

REPORT OF A COMMITTEE NOMINATED BY THE  
RESIDENT-GENERAL TO CONSIDER A DRAFT AUTOMOBILES ENACTMENT,  
AND CERTAIN CRITICISMS THEREON.

SIR,—

KUALA LUMPUR, 23rd December, 1902.

We have the honour to inform you that, acting on the requests contained in your letters to us dated the 4th and 6th December current, respectively, and numbered 7206/02, we have sat as a Committee, and have considered the draft of an Automobiles Enactment, together with the various letters containing criticisms of the draft, which you forwarded for our consideration.

2. We have the honour to inform you further that we have unanimously agreed to make certain recommendations to you on the subject, which recommendations, together with the grounds upon which we make them, whenever an explanation appears to be necessary, are set out in the following paragraphs.

3. As to the draft Enactment: In section 2, under the head of "Traction Engine," we recommend that the words "on level ground" be inserted after the word "travelling," and that the word "six" be substituted for the word "four" in the same paragraph. The reason for the latter recommendation is that practically all traction engines are capable of travelling more than four miles an hour.

4. We recommend that section 3 be deleted. Subsequent provisions exempt Government automobiles from the payment of license fees, and Government servants driving Government automobiles from the payment of fees for certificates of competency, and we see no reason for exempting them from the provisions as to lights, brakes, speed, etc.: which are to govern other automobiles.

5. We recommend that the words "or in respect of automobiles kept exclusively for sale by bona fide dealers therein" be added to sub-section (i.) of section 6. A similar provision is made in the Vehicles Enactment.

6. We recommend that in section 7 words be inserted to make it clear that the Government will provide means for ascertaining the tares and maximum loads of automobiles, for licensing purposes, as it would generally be impossible for would-be licensees to provide them.

7. We recommend that a proviso be added to section 8 to the effect that in the case of automobiles not used for hire or trade purposes the plates and marks prescribed in that section shall be of small size and shall be attached to the automobile in consultation with the owner in an inconspicuous position. On this point we beg to say that whilst we fully recognise that it is highly desirable that automobiles driven to the common danger should be as easily identified as possible, yet that we consider that any method of identification which depends for its efficacy upon large plates bearing figures which may be read as the car passes has disadvantages which outweigh its advantages, whilst on æsthetic grounds it would cause much vexation to private owners, and greatly tend to discourage the private ownership of automobiles. It is known from experience gained in Europe, on the Continent, that number plates on passing automobiles are constantly misread, and much trouble caused thereby to innocent owners; that the faster a car is driven the less chance there is of a correct reading, owing as much to the following dust as to the actual speed of passing, and that an oily rag drawn across a number plate by a driver who wishes to evade identification will in a very short time cause an accumulation of dust which will render the number absolutely illegible even at a standstill. It is also to be noted that this system of large identification numbers would lead (as has been shown on the Continent) to motor drivers being placed in a most unfair position, as anyone seeing a numbered motor car passing is in a position with or without good reason to lay an information against the driver, and to secure a witness or two to support his own view of the speed, whilst the driver, knowing nothing at the time of any exception having been taken to his driving, is practically unable when he receives the summons, to provide himself with the witnesses who might have been available for his defence. So we recommend that, at any rate in the case of private carriages, it should be laid down that the identification marks shall be inconspicuously affixed. Several of the criticisms which you forwarded for our consideration are to the same effect.

8. We recommend that a provision be inserted in section 12 (i.) to cover the case of a novice who is being taught to drive. A non-certificated person should not, we think, be absolutely prohibited from driving, but, purely for the purpose of being taught, might be allowed to do so on unfrequented roads, provided that a certificated driver sits by his side, and that the responsibility of anything that may go wrong is thrown upon the certificated teacher.

9. We recommend that the words "or an automobile of similar type" be inserted after the word "automobile" in the third line of the same sub-section, in order to make it clear

THE RESIDENT-GENERAL,  
FEDERATED MALAY STATES.

that it is not intended to require a driver to get a certificate in respect of every automobile that he may drive, but that one certificate may cover all automobiles of any type or types which the certifying officer may consider the driver competent to drive.

10. We recommend that provision be inserted in section 12 (iv.) for an appeal to the Resident (such as that provided in section 3) against any action taken under that sub-section by the officer appointed to issue certificates. In the case of such action being taken by the lower Courts, an appeal will of course lie to the Senior Magistrate's Court.

11. We recommend that the words "issued under this Enactment" be substituted for the words "an automobile" in section 13, in order to avoid any inference that no certificate of competency can cover more than one automobile; and that in the same section some such words as "provided that no fee shall be payable for any such certificate issued to a Government servant in respect only of an automobile belonging to the Government, or in respect only of an automobile on account of which such Government servant draws an allowance from public funds," be added: vide paragraph 4 above.

12. We recommend that the word "valid" be inserted before the word "certificate" in section 14; merely as a clerical amendment.

13. We have no actual amendment to recommend in section 16, but we desire to express our strong opinion that when the Resident makes rules under section 33 in respect of the manner in which drivers' badges are to be worn or displayed, a distinction should be made between the manner in which such badges are to be worn or displayed by the drivers of automobiles used for hire or trade purposes, and the manner in which they are to be worn or displayed by the drivers of private automobiles. We see no objection to the Resident in his discretion directing that the drivers of public or trade vehicles shall display such badges conspicuously, but in the case of private drivers we strongly recommend that the badge take the form of a small medal which be carried permanently on the watch-chain, and which might be made (at the cost of the driver) in silver or gold. It does not appear to be necessary to annoy private drivers by requiring them to conspicuously display their badges, but they must always carry them for production when called upon, and if such a form as we suggest were adopted it would be easy to keep it always at hand.

14. We recommend that the provisions contained in sub-sections 22 (i.), 23 (i.) (ii.) and (iii.), 25 (i.) and (iii.), together with the fourth and fifth schedules, be omitted from the Enactment and relegated to the rules to be made under section 33. Our reason is that these sub-sections and schedules deal with details of construction in which improvements are continually being made, and that, in the present stage of the industry, it would be better to avoid putting hard and fast conditions of this kind into the Enactment, and to deal with them under rules which may be altered from time to time when advisable, without involving the necessity of amending the Enactment.

15. In either case, we recommend that the words "of width" be inserted after the words "per inch" in sub-section (iii.) of section 23, as a clerical correction. We further recommend that that sub-section should be re-drafted so as to exclude rubber-tyred vehicles from its operation, and to extend the limit of weight per wheel per inch of width of tyres in the case of iron-tyred vehicles from seven hundred weight to ten hundred weight. Rubber tyres do not appreciably damage the roads, and it will be found that few iron-tyred automobiles as at present constructed would satisfy the requirements of the sub-section as it stands.

16. If sub-section (i.) of section 22 and sub-section (i.) of section 25 are relegated to the rules as we recommend, the sub-sections now numbered (ii.) in each case will require a little clerical correction.

17. In sub-section (iii.) of section 22 we recommend the insertion of the words "used for hire or trade purposes" after the word "automobile," because there appears to be no good reason for disfiguring private carriages in the manner proposed by the draft. The tare and maximum load of private automobiles will be recorded on the license under section 7.

18. We recommend that the word "motor-cycle" be substituted for the word "bicycle" in section 24.

19. We recommend that all the words in sub-section (i.) of section 26 of the draft after the words "private property" be omitted. In recommending the abolition of the speed limit altogether, we desire to point out that this draft provides not only for the registration and licensing of all automobiles, but also for all drivers being provided with certificates of competency. Neither of these conditions exist in England at present, and they make all the difference in the position. Automobiles here must be shown to be capable of proper control before they will be allowed upon the roads, and will be driven only by persons who have shown themselves to be competent to control them, whilst provision is made for the cancellation of both licenses and certificates when necessary. Further, we propose to recommend the amendment of section 29 by imposing very heavy penalties upon driving to the common danger, and we feel strongly that the proper course under such circumstances is to abandon a hard and fast limit of speed. The chief objections to such a limit are—(a) that the speed at which an automobile may be *safely* driven (which is all that we need concern ourselves with) is constantly varying, so that whilst 4 miles an hour might well be a dangerous speed in Java Street at a busy time of the day, 15 miles an hour might be quite safe on portions of the

Ampang Road within town limits when there was no traffic about. Out in the country on clear stretches of road there is no need to impose any limit; we shall not have racing cars out here at present, and the speed will, under present conditions, be effectually restricted by the state of the roads; (b) the other main objection to a fixed limit is the difficulty of obtaining reliable evidence as to the actual speed attained upon particular occasions. This leads to endless difficulties and much injustice, because in order accurately to estimate speed at so many miles an hour instruments of precision, and men who know how to use them, must be employed. In calculating miles per hour from times taken over short measured distances errors of tenths of seconds and of fractions of yards become of the greatest importance.

20. We are therefore strongly of opinion that it will be best to trust to severe penalties for dangerous driving, which is all that it is really necessary to guard against, and to the power to cancel the certificates of offenders, and we hope that our unanimous recommendation on this point will meet with your approval.

21. In connection with sub-section (iii.) of section 26 we desire to suggest that it would be of advantage to all users of the roads if the use of a horn were restricted to automobiles; but this, of course, would require an amendment of the Vehicles Enactment.

22. We recommend that sub-section (v.) of section 26 be amended so as to provide that all automobiles shall be required to carry a red light behind. We are strongly of opinion that some such rule is needed in the case of all vehicles which use the public roads, for the protection of persons travelling behind them.

23. We recommend that the word "motor-cycle" be substituted for the word "bicycle" in the two places in which the latter word occurs in sub-section (v.) of section 26.

24. We recommend that the words "except in cases of emergency, the onus of proving which shall lie on the driver," or some such words, be inserted after the words "on any public thoroughfare" in sub-section (vi.) of section 26. The reason being that traction engines, and other steam engines, must, on occasion, either blow off steam or burst.

25. We recommend that the words "a traction engine" be substituted for the words "an automobile propelled by steam or by other gasses generated within itself" in sub-section (viii.) of section 26. We consider that it is sufficient in other cases to lay the onus on the driver of taking due precautions against his engine being started in his absence, and that the further provision would be unworkable in the case of most automobiles.

26. We recommend that the words "one of whom shall hold a certificate" be substituted for the words "holding certificates" in sub-section (i.) of section 27. We believe that only one certificated person is required under such circumstances in England, and more do not appear to us to be necessary.

27. We recommend that the words "five tons" be substituted for the words "two tons" in section 28, in order to avoid unduly handicapping such vehicles as delivery waggons, which are expected to come largely into use in the future. Also, and for the same reason, we recommend that this section be amended in the same manner as recommended in our preceding paragraph in the case of traction engines.

28. We recommend that section 29 be amended so as to deal first and separately with the offence of driving to the common danger. As the draft stands at present, the owner is made primarily responsible for furious driving, and we recommend that the responsibility should be transferred to the driver, who will of course necessarily be a certificated person, and that the penalty for driving to the common danger be largely increased to the extent of making the driver liable on conviction to a fine not exceeding \$500, and for a second or subsequent offence to a fine not exceeding \$1,000, or to simple imprisonment not exceeding one month, or to both. We have already explained our reasons for the latter recommendation. The rest of the offences against sections 26, 27 and 28 may, we think, be dealt with as provided in the draft.

29. We recommend that words be added to section 30 limiting the power given to the police therein to cases in which the automobile in question cannot be conveniently identified, because when the automobile and its owner are known, it will be unnecessary to expose valuable property to the risks which would be involved in the automobile being taken to and detained in "a place of safety" by native police.

30. We recommend that a new section be inserted after section 32, or a new sub-section added to that section, providing that "It shall not be lawful for the driver of any automobile to drive the same or to haul carriages over any bridge on or near which a conspicuous notice has been placed by the authority of the State Engineer or his representative that the bridge is insufficient to carry traffic of over a specified weight, unless the weight of such automobile or of such automobile and carriages together is less than the weight so specified, without having previously obtained the consent of the State Engineer or his representative."

31. We recommend that the words "the speed at which and the hours during which automobiles may travel on public thoroughfares" be omitted from section 33. We have already given our reasons against any speed limit, and we see no grounds for restricting the use of automobiles to particular times of the day.

32. With respect to the first schedule, we recommend some alteration in the classification of "other automobiles." We recommend that the weights be revised, substituting "3 tons" for "2 tons", "8 tons" for "5 tons", and "exceeding 8 tons" for the line "exceeding 5 tons, but not exceeding 8 tons," as the present weights seem to have been fixed on too low an estimate of the usual weights of automobiles; and we further recommend that "other automobiles" be divided into "other automobiles used for hire or trade purposes," and "other automobiles not used for hire or trade purposes," and that the license fees payable for the former class should be \$10, \$30, \$70 and \$100 for the four limits of weight specified, respectively, and that the license fees payable for the latter class should be one half of those fees in each case. This recommendation is made on the ground that the higher scale might tend to discourage the private ownership of automobiles.

33. In the second schedule we recommend that the words "<sup>for hire or trade purposes</sup>" or some such words be inserted after the word "use," in order that the license may give the necessary information.

34. In the third schedule we recommend that the words "or type or types" be inserted after the word "description" in the two places in which the latter word occurs; in order to enable the certifying officer to include in the certificate any types of automobile which he is satisfied that the applicant for a certificate is competent to drive.

35. The fourth and fifth schedules will be omitted here, and reproduced in the rules, if you accept the recommendation made in our paragraph 14 above. The figures "41" in the fourth schedule should be "14".

We have the honour to be,

Sir,

Your most obedient servants,

A. BERRINGTON (*Chairman*).

C. E. SPOONER.

J. H. M. ROBSON.

H. C. E. ZACHARIAS.

GEO. RUSSELL

REPORT ON SAMPLES OF RUBBER EXTRACTED FROM HEVEA  
BRASILIENSIS IN THE FEDERATED MALAY STATES.

(COPY)

STRAITS SETTLEMENTS.

NATIVE STATES.

[ No. 432. ]

DOWNING STREET, 31st December, 1902.

SIR,—I have the honour to transmit to you for your information and for communication to Mr. Stanley Arden, Superintendent of Experimental Plantations, the papers noted in the subjoined schedule.

I have, etc.,

(Sd.) ONSLOW,  
for Secretary of State.

THE OFFICER ADMINISTERING THE  
GOVERNMENT OF THE STRAITS SETTLEMENTS.

Date.	From.	To.	Subject.
24th Dec., 1902	The Director of the Royal Gardens, Kew	The Colonial Office	Report on certain samples of Para rubber, coagulated by various methods.

(COPY)

ROYAL BOTANIC GARDENS, KEW,  
December 24th, 1902.

SIR,—

I have the honour to inform you that I have received from Mr. Stanley Arden, Superintendent of Experimental Plantations in the Federated Malay States, a series of samples of Para rubber coagulated by various methods, with a request that I would obtain a commercial report upon the results. A copy of the brokers' report is enclosed.

2. Without entering into unnecessary details it is sufficient to notice that Nos. 1 and 6 were naturally coagulated; No. 2 was coagulated by the addition of acetic acid; No. 7 was "scrap rubber" collected off the tree; the remaining samples were coagulated by various mineral acids.

3. It is quite clear from the brokers' report that natural coagulation affords the best results and that the only admissible artificial coagulating agent is acetic acid.

4. The point, however, which it is important to notice, is that Para rubber can be produced in the Straits Settlements from ten years old trees, which is worth eightpence a pound more than the best equivalent Brazilian product. I may be permitted to feel some satisfaction at this result seeing that the trees which have furnished the rubber now reported on are the descendants of those transmitted from Kew to the Straits Settlements in 1877; these were part of the first consignment of Para rubber trees to the tropics of the Old World.

5. I have no doubt that the Straits Settlements is now in possession of a new and important cultural industry. The facts stated above are therefore of sufficient importance to bring under the notice of the Secretary of State and to be placed on permanent record. Mr. Chamberlain will no doubt cause them to be communicated to Mr. Stanley Arden, in official course.

I am, etc.,

(Sd.) W. T. THISELTON-DYER.

(COPY)

MESSRS HECHT, LEVIS AND KAHN TO ROYAL BOTANIC GARDENS, KEW.

36, FENCHURCH STREET, LONDON, E.C.,  
December 19th, 1902.

DEAR SIR,—

We have examined the samples of Para Rubber from Selangor which you submitted to us. We are of course not chemists, and can only judge the Rubber from its elasticity, strength and freedom from dirt.

With ordinary Hard Cure Fine Para worth to-day 3s. 8d. per lb., we should estimate the value of your samples as follows:—

No. 1	...	about 4/4 per lb.
Nos. 2 and 6	..	4/3 "
No. 5	...	4/2 "
No. 4	...	4/1 "
No. 3	...	4/ "
No. 7	...	3/4 "

Numbers 3 and 4 are decidedly weaker than the others, and on the whole we think the less acid used in coagulation the better. Sample No. 1, coagulated without acid at all, is certainly the best of the lot.

We remain, etc.,

HECHT, LEVIS AND KAHN.