those of a consular officer'; in 1888 the murder of a British subject provided the pretext for introducing a Resident. In the Negri Sembilan two trends were discernible; the extension of British control over the little states, and their reconstitution as a confederation under the Yang di pertuan Besar of Sri Menanti. In 1883, an agreement with Jelebu provided for the supervision of the revenue collection by the Resident of Sungei Ujong; in 1885 a Collector was appointed to Jelebu; in 1886 an agreement with Jelebu formalised his position and duties. In 1887 a Collector and Magistrate was appointed to Sri Menanti, and extended his control over Rembau and Tampin; in 1889 the rulers of these three states and Johol agreed to constitute their countries into a confederation of states to be known as the Negri Sembilan (but without acknowledging any change
in their relationships) and asked for the assistance of a British Resident in the government of the federation. In 1895, Sungei Ujong and Jelebu entered this curious federation, whose members continued to insist on their formal independence of one another, and whose only link was the British Resident, now placed formally in the position of adviser to all the states of the Negri Sembilan. In 1898 the constitutional position was regularised by the acknowledgment by all the states of the suzerainty of the Yang di Pertuan Besar. The Negri Sembilan was now formally reconstituted under the aegis of the British Government.
The control exercised by the Colonial Office over the internal administration of the Native States never acquired a statutory basis. Unlike the protectorates established under the Foreign Jurisdiction Act of 1890, whose administrations were provided for by Orders in Council, and which came directly under the Colonial Office, the Protected States of Perak, Selangor, Sungei Ujong, the Negri Sembilan and Pahang admitted British control by local treaty and by permissive letters addressed by the Rulers to the Straits Government, and these gave the Crown no legal jurisdiction in their territories; and none was ever claimed. Thus the

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1 The question of jurisdiction arose in connection with proposals for the extradition of fugitive offenders. One official argued that the Colonial Office had acquired jurisdiction in the States by usage and sufferance, since the courts had been constituted, in practice, by officers ultimately responsible to the Governor; but Wingfield, the Assistant Under-Secretary of State in charge of legal business, disagreed. He minuted, 'The queen might have jurisdiction in the Native States, but as long as the jurisdiction is exercised by the courts of the Native Rulers, though they are no doubt mere puppets in the hand of the Governor, I do not think that the Fugitive Offenders Act can be applied to the States by Order in Council'. The minute is somewhat ambiguous, but the despatch based on it
exercise of authority by the Colonial Office, and the
determination of its limits, were matters of difficulty
and debate for the whole period between intervention and
Federation. In the first four or five years after inter­
vention, the Colonial Office had tried to check the assump­
tion of administrative control over these states; it had
prohibited annexation, had warned Residents against ex­
tensions of responsibility, and had approved of policy
statements reminding them that they were advisers and not
rulers. At the same time, it became clear at an early
stage that the Residents were in fact ruling; that a large
administrative machine under British control was coming into
being. It was not possible for the Secretary of State to
disclaim responsibility for the Residents' actions, in­
stances of misgovernment and oppression, official corruption,
and mismanagement of public funds, would surely be brought
home to him by the British Press and Parliament.

The principle of the ultimate responsibility of the
Secretary of State was not established or maintained without

1 (continued)
was not. The Secretary of State wrote, 'I am advised that
so long as Her Majesty has no jurisdiction in the Protected
Malay States, but jurisdiction continues to be exercised
by the Courts of the Native Rulers, the Fugitive Offenders
Act cannot be extended by Order in Council to those States'.
Minute by Wingfield, 17 May 1894; Ripon to Mitchell, 153
of 23 May 1894 on CO 273/194/7356.

2 Ripon to Mitchell, Confidential of 11 July 1894.
a struggle. There were officials in the Colonial Office who feared any involvement in the Native States; and in the later years of the Residential system there were officials who invoked the principle of non-intervention on behalf of strong and self-willed Governors and Residents who wanted a free hand in the States. Thus non-interference, preached at first by those opposed to any extension of responsibility, came to be taken up by the officials most sympathetic to strong, expansionist local administrations, and most eager to see them work unhampered by control from London. In nearly every case of maladministration that came before the Colonial Office between 1890 and 1895, whether it concerned wrongful dismissal, possible miscarriage of justice, or land-jobbing by Native States officers, attempts by officials to interfere were strenuously resisted by C.P. Lucas, who was in charge of the Eastern desk. He pleaded the independence of the State Governments; though

Sir Charles Prestwood Lucas, KCMG (1907), KCB (1912), was appointed to the Colonial Office in 1877. He became a First Class clerk in 1892, Assistant Under-Secretary of State in 1897, and Head of the Dominions Department, 1907-11, when he retired. At this time he was in charge of the correspondence with the Eastern Colonies, and from about 1882, he drafted the despatches concerning the Malay States. He was a strong supporter of expansion and development in the Peninsula, and was Swettenham's friend and mouthpiece. In later years he wrote prolifically on Imperial matters.
when it came to financing Pahang and maintaining the bankrupt establishment there, he proposed to throw the financial burden for Pahang's development on the other Native States, thus disposing of their revenues as freely as if they were Crown Colonies. More freely, in fact; for the disposal of Colony funds would have had to be discussed in the Colony legislature, while the State Councils were not consulted about the disposal of state funds.

The attempts by the Colonial Office to assert responsibility were hampered not only by divisions in the office but by the opposition of powerful local administrators, jealous of the independence and freedom of action which they enjoyed as a result of the loosely defined treaty relationships with the states. The principle of non-interference with native rulers was noisily invoked to defend the personal rule of Resident and Governor. In 1883, Weld objected to the interference of the Colonial Office in the appointment of a railway engineer to advise the Selangor Government; and in 1891, Weld's successor, Smith, objected

4 Minute by Lucas, 14 November 1892, Smith to Ripon, Confidential of 30 September 1892, CO 273/183/21290.
5 Sir Cecil Clementi Smith, GCMG (1892), KCMG (1886), entered the Hong Kong government service in 1862. He acted as Colonial Secretary, Hong Kong, at various times between 1867 and 1875. In July 1878 he was appointed to the Straits Settlements civil service as Colonial Secretary, and acted as Governor in Weld's absence from March 1884 to November 1885. In November 1885 he became Lieut.-Governor and
to interference on the subject of the registration and control of prostitutes; he asserted that the Colonial Office directive would have to be forced on the State Council of Perak, and would constitute, 'so far as I can call to mind, an unprecedented interference with their affairs'. A Colonial Office directive on the subject of legalised public gambling brought a protest not only from Swettenham, but from the Sultan of Perak - one of the very rare public protests from a Sultan under advice; and Swettenham again wrote alleging that the Sultan had asked him to write a letter in English, incorporating 'a very strong protest against what he considered an unwarrantable interference with his rights and privileges and an interpretation of the terms of the Pangkor Engagement which he thought could not be justified or maintained'. The officials

Colonial Secretary of Ceylon, and returned to the Straits as Governor in 1887. He retired in 1893. He was responsible for introducing a Resident into Pahang in 1888 and was deeply committed to plans for its development, which he pressed forward at every opportunity, despite the fact that Pahang remained a costly and unpromising field for intervention. In this he was strenuously supported in the Colonial Office by Lucas.

Smith to Knutsford, 406 of 29 October 1891.

Sultan to Governor, 20 July 1894, CO 273/195/15183.

Swettenham to C.S., 5 October 1894, in CO 273/198/19731. The Sultan's own letter contains no reference to his rights or privileges or to the Pangkor Treaty but simply discusses the weaknesses of the proposed regulations.
were not greatly impressed; Fairfield, the Assistant Under-Secretary, thought Swettenham's letter 'a bogus piece of impertinence, mainly (Mr Swettenham's) own invention...'. He minuted on another paper, 'Mr Swettenham and the Sultan form a sort of Spenloe and Jorkins firm. Mr Swettenham is always doing his best to get the Sultan more money, and the Sultan is always willing to come up to the scratch and express repugnance to anything proposed by the Secretary of State which Mr Swettenham does not wish to see done'. On one occasion, the Resident and the Governor put forward contradictory versions of what the Sultan might be supposed to want; in 1882, on the resignation of Captain Douglas as

Edward Fairfield, CMG (1885), was appointed to the Colonial Office in 1866. In February 1892 he became Assistant Under-Secretary. He took the side of Maxwell and Dickson (see below, p.q.r.o) in cases of administrative irregularity which came before the Colonial Office. He pressed for closer control over the Residents, and so came into persistent conflict with Lucas.

Minute by Fairfield, 16 November 1894, CO 273/198/19731; minute by Fairfield, 29 November 1894, CO 273/198/20626. Spenlow and Jorkins, characters in 'David Copperfield' by Charles Dickens, are a firm of proctors to whom Copperfield is articled. Jorkins is a gentle retiring man who seldom appears, but Spenlow makes his supposedly intractable character the ground for refusing any inconvenient request. The officials were sceptical of the claims to independence made on behalf of the Rulers and the State Councils. In 1885 Weld asked for a rise in pay, to which the Native States should contribute, but only if 'these sums were willingly voted without pressure by the State Councils. Meade, the Permanent Under-Secretary, minuted that the vote would 'of course however be a farce'. (25 October 1885, on Weld to CO, private of 24 July 1885, CO 273/138/13017/1885.)
Resident of Selangor, Weld asserted that the Sultan would be pleased to offer him a gratuity, and Swettenham, the next Resident, reported the strong objection of the Sultan to any such extravagance with Selangor funds.

The Colonial Office was quite prepared to take advantage, when convenient, of the argument that the Native States were independently administered. In 1893, when the Chinese Government wished to appoint a consul in Selangor, one official thought to block the proposal with the argument that Selangor was not a British possession and that Her Majesty's Government had no power to recognise agents of the Chinese Government there; but he was reminded that this would cast doubt on Britain's right to control her foreign relations. In 1895, a Permanent Under-Secretary thought the Colonial Office might 'use the fiction that we advise but do not govern as a reply to objections in Parliament', concerning the continued existence of legalised gambling in the States.

But although the formal independence of the Native States was used as an argument in particular situations,

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11 Weld to Derby, Confidential of 24 August 1882; Weld to Derby, 107 of 17 March 1883, forwarding memorandum from Swettenham.
12 Minute by Johnson, 21 October 1893. CO 273/189/17484.
13 Minute by Meade, 24 March 1895, on CO 273/202/4722.
the Pangkor Engagement placed the ultimate responsibility for decisions on the Resident, and the Resident was acknowledged to be under the immediate control of the Governor of the Straits Settlements - a representative of the Crown. The extent of Colonial Office interference was circumscribed by the policy which the Office had itself imposed, in the effort to restrain local empire-building; though the effort had failed, formal direction of the States could not be assumed without incurring accusations of a breach of faith. But ultimate responsibility for the advice given by the Residents still lay with the Colonial Office, and it accepted the principle of responsibility, and the duty of supervision, without assuming control over the details of administration.

The Colonial Office had no direct communication with the Native States, and there was no established category of subjects reserved for its consideration, or of material forwarded for its information. The Residents communicated officially with the Colonial Office through the Governor. Their annual estimates, council proceedings and bills were sent to Singapore for consideration and went no further; before 1896 they had no newspapers which could provide a

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14 The Colonial Office first asked for copies of legislation passed in the States in Ripon to Mitchell, Confidential of 1 November 1894.
picture of unofficial opinion. The Colonial Office received the State Gazettes, but these were not issued before 1888 in Perak and 1890 in Selangor. But there were other channels of information available to the Secretary of State. The Annual Reports were forwarded and provided subjects for inquiry; disgruntled employees of the State administrations petitioned the Secretary of State about their grievances and told tales about local scandals; there were references to abuses in the States in the speeches of Colony Legislative Councillors. In the 1890s, the rivalry between Governor, Resident and Colonial Secretary brought a number of problems before the arbitration of the Secretary of State. The conflicts between Swettenham and Maxwell, and between Smith and

15 The Malay Mail was started in Kuala Lumpur in 1896. The Selangor Journal, begun in 1892 (ceased publication in 1897) was a fortnightly review devoted to the publication of descriptive material and reminiscence. The writer has not been able to secure access to this journal, since a microfilm copy ordered has never arrived.

16 See above, Part III, p. 124, n. 26, for biographies of Maxwell and Swettenham.

The rivalry between Swettenham and Maxwell was intense. They had both spent the greater part of their official careers in the Straits Settlements and were the ablest young men in the Service. They both knew Malay well, and both wrote prolifically on Malay subjects, though Swettenham's work is descriptive and Maxwell's scholarly. They both made their reputations in the Native States,
Dickson, were reflected in the conflicts between their departmental champions, Lucas and Fairfield, who were turned by the pressure of controversy into Malayan specialists. The conflict was one of principle as well as personality; Maxwell and Dickson were strong supporters of administrative discipline; Swettenham urged the need for 'flexibility' in the public service which meant leaving discipline (and everything else) to the discretion of the Resident.

The Secretary of State used his authority to maintain standards of integrity in the public service, to keep a

and probably added to their professional jealousy, the proprietary jealousy of the 'expert' in native affairs. Their careers were closely matched; they were both Deputy Commissioners with the troops in Perak in 1875, both promoted in 1882, in the same month, and were awarded the CMG within a year of each other. But Swettenham's career was entirely associated with the States, while Maxwell's was broken up by Colony appointments. When Low retired, the choice post in the Native States, the Residency of Perak, fell to Swettenham, and Maxwell had to be content with the Residency of Selangor. But as Colonial Secretary from 1892-5, he was in a position to oversee the affairs of the native states, and a number of matters on which he and Swettenham disagreed, came before the consideration of the Colonial Office.

Sir John Frederick Dickson, KCMG, was appointed Colonial Secretary of the Straits Settlements in 1885, after an official career in Ceylon. He acted as Governor in 1890, and died in office in 1892. He was an able and thorough administrator, but he did not get on with the Governor (Smith) or with Swettenham.
check on the expenditure of public funds, particularly expenditure on railways; to remedy injustices and to bring the social legislation of the native states as far as possible into harmony with late-Victorian morality. His interference was mostly in the form of correctives to administrative action taken or contemplated by the Resident; he did not interfere in the formulation of policy.

The appointments and salaries of the Residents and the Secretaries to Government in Perak and Selangor were decided by the Secretary of State on the recommendation of the Governor. The subordinate officers were formally considered to be servants of the Rulers, and their appointments and conditions of service were decided by the Governor without reference to the Secretary of State. The Colonial Office was reluctant to interfere with these subordinate appointments; it did not wish to be drawn into the routine administration of the States, and it was reluctant to be answerable for a 'scratch lot' of officers over whose

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The only Resident whose appointment probably originated with the Colonial Office was Low. He was appointed in February 1877; in May 1876, Meade minuted on a despatch from Jervois that he might be offered one of the Native States posts. (Minute by Meade, 24 May 1876, CO 273/83/6160.)
appointments it had no control. In 1884 a case of some difficulty was referred to the Colonial Office; the Governor wished to retire a former Straits officer, now in the service of Perak, who had been wounded in the performance of his duty; the Secretary of State was asked to fix the terms of his pension and gratuity. One official minuted, 'We do not appoint these Native States officers, and I do not see why we should arrange the terms of their dismissal'. Derby agreed, and wrote to the Governor, 'The whole question...of gratuities and pensions to the subordinate officers of the Protected States belongs properly, I would observe, to the Governors of the Settlements and the Resident'.

In the years that followed, however, the Colonial Office was drawn into an attempt to secure the tenure of the Native States officers and regularise their conditions of service. In theory they held office 'subject to the pleasure of the local authorities and the Governor of the Straits Settlements', and while officers on the fixed establishment of

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19. Minute by de Robeck, 7 February 1884, CO 273/123/1800; Derby to Weld, 41 of 18 February 1884.
20. CO to Governor of Cyprus, 14 October 1885, enclosed Derby to Weld, 33 of 5 February 1885. Perak Officers in 1885 were subject to dismissal at three months' notice. Low to Colonial Office, 11 October 1885, in CO 273/138/17785.
the Colony had the right to an inquiry by the Executive Council before dismissal, the dismissal of officers in the Native States was subject only to the discretion of the Resident and Governor. Arbitrary dismissal was not only contrary to the personal interests of the officers, it was against the interests of the public service. It was a hindrance to the recruitment of good men, and particularly men from other colonies, and as the Native States developed, the need for men with experience of a regular colonial administration was increasingly felt. The question of securing the pension rights of officers transferred from other colonies, and officers transferred from the Colony to the Native States, now arose. Smith, acting as Governor during Weld's absence, thought that 'such service should be held to be continuous, as though it were in law, as it is in fact, under one Government'. The Secretary of State accordingly recommended that officers in the Native States 'should be transferred to the service of the Colony and should be paid by and pensioned by the Colony - the Native States contributing a sufficient sum to reimburse the

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21 In 1884, Swettenham, then acting Resident of Perak, was pressing for the creation of the post of Secretary to Government, and the Colonial Office was asked to suggest a suitably experienced colonial official. (Smith to Derby, 486 of 3 November 1884.)

22 Smith to Derby, 219 of 25 May 1885.
expense....' The proposal was not that the services should be amalgamated, but that the Colony should hold itself responsible in the first instance for Native States salaries and pensions. It broke down in the face of determined opposition from Weld, who was now back as Governor and who feared that if the Colony were made responsible for the salaries and pensions of Native States' officers, the affairs of the States would come under the critical and interfering view of the Legislative Council. The Colonial Office did not press the point, but it forced the adoption of a clause in the Straits Pension Regulations, which made the service of the Colony and the Native States in effect, if not in name, continuous for pension purposes.

After Weld's departure, the Colonial Office made another attempt to get the Colony to guarantee the salaries and pensions of officers in the Native States. It accepted

23 Derby to Weld, 34 of 5 February 1886.
24 Weld to Derby, 99 of 20 March 1886.
25 I.e., their pensions were to be apportioned among the respective governments in proportion to the gross salary drawn throughout their service. Straits Settlements Pension Regulations, 1887, clause 10 (3), Straits Settlements Legislative Council Paper 23 of 1887. Officers transferred from one Colony to another received 1/720 of their annual salary at the date of leaving the Colony for each month of service (clause 10.1).
26 Knutsford to Smith, 128 of 4 May 1888.
the recommendation of Weld's successor, Smith, that only the Residents and Secretaries to Government were to be so guaranteed. But when the bill came to be discussed in Executive Council, the Straits officials objected to placing the responsibility for Native States' pensions on the Colony; and they raised the familiar scare that such a proposal would subject the whole administration of the Native States to the criticism and control of the Legislative Council. When the Colonial Office insisted that the Residents were not servants of the Native Rulers, but were 'advisers selected by the British Government', and employed by the British Government, the local officials countered strongly with the argument that 'British' in this context meant the Imperial and not the Colonial Government. The Colonial Office declined the responsibility to tactlessly pressed upon it, and it was established that the Residents, as well as the subordinate officers, must look to the Native State for the payment of their pensions; in other words, they were in fact if not in name the servants of the States.

27 Knutsford to Smith, 68 of 27 February 1890.
28 Memorandum of Executive Council (undated) forwarded Dickson to Knutsford, 241 of 3 June 1890, in CO 273/166/12671.
29 Knutsford to Smith, 44 of 24 February 1892.
The Colonial Office had tried, in effect, to smuggle the Native States officers on to the establishment of a Colony which was not their employer in any sense; and when driven to define the actual status of the Residents, it had wriggled out of the responsibility and had thrown them back on the Native States' Governments. The status of the subordinate officers was clear; they were beyond question servants of the Native States. The status of the Residents typified, in its ambiguity and obscurity, the whole relationship between the British Government on the one hand and the Native States on the other. They were styled 'British Resident' and were not, even in name, servants of the native rulers; but it was difficult in some cases to see who their ultimate employers were. Those who - like Low, Swettenham and Maxwell - had been appointed to the States from the colonial service, kept their status as servants of the Crown, and remained eligible for promotion in the colonies; but there were others who had come into the States from private employment, and there was one - Hugh Clifford, Resident of Pahang - whose first post had been in a Native State. The obscurity surrounding the legal status of the Residents did not, however, affect administrative practice; the Colonial Office continued to make the final decision on their appointments and salaries.
For the Residents, legal definitions were probably of little importance, but the subordinate officers were burdened by a sense of insecurity. In 1888 the European civil servants of Perak memorialised the Secretary of State on the subject of their status; they regarded themselves as 'the servants of Her Majesty, and not of the Native Ruler of the State'; and they begged to be transferred to the service of the Colony, or that the Civil Service of the States be recognised as a branch of Her Majesty's Service. The proposal was contrary to the recent decision on the subject and was rejected; but the Colonial Office maintained an interest in the subordinate officers and entertained appeals from them against wrongful dismissal and curtailment of pension rights. A despatch stated in 1894, '...it is impossible for the Secretary of State to regard himself as entirely free from responsibility, where the decision, whatever its form, is virtually that of the Resident and Governor, and where it affects the interests of a public servant who is a British subject'. The appeals were rare, and though they were made the subject of inquiry, they did

30 Memorial of European Civil Servants of Perak to Secretary of State, undated, enclosed in Smith, 413 of 15 September 1888.
31 Ripon to Mitchell, Confidential of 11 July 1894.
the appellants little good; the action of the local authorities was usually upheld. But the Colonial Office was prepared on occasion to override the Governor. In an attempt to bring administrative practice in the States into line with that in the Colony, the Governor, Mitchell, attempted in 1894, to cut off the pensions of Sanitary Board Officers in Selangor. As this involved a breach of faith, the Resident protested; and when the Governor rejected his protest, and that of the Sanitary Board, the officers in question memorialised the Secretary of State. The Colonial Office, though sympathetic to the principle of assimilating Native States' practice to that in the colony, thought the Governor's decision harsh and allowed the appeal.

The Native States officers were recruited by nomination from a variety of sources; they were subject to general regulations closely assimilated to those in force

32 Lieut. Colonel Sir Charles Bullen Henry Mitchell, KCMG (1883), was Governor from October 1893 to December 1899. He was responsible for carrying out the Federation of the four Protected States in 1896, and became their first High Commissioner. He was characterised by Lucas as a 'safe and capable' administrator. The absence of proper forms of appointment for Native States officers, and their insecurity of tenure, disturbed him, and in 1894 he addressed the Secretary of State on these problems.

33 Memorial by Sanitary Board, Kuala Lumpur, to Secretary of State, 31 October 1895, CO 273/207/22081; Chamberlain to Mitchell, 411 of 19 December 1895.
in the Colony, but the disciplinary effect of these regulations was diluted by distance; and in pioneering governments, discipline was easier, and idiosyncrasies in administration more readily tolerated, than in old established settlements. The Colonial Office realised that there was wide opportunity for misconduct, and that it would be held responsible in the last instance for the behaviour of officers. Herbert, then Permanent Under-Secretary, minuted on a report of maladministration in Selangor: 'I would require and not suggest the necessary measures.... The fiction that we do not directly control the officers in these States is a very transparent one, and will not shield us when the misgovernment of the country becomes a public scandal'. Kimberley agreed: 'We are certainly responsible for the English officers employed in these States and must exercise a control over them'.

In 1882, a letter from a former officer in the Selangor Government brought the conduct of the Resident, Douglas, to the attention of the Secretary of State. Neglecting instructions from Singapore, he had permitted his subordinates to make deductions from the allowance of the old Sultan, for goods of European manufacture which he did not

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34 Minute by Herbert, 12 July 1882; minute by Kimberley, 14 July 1882, on CO 273/114/10025.
want, and which were pressed on him by the European officers. The Secretary of State called for an inquiry which ended in Douglas' resignation.

In the same year the Governor, Weld, forwarded a report on the Land Department of Selangor which told a story of gross mismanagement, and jobbery in which the Resident and the head of the department were involved. (The latter, acting as auctioneer in a sale of town lots, knocked them down to the Resident, who happened to be his father-in-law.) The Secretary of State issued a general prohibition of such transactions, and in 1885 he issued a circular prohibiting a salaried public servant in the Colony or Native

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Innes to Kimberley, 2 May 1882, CO 273/118/8000; Kimberley to Weld, Confidential of 16 May 1882; Weld to Kimberley, Confidential of 24 August 1882 and enclosures. The articles provided included a gold watch and chain, a complete set of wine glassware, a pony and carriage, a gun, pictures of the Royal Family (which the Collector at Langat thought would make the Istana look handsome) and a piano. The Resident argued in defence, 'It is absurd to say the Sultan did not wish for table equipage, furniture, wines and those things natives of the higher classes now provide for the entertainment of European visitors; has the Sultan to remain in the same barbarous state I found him in in 1875?' (Resident to C.S., 23 August 1882, CO 273/115/17146.) According to Innes, however, the Sultan had declared 'that he had never fired an English gun in his life, nor wished to fire one; that he preferred walking to driving, and eating with his fingers, according to Malay custom, to the use of forks; that wine was forbidden by the Koran and that he did not know how to play the piano'.

Report by McCallum on the Land Department of Selangor, 2 April 1882, CO 273/114/10025.
States from occupying for profit more than 20 acres of land, or any land more than 6 miles from his residence. The two senior Residents, Low and Swettenham, and the two Governors who successively dealt with the question, illustrated by their different reactions the conflict in the Native States between the standards of the public service on the one hand, and private empire-building on the other. (The interest of the contrast is enhanced by the fact that all four had served in Crown Colonies, and though Weld had come into the service from public life, Low, Smith and Swettenham were career officers and had a common Colonial Service training.) Low's authority in Perak was almost as complete as if he were Governor of a colony; indeed that was his standing in the estimation of the Colonial Office, if not in rank or pay. But despite his authority, or perhaps because of it, he welcomed all instructions on the subject of land speculation without reserve. Swettenham, who had now become Resident of Selangor, received the 1882 instructions with a long and tendentious letter asking for clarification; were Government officers ('and in that category I would include the Capitan China, native rajas

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37 Derby to Weld, 179 of 25 July 1882; Derby to Weld, circular of 2 February 1885.
38 Swettenham to Weld, 6 January 1883, in CO 273/169/817.
in receipt of allowances, Penghulus etc.') henceforth precluded from buying State land? He considered that there should be either an absolute prohibition, or full permission to buy land or invest in enterprise in the state, provided that these interests did not interfere with work or get the officer into debt. The real point, that it was undesirable for a public servant to acquire land for profit in a state where he had the power to influence values by decisions on planning and communications, seems to have escaped him. Weld was characteristically unwilling to let any matter be determined by regulation instead of by personal decision by the Resident or himself; he was also unwilling to bind honest men by a regulation meant obviously to restrain the corrupt. His supplementary instructions to Swettenham were so full of qualifications that they were quite useless as a restriction on land speculation. In 1888 his successor, Smith, who had a more rigid attitude on these questions, wrote to the Colonial Office complaining that existing regulations were inadequate and proposing

39 Weld to Swettenham, 15 March 1883, CO 273/169/817. A little later, Swettenham apparently wrote to Weld privately asking for advice in relation to the purchase of land by himself. Weld suggested that in order to avert gossip which might 'lower the service', Swettenham should get his wife to buy the land in question. (Weld to Swettenham, 28 May 1883, CO 273/169/817.) Weld's unbelievable naivety and antipathy to regulations sometimes led him into unfortunate decisions.
fresh ones. These would prohibit any European officer in
the Colony or Native States, or any member of his family,
from acquiring property other than a house and garden for
his own occupation. Low again approved this without
reserve. Swettenham, who was clearly beginning to suffer
from folie de grandeur, wrote an impertinent minute suggest­
ing that if an officer 'whose services were great, whose
ability was undoubted, and whose honesty was unimpeachable',
refused to give up his holdings, the Secretary of State
might find it hard to dismiss him. Swettenham's minute
was not calculated to charm the Colonial Office and the
ethics of the matter were clear; the Governor was upheld.

In 1892 and 1893, the Colonial Office was made aware
of serious irregularities in the administration of justice.
In 1891, the Resident of Pahang had convicted a man of
murder and sentenced him to death on the basis of uncor­
roborated evidence from an accomplice who had testified in
the hope of improving his own position. The Resident had
reported the case to the Governor; the Governor had asked
the Attorney-General for his opinion, and the Attorney-
General had advised that if the prisoner had been tried in

40 Smith to Knutsford, 536 of 5 December 1888, CO 273/156/515.
41 Minute by Swettenham, undated, enclosed Smith to
Knutsford, 536 of 5 December 1888, CO 273/156/515.
42 Knutsford to Smith, 65 of 28 February 1889.
the Colony he would probably have been acquitted. The Governor was content to direct the Pahang State Council to commute the sentence to imprisonment for life, and he had rejected a petition for a free pardon for the prisoner. The brother of the prisoner had then petitioned the Secretary of State for a free pardon, or a retrial before the Supreme Court in Singapore. The Secretary of State called for a report; when it came, the minutes were unflattering to the local authorities. One official commented on the 'astounding obliquity of judgment on the part of Sir C. Smith', and the Secretary of State directed that the Governor take the necessary steps to secure the remission of sentences.

The case contributed to changes in the administration of justice, which the Colonial Office initiated between 1892 and 1894, and which foreshadowed the centralisation of other branches of government under the Federation scheme of 1895-6. The final court of appeal in the Native States was the Sultan in Council. No colony court had any jurisdiction over the Native States, but the Governor sometimes intervened by executive process, ordering a retrial or a

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Gurdit Singh to S. of S., 17 August 1892, CO 273/185/18550; Smith to Ripon, 487 of 22 December 1892 and enclosures; CO 273/184/1060; Ripon to Smith, 42 of 20 February 1893.
modification of sentence by instructions to the Resident. The administration of justice was objectionable to Straits commercial interests on a number of counts; the courts were composed of executive officers and not professional jurists, they did not admit pleaders, and there was no appeal to any judicial authority independent of the State or Colony executive. In 1891, the Singapore branch of the Straits Association and the Singapore Chamber of Commerce petitioned the Secretary of State that British subjects be allowed to appeal to the Supreme Court. The Secretary of State, advised by Swettenham, proposed a solution which partially satisfied the request of the petitioners; he proposed that appeals should lie to a Judge of the Colony Supreme Court, travelling on circuit, and holding a commission from the Sultan in Council while in the State. Lawyers were to be excluded, and appeals were to be confined to cases of commercial law.

The Pahang murder case caused the Secretary of State to instruct that until more competent courts were established, British subjects charged with offences punishable by death or a long term of imprisonment should be tried either in Singapore or by Colony judges on circuit. In

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44 Ripon to Smith, Confidential of 18 January 1892.
45 Ripon to Smith, Confidential of 20 February 1893.
1894 the confidence of the Colonial Office in the administration of justice in the States was further undermined by the disclosure of serious irregularities in Perak, brought to the notice of the Secretary of State by an officer lately in the Perak service. In June 1894 the officials were exchanging critical minutes on this case, and at the same time the Secretary of State complained in a despatch that his proposals for new appeal procedures in civil cases, made two years before, had gone unanswered. In September, the Governor put forward proposals for judicial reform which went beyond the question of appeals. He suggested the appointment of a single judicial authority for the Native States, a Judicial Commissioner whose duties would be to organise and control courts of all classes, to inspect them, to hear appeals, and to advise on legislation. The proposal was approved and developed by the Secretary of State, who directed that the necessary authority be conferred by identical laws enacted in the several States;

46 Ripon to Mitchell, Confidential of 20 June 1894.

47 Mitchell to Ripon, Confidential of 4 September 1894. The scheme originated with Maxwell, then Colonial Secretary, who was critical of the administration of justice in the States (especially in Perak, where Swettenham was Resident), and whose minutes on one Perak case, referred to the Governor, had strongly criticised the procedures adopted by the Chief Magistrate and sanctioned by the Acting Resident. (See papers on Fraser case, CO 273/195/10103.)
the draft to be prepared by the Attorney-General of the Colony and submitted for the approval of the Secretary of State. The arrangements, in the event, became merged in the general reorganisation of the State administrations under the Federation Scheme of 1895-6.

The Colonial Office established at an early date its right to be consulted before the State undertook major public works. The question arose in connection with the construction of the Selangor railway, a line of 22 miles connecting Kuala Lumpur with its port at Klang, involving a total expenditure more than double the Selangor revenue for 1882, and requiring to be financed by a Colony loan. Weld and Swettenham had already appointed their consultant engineer before putting the scheme up to the Secretary of State; the first he heard of it was when the engineer appointed wrote to the Crown Agents to say he was ready to sail for the Straits, and to ask for an advance of £100. The Secretary of State cancelled the appointment (which was

Ripon to Mitchell, Confidential of 1 November 1894. The Secretary of State had written in September to ask that the question of admitting lawyers to the Native States Courts be reconsidered (Ripon to Mitchell, Confidential of 3 September 1894). He now insisted, against the advice of the Governor, that the matter be left to the discretion of the Judicial Commissioner (Ripon to Mitchell, Confidential of 5 November 1894). The Judicial Commissioner began admitting lawyers to this Court in 1896.
objectionable on other grounds), and requested that he be informed when it was proposed to construct major public works involving heavy financial liability. (In 1887, Weld had apparently forgotten this directive, for he sanctioned a concession by the Resident of Sungei Ujong to a private company, for the construction of a railway from Seremban to Port Dickson; he wrote to inform the Colonial Office after the agreement was completed.)

On technical matters the States were advised by a consultant engineer in London, Sir Charles Hutton Gregory, who was appointed with the approval of the Colonial Office. On most of the problems of construction the Colonial Office and the local authorities were not in serious disagreement; both thought in terms of a pan-Malayan system of railway communications, and both accepted uniformity of construction.

49 Derby to Weld, 100 of 12 March 1883. Weld was furious at the action of the Colonial Office in cancelling this appointment; he put up the usual extravagant objections, complaining of interference with the Sultan's government and virtual annexation, but the officials were unimpressed. One of them took the lecture to mean 'that Mr Swettenham is aggrieved and that Sir F. Weld sympathises with him...', but maintained that the Colonial Office was responsible for 'mitigating on some points the personal rule and direct influence of the Resident & the Governor'. (Minute by de Robeck, 9 August 1883, on CO 273/121/13415.)

50 Weld to Knutsford, 443 of 17 October 1887. The agreement, between Resident, Sungei Ujong and Messrs Hill and Rathborne, 12 October 1887, 'enclosed in Smith to Knutsford, 58 of 4 February 1888.'
as a desirable principle. But the early lines were lateral lines connecting existing centres of production with the coast; the immediate need was for quick and cheap transport, and Swettenham at first thought that a light, narrow-gauge railway would be most suitable for the Klang-Kuala Lumpur line. The influence of the Colonial Office contributed to the decision to adopt a metre gauge and a heavy steel rail in Selangor and Perak, and the metre gauge remained the standard for the whole Malayan railway system.

The influence of the Colonial Office was also used to prevent the local authorities from pledging the States to lavish railway concessions. The local authorities and the Colonial Office were at one in preferring construction by the State wherever profits were assured, and the Perak and Selangor railways were made by the State. But in Sungei Ujong, where profits were speculative, a concession with a guarantee of interest was granted to a private company, to make and run the line. The Colonial Office, which had not been consulted on the negotiations, objected to the completed agreement as unfavourable to the State, cancelled it, and negotiated a new one giving the State much better terms. In 1890 the Secretary of State was consulted on the subject.

of a proposed railway to open up the mining districts of Pahang. Smith was anxious that it should be built, but as it was a purely speculative undertaking, the largest single railway project yet contemplated in the Peninsula, the least immediately remunerative, and designed to run for the greater part of its length through a State unable to meet its ordinary expenses without loans, and since the Colony itself refused to make the line, the Colonial Office was not enthusiastic. It went so far as to sanction the survey of the route, but it refused to sanction the only terms acceptable to the Colony Legislature - construction by a private company with the Colony guaranteeing the interest - and the project fell through.

The Colonial Office signified its interest in the Native States administrations by a ritual acknowledgement of their Annual Reports. Before 1888, these were acknowledged in three or four lines expressing a conventional interest; but in that year, Lucas began the practice of drafting long minutes (on which the despatches were based) bringing to the notice of the Secretary of State, the progress made by the Residents. These despatches, he thought,

52 Knutsford to Dickson, 120 of 11 April 1890; Knutsford to Smith, 102 of 2 April 1891; Knutsford to Smith, 138 of 23 April 1892.
would give 'an appearance of taking intelligent interest in these states', and would encourage the officers in their work. The despatches were for the most part conventional echoes of the Reports, expressing approval of progress made, regret concerning difficulties, and hope for improvement in the future. The Secretary of State noted with pleasure the rise in the land revenue of Selangor, was glad to learn that the cart road from Jelebu to Sungei Ujong was now open, and observed with satisfaction that the Selangor debt had been liquidated. He gathered that much remained to be done in respect to roadmaking, and attached the greatest importance to the spread of agriculture. As time went on, the 'appearance of taking an interest' led Lucas to greater and greater efforts, until the suggestions and requests for information became as conscientious, detailed and irrelevant as the questions asked by Royalty on a tour of inspection. Some of the other officials grew rather sour about Lucas' hobby-horse; in 1891, Fairfield thought it unwise to 'echo back' the optimism of officials, especially about Pahang, where there was already too much dangerous speculation; and in 1895 Meade begged to be spared another

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53 Minute by Lucas, 22 August 1893, CO 273/166/15867.
54 Minute by Fairfield, 10 October 1891, CO 273/173/14667. Minute by Fairfield, 15 March 1895, CO 273/195/13289.
The criticisms in the despatches were cast in the form of suggestions which the officials might accept or quietly ignore; and though some of them were sensible enough, they usually referred to needs already noticed in the Reports, and presumably, already under consideration. When action was taken it was not always taken in the form recommended by the Secretary of State. In his Report for Selangor for 1888, for example, Swettenham had referred to the need for an Inspector of Schools for the State, and in his Report for Perak for 1889 he had made the same point in connection with education there. The Secretary of State recommended, in 1889 and 1890, that one Inspector of Schools be appointed to all the States, to promote uniformity in educational development; but the appointment made (and reported in the Perak Report for 1890) was of an Inspector of Schools for Perak alone. The appointment may have been advanced a year or two by the

Minute by Meade, 4 September 1895, CO 273/204/12370.

The Residents devoted a few paragraphs of their Annual Reports to direct replies to the Secretary of State's despatch on the reports of the previous year. Perak began this practice in 1891, and the other states in 1893. The Reports for any one year were drawn up in the next half-year, and forwarded by the Governor to the Secretary of State between June and August. The Secretary of State's reply was usually written about September or October and received a month later, too late to initiate action for that year.
Secretary of State's interest, but it was in perfect accord with the development of education in Perak, and would have been made, probably, in any case. Again, the problem of isolating lepers was raised in the Annual Reports and in the replies of the Secretary of State. The Selangor Report for 1891 referred to arrangements made to isolate the lepers in a State asylum; the Secretary of State expressed a preference for isolation in the Straits Settlements asylum at Pulau Terejak, but the Selangor Government kept to its arrangements. In these matters and many others, the action taken arose naturally out of programmes already initiated or requirements already noted, and it is unlikely that the pace of reform was much affected by the representations of the Colonial Office.

The Secretary of State made one important policy recommendation, which he reiterated year by year; it was that agriculture be developed, as a balance to mining, by the introduction of Chinese and Indian peasant families. 'In tropical countries, immigration is so constantly synonymous with the supply of indentured labour to planters and employers, or with indiscriminate Chinese immigration, that

57 There are a few cases in which action was probably taken at the recommendation of the Secretary of State; the institution of sanitary boards in Perak, on the Selangor model, is one of them.
The possibility of colonisation with selected families under some state aided system seems to have been rather left out of sight. The Residents were in principle wholly in favour of such colonisation; Swettenham in his 1888 report on Selangor had in fact suggested that Chinese agriculturists be introduced there. But they were too preoccupied with securing Chinese and Indian labour for the mines and estates to spend much time on establishing them as an immigrant peasantry, and they never had anything to report on this head beyond minor experiments and achievements.

The Colonial Office was not directly informed, as a rule, about State legislation, but it occasionally gathered information from miscellaneous sources, which caused it to intervene in order to assimilate social practices in the States as far as possible to metropolitan standards of morality. In 1875, for example, it picked up from Speedy's Larut report, a reference to the existence of slavery and debt bondage in Perak, and subsequently inquiry showed that the institution was spread throughout the Peninsula. The

58 Knutsford to Dickson, 277 of 16 September 1890.
59 These remarks refer to settlement by Chinese and Indians. There was extensive settlement by immigrant Malays, some of whom were assisted by Government loans, but this movement appears to have owed more to Malay initiative than to Government planning.
Secretary of State directed that the practice be abated 'with as little delay as is consistent with the necessary caution which is to be observed in the new relations which exist in Perak'. In 1878 the Secretary of State called for information about the practice in all the States. Action had already been taken in Selangor and Sungei Ujong whereby the value of slave labour was set against the original debt and purchase price and the debt thereby liquidated; but in Perak the problem was rendered more difficult by the size of the Malay population — and therefore of resistance to change — and by the need to proceed slowly with reforms after the recent disturbances. The Colonial Office accepted the need for caution; but in 1882 it renewed its pressure. By that time, however, Low had of his own accord decided that the time had come for action, and had asked the Perak State Councillors to come to the next meeting prepared to discuss solutions. The arrangement decided at the State Council meeting in October, whereby slavery and debt bondage were to cease in Perak on

60 Carnarvon to Jervois, Confidential of 25 May 1875.
61 Hicks Beach to Robinson, 31 August 1878.
62 Kimberley to Weld, 4 March 1882.
63 PGM, 15 March 1882.
31 December 1883, thus owed little to Colonial Office pressure, though may have advanced the date of emancipation by two or three years.

Again, in 1889, an official noticed a reference in a debate in the Colony Legislative Council to the existence of the death penalty in Perak for those convicted of organising secret societies. The Secretary of State considered the penalty too severe, and learnt on inquiry that the Perak penalty was a dead letter; the Governor had given instructions through the Residents that it should not be imposed except when murder was committed. The Secretary of State held that the law should not prescribe a penalty which would not be executed, and required that the State Government be advised to amend the law.

On these matters the Colonial Office and the local authorities were in reasonable accord; but on others they were at odds, and it was necessary to push through reforms in the face of local resistance. Two practices continued to flourish in the Native States after they had been abolished in the Straits Settlements and Hongkong on the instructions of the Secretary of State. The levy of fees for brothel registration had been abolished in the Straits,

64 Knutsford to Smith, 130 of 10 May 1889.
but they continued to be levied in Perak, and in 1891 the Secretary of State noted a reference in the Perak Government Gazette of 8 May, to the expenditure of revenue from this source on various good works, including an old people's home in Taiping. The Secretary of State learnt further that the Governor had been about to allow a Perak Order in Council for the compulsory examination and treatment of venereal disease; and as such legislation had been repealed in India and the Colonies at the insistence of Parliament, the Secretary of State felt unable to permit the Governor to sanction its introduction into the Native States. He was instructed to disallow it, and also to bring before the State Council the objection of the Secretary of State to the levy of fees for brothel registration. The sympathies of the Governor and the Resident (Swettenham) were wholly with the legislation, and the Perak State Council decided unanimously to retain the fees. The Secretary of State directed that an expression of his regret be

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65 Knutsford to Smith, 7 of 7 January 1892. The minutes showed how the instructions were to be relayed: 'Tell the Governor to instruct the Resident to recommend the State Council...' (Minute by Johnson, 15 December 1891, on 273/176/23049).

66 PCM 21 June 1892, PGG 10 August 1892.
communicated to the State Council, and in December, the Governor reported that the fees had been abolished.

The Secretary of State also objected to the continuance of licensed public gambling in the Native States after it had been made illegal in the Straits and Hongkong. The lease of the gambling monopoly brought in a large revenue, and the experience of the Straits had shown that gambling among the Chinese did not cease upon being made illegal, but simply flourished underground, and contributed to the increase of crime, of protection rackets and police corruption; and Swettenham pointed out in a devastating

Ripon to Smith, 4 November 1892; Smith to Ripon, 492 of 18 December 1892.

The incident throws a valuable light on the Governor's control of state legislation. The Order in Council providing for the compulsory examination of prostitutes was passed apparently at the Perak Council meeting of 7 July 1891 (reference in PCM of 21 June 1892, PGG 10 August 1892). In September 1891 it was awaiting the Governor's consideration before being brought into operation; before he could allow it he received a despatch from the Secretary of State objecting to the levy of fees for the registration of prostitutes and presuming that no system of compulsory examination or treatment of venereal disease was in force in the Native States (Knutsford to Smith, 12 August 1891, H. of C. 146, no.1). The Governor withheld approval of the Order in Council, pending further instructions (Smith to Knutsford, 406 of 29 October 1891), and on receiving them, he refused approval altogether, the Order was never gazetted, and there is no reference to it in the account of the Council meeting at which it was passed (PCM 7 July 1891, in PGG 30 September 1891). The levy of fees for brothel registration was abolished by Order in Council, 5 of 1892, passed at a meeting of 19 December 1892 (PGG 11 January 1893).
minute that the abolition of licensed gambling in Perak would result in a 'gigantic conspiracy to break the law' and the complete demoralisation of the police. The Governor and four of the five Residents recommended the continuance of the gambling farm; and even the Sultan of Perak sent in a strong letter of protest. But as the Governor realised, the Secretary of State had to satisfy Parliament on the matter; in anticipation of instructions the Colonial Secretary put up a scheme for the gradual abolition of the farm, and the Secretary of State directed that this plan be carried out.

The Residents were able, forceful and independent men, as they needed to be in order to discharge their responsibilities, and they were supported by Governors of similar ability and independence. It is not surprising that Residents and Governors were jealous of their authority and resented the interference of departmental officials in London, or that many of them should consider the rigid

68 Mitchell to Ripon, Confidential of 8 February 1895 and enclosures; Sultan of Perak to Governor, 20 July 1894, in CO 273/195/15183. The Sultan was probably encouraged by Swettenham to express his displeasure; but it seems to have been genuine. Mitchell wrote privately to say that the Sultan was 'so much incensed' that he did not go to see him when he (Mitchell) was last in Perak. (Mitchell to CO, private, 20 February 1895, in CO 273/202/4722.)

69 Ripon to Mitchell, Confidential of 4 April 1895.
discipline of the colonial service inappropriate to pioneering conditions. The Colonial authorities and the local authorities were often opposed; but it would be wrong to think of them as facing each other from fixed positions in attitudes of mutual hostility. They had common standards and allegiances which cut across their disagreements in particular situations; they all wished to advance the economic development of the Peninsula, to establish orderly and solvent administrations, and to maintain minimum standards of public instruction and health care, though the minimum standard was apt to be narrowly defined. Residents and Governors were alike conscious that isolation carried with it the danger of demoralisation in the public service; they tried to maintain standards, by instituting administrative procedures and controls which were taken from the general orders of the Colony. The Colonial Office intervened, not so much to introduce rules and procedures, as to limit the personal discretion which the local officials permitted themselves in the interpretation of their regulations.

By the end of the period the situation was reached where a colonial government, ruling its own populations through colonial departments and recognising no native authority as an executive instrument, had brought into
being a system of rule in which the native authority was sovereign, native hierarchies preserved, and native institutions used as agencies of government. We have seen the part played in this development by the traditional preference of the Imperial Government for informal control; by the ambitions of local authorities, some of whom tried in the early stages to formalise control, but nearly all of whom later came to defend the nominal independence of the states; and by the character of the native rulers, whose weakness invited intervention but at the same time made it safe to preserve them as nominal rulers. But the development of the Residential system was not entirely the result of circumstance. One essential feature - the early centralisation of government in the hands of a highly organised European executive - was determined by economic conditions and objectives; the other - the preservation of indigenous forms and institutions - depended much more on contingency, but this feature also can perhaps be related to economic facts. Economic development took place outside the Malay sector; it was therefore possible to encourage it without making demands on Malay land, labour or revenue contributions which would disrupt Malay society.

Of all the achievements of government in the Western Malay States - and they are many - perhaps the most
remarkable was the perpetuation of the illusion that a territory whose populations, industries, administrations and chief towns had become predominantly alien was nevertheless a Malay world. The illusion was maintained not merely by associating the Malays in government but by the identification of British officials with the Malay life and spirit. Speaking Malay, selected for their attraction to Malay manners and ways of life, understanding the power of appearances, ritual and forms, British officers inhabited the Malay world as well as their own. They became honorary members of the Malay elite; the ritual of colonial government and that of Malay authority complemented each other. This identification of the British with the Malays has very often been explained in terms of policy and power relationships, and particularly as a mutual alliance against the Chinese. Such an explanation is too simple, and whatever application it may have to the history of the 1920s and 1930s, it does not fit this early period, when administrators measured their success by the number of Chinese whom they induced to migrate to the states. The relations between the British and the Malays may have been inspired originally by policy, but it was a policy which released natural sympathies and affinities. The early British administrators were enchanted by the beauty of the
country in which they worked; thrown on the company of Malay aristocrats by the scarcity of their own kind, they found them hospitable country gentlemen who combined courtesy and reserve in the right proportions and who loved field sports; their households were open and friendly and they did not despise strangers. It is not hard to understand why British officials felt drawn to them and found friends among them.

The Malay States provide a particularly clear-cut example of the organisation of government to deal with a divided society. The intrusion of the world economy was accompanied by the growth of a large and highly developed administration, directed and staffed by non-Malays, paid for by non-Malay taxation and largely serving non-Malay commercial interests; while district administration and local government were left to Malay local authorities and a growing cadre of Malay district officers. The British administration provided the link between these two interests and undertook to hold the balance between them. To the administrators of the nineteenth century the immediate problem was economic, how to fill empty lands, develop a mining and commercial agriculture and establish a modern system of communications. It was only in the twentieth century that the danger to the Malays of unrestricted
economic development became apparent; involving, as it did, unrestricted immigration and the increasing centralisation of power in non-Malay hands. The theory of Malay sovereignty, Malay proprietary interest and exclusive Malay claim to government office, now came to have a strong moral sanction and came to be regarded as the first defence of Malay interests against alien encroachment. The idea was expressed in its extreme form by Sir Hugh Clifford in 1927.

> These States were, when the British Government was invited by their Rulers and Chiefs to set their troubled houses in order, Muhammadan monarchies. Such they are today, and such they must continue to be. No mandate has ever been extended to us by Rajas, Chiefs or people to vary the system of government which has existed in these territories from time immemorial.... The adoption of any kind of government by majority would forthwith entail the complete subversion of the indigenous population, who would find themselves hopelessly outnumbered by the folk of other races; and this would produce a situation which would amount to a betrayal of trust which the Malays of these States, from the highest to the lowest, have been taught to repose in his Majesty's Government.

Today, little more than thirty years after Clifford's speech, Malaya has a government responsible to a popularly elected representative assembly. The franchise is extended to all citizens and citizenship is extended in principle.

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to all those born in Malaya after independence day, irrespective of their racial origin, and in practice to large numbers of non-Malays who were already in the country before independence. Non-Malays are in positions carrying great political and administrative responsibility. In essentials, however, Malay political predominance is maintained. The time clause in the citizenship regulations preserves the electoral balance in favour of Malays for a generation to come; the constitution provides for the adoption of Malay as the national language, and for the indefinite operation of special Malay privileges (for example, a Malay quota of government posts); the heads of State are the Malay rulers. In the political organisation of modern Malaya, the policies and methods adopted to deal with the dualism of colonial society continue to find expression.
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APPENDIX I

The Perak Constitution

An account of the Perak Constitution c.1874 is given in Winstedt, 'History of Perak', JMBRAS, xii, 1, pp.119-76, Appendices A-K. The titles, genealogies, functions and revenues of the chiefs are given in Appendix D, pp.134-58. In Winstedt's list, the chiefs of the second rank are given in the order assigned to them by the Perak State Council of 1905. Except for a change in one title, and slight differences in the order, the list is the same as that given by C.J. Irving, Memorandum on a visit to Perak, 24 July 1872, C.1111, enclosure in no.52.

The titles below are in the order given them by Winstedt and are followed by summaries of (nominal) functions, revenues and territorial affiliations, taken partly from Winstedt and partly from other sources. The expression of power in terms of formal survivals from more highly developed political systems is characteristic of Malay society, and it has therefore seemed worth while, by way of illustration, to give the functions traditionally attached to the four great offices of state (originally court offices) even though they had a largely antiquarian interest by 1874, and even though their holders lived in their own districts and not with the Sultan.
The titles or elements of the titles of nearly all the chiefs occur in histories of the Malacca Court of the fifteenth century. According to tradition, the offices of the Four Great Chiefs and five of the Eight Major Chiefs, were held by members of the family of Malacca Bendaharas; but by the nineteenth century, only the titles of the Sri Adika Raja, the Panglima Kinta and the Panglima Bukit Gantang remained in the hands of this family. All the title-holders of the first rank, and the Laksamana in the second, were signatories to treaties executed between Perak and the Dutch East India Company in 1650 and 1655; but some of the titles of the second rank appear to be eighteenth century creations, and it was only in the eighteenth century that the titles of either rank came into the hands of the families holding them in 1874.

THE RAJAS

1. The Sultan
2. The Raja Muda (heir presumptive).
3. The Waris Negeri (male members of the royal house in the line of succession. An elastic category).

ORANG BESAR EMPAT (THE FOUR GREAT CHIEFS).

1. Raja Bendahara.

Before the eighteenth century he was the greatest commoner chief and the Sultan’s chief minister, but about the middle of the century the office came into
the royal family. The Bendahara then stood next to the Raja Muda in succession to the throne. On the death of a Sultan, the Bendahara became Regent, and took possession of the regalia. After seven days he invested the Sultan with it, and superintended his installation.

His revenues came mainly from duties on trade on the Kinta River. In 1874 the Bendahara (Osman) lived at Sayong in Upper Perak. He died in 1877, and some time later the title was assumed by Raja Idris, son-in-law of Raja Yusuf, who had become Regent in 1877.

2. The Orang Kaya Besar (Orang Kaya Besar Sri Maharaja 'diraja Penghulu Bendahari).

The Sultan's 'treasurer, secretary and chamberlain'; a great palace official. The office was vacant at this time.

3. The Temenggong (Orang Kaya Temenggong Paduka Raja).

A military and police officer, in charge of defence works and prisons and chief of executioners. He was also in charge of markets and weights and measures. He derived his revenue from a monopoly of the sale of salt and ataps, from fees on weights and measures, and from fines. In 1874 (and throughout the period) the Temenggong lived at Kota Lama, near Kuala Kangsar in Upper Perak.

4. The Mentri (Orang Kaya Mentri Sri Paduka Tuan)

Nominally the State Justiciar, but in 1874 chiefly notable as the Governor of Larut.

ORANG BESAR DELAPAN (THE EIGHT MAJOR CHIEFS)

1. The Maharaja Lela (Orang Kaya-Kaya Maharaja Lela Tan Lela Putra).

A chief above the law, and entrusted with the protection of the Sultan at court ceremonies. He was territorial chief of Pasir Salak, and drew revenues from his district and from tolls on the Sungei Dedap.

2. The Laksamana (Orang Kaya-Kaya Laksamana Raja Mahkota).

The Laksamana had charge of the sea-coast and of the tidal reaches of the Perak River. Together with the Shahbandar, he collected customs duties for the Sultan
at the mouth of the Perak River, and was entitled to a share of collections. He also had a customs station on the Batang Padang. His village was Durian Sa-batang, at the confluence of the Perak and the Bidor.

3. The S'adika Raja (Orang Kaya-Kaya Sri Adika Raja Shahbandar Muda).

Territorial chief of Upper Perak, from Kuala Temong to the Siam boundary. His revenues came from taxes on tin and gutta exported from his district, and from a rice levy on each household.

4. The Panglima Kinta (Orang Kaya-Kaya Panglima Kinta, Sri Amar Bangsa' 'diraja).

Territorial chief of Kinta, and warden of Perak's eastern frontier. He received a tenth of all the tin produced in his district.

5. The Panglima Bukit Gantang (Orang Kaya-Kaya Bukit Gantang Sri Amar 'diraja).

Territorial chief of Bukit Gantang, in the pass between the Perak and Larut valleys, which he guarded. The office was eclipsed by the rise of the Mentri (himself one of the Bukit Gantang family) who succeeded to the territorial influence of the family in north-west Perak. The title lapsed in 1871, and was not revived till the twentieth century.

6. The Shahbandar (Orang Kaya-Kaya Shahbandar Paduka Indra).

A Lower Perak Chief who acted as harbour master and customs officer. He was joint collector with the Laksamana of customs revenue on the Perak River, and took a commission on collections.

7. The Dato' Sagor (Orang Kaya-Kaya Sri Agar 'diraja)

Territorial chief of the district between Kampong Gajah and Pulau Tiga, on the Lower Perak.
Yap Ah Loy

Yap Ah Loy was a remarkable Chinese leader whose biography, written from Chinese and English sources, is the only study in English of Chinese leadership in the nineteenth century Malay States.\(^1\) He was a Hakka, born in 1837 in the Fei Chew prefecture of Kwangtung province. He sailed from Macao for Malacca in 1854, and after working as a shop assistant, a mine cook and a dealer in pigs around the mines of Lukut and Sungei Ujong, he became a principal fighting man under the Capitan China of Sungei Ujong; when his chief was killed in one of the Sungei Ujong faction fights, Ah Loy became Capitan China, at the age of twenty-six. At each stage he was helped with loans, shelter or employment by clansmen of the Yap surname. In 1862 one of the Hakka chiefs of Sungei Ujong, with whom Ah Loy had been closely associated, moved to Kuala Lumpur and became Capitan of the Chinese there; Ah Loy followed him, managed his mines, and in 1868 succeeded him as Capitan China. From 1868 till his death in 1885 he

\(^1\) Middlebrook, 'Yap Ah Loy', *JMBRAS*, xxiv, 2, from which this summary is mostly taken.
was the leader of the Kuala Lumpur Chinese. In 1869 he had a brief association with Raja Mahdi, who was for a short time ruler of Klang, and who was the first Malay chief to recognise Ah Loy as Capitan. That same year, Mahdi was driven out by Tengku Zia'u'd-din, and Ah Loy began an association with the Tengku which lasted for the rest of his life. Between 1870 and 1872 he fought for Kuala Lumpur against the opposing Sino-Malay faction; he was driven out in 1872 and restored in 1873 by Pahang allies of the Tengku. (It is related that when he appeared as a fugitive in Klang, 'wearing only a piece of underwear of Siamese make', the Tengku 'tried to calm him and said he would send him to Kedah with a headman's position if he thought no more of taking revenge on the enemy in Kuala Lumpur', but Ah Loy decided to try again and returned to the fighting.)

When a British administration was established in Selangor, Ah Loy was recognised as Capitan, and appointed to the State Council in 1877. From 1875 to 1879 there was no British administration in Kuala Lumpur, and Ah Loy governed without interference; the representatives of the State Government - six policemen and a fire-engine - were lodged in his compound. A Straits official (Swettenham) contrasted his energy with the incompetence of the Resident at Klang; Ah Loy had kept the town free of crime, had built cart-roads to the
mines in the neighbourhood of Kuala Lumpur, had maintained an asylum for the sick, and kept 4,000 men employed in his mines and other enterprises. Swettenham's eulogy of Ah Loy's administration should not be accepted without reserve. While his admiration of Ah Loy was sincere and justified, this particular manifestation of it appeared in an audit report of the Selangor accounts, which was intended as a grave criticism of the whole Selangor administration, and the references to Ah Loy were intended to deepen the discredit of the Resident by unfavourable comparison. In 1883, when Swettenham was himself Resident, his admiration was more temperate. The 'asylum for the sick' (which in any case consisted of a shed shelter and food allowance for twenty-four inmates, without proper beds or medical attendance) had been supported by a tax of £1 on each pig imported into Selangor; when the Government abolished the tax concession, Ah Loy ceased maintaining the 'hospital'. Ah Loy's descendants contended that he had spent £65,000 on making roads to the mines and clearing rivers for the tin traffic after the end


3 State Apothecary to Resident, 27 July 1880, Sel/Sec.201/1880.

4 Resident to C.S., 21 May 1883, Sel/Sec.315/1883.
of the Selangor wars; Swettenham put his expenditure at £20,000, and compared it with the £100,000 which the Government planned to spend on roads and town improvements in Kuala Lumpur alone in 1883.\(^5\)

In 1880 the Resident (Douglas) moved his headquarters from Klang to Kuala Lumpur, and in 1882 he was replaced by Swettenham, a man of very great ability and force of character, and for the first time Ah Loy came up against an authority and a personality which matched his own. The government had leant heavily on his power and influence in the past and continued to do so; not only did he keep the peace in Kuala Lumpur, but he was the biggest entrepreneur and labour importer in Selangor, and the State revenues — in the early years at any rate — depended on his enterprise. But his power was a challenge to the State Government. In 1880 the Superintendent of Police complained, 'There are a large number of Chinese in this country who think the only form of government worthy of attention is that of their own headmen'.\(^6\)

\(^5\) Middlebrook, op. cit., p.121; Resident to C.S., 17 May 1883, Sel/Sec.661/1883. The actual expenditure on roads, streets and bridges by the State in 1883 totalled £134,785 (Selangor Annual Report for 1883), but Ah Loy may well have spent more money on roads than Swettenham's predecessor as Resident (who spent a total of £18,993 in 1882), and laid it out to better purpose.

\(^6\) Superintendent of Police to Resident, 2 September 1880, Sel/Sec. 272/1880.
Ah Loy claimed all the land within a radius of two miles of Kuala Lumpur, and resisted the application of land regulations to his holdings; no one dared to compete with him for the State farms, and he held them for years at a fraction of their value; and he very naturally opposed the introduction of a magistrate to Kuala Lumpur, since it meant the presence of a rival authority. The move of the Residency to Kuala Lumpur was followed in 1883 by energetic re-planning of the town, but proposals for widening roads and re-siting the town's gambling booth interfered with Ah Loy's property holdings and land values and were resisted. In the final settlement the administration gained its point, but acknowledged Ah Loy's unique position and the value of his labours by special concessions. From 1875 he had drawn a bhara on all tin exported from Kuala Lumpur; in 1878 this was commuted for an allowance of £200 a month and in

7 In 1880 Ah Loy leased the Kuala Lumpur gambling, pawnshop and spirit farms for £450 a month. In 1881 he was forced by Malacca competition to raise his bid to £1000 a month (Koh Hoon Boh to Resident, 7 December 1881 and minute by Resident, 9 December 1881, Sel/Sec.528/1881). In 1883 he was paying £51,612 a year for these farms (Resident to Governor, 17 May 1883, Sel/Sec.661/1883).

8 C.S. to Resident, 18 November 1879, Sel/Sec. Misc. 1879.

9 Resident to C.S., 3 November 1882, Sel/Sec.669/1882.
1880 the allowance was doubled; this allowance was paid to him until his death.\textsuperscript{10} His Kuala Lumpur holdings, comprising more than half the town property, were granted to him free of premium and subject only to payment of quit-rent; he was also granted 12,000 acres of agricultural land outside Kuala Lumpur free of premium or quit-rent, and he held the Kuala Lumpur market free until his death.\textsuperscript{11}

The Resident had succeeded in establishing the formal authority of the State Government over a power hitherto outside it, but it is doubtful whether his victory in any way diminished Ah Loy's power over his own countrymen. He and his successors in office continued to keep order among the Chinese, and provided the Government with indispensable help in administering justice by acting as assessors in civil suits affecting Chinese. They sat on sanitary boards, sponsored vaccination campaigns, and endowed schools and hospitals; the features of the secret society leader, war chief and mining tycoon are replaced by the stereotype of the community leader under Western rule, the monument of

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\textsuperscript{10} Resident to C.S., 12 May 1880, Sel/Sec.4/1880. Ah Loy's successor received only £100 a month.
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\textsuperscript{11} Resident to Governor, 17 May 1883, Sel/Sec.661/1883. (The Taiping market was let in 1882 for £5196.)
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Ah Loy's remarkable career has created a popular image of a Chinese mining leader, ruling not only his own community but virtually ruling the State even after British intervention; managing the revenues, building roads and performing other functions of government on behalf of a British administration which presumably spent all its time playing cricket. Certainly the enterprise of the mining leaders provided the revenue without which the state governments could not have existed; and without the help of these leaders, the task of maintaining order and settling disputes would have been impossible. But it is also true to say that without the \textit{pax britannica} the Chinese position in the states would have become untenable. Their secret society organisation created conflicts it could not solve, except by outright conquest of one side by another, which was impossible so long as the power of each community remained inviolate at its centre in the Straits Settlements. If Ah Loy was able to remain unquestioned master of Kuala Lumpur it was because British diplomacy and Malay armies disposed of his enemies for him, and because the British
advent ended warfare and froze the power situation at a point favourable to him. With regard to his record as an administrator; his programme of public works and communications represented an expenditure of money and effort beyond anything attempted in Selangor till 1883; but not even the resources of a great Chinese leader can equal those of a modern State (which Selangor then became), highly organised and specialised in every department of government, and able to tap the productive energies of the whole population in many ways.

The Chinese no doubt regulated the affairs of their own community; they certainly assisted the State government to function, and it was their enterprise which kept pushing out the frontiers of settlement and which set the pace for the administration. But it was the State government which provided the communications and the multiplying public utilities and welfare services; and except for the tax farms, which in the States never came to more than a fifth of the budget, it was the State which collected and administered the revenues. The Chinese capacity for organisation is legendary; so are some of the achievements attributed to it.
APPENDIX III

THE STATE COUNCILS IN PERAK AND SELANGOR, 1877-1895.

The State Council was an essential instrument of government under the Residential system established in the Malay States in and after 1874. It provided a constitutional basis for the government of a protected state administered by British officers, but not juridically under the Crown; the Council proceedings illuminate the relationship between the State and the Government of the Straits Settlements, and provide an invaluable source for the study of the problems and procedures of government under the Residential system. The present paper deals with certain aspects of the State Councils as they developed in Perak and Selangor from 1877 until Federation in 1896 when the State Governments were reorganised.

During the nineteenth century, those Malay States not subject to Siam came by stages under the control of Britain. The Anglo-Dutch Treaty of 1824 marked off the Peninsula as a British sphere of influence, and subsequent treaties excluded Siam from interference in the central and southern states and prohibited the states themselves from interference in each others' affairs. Their sovereignty was limited by restrictions on their foreign correspondence,
and Britain's duty to protect them from external aggression was established. British paramountcy was also affirmed, by the clauses in various treaties whereby Britain recognised and for all practical purposes legitimised claimants to royal and chiefly titles.

By 1874, Perak and Selangor were already in some degree protected states; in 1876 and 1877 the petty states of the Negri Sembilan accepted British arbitration; and in 1887 the Negri Sembilan and Pahang came under British protection. After 1874 the policy of intervention brought their internal administrations one by one under the control of the Straits Settlements Government. In each state, a Resident was established with the right to supervise the revenues and regulate the general administration of the country. The formal authority for the introduction of the Resident varied in each state. In Perak and the Negri Sembilan he was provided for by Treaty; in Selangor and Sungei Ujong he was introduced by executive act, confirmed, in Selangor, by a letter of acceptance from the Sultan, and justified, in Sungei Ujong, by a previous invitation from the territorial chief. In Pahang, the Resident was introduced in response to a letter from the Sultan inviting a British officer.

The instruments referred to the powers and functions of the Resident officer, without attempting exact definitions
and without reaching a common formula, but indicating a similarity of purpose and function in all the states. The best known instrument is of course the Pangkor Engagement of January 1874, executed by the Sultan and chiefs of Perak before the Governor of the Straits Settlements. It provided: "That all revenues be collected and all appointments made in the name of the Sultan" (Article V); "That the Sultan receive and provide a suitable residence for a British officer to be called Resident, who shall be accredited to his Court, and whose advice must be asked and acted upon on all questions other than those touching Malay religion and custom" (Article VI): "That the collection and control of all revenues and the general administration of the country be regulated under the advice of these Residents" (Article X). In Selangor, the primary responsibility of the Resident for revenue collection was accepted in a letter from the Sultan to the Governor of 1 October 1874, and a Proclamation by the Sultan, dated 21 February 1876. In Jelebu and Rembau it was defined in some detail by the agreements of 1886 and 1887, and these agreements also

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Sultan of Selangor to Governor, 1 October 1874, Maxwell and Gibson, Treaties and Engagements affecting the Malay States and Borneo, 35-6; Proclamation by the Sultan, 21 February 1876, C.1320, enclosure in no.58.
declared the control of police and the administration of justice to be the responsibilities of the British officer. The Negri Sembilan agreements of 1889 and 1895 simply requested the "assistance of the British Resident in the administration of the Government", and the letter from the Sultan of Pahang asked for "a British officer in order that he may assist us in matters relating to the Government of our country, on a similar system to that existing in the Malay States under English protection".\(^2\)

Some of the documents excluded certain matters from the competence of the Resident or required him to administer them in association with local authorities. The Pangkor Engagement excluded questions "touching Malay religion and custom"; the Jelebu agreement provided that disputes involving questions of Mohammedan law be settled by the proper native officers; the Sultan of Pahang expressed the hope that the British Government would not interfere "with the old customs of our country which have good and proper reasons, and also with all matters relating to our religion". By the Negri Sembilan Agreement of 1895, the signatory chiefs undertook to follow the Resident's advice "in all matters of administration other than those touching the

\(^2\) See Maxwell and Gibson, op. cit., for the text of these treaties.
Mohammedan religion". Local land custom was safeguarded in the Jelebu and Rembau agreements, which provided for consultation between the British officers and the territorial chiefs in matters of land revenue and administration.

In theory the British Resident was there to "advise" the native authority, by whom the government was to be carried on. But those most intimately concerned with the administration of the states saw this to be "one of those fictions in which we seem to delight". Swettenham wrote; "It is evident that the collection and control of all revenue, and the tendering of advice which must be acted upon, cover all executive authority". Sir William Robinson, Governor in 1878 and 1879, explained, "Government are (sic) constantly impressing on the Residents the necessity of doing everything in the name of the chief native authority ... That is the theory of the system ... But practically it is not, and cannot be, strictly observed; and I must candidly admit that it would not be for the benefit of the States themselves that it should be strictly observed."

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3 Speech by Sir Frederick Weld, reported in Proceedings of the Royal Colonial Institute, xv (1883-4), 281. Weld was Governor from 1880-89.

4 Swettenham, The Real Malay, 22.
observed”. The administrations of the native states were organised and directed by the Residents, under the control of the Governor, and subject to the general authority of the Secretary of State; the Resident and his staffs collected and administered the revenue, organised the police, administered justice, and framed and carried out policy in all its aspects.

Thus intervention meant the development of a public administration under the direction of British officers; but policy and circumstance combined to exclude annexation and preserve the forms of Malay sovereignty. The Colonial Office was opposed to annexation if control could be exercised in other ways; annexation was thought to be offensive to Malay feeling, and likely to provoke resistance; Jervois’ attempt in 1875 to assume greater formal powers in Perak had been followed by the murder of the Resident and an expensive military intervention which no one wished to risk a second time. The preservation of Malay sovereignty, consideration for Malay custom and precedent, the association of Malays of rank in the government of their State, their attachment to the system of government by offices, titles and allowances, all became

Speech by Sir William Robinson, reported in Proceedings of the Royal Colonial Institute, xxiii (1891-2), 40.
articles of policy. An outline of policy, the result of trial and error, was in existence by 1877; it was given life and substance by Sir Hugh Low (Resident of Perak 1877-89) who combined in his rule a scrupulous regard for method and efficiency in the Public Service, diplomatic skill of the first order, and an intimate understanding of the Malays. With the help of the Chinese, who provided the revenue for Malay pensions and European salaries, Sir Hugh and his colleagues in other states succeeded in establishing progressive and stable governments to which Malays of influence were committed. The Residents seemed to have resolved — temporarily at any rate — the problem of reconciling administrative and economic efficiency with regard for Malay custom and interest. The policy of informal control was justified by its successes and proved to have other advantages besides its appeal to Malay sentiment. It gave the Residents a freedom and flexibility of action which they would not have enjoyed if the Malay States had been Crown Colonies. There was no Imperial legislation constituting the government of the states, or providing for control by the Colonial Office; such control was exercised indirectly through the Governor, under whom the Residents acted. The Colony legislature had no authority in the states; the only states whose
finances came under discussion in the Colony Legislative Council were those currently assisted by Colony loans. The rule of the Residents was personal rule checked by the restraints and precedents of their own colonial service training, by the authority of the Governor, and - rarely - by the Secretary of State.

The Residents had a dual problem of government in that they had to deal not only with the Malays but also with the virtually autonomous community of Chinese. Their rule was first introduced into predominantly Chinese settlements; their first concern was the control of the Chinese population and the regulation of the tin-mining industry on which the revenues of the states depended. Swettenham wrote in retrospect that, "while their first object was to benefit the Malays and make their lives easier and happier, they recognised that they must look to the Chinese as the workers and revenue producers". Before British intervention, Malay and Chinese leaders in the states had combined in economic and military alliances against their compatriots in opposing factions. But though this association and community of interest had existed at certain levels, and though British intervention brought Malays and Chinese under a single administrative

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Swettenham, *Footprints in Malaya*, 72.
and judicial authority, the Malays and Chinese continued to live socially apart, with different economic interests and a different internal organisation.

The appointment of an advisory body to assist British officers first appears in 1875 as part of Sir William Jervois' proposal that Perak should be governed by the British in the name of the Sultan. The Council was to consist of British officers and five Malays of the blood royal: Sultan Abdullah, Ex-Sultan Ismail, and the Raja Bendahara Osman, whose claims or interests might be upset by the new dispensation, and who were to be solaced by places on the Council; and Raja Yusuf and Dris, who had identified themselves with the British and who were to be the 'working members', helping the Commissioner with advice and information. The Council was conceived as a compensatory device, substituting a formal connection with government for the powers the Malays had once enjoyed. Its functions were to be purely advisory; it was to assist the Commissioners by keeping them in touch with Malay feeling, it was to give the rajas an interest in the country's affairs by involving them in discussion, and it

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7 Jervois to Carnarvon, 291 of 16 October 1875.
8 For notes on Raja Yusuf and Dris see p. 147.
was to consider, specifically, questions of Mohammedan religion which were not formally protected under Jervois' new arrangements. Matters on which the Malay members disagreed with the Commissioners were to be referred to the Governor. 9

After Birch's murder, when policy in Perak came to be considered in detail, the idea of a Malay Council was retained and developed. The Colonial Office suggested its extension to all the States, so that the principal chiefs in each state might be associated with the government, and enabled to maintain their prestige and influence, and so that the Residents might be able to gauge local feeling about proposed reforms. 10 Jervois suggested the expansion of the Council to include Chinese headmen, 11 and this was accepted, though with some misgiving, by the Colonial Office. In 1877 mixed Councils met for the first time in Selangor and Perak. 12 They were small, intimate

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9 Jervois to Carnarvon, 62 of 10 February 1876.

10 Carnarvon to Jervois, 135 of 1 June 1876. In 1876 the title of Commissioner was dropped and the old title of Resident restored.

11 Jervois to Carnarvon, 62 of 10 February 1876.

12 Jervois to Carnarvon, 88 of 22 March 1877; Anson to Carnarvon, 201 of 23 June 1877.
committees of Malay chiefs, Chinese headmen and British administrators. The Perak Council began with eight members—four Malays, two Chinese and two Europeans; the Selangor Council with seven—four Malays, one Chinese and two Europeans.

In Perak under Malay rule there had been a hierarchy of title-holders, ranked in multiples of four; four of the first rank (*Orang Empat di-Balé*); eight of the second (*Orang Besar di-Lapan*); and sixteen of the third, among whom were to be found the deputies and assistants of the chiefs in the first two ranks. Many of the titles were borrowed from the official hierarchy of the Sultanate of Malacca, but in the different circumstances of Perak, the titles had become detached from their original functions, and now simply provided a formal sanction for the power of territorial chiefs. The power of the Sultan was limited by the obligation to consult the chiefs and *waris negeri* on important matters of state; they met in assembly on ceremonial occasions, to attend

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13 See Appendix I for a list of Perak title-holders with their genealogies and traditional functions.

14 *Waris*—lit. heirs. *Waris Negeri* (Perak); a term applied to the male descendants of Sultans.
on the Sultan; successions to the Sultanate, royal installations and foreign treaties required their assent and witness. An assembly of waris and chiefs was convened at Pangkor in 1874 to elect a Sultan and accept a Resident; the Engagement was signed by three chiefs of the first rank and four of the second, as well as by the Sultan. In 1875 such assemblies were called in Perak whenever the Governor, the Resident or the Sultan wished for public discussion of the important new changes involved in British intervention.

The Councils under the Residential system bore little resemblance, in their composition and function, to the traditional Malay assemblies of chiefs. Jervois' original proposal had excluded the chiefs altogether; his later suggestion that the Chinese factions should be represented by their headmen, was in keeping with changed conditions, but as the Colonial Office saw, it was "utterly at variance with the old Perak constitution". In 1876, however, there was little left of the old Perak constitution. The murder of the Resident had led to the exile of the Sultan (now Ex-Sultan) Abdullah, the Ex-Sultan Ismail and most of the major chiefs, leaving in Perak, Raja Muda Yusuf, the senior claimant to the throne, as the Regent and "chief

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15 Minute by Round, 30 July 1877, CO 273/90/9213.
native authority"; Raja Dris as his prospective successor; one survivor - the Temenggong - of the four chiefs of the first rank, and one survivor - the Panglima Kinta - of the eight chiefs of the second rank. The Council list which Jervois drew up for Low when he went to Perak as Resident in 1877 confined the Malay membership to these four, but Low crossed off the Panglima Kinta, who had not been to see him for the three months after his arrival, and whose goodwill he doubted; so the opening Council consisted of three Malays, two British officials and two Chinese.

16 In 1877, of the four chiefs of the first rank, the Bendahara was dead; the Mentri was in exile; the office of the Orang Kaya Besar was vacant. Of the eight chiefs of the second rank, the Maharaja Lela and the Dato' Sagor had been hanged for their part in the murder of Birch; the S'adika Raja died in 1876, a fugitive from the British army of occupation; the Laksamana and the Shahbandar were in exile. The offices of the Panglima Bukit Gantang and the Imam Paduka Tuan were vacant.

A successor to the Laksamana (a cousin) was appointed in 1891; a successor to the S'adika Raja (his son) in the same year; a successor to the Mentri (his son) in 1896. The new Laksamana was already on the Council as Raja Mahkota when he was raised to the title; on his death in 1894 a successor was appointed both to the title and to the Council. The new S'adika Raja was appointed to the Council in 1894, and the new Mentri in 1896.

17 Anson to Carnarvon, 201 of 23 June 1877. Low had replaced the Panglima Kinta with a Sumatran commoner, Che Karim b. Ibrahim, who had been sent to open up Selama in North Perak as the agent of the Mentri and had achieved a degree of independence during the disturbances of 1875-6. Low thought perhaps that Che Karim's commercial initiative would be useful on the Council, but
The nominal head of this heterogeneous body, Raja Muda Yusuf, had spent his life in discord with the chiefs, had been twice passed over by them for the succession, and now owed his position entirely to the British and to the disturbances which had cleared Perak of so many of his royal and chiefly contemporaries; he was on bad terms with the Temenggong and did not want the Chinese representation; he would have liked a Council consisting of himself, his son-in-law Raja Dris, and the Resident, but he was overruled.

As Malay chiefs came back into favour, and as the State grew in economic importance, more Malay title-holders, British officials and Chinese entrepreneurs were added to the Council, till in 1895 it consisted of twelve members—seven Malays, three Chinese and two British officers. The Perak orders of rank were in abeyance for most of this period; it was not till the 1890s that the titles of exiled or deceased chiefs were restored to their descendants, and Perak once again had a resident Laksamana. Sri Adika Raja, and Mentri. Until the 1890s the Malay

(continued)

Che Karim kept away from Council meetings, possibly because of the difference in rank between himself and the other Malay members, and in 1880 his name was dropped from the lists.

18 See note 16.
members, though connected with royal or chiefly families, did not for the most part hold important titles.\(^{19}\) The only title-holder of the second rank resident in Perak before 1891 - the Panglima Kinta, was not made a Councillor till 1886. No one of royal birth was added to the Council till 1894, when Raja Musa, the brother of Ex-Sultan Abdullah, was appointed, together with two chiefs of the second rank (see note 16). The absence of royal members (apart from Rajas Yusuf and Dris) for most of the period, the paucity of title-holders and the exclusion of the Panglima Kinta, go to show how much Perak was overshadowed by the upheaval of 1875-6, how difficult it was to reconcile considerations of security and support for Yusuf and Dris, on the one hand, with a genuine representation of influential Malays on the other. Within a certain range of influence, Malay members were chosen,

\(^{19}\) The five Malay members added between 1877 and 1894 (the first two of whom died soon after appointment) were the Panglima Besar (1879) the holder of the chief military title; Shaikh Mohammed Taib (1879) a Sumatran ulema (doctor of religion) who was connected by marriage with Sultan Abdullah's family, but who held no title; the Raja Mahkota (1880), a chief of the third rank, appointed Laksamana in 1891; the Panglima Kinta (1886) a chief of the second rank; and Dato' Muda Abdul Wahab (1886) the heir to the Panglima Kinta title. (In the Perak Annual Report for 1884, the Panglima Kinta is referred to as a member of the State Council, but his name does not appear as a State Councillor in the Perak Directory before 1886. He was certainly not a member before 1883.)
as one would expect, in the order of their political reliability and not in order of rank; though in the last years of the period, a correspondence was established between Council membership and the possession of titles.

In Selangor the situation was different in two respects. First, there was no established hierarchy of titleholders, and the control of the districts was in the hands of various members of the royal house. Second, the Residential system had been established without disturbance; opposition had been to the British protege and not to the British Resident. There was only one dissident Raja of importance - Raja Mahdi, in exile in Singapore; others, though originally disaffected and under suspicion, were either sheltered by their friendship with the Sultan, or had won their way back into favour by fighting for the British in the Perak disturbances.

Representation of the influential Malays was achieved simply by appointing members of the royal family onto the Council. In 1877 the Malay members were: Tengku Kudin, the Sultan's son-in-law, as President; Syed Zin, the Tengku's chief agent, and manager of his plantations at Klang; Raja Kahar, a son of the Sultan; and Tengku Panglima Raja, a brother-in-law of the Sultan. At the end of 1877, Tengku Kudin left Selangor and was replaced as
President of Council by the Raja Muda Musa, the eldest son of the Sultan, and the heir to the throne. The five Malays appointed to the Council in subsequent years were all members of the royal house.20

The Council was the instrument of government of a Malay State, and Malays sat on it as State officers - as heirs to the inheritance. Official position was the bulwark of their authority, and membership of the State Council was one form of recognition of their official consequence.21 Council appointments therefore provided a means of honouring those whom it was expedient or safe or desirable for other reasons to honour and reassure, as

20 They were, in order of appointment, Raja Hassan (1880), son of Raja Abdullah of Klang and the Sultan's nephew by marriage; Raja Laut (1881), son of a former Sultan and the brother-in-law of the reigning Sultan; Raja Suleiman (1886) son of Raja Muda Musa (d.1884) and himself made Raja Muda in 1888; Raja Bot (1888) son of Raja Juma'at of Lukut and nephew of the Sultan. The fifth member was the Sultan himself. The first two Residents had been attached to the Sultan's son-in-law, Tengku Kudin, (a Kedah prince) who was the chief supporter of British intervention in Selangor, and the Tengku presided over the first Councils. In 1877 the Tengku left Selangor and the Sultan began to attend Council meetings informally. In 1883, after the arrival of Swettenham as Resident, the Sultan is recorded as presiding over Council meetings, and thereafter presided over them whenever they were held in Langat.

21 Swettenham recognised the importance of official position and titles of honour to the Malays. (The Real Malay, 37-8.)
well as a means of getting authoritative opinion on to the Council, and the two considerations were not always in harmony. Though Councillors were valued for their influence and their capacity for representing opinion, they were not representative of the distribution of influence in the community generally. The considerations affecting the choice of Perak councillors have already been discussed. In Selangor the limitation of membership to the Bugis royal house left out of account large communities of Sumatran immigrants who had been attracted by the development of the mines, who were engaged in trade and were of some economic importance.

The Chinese sat on the Council as accredited representatives of a great foreign community; they did not hold office in the State, and though access to the source of power was no doubt always gratifying and had its material uses, Council membership did not have the same significance for them as a token of personal status. Chinese representation therefore has a utilitarian aspect; the Residents were concerned, not to distribute compensatory honours, but to get a practical representation of wealth and communal authority on to the Council. As Chinese members, the British appointed the leaders chosen
by the Chinese community. In Perak, the two Chinese members first appointed were Cheng Keng Kui and Chin Ah Yam, who had been the acknowledged headmen of the Hai San and Ghi Hin secret societies for years before British intervention, and who had signed the Chinese Engagement at Pangkor in January 1874. In Selangor the Chinese member from 1877 to 1885 was Yap Ah Loy, headman of the Hai San society and ruler of the Kuala Lumpur Chinese, who had been the ally of Tengku Kudin in the Selangor wars, and had been recognised by him as Capitan China in 1873. On his death he was succeeded, as Capitan China and State Councillor, by Yap Ah Shak, a clansman and the candidate put forward by the Hakkas and Teochews for the position of Capitan. In 1889 the Cantonese leader Cheow Ah Yok was appointed as well. All these were

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22 The word "community" is here used in a general sense, to embrace those of Chinese nationality. In fact they were organised in clan and regional associations and in secret societies. The chief societies in the Malay States, the Hai San and Ghi Hin, were traditionally in conflict.

23 Capitan China was the title traditionally bestowed by Malay governments on the headmen of a resident Chinese community. The Capitan China was recognised by the community and the host government as the intermediary between them.

24 SCM 23 May 1885.
secret society headmen, but as secret societies were illegal in Perak and Selangor, they were known, innocuously, as headmen of regional subdivisions of the Chinese community, grouped according to their place of origin in China.

Who these men represented, how they came to power, what challenges there were to their leadership within their communities, one does not know; the internal organisation of the Chinese in the nineteenth century still awaits investigation. A valuable short biography of Yap Ah Loy tells what might be expected about leadership in a frontier mining society; those who came to power were enterprising, ruthless, and with sufficient political judgement to make useful associations. "The leaders of these Chinese immigrants were thrown up by the test of personal courage and force of character combined with economic success ... this 'elite' provided the economic and military leadership, exercising authority

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25 In a report drawn up on the secret societies in the Native States, by the Acting Protector of Chinese, Straits Settlements, one "Chhui Yok", a "Macao" Chinese (Cantonese) is given as a headman of the "Gi-Hin kongsi in Klang", and "Yap Shak" as a headman of the Hai San kongsi there. F. Powell to C.S., 26 May 1884, CSO Perak Correspondence 3574/1884, cited M.L. Wynne, Triad and Tabut (Singapore unpublished 1941), 409-13.
partly through the clan or society system.\textsuperscript{26} The headmen were leaders of a mining community; they were the chief advancers, the employers of labour and the tax farmers; and on the Council they represented an industry as well as a social group, and were valued accordingly.

Members of Council were appointed during the pleasure of the Sultan; in effect, for life. They were appointed by the Sultan, after their names had been approved by the Governor.\textsuperscript{27} It is unlikely that they were also nominated by the Sultan; in this, as in so many other matters, he probably acted on the advice of the Resident. No appointments to the Perak State Council are likely to have been suggested by Raja Yusuf. The original list of members was drawn up in Singapore and communicated to Yusuf by Low early in 1877, and both Yusuf and Dris were opposed to the appointment of any but themselves

\textsuperscript{26} S.M. Middlebrook and J.M. Gullick, 'Yap Ah Loy', \textit{JMBRAS}, xxiv, 2, p.8.

\textsuperscript{27} Till 1885 the names of candidates were also submitted to the Secretary of State, but in that year he notified the Governor that his sanction was not required, though appointments should continue to be submitted to him. (Stanley to Smith, 37 of 23 July 1885.)
and the British Resident. Shaikh Mohammed Taib, appointed in 1879, had earned their particular dislike, and Raja Yusuf tried unsuccessfully to block his appointment as State Kathi the same year. Under pressure from Low, Yusuf eventually "nominated" Mohammed Taib as State Kathi, and his nominations of the Councillors were probably reached in the same way. The appointments to the Selangor Council were much more likely to have been in keeping with the Sultan's own inclinations, as they were nearly all appointments of his relatives, but in one case, and perhaps in others, the Sultan merely confirmed the Resident's candidate.

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29 PCM 4 March 1879 and 4 May 1879. Shaikh Mat Taib was Low's candidate for the position of Chief Kathi, and was appointed despite Yusuf's objections. The discussion illustrates Low's handling of the Regent, the Regent's dependence on Low, and the freedom with which a strong and adroit Resident might encroach on matters which the Pangkor Engagement excluded from his competence.

30 "I inform my friend that my friend's letter written on the 8th September 1888 has reached me in safety ... Previous to the present letter I now write, I had already confirmed the proposal of my friend to make Raja Bot a member of Council, which I did with a true and sincere heart, as I do not see a more qualified person than Raja Bot whom my friend has made a member of Council. I am very much pleased with this arrangement and beg to thank my friend for the same." (Translation of a letter from
(An incident in Selangor in 1879 illustrates the control exercised by the Resident and Governor over the Council, and particularly over the appointments. A member of Council, the Tengku Panglima Raja, had tried to bribe the Collector and Magistrate at Bernam to find for him in a court case. A resolution that he be deposed was put to the Council on 1 May 1878 by one of the British members, was carried unanimously and received the Sultan's assent. The Governor disapproved of this high-handed punishment of an important officer of State, for what was in Malay eyes a venial offence; the Resident was ordered to reinstate the Tengku and on 25 May the Council voted unanimously for his return.)

The Councils met, on an average, about seven times a year, though the frequency and regularity varied, from the single meeting of the Selangor Council in 1883, to the dozen or so Councils held by Low in Perak every year from 1877 to 1882. The choice of Council meeting place, and the resulting pattern of attendance reflected the different

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the Sultan of Selangor to F.A. Swettenham, 13 September 1888, filed in Sel/Sec. 2649/1888.

31 C.2410 of 1879, Robinson to Hicks-Beach, 13 June 1878 and enclosures.
preoccupations of the Residents in Perak and Selangor. In both States, the Residents were concerned with the interests of the Malay population, as well as with economic progress outside the Malay sphere; but the Malays predominated in Perak, the Chinese in Selangor; Perak had a history of Malay resistance to the Resident, Selangor had none. In Perak the Residency was at Kuala Kangsar, the point where the road from the mining province of Larut met the Perak River. It was therefore in the heart of Malay Perak, yet only 25 miles from Larut. Rajas Yusuf and Dris lived at Sayong, on the opposite bank of the Perak River, and the Temenggong lived at Kota Lama, about two miles upstream. The Resident therefore lived in close proximity to the senior Malay members of the Council, and since the Council meetings took place, as a rule, at Kuala Kangsar, there was a regular Malay attendance, particularly of the senior Malay members; with the Resident they constituted an Executive Committee (so called in the minutes) which sometimes met instead of the

32 A rough count in Perak in 1879, made through penghulus and mine headmen, placed the Malay population at 56,632 and the Chinese at 20,373 (Perak Annual Report for 1881). According to the 1891 census, the Perak population was 212,997, of which 100,617 were Malays and 94,360 Chinese. The Selangor census for 1891 placed the population at 81,592, of which 23,750 were Malays and 50,844 Chinese.
full Council to deal with routine business. But the frequency of Malay attendance in Perak is not accounted for by geographical proximity, for Malays from the south of Perak attended regularly at meetings two days' journey upriver, while in Selangor, where distances and travelling times were much shorter, members attended regularly only at meetings held near their place of residence. The difference relates probably to the greater pre-occupation of the Resident of Perak with Malay affairs; he was the better able to devote time to them since he had a senior officer stationed at Larut, in the midst of the Chinese population. In Perak also, the meetings of the Council had been invested with great prestige and ceremony from the earliest years. St. Pol Lias, a French traveller, describes a grand opening of the State Council in 1880; the British officials waited to receive Raja Yusuf in the Residency grounds, two hundred Sikh police in full dress uniform were drawn up for inspection, the band played, the guns saluted. Since the Resident - in the formative years of Perak, Hugh Low - was the source of power and the originator of policy, it may be concluded that the prestige of the Perak Council, the prominence of the Malays and the consistency of their attendance, were due

to his solicitude and management.

In Selangor the Residency had first been established at Klang, the outlet of the Kuala Lumpur mines; but in 1880 it was moved to Kuala Lumpur, the centre of the mines and the Chinese population. The Sultan remained at Langat; so that the Council met on different occasions at Klang, Langat and Kuala Lumpur. Up to 1887 the majority of Council meetings were held at Langat, in the Sultan's palace; after that, at Kuala Lumpur, which the Sultan hardly ever visited. Since the majority of Malay members lived at Langat or Klang, Malay attendance was fullest when the Council met in either of these places; when it shifted to Kuala Lumpur, the Malay attendance usually fell to low levels. At a third of the meetings held in Kuala Lumpur, only one Malay was present, usually Raja Laut, the Malay magistrate there.

It was acknowledged that a large part of the Council business did not interest the Chinese population, and a separate Chinese Council at Larut (for the Perak Chinese) was once suggested. The idea was not pursued, and

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Robinson to Hicks-Beach, 268 of 10 September 1878. Yap Ah Loy's letter acknowledging his appointment to the Council was far from enthusiastic, and passed quickly to more important matters. He wrote to the Resident, 'We inform our friend that the letter of Sultan Abdul Samat which was sent to us came to hand, the contents of which we understand. With reference to our debt to Guthrie and
matters relating to the production and taxation of tin, the lease of the State tax farms and the regulation of labour — which after all were matters of interest to the Malays as well — continued to be discussed at general meetings. But when Councils were held at a distance from Chinese centres, attempts were made to arrange the business so that matters wholly concerning the Malay population could be disposed of without requiring the attendance of the Chinese members. The meeting of the Perak Council for 4 February 1878, concerned entirely with the appointment of penghulus and the determination of their jurisdiction, notes the absence of the Chinese members 'as it is their New Year and the proceedings concern only the Malay population'. But this separation was not always possible, and the business at many of the meetings must have seemed very remote from the Chinese councillors. At one meeting in Kuala Kangsar in 1890, attended dutifully by two Chinese, the seventeen items of business

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Company...'. (Translation of a letter from Capitan China to Resident, 29 March 1877, Sel/Sec. 115/1877.)

35 Headman or chief, usually applied to the headman of a village or local government division.

36 PCM 4 February 1878.
comprised twelve pension applications, three items of 
penghulu business and two Orders in Council - one 
regulating the sale of poisons and the other making 
provision for the better preservation of oysters in the 
Perak River. Petty administrative detail and petty 
legislation could hardly have seemed worth the journey 
from Larut and the absence from business matters.

The powers and functions of the State Councils, like 
most other aspects of government in the Malay States, were 
established by practice and not by proclamation. The 
Council was first conceived as an advisory body, but from 
the beginning it fulfilled other functions. It was the 
sole legislating body; legislation took the form of Orders 
or Regulations passed by 'the Sultan in Council'. In 
Perak the Regent (and later, the Sultan) was a 
member of Council from the beginning, regularly attended 
meetings and gave his assent to orders and resolutions at 
the sittings. In Selangor the Sultan attended only those 
meetings held in Langat; when meetings were held elsewhere, 
he gave his assent to legislation afterwards. Before 1883 
he was not formally listed as a member of Council, though 
he often sat in on meetings, and gave his assent formally 
after the proceedings were over.
tariff structure, Malay pensions and appointments, the jurisdiction and discipline of headmen and all other matters pertaining to local government, the appointment of Kathis and the administration of Muslim personal law, were all dealt with by resolutions in Council.

The competence of the Council was limited by the final authority of the Governor and the Secretary of State. Two matters of importance were outside its range altogether; the annual Estimates were prepared by the Resident for ratification by the Governor, and in Perak they were not submitted to the Council at all; in Selangor they were submitted occasionally (after sanction by the Governor) and were passed unanimously. It is clear from this that their submission was intended to provide the Council with information and not with an opportunity for debate or amendment. The non-Malay establishment was also outside the Council's competence, though pensions and gratuities for non-Malay, non-European subordinates were sometimes discussed.

The Governor, sometimes acting on his own initiative, sometimes under instruction from the Secretary of State, had the power to disallow or compel legislation and

38 Religious magistrates.
executive action. The frequency of control varied greatly, from one Resident to another; between 1877 and 1882, when Selangor had a foolish Resident and Perak a wise one, the Selangor Council minutes are full of instances of every sort of instruction from the Governor, ordering the abolition of duties on certain imports and exports, ordering the adoption of rules for the lease of State farms, ordering the grant of pensions to individual Malays, disallowing fussy regulations. Usually he conveyed his instructions through the Resident, but on one occasion he interfered directly; in 1879, while on a visit to Selangor, he called a meeting of Chinese leaders and ordered the abolition forthwith of the import duty on rice. (The measure had been long recommended, and long delayed by the Resident in deference to the opposition of Chinese entrepreneurs.)

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39 SCM 25 October 1879; 21 April 1880.
40 SCM 4 December 1879.
41 SCM 22 April 1878.
42 SCM 20 January 1882.
43 Yap Ah Loy opposed the abolition of the rice duty because he feared a compensatory rise in the opium duty.
In Perak, where the Resident had the confidence and admiration of every Governor, interference was infrequent and was often in the form of recommendation and not instruction. But there were sufficient instructions, both in Perak and in Selangor under experienced and trusted Residents, to show that there existed, without respect to persons, close supervision over legislation and general administration. The manner in which the Governor controlled legislation is not clear. There are references to legislation submitted to him for approval before passage through Council; also to legislation submitted for his sanction after passage through Council but before coming into operation. It is certain that important legislation, particularly relating to land, was submitted (continued)

He argued that a rise in the opium duty would result in hardship for the coolies. The sale of opium formed an important element in the relations between mine-owner and coolie, and he and others may have feared a fall in consumption.

44 E.g., the special regulations for leasing waste lands Robinson to Hicks-Beach, 202 of 11 July 1878); the Selangor Land Regulations of 1880 (SCM 25 November 1880) the Selangor Land Code of 1891 (enclosed Smith to Knutsford, 138 of 28 March 1891). The Selangor Council Minutes for 13 December 1892 and 9 January 1893 refer to several Regulations which were given a first reading in Council at the December meeting, submitted to the Governor for his sanction and passed at the January meeting.

45 E.g., the Municipal Regulations passed by the Selangor Council on 22 April 1882, approval for which the Governor
and discussed in advance of the Council meetings, but it is not certain whether this was the practice with all legislation; the occasional amendment and disallowance of legislation already passed suggests the contrary. But the Council minutes were forwarded to Singapore, and all the evidence shows that there was at least a retrospective check on legislation of all degrees of importance. (It is notable that legislation was submitted for the Governor's sanction and on occasion disallowed, after it had received the assent of the Sultan.)

The administrative instructions show the same range of interference; the only subjects outside the Governor's interest appear to have been Malay local government and

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withdrawn till he could next visit Kuala Lumpur; the Regulations for Coolie Discharge Certificates, passed by the Selangor Council at Swettenham's instance and submitted for the Governor's approval; and the Perak Contagious Diseases Order in Council of 1891. This was passed on 7 July and was submitted to the Governor for sanction before coming into operation; before he could sanction it he received a despatch from the S. of S. in the light of which the Order clearly appeared to be objectionable, and as a result of the correspondence which followed the Order was disallowed and never gazetted. The Order appears to have been submitted as a matter of routine. (Smith to Knutsford, 406 of 29 October 1891; PCM 21 June 1892, in PGG 10 August 1892.)

46 E.g., an absurd Regulation for the licensing of washermen was passed by the Selangor Council at Douglas' instance on 20 January 1882 and as usual received the assent of the Sultan; it was disallowed by the Governor as contrary to public policy and rescinded at the next meeting.
Muslim religious observance. Matters relating to fiscal policy - tariff changes, the lease of tax farms, allowances to Malays, pensions and gratuities to non-Malays at the lower levels of the civil service; land administration, particularly special agricultural and mining concessions; public works - these were some of the matters on which the Governor might instruct the Council through the Resident.

Within the Council the initiative lay with the Resident, though the Regent or Sultan formally presided. 'The Resident under the orders of the Governor, as a rule conducts or at any rate prepares the business for each meeting, carries the measures and then advises the Sultan to assent to the minutes as a mere matter of form.'

The agenda was drawn up from a number of subjects; death sentences awaiting review, regulations awaiting sanction, the appointments and discipline of headmen, the award of pensions and allowances to chiefs and their dependents, revenue and land matters, and all kinds of miscellaneous business. The subjects introduced had for the most part been discussed by the Resident and his officers, or the Resident and the Singapore Government; usually they had also been discussed informally with Malays or Chinese.

Resident of Selangor to C.S., 27 December 1879, Sel/Sec. 390/1879.
(The measures for tariff reform, Malay taxation and mining leases approved by the Perak State Council on 10 and 11 February 1877 were considered and planned by Low and referred to at length in his official diary during the previous five months.)

The Resident's initiative extended to matters of primarily Malay interest, like the grant of allowances and the appointments and jurisdiction of headmen and Kathis. The responsibility for supervising and disciplining penghulus in the districts lay with the European Collectors and Magistrates, who put forward candidates for appointments, suggested improvements in administration, and reported cases of neglect or corruption. Both in Perak and in Selangor the Resident and his officers put forward candidates for appointments as Kathis and made recommendations for the better administration of Muslim personal law. In theory, Malay custom and Muslim law

48 Sadka, op. cit., pp. 37, 88-9, 92.

49 Swettenham called for penghulu nominations from his Collectors in a minute of 4 November 1882 (Sel/Sec. 597/1882). A number of their nominations, approved by Swettenham, were among those confirmed at the Council meeting held on 2 September 1883 to deal with the appointments and jurisdiction of penghulus.

50 PCM 4 March, 4 May and 20 October 1879; 26 October 1882. SCM 14 June 1884 and 7 April 1891. It could be argued of course that while Article VI of the Pangkor
were excluded from the Resident's competence; in practice it was difficult for administrative responsibility to stop short of these matters when it embraced everything else of importance to the community.

The independence of the Malay members was limited, in the case of the Sultan, by the obligation to accept advice, and in the case of the others, by their dependence on official appointments and allowances. All the Waris negeri and titleholders in Perak received allowances in recognition of their rank; other Malays with good connections were appointed to be penghulus of local government divisions. In Selangor every raja on the State Council except the Raja Muda had a penghulu appointment. In their dealings with the Resident the Malays suffered all the limitations of official status, without the authority and force which professional administrators

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Engagement did not bind the Sultan to accept advice on the administration of Muslim law, it left the Resident free to offer it. The Residents were concerned primarily with the creation of a State establishment of kathis and with the definition of their jurisdiction.

A typical illustration of the way this compulsion worked, emerged at the Selangor Council meeting of 16 February 1885, in a discussion of the boundary with Sungei Ujong. The boundary had recently been modified by the Governor, and the Sultan, while acquiescing in the award, asked that his disagreement with it be officially recorded.
might bring to bear when they tendered advice in Colony Executive Councils. Malay members had neither the responsibility of official members on the Colony legislature nor the freedom of unofficials. Formally they were part of the government; in the making of policy they were a pressure group outside it. On the Council they constituted an official bloc on which the Resident could rely for support. On one notable occasion, the Perak State Council, in obedience to the Governor's instructions, reversed a decision it had made three months earlier, and voted for a 99 year agricultural lease, though the Resident, the Assistant Resident, both Chinese members and one Malay - five out of seven present - had opposed it in discussion. In the formal vote which followed - the only one on record - the Chinese and the Assistant Resident voted the way they

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The anomalous position of native members is indicated in a decision by Maxwell, Resident of Selangor 1889-92 against publication of the Council Minutes in the Selangor Government Gazette. 'It seems to me that as the functions of the Council are executive as well as Legislative, there must frequently be matters which it is not advisable to make public - and I fear that by publishing the opinions expressed by particular members of Council at our deliberations, I might possibly make it difficult to get a genuine expression of opinion under special circumstances. I can conceive that sometimes a native member might be willing to support a particular policy but would rather that his countrymen did not know what his advice has been. Another might be encouraged to earn popularity by opposition.' (Maxwell to G.S., 10 March 1890, Sel/Sec. 160/1890.)
had argued in debate; the Resident and all the Malays voted in favour, and carried the motion.\textsuperscript{52}

If a measure was seriously opposed, the Resident sometimes refrained for the time being from pressing it to a conclusion; but once a course of action was clearly determined, by the decision of the Resident or on instructions from the Governor, opposition ceased. Thus the Selangor Council accepted, first the ruling of the Resident, and then the ruling of the Governor, in the case of the Tengku Panglima Raja (see p.11); thus the Perak Council accepted, with obvious reluctance, the abolition of slavery.\textsuperscript{53} The Perak Council, again, accepted the liability of the State for the debts of the Mentri, though at the previous Council they had rejected, as contrary to Malay notions of right, the liability of the State for the debts of Sultan Abdullah.\textsuperscript{54} The principles were identical, but the Mentri's debts were guaranteed by the Pangkor Engagement, and Abdullah's were not.

\textsuperscript{52} PCM 4 May 1879. Fifteen months later, when a new Governor sanctioned a 999-year lease, the Perak Council reverted to its original decision, though this time Raja Yusuf was opposed to the motion.

\textsuperscript{53} PCM 22 May 1882 and 9 October 1882.

\textsuperscript{54} PCM 4 May 1878 and 28 June 1878.
The hold of the Resident on the Council was maintained in various ways. In Selangor during Douglas' residency there was little pretence of discussion; Douglas could not speak Malay, the language of all the State Councils, and had to rely on his Superintendent of Police to interpret for him. There was a crude attempt to cover up the control of the Resident by resort to Western committee procedures; on the Resident's instructions the Malay members took it in turn to propose and second various measures. But in Perak, and in Selangor after 1882, the Residents spoke Malay well, were on terms of personal friendship with Malays of rank, and proceeded by consultation. The element of discussion and persuasion is prominent in Council meetings, particularly in the reports of Perak meetings between 1877 and 1882. St Pol Lias described the tactful control exercised by Low. He introduced the agenda, explained situations and opened the discussion, which usually consisted of agreement with

55 The Resident wrote to the Collector and Magistrate at Langat, 'Ask the Tunku Mudah (to propose) and Raja Hassan to second the adoption of a resolution to carry H.E. the Governor's commands into effect, then ask the Sultan to give his assent and report to me, sending me rough copies of the minutes in Council. As Collector and Magistrate you will understand that the new rule comes into force at Jugra on 1st May'. (Resident to Collector and Magistrate Langat, 25 April 1882, Sel/Sec. 174/1882.)
his position, or a response prompted by the form of the motion. Opposition was met by persuasion, explanation, and finally by a joke which made everyone laugh and closed the subject. It was proposed to introduce a leasehold tenure of 999 years; Raja Yusuf who had been sitting in silence throughout the proceedings, chewing betel, here intervened to object strongly to alienation for so long; at Deli in Sumatra the lease established by the Dutch was for 75 years. No one could deny that 999 years was a long time; the Resident averted further discussion by a well-placed joke, and the Raja fell silent. 56

Twice a Malay member persisted in his opposition to the Resident, and carried the Council, but these incidents are remarkable because they are exceptional. Both cases concerned Malay pensions, and both times the Sultan of Selangor was the chief protagonist. It had become the practice to refer grants of pensions for the Governor's sanction. During the Governor's absence on leave, the Selangor Government had deducted £10 a month from the allowance of the Dato' Kaya of Klang for the support of his brother, and the Governor on his return had ordered the deductions to be restored. The Sultan declared that the pension was in the nature of an inheritance (pusaka) 56

St Pol Lias, op. cit., p.176.
out of which the brothers and sisters were entitled to a portion; he expressed himself strongly on the subject of Malay notions of right ("ta' patut skali dia makan sa'orang") and declared that since he had bestowed the office to which the pension was attached, he could take it away again. He carried his point, and went on to double his grandson's allowance, despite the Resident's protests. Sultan Idris was also firm on the subject of allowances; when certain increases granted by the Perak Council were queried by the Governor, the Sultan declared that he could see no reason for interfering with the decision, and the increases were allowed to stand.

The initiative of the Malay members, their contribution to discussion and their influence on policy varied according to the subject. It would be wrong to discount altogether their interest in economic matters; they had nearly all had some association with the tin industry, they knew how it operated, and it did not greatly change in technique or structure during the period; and certain fiscal practices, like the lease of tax farms and monopolies, were continued. The economic problems discussed were well within the range of experience of the

57 SCM 29 April 1886, 13 June 1888.
58 PCM 22 December 1890, in PGG 23 January 1891.
Malay members. But since their revenues from tin were replaced by State allowances, they no longer had a functional interest in the mines, and tended to leave tariff policy and mining tenure to be discussed by the British and Chinese. They did, however, make contributions on miscellaneous questions - scales of railway charges, or the regulation of the retail trade in opium, or the adoption of the Colony scale of weights and measures, and what they had to say was usually pertinent and informed. Some of the Selangor Malays had interests in pepper, gambier and sugar plantations, and were interested in labour regulations from the employers' and producers' point of view. Despite these qualifications, however, Malay discussion on mining and commercial

59 For example the discussion in the Selangor State Council, 4 December 1882, on the proposed railway from Klang to Kuala Lumpur, when Malay members criticised a scheme for private construction of the railway; also the proposals for regulating the retail sale of chandu (prepared opium) put forward by the Sultan and the Malay members on 27 December 1879.

60 At the instance of Raja Muda Suleiman, the remission of duty on coffee exports was extended to all agricultural produce (except pepper and gambier, which were governed by special regulations) and at the instance of Syed Zin, two clauses of the Indian Immigration Act of 1884 were altered in favour of employers. (SCM 12 September 1885, 27 October 1884 and 18 October 1884.)
agriculture and allied questions was not significant.

The Malay contribution was greatest, of course, on problems of Malay life and the impact on it of a foreign administrative, economic and legal order. The effectiveness of Malay opinion depended on the magnitude of the principles involved, and the extent to which external standards had to be satisfied. On questions of public morality and welfare - the abolition of slavery or the introduction of compulsory vaccination, Malay opinion might secure the delay, but not the abandonment of unpopular reforms; slavery was abolished in Perak in 1883 and compulsory vaccination introduced in Perak in 1890 and Selangor in 1892 despite initial opposition. In one matter of major importance - land revenue - the Malays during the 1880s successfully postponed in both States, the general application of land rent, and in Perak the application of a head tax; but since the revenues were flourishing on tin, since district staffs were inadequate to deal with a proper land settlement, and since it was policy in the early years to attract population rather than seek to raise a large land revenue, Government was able to satisfy Malay wishes without sacrificing principle. When attention turned seriously to land settlement in the 1890s, opposition was no longer effective. The Selangor
Land Code of 1891 introduced the principle of periodical assessment on holdings under customary tenure - a class composed of Malay small-holdings. A full Council met to consider the Code, and the Sultan, Raja Bot and Raja Kahar, and both Chinese members objected to the assessment rates as far too high, but without effect. It was on lesser questions relating to the routine of Malay life, - the appointments and jurisdiction of headmen, ecclesiastical jurisdiction, the incidents of Malay farming - that Malays expressed themselves with greatest frequency and to greatest effect. How should buffalo trespass be dealt with? Should assistant penghulus be appointed by penghulus or by the State? What rents should be asked for nipah land? Should traders be allowed to peddle from river-boats, in competition from land-based shopkeepers who had to pay rates and taxes? And if dues were levied on shop-boats, what was to be done about the subsistence farmer who occasionally carried stuff to barter elsewhere on the river? Should penghulus get a commission on the tin duty on ancestral mines? Is vaccination contrary to Islam? Should Malays be allowed to gamble? What compensation should be paid for damage by tame elephants? Should

61 SCM 13 June 1891
marriage by abduction of a girl under sixteen be treated as an offence under the Penal Code? These are typical examples of the problems which Malay members put forward, discussed with animation and helped to solve; some of these questions were brought forward by members at the instance of villagers who were directly affected by them.

The Chinese members confined their discussion almost entirely to the mining industry. They may have made representations elsewhere on behalf of the community as a whole; it was rarely that they made them in Council. Yap Ah Loy was able to stop the levy of a door-tax on the Chinese population of Kuala Lumpur, on the ground that they had laid out and built the town without help from anyone; but most of his time on Council was spent in pressing the concerns of the mining advancers, and in particular, his personal claims to the State farms and to land in and about Kuala Lumpur. In Perak the Capitans successfully opposed (in 1877) the imposition of a head tax on the Chinese community; only to accept it in another form two years later, when registration of every Chinese male over 16, with payment of a registration fee of 51, was first introduced. Registration was introduced to one district after another till in December 1881 it embraced the whole Chinese adult male population. Low
acknowledged in his official journal that registration was extremely unpopular, but there is no hint in the minutes of opposition or even discussion; indeed it was left to the Magistrate of the Krian district to protest against registration and complain that Chinese were leaving his district because of it.63

The intervention of the Chinese magnates was directed to securing for the industry, favourable conditions of tenure, minimum taxation, protection of advancees, and control of labour; and it should be remembered that the mining coolies over whom they sought this control constituted the great bulk of their own community. Many of their demands in these matters were in accordance with government policy, and there was little occasion for disagreement; indeed in fiscal matters there was little scope for it, since the tariff structure was tied in principle to the price of tin and the cost of public works. Sometimes Chinese members objected to a justifiable

62 Low, Journal for 29 September 1879, enclosed in Anson to Hicks-Beach, Confidential of 18 October 1879, CO 273/100/18062.

63 Perak Council Minutes, 23 March 1880. Low solemnly remarked that the Chinese were very willing to pay for registration, and were 'glad to have a government which took so much care of them'!
rise in the tin or opium duty in the spirit of hopeful bargaining; sometimes they simply acquiesced, saying that the Government had always shown consideration for the industry and they would not oppose fair taxation.  

Matters raised in Council were often discussed in advance at unofficial meetings between the Resident and the influential men of the community, and this was an obvious method of proceeding, with Malays as well as Chinese. It is probable that these unofficial meetings, so far as the Chinese were concerned at any rate, were far more important than the Council meetings as a means of communicating with the Government. On one occasion at least, an important controversy found no expression in Council, but was discussed at a private meeting. In 1879, the Resident included in the list of State Tax farms to be leased for the next three-year period, the sale of chandu (prepared opium) throughout Perak. This was sure to be unpopular both with the miners, who feared a rise in the price of chandu, and with the labour contractors, who

In April 1878, Low took off the 2 royalty on tin because of the low tin price; at the Council meeting of 20 February 1880, the Chinese councillors agreed to its reimposition to pay for the Taiping - Port Weld railway. The royalty was not imposed, because of the outbreak of fires in Taiping; but in December 1880 the Council was asked to suggest ways of raising revenue to repay the State Debts, and the Chinese Councillors agreed to the reimposition of the royalty, since Government had shown itself considerate of their needs. (PCM 30 December 1880.)
made a profit out of preparing chandu for sale to their men. Low expected a 'row with the Chinese' and it came in the form of a riot of miners in Taiping in October 1879. After the riot, Low called a meeting of Chinese mining leaders, including the two State Councillors; they joined their compatriots in urging strongly the abandonment of the chandu farm, and Low gave in. Yet no objection to the chandu farm was ever raised at Council meetings, indeed the Chinese members were not even present when the advertisement was discussed; though they must have known about it and were present at a Council meeting a week later. It is possible that representations were made - but outside the State Council.\(^6\)

On occasion the Chinese contributed to general discussion, particularly in reviews of capital sentences and in economic questions of wide reference, like the immigration of plantation labour, railway finance and currency questions. On the Selangor Council, Yap Ah Loy supported the Malay case for remission of land rent and Yap Kuan Seng and Cheow Ah Yok supported Malay opposition to rates of assessment proposed under the 1891 Land Code;\(^6\)

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\(^6\) Low to C.S., 6 October 1879, enclosed in Anson to Hicks-Beach, 357 of 18 October 1879, CO 273/100/18051.

\(^6\) SCM 19 February 1884, 13 June 1891.
these references may mean little, or may point to an association closer than government records can tell. But these departures from the field of economics - and mining economics in particular - were rare. This economic preoccupation was regarded as perfectly legitimate; the value of the Chinese members to the Council and the State was judged to lie precisely in their wealth and in the enterprise which populated the State and provided the revenues, and Malay as well as British members of Council were anxious to promote the prosperity of local magnates by leasing them the State farms.

In its membership and functions the State Council represented an attempt to solve the multiple problems of the colonial situation. It sought to combine old and new sources of power, to invest each with the prestige of the other; it sought to combine traditional and modern experience and methods and turn Malay initiative in government into new channels. It sought to provide a forum where all the important groups in the State might be represented and might deliberate together. The first aim was certainly realised. The Council gave to the actions of the executive a constitutional authority, based formally on Chinese and Malay consent. It provided a means of conciliating Malay leadership and moulding it
to new patterns of government. It gave Malays and Chinese a sense of participation in affairs, even if it limited their influence on decisions. They were identified with government in passing the measures which enabled government to act; they shared in the assertion of power. The power may not have been popular, but it was respected. The effectiveness of Malay and Chinese participation was limited by the overriding pressures of economic development and administrative reform, and the concentration of responsibility in the hands of the Resident, as the agent of these forces. The Council offered useful opportunities for general consultation, which contributed to the Resident's judgment of a situation and might affect decision, within narrow margins. But the Council was not, essentially, a place where decisions were made; it was a place where decisions made outside could be communicated and explained; it was yet another means of disseminating information and directing change.

The development of the Council as an unspecialised committee indiscriminately discussing routine business, as well as major policy and legislation, had the advantage perhaps that it gave Malay and Chinese members an insight into the workings of the new administration; but as
government became more complex, the Council was buried under a load of administrative detail which could have left little room for discussion. In Perak, the years between 1877 and 1882 were years in which policy in all fields was first formulated and discussed, when the principles of taxation, of local government, of land legislation and social reform were defined, and the discussion of these principles took up most of the time of Council. The minutes of the Perak Council for 1890-1895, as reported in the Perak Government Gazette, contrast strikingly, in their formality and dullness, with the reports of the earlier meetings. A period of consolidation is likely to be less interesting than a period of initial decisions, and gazetted abstracts of minutes are in any case a poor reflection of the original proceedings. But it is hard to believe that much discussion could have been aroused by these stereotyped agendas, which sometimes comprised twenty or so items at a sitting; two or three death sentences, four or five applications for increased allowance, half a dozen orders in council and a dozen penghulu appointments and establishment questions. Though pressure of business had so much increased, the meetings were less frequent than in the earlier years, so that it cannot even be said that
they accustomed the members to the rule of committees, which might have been considered an important part of their education in modern government.

During the transition from Malay to European rule, the major problems of government were problems of local adjustment to the new authority, of vital interest to Council members, even though they had no power of decision. But as solutions became stereotyped into administrative formulae, as economic horizons opened and power receded from local centres, the Councils had nothing to do but apply established principles to minor problems. The detachment of the State Councils from the centres of power and responsibility was intensified by Federation; but it had begun years before.
NOTE ON SOURCES

This study was made possible by the grant of a year's field research in Malaya, and by generous assistance with microfilms from the Australian National University and the Commonwealth National Library. The collection of material has, however, been attended by some difficulty. The main source in Canberra consists of the Parliamentary Papers, containing the State administration reports and much material relating to intervention; the Journal of the Royal Asiatic Society (Straits Branch and Malayan Branch) is also available for reference. In addition there is a collection in typescript of selected open despatches, Governor, Straits Settlements to Secretary of State, 1867-93. All other material was consulted in Malaya, or obtained in microfilm from Malaya or England. The typescript despatches in Canberra were supplemented by the set in the Raffles Library archives in Singapore, and the replies from the Secretary of State also consulted there. The minutes were obtained in microfilm from the Public Record Office in London. The degree of importance of the Governor's despatch provided the criterion for selection of the minutes.
A table of contents of the correspondence between the Colonial Office and the Governor (the CO 273 series) was also secured, and a selection of supplementary correspondence between departments and individuals and the Colonial Office was ordered. It is hoped that a fair proportion of important correspondence was thereby secured, but much useful material must have been overlooked.

The writer had decided to concentrate on Perak and Selangor and sought material only in those states. The Perak Secretariat papers and Council Minutes for the period could not be traced, but the Selangor Secretariat papers were intact from the beginning of the Residential system in 1875 till modern times. The material consists of correspondence and papers from the Colonial Secretary of the Straits Settlements and from outstations, departments, and individuals to the Resident. (After 1890 the correspondence was channelled through the Secretary to Government.) The chief difficulty was to render the papers accessible to reference. The records from 1875 to c. 1940 lay in chronological disorder in a deposit of about 600 cubic feet in a store-room of the Selangor Secretariat. The writer extracted from this about 250 bundles of files, each containing up to 100 papers, for the period 1875 to 1891. This constituted about one quarter of the files for the
period. (No count was made of the bundles extracted from 1891-5.) The choice was arbitrary, as it was not possible to search the entire deposit; some years (including, fortunately, years of change) are well documented, and others are very defective. Despite these limitations, the material assembled provides invaluable information about the methods and policies of the administration. The State Gazettes, first published in Perak in 1888 and Selangor in 1890, also provide an important source for the study of the state administrations.

The Colonial Secretariat records for the period up to 1940 have not yet come to light, and the main source for the relations between the Governor and the Residents is therefore missing. The argument on this subject has had to be documented from other evidence.

In the list of sources, the provenance of unpublished records is given in a note after each source. Most of the official printed records were consulted in Raffles Library in Singapore, and the provenance of this material is given only in the case of records consulted elsewhere.
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