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SECOND SUPPLEMENT TO THE FEDERATED MALAY STATES GOVERNMENT GAZETTE

OF FRIDAY, THE 15TH OF SEPTEMBER, 1916.
(No. 71, Vol. VIII.)

PUBLISHED BY AUTHORITY.

TUESDAY, 26TH SEPTEMBER, 1916.

The following Notifications are, by direction of the Chief Secretary to Government, published for general information.

M. S. H. McARTHUR,
Under Secretary, F.M.S.

No. 3014.—Draft of an Enactment to amend “The Federal Rubber Dealers Enactment, 1909.”—

DRAFT.

FEDERATED MALAY STATES.

ENACTMENT No. OF 191 .

An Enactment to amend “The Federal Rubber Dealers Enactment, 1909.”

[, 191 .]

President of the Federal Council.

It is hereby enacted by the Rulers of the Federated Malay States in Council as follows:

1. (i) This Enactment may be cited as “The Federal Rubber Dealers Enactment, 1909, Amendment Enactment, 191 ,” and shall come into force on the publication thereof in the *Gazette*.

Short title, commencement and construction.

(ii) This Enactment shall be read and construed as one with “The Federal Rubber Dealers Enactment, 1909,” hereinafter called “the principal Enactment,” and any copies of the principal Enactment printed after the commencement of this Enactment may be printed with the amendments made by this Enactment.

Enactment No. 5 of 1909.

2. Section 7 of the principal Enactment is amended by adding at the end of sub-section (ii) the words:

Amendment of section 7.

“unless he purchase the same at an auction sale conducted by an auctioneer licensed under the provisions of ‘The Auction Sales Enactment, 1905,’ or by a public officer acting under the order of a competent Court or by a Collector of Land Revenue in exercise of the powers vested in him by Part VI of ‘The Land Enactment, 1911.’”

3. Immediately after section 8 of the principal Enactment there is inserted a new section, to be numbered 8A, as follows:

New section 8A.

“8A. (i) Every auctioneer who shall sell at an auction sale any cultivated rubber shall keep books of account in which shall be entered day by day particulars similar to those which are required by sub-section (i) of section 8 to be entered in the books of a licensee who shall sell cultivated rubber, and the provisions of sub-sections (ii) and (iii) of section 8 shall apply to every such auctioneer as though he were a licensee.

Auctioneers' books of account.

(ii) Every auctioneer shall deliver to every person who shall purchase cultivated rubber at an auction sale conducted by him a written authority for the sale thereof which shall contain the particulars prescribed in section 9.”

Auctioneer to give written authority.

Amendment of
section 9.

4. Section 9 of the principal Enactment is amended

(a) by inserting immediately after the words "by the vendor" in line 2 of sub-section (i) the words "or, in the case of an auction sale held under an order of Court, by the auctioneer";

(b) by adding at the end of sub-section (iii) the following clause:

"(c) The signature, in the case of a sale of cultivated rubber under an order of Court, of the auctioneer by whom such sale was conducted."

Amendment of
section 10.

5. Section 10 of the principal Enactment is amended by adding at the end thereof the following:

"Provided that nothing in this section shall be deemed to require the delivery of any such memorandum in the case of the purchase of cultivated rubber at an auction sale held under an order of Court or by a Collector of Land Revenue."

OBJECTS AND REASONS.

As the law now stands no person other than a licensed dealer may purchase cultivated rubber and even he may purchase it only at his own place of business. It follows that, for lack of buyers, an auction sale of cultivated rubber cannot lawfully be held. This has occasioned inconvenience, particularly in connexion with proceedings for the recovery of debts.

The object of this Bill is to render such auction sales practicable by relaxing the restrictions upon licensed dealers. At the same time certain duties are imposed upon auctioneers in order that in case of need the identification of cultivated rubber sold by them may be facilitated.

KUALA LUMPUR,
21st September, 1916.

M. H. WHITLEY,
Acting Legal Adviser, F.M.S.

No. 3015.—Draft of an Enactment to amend “The Widows and Orphans’ Pension Enactment, 1915.”—

DRAFT.

FEDERATED MALAY STATES.

ENACTMENT No. OF 191 .

An Enactment to amend “The Widows and Orphans’ Pension Enactment, 1915.”

[, 191 .]

President of the Federal Council.

IT is hereby enacted by the Rulers of the Federated Malay States in Council as follows:

1. (i) This Enactment may be cited as “The Widows and Orphans’ Pension Enactment, 1915, Amendment Enactment, 191 ,” and shall come into force on the publication thereof in the *Gazette*. Short title, commencement and construction.

(ii) This Enactment shall be read and construed as one with “The Widows and Orphans’ Pension Enactment, 1915,” hereinafter called the “principal Enactment,” and any copies of the principal Enactment printed after the commencement of this Enactment may be printed with the amendment made by this Enactment. Enactment No. 3 of 1915.

2. Section 6 of the principal Enactment is repealed and the following section is substituted therefor: Substituted section 6.

“6. (i) If the official income of a contributor becomes reduced, whether by reduction of salary or by his retirement on a pension, he may upon giving notice in writing to the Directors of his desire to do so continue his rate of contribution for the remainder of the thirty-five years or until he attains the age of sixty-five according to the full amount of contribution paid by him at the date of such reduction or retirement, as the case may be, in which case his widow or children shall be entitled to pension accordingly. Contributions where official income is reduced.

(ii) Where such reduction of official income is due to retirement on a pension and the contributor draws a pension not only from the Federated Malay States but also from the Colony of the Straits Settlements, or from any Malay State under the protection of the British Government, he shall, unless he contributes in accordance with the provisions of sub-section (i), contribute on the aggregate amount of the pensions granted to him by the Federated Malay States and by the said Colony, and by any such Malay State and such aggregate amount shall for the purposes of this section be deemed to be his reduced official income.

(iii) Where a contributor only contributes on his reduced official income, any pension to his widow or children shall be diminished in the same proportion as it would have been increased had such official income been raised instead of being lowered.”

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No. OF 191 .

OBJECTS AND REASONS.

Under the existing law an officer retiring on pension from the service of the Federated Malay States, who also draws a pension from the Colony of the Straits Settlements or from any Malay State under British protection, is required to contribute to the Widows and Orphans' Pension Fund on that pension only which he draws from the Federated Malay States.

The object of this Bill is to render it compulsory for such an officer to contribute to the Fund on the aggregate amount of the pensions drawn by him from the territories aforesaid, unless he elects to contribute on the salary received by him at the date of his retirement.

KUALA LUMPUR,
22nd September, 1916.

M. H. WHITLEY,
Acting Legal Adviser, F.M.S.

No. 3016.—The following Draft of an Enactment to further amend The Criminal Procedure Codes, 1902 and 1903, is published in substitution for the Draft which was gazetted as Notification No. 2850 on the 15th September, 1916.—

DRAFT.

FEDERATED MALAY STATES.

ENACTMENT No. OF 191 .

An Enactment to further amend The Criminal Procedure Codes, 1902 and 1903.

[, 191 .]

President of the Federal Council.

IT is hereby enacted by the Rulers of the Federated Malay States in Council as follows:

1. (i) This Enactment may be cited as "The Criminal Procedure Codes Amendment Enactment, 191 ," and shall come into force on the publication thereof in the *Gazette*. Short title, commencement and construction.

(ii) This Enactment shall be read and construed as one with the Enactments mentioned in the schedule hereto, which are hereinafter called "the principal Enactments," and any copies of the principal Enactments printed after the commencement of this Enactment may be printed with the amendments made by this Enactment.

2. Sub-section (ii) of section 108 of the principal Enactments is amended by deleting from the last line thereof the words "of the First Class". Amendment of section 108 (ii).

3. Sub-section (iii) of section 108 and sub-section (i) of section 109 of the principal Enactments are amended by deleting from the first line of each of the said sub-sections the words "in charge of a Police District" and substituting therefor the words "not below the rank of Sergeant-Major". Amendment of sections 108 (iii) and 109 (i).

4. Sub-section (iii) of section 110 of the principal Enactments is amended by inserting immediately after the words "so deputed" in line 3 the words "if below the rank of Sergeant-Major". Amendment of section 110 (iii).

5. The following section is inserted immediately after section 113 of the principal Enactments: New section 113A.

"113A. Any Police Officer may take or cause to be taken the finger impressions of any person under arrest who is accused of any offence which is a crime within the meaning of section 24 (v) of 'The Prisons Enactment, 1907.'"
Power to take finger impressions of accused persons in certain cases.

SCHEDULE.
PRINCIPAL ENACTMENTS.

State.	No. and year.	Short title.
Perak ...	19 of 1902	The Criminal Procedure Code, 1902
Selangor ...	16 "	" " " "
N. Sembilan	4 of 1903	" " " 1903
Pahang ...	1 "	" " " "

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No. OF 191 .

OBJECTS AND REASONS.

The objects of this Bill are, (a) to extend to all Police Officers not below the rank of Sergeant-Major the powers of making police investigations which are conferred by Chapter XIII of The Criminal Procedure Code upon Police Officers in charge of Police Districts, and (b) to give to Police Officers making police investigations power to take the finger impressions of persons accused of certain offences in order to determine, by means of reference to the Registrar of Criminals, whether or not such persons have been previously convicted.

KUALA LUMPUR,
13th September, 1916.

M. H. WHITLEY,
Acting Legal Adviser, F.M.S.

No. 3017.—PUBLIC HOLIDAY (NEGRI SEMBILAN).—It is hereby notified for public information that Thursday, the 5th October, 1916, being the day appointed for the presentation of the insignia of Knight Commander of the Most Distinguished Order of Saint Michael and Saint George to His Highness Tunku Muhammad, Yang di Pertuan Besar of Negri Sembilan, will be observed as a Public Holiday throughout the State of Negri Sembilan. All Government Offices in Negri Sembilan will be closed on that day.

No. 3018.—The Chief Secretary to Government records with deep regret the death of Mr. H. S. Richmond, Cadet, who was killed in action on the 24th August, 1916.

No. 3019.—The Chief Secretary to Government records with deep regret the death of Mr. L. M. Davenport, Surveyor, Grade II, which occurred on the 6th September, 1916, as the result of wounds received in action.

No. 3020.—SECOND ANNIVERSARY OF THE DECLARATION OF WAR.—The following telegram despatched by His Excellency the Governor to the Right Hon'ble the Secretary of State for the Colonies on the 5th August, 1916, together with the despatch received in reply, are published for general information :

“Crowded public meetings of all races held yesterday Singapore Penang Malacca and the same patriotic resolutions as last year passed with enthusiasm. Similar resolutions passed at similar meetings Kuala Lumpur Ipoh Seremban. Rulers present with their staffs.”

YOUNG.

DOWNING STREET,
12th August, 1916.

SIR,—I have the honour to acknowledge the receipt of your telegram of the 5th August, reporting the patriotic resolutions passed with enthusiasm at public meetings in the Straits Settlements and the Federated Malay States on the second anniversary of the declaration of war.

I highly appreciate the loyal sentiments which prompted these resolutions.

I have, etc.,

Governor

SIR A. H. YOUNG, G.C.M.G.,
etc. etc. etc.

A. BONAR LAW.

No. 3021.—ERRATUM.—PASSPORT REGULATIONS IN THE CASE OF PERSONS ENTERING OR LEAVING AUSTRALIA.—Notification No. 3011, published in the *Gazette* on the 21st September, 1916, is amended as follows :

Paragraph 3. For the words “Commonwealth for any place” in the third line, read “Commonwealth from any place”.

No. 3022.—“THE TRADING WITH THE ENEMY ENACTMENT, 1914,
AMENDMENT ENACTMENT, 1916.”

IN exercise of the powers conferred upon him by section 17 (ii) of “The Trading with the Enemy Enactment, 1914, Amendment Enactment, 1916,” the Chief Secretary to Government amends the Statutory List of persons with whom trading is prohibited, which was published in the First Schedule of Notification No. 2247 of the 11th July, 1916, and varied and added to by Notifications Nos. 2401, 2416, 2659, 2675, 2846, 2848 and 3010 of the 22nd and 31st July, 18th and 29th August, 4th, 8th and 21st September, 1916, respectively, by the further variation and addition of the names set forth in the Schedule hereto.

SCHEDULE.

ADDITIONS TO LIST.

NETHERLANDS EAST INDIES. Teller, Scholte & Company,
Sourabaya

Leezenberg, P., Medan

PHILIPPINE ISLANDS.

REMOVALS FROM LIST. Keller, E. A., & Company,
Martinez 4, Manila

NETHERLANDS EAST INDIES.

Plantagen Gesellschaft, Langka-
poera