

FOURTH SUPPLEMENT  
TO THE  
FEDERATED MALAY STATES  
GOVERNMENT GAZETTE

OF FRIDAY, THE 13TH OF OCTOBER, 1916.  
(No. 73, Vol. VIII.)

PUBLISHED BY AUTHORITY.

SATURDAY, 21ST OCTOBER, 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. 3328.—The following Enactment, passed at a meeting of the Federal Council held on the 20th October, 1916, is published for general information:

FEDERATED MALAY STATES.

ENACTMENT No. 8 OF 1916.

An Enactment to incorporate The War Loans Investment Trust of Malaya.

ARTHUR YOUNG,

[21st October, 1916.]

*President of the Federal Council.*

WHEREAS an association styled "The War Loans Investment Trust of Malaya" has been established for the purpose of aiding persons resident in the Malay Peninsula to invest moneys to assist the prosecution of the war in which the British Empire is engaged:

AND WHEREAS it is expedient that the said association be incorporated and that certain privileges be conferred upon it:

NOW THEREFORE it is hereby enacted by the Rulers of the Federated Malay States in Council as follows:

1. This Enactment may be cited as "The War Loans Investment Trust of Malaya Enactment, 1916," and shall come into force on the publication thereof in the *Gazette*. Short title and commencement.
2. In this Enactment "the Trust" means The War Loans Investment Trust of Malaya. Interpretation.
3. From and after the commencement of this Enactment the members of the Trust together with such other persons as may from time to time become members of the Trust shall be a body corporate under the name of "The War Loans Investment Trust of Malaya" having perpetual succession and a common seal and may under the said name sue and be sued in all Courts. Incorporation of the Trust.
4. Every person who shall be registered in the books of the Trust as the holder of any share or debenture stock issued by the Trust shall be deemed to be a member of the Trust. Members of the Trust.
5. The original share capital of the Trust shall be six million dollars which shall be divided into shares of such denomination as the Committee of Management shall from time to time determine. Original share capital.
6. All share capital which may from time to time be subscribed by members of the Trust shall be invested in new issues of War Loans stock, Exchequer bonds or other securities to be made by His Britannic Majesty's Government or by the Government of any British Possession or Protectorate. Investment of share capital.
7. (i) The interest payable upon the share capital from time to time subscribed by members of the Trust shall be at the rate of not less than six per centum per annum. Such interest shall be calculated in each case as from the first day of the month following that in which Payment of interest.

the share capital is subscribed, and the first payment thereof shall be made on the first day of July, 1917, and subsequent payments on the first days of January and July in every year.

(ii) If upon any day appointed under the preceding sub-section for the payment of interest the funds in the possession of the Trust which are lawfully applicable to the payment of interest shall be insufficient to pay interest at the rate of six per centum per annum upon the share capital subscribed, the Chief Secretary to Government shall advance out of the funds of the Federated Malay States such sum as may, when added to the funds aforesaid in the possession of the Trust, be sufficient to pay such interest at the rate of six per centum per annum and shall deliver the same to the Trust.

(iii) Every such sum so advanced shall be repaid by the Trust to the Government as soon as funds sufficient for such repayment and lawfully applicable thereto shall have come into the possession of the Trust.

Exemption from duties and taxes.

**8.** All share certificates and interest warrants issued by the Trust and all receipts for subscriptions given to subscribers by the Trust or its agents and all interest payable upon the share capital shall be exempt from all duties and all taxes now levied or leviable or which may hereafter be levied or leviable in the Federated Malay States.

Powers vested in the Trust.

**9.** The Trust is authorized and empowered from time to time to do all or any of the following things, namely,

- (a) to increase, subject to the approval in writing of the Chief Secretary to Government first obtained, the share capital of the Trust by the issue of further shares and to divide the shares of the Trust whether forming part of the original or any subsequent issue into different classes with preferential or other rights;
- (b) to borrow money and to secure the repayment of such money by means of debentures and other obligations or securities;
- (c) to realize from time to time any or all of the invested capital of the Trust and to re-invest the same, subject to the provisions of section 6; and
- (d) notwithstanding anything in this Enactment contained, to purchase the shares of the Trust if the same shall be offered for sale by any member of the Trust at par or at less than the par value thereof.

By-laws.

**10.** (i) From and after the commencement of this Enactment, except as is hereinafter otherwise provided, the affairs of the Trust shall be regulated by the by-laws set forth in the schedule hereto.

Amendment of by-laws.

(ii) The said by-laws or any of them may from time to time be revoked, altered or added to by the Committee of Management for the time being in office.

Approval of Chief Secretary necessary.

(iii) No by-law not contained in the schedule hereto and no revocation, alteration or addition of or to any by-law shall come into operation until the same shall have been approved by the Chief Secretary to Government and shall have been published in the *Gazette*.

WAR LOANS INVESTMENT TRUST OF MALAYA. 3

11. The management of the Trust shall be vested in a Committee of Management consisting of a Chairman and such number of members as shall be prescribed by the by-laws of the Trust for the time being in force. Management of the Trust.

12. From and after the commencement of this Enactment the Chairman of the Trust shall be Eric Macfadyen and the other members of the Committee of Management shall be Eu Tong Sen, Arthur Knowlton Everest Hampshire, Henry Armstrong Smallwood, Ernest Talbot Cope Garland, James McClymont and William Duncan and the said Committee of Management shall hold office until the second general meeting to be held under the provisions of by-law 19. First Committee of Management.

13. The Trust shall have an office situate in the Federated Malay States to which all communications and notices may be addressed and in which shall be kept a register of its members and all such other books and documents as a Company registered under the provisions of The Companies Enactment, 1897, is by law required to keep. Office of the Trust.

14. The Chief Secretary to Government may at any time appoint one or more Inspectors to examine into the affairs of the Trust and to report thereon in such manner as he may direct, and upon application made by any Inspector so appointed it shall be the duty of all officers and agents of the Trust to produce for examination all books and documents in their possession or power. Examination of affairs of Trust by Inspectors.

15. The High Commissioner may at any time not less than twelve months after the termination of the present war, or at any other time if it shall be made to appear to him that the Trust has substantially failed to effect the purpose for which it is incorporated or has neglected to observe or perform any of the obligations imposed upon it by this Enactment, or that the public interest so requires, revoke and annul by writing under his hand the privileges, powers and rights hereby conferred upon the Trust and the affairs of the Trust shall thereupon be wound up. High Commissioner may order that Trust be wound up.

16. If upon the winding-up of the Trust, whether the same be effected in pursuance of the provisions of the preceding section or otherwise, the assets of the Trust shall be insufficient to repay to each member the full amount of the share capital subscribed by him, the Chief Secretary to Government shall appropriate out of the general revenues and assets of the Federated Malay States such sum as may, when added to the said assets, be sufficient to repay such share capital in full and shall deliver the same to the Trust. Government guarantee as to repayment of capital.

17. In all matters not provided for in this Enactment or in by-laws made under section 10 hereof the provisions of The Companies Enactment, 1897, shall apply to the Trust as though the Trust were a Company registered under the said Enactment and the Committee of Management were the Directors thereof. Application of The Companies Enactment, 1897.

THE SCHEDULE.  
BY-LAWS.  
INTERPRETATION.

1. In these by-laws—  
“the Committee” means the Committee of Management of the War Loans Investment Trust of Malaya;  
“the Chairman” means the Chairman of the said Committee;  
“the Enactment” means The War Loans Investment Trust of Malaya Enactment, 1916; and  
“the Trust” means the War Loans Investment Trust of Malaya.

4

No. 8 OF 1916.

ADMISSION OF MEMBERS.

2. Every application for the allotment of shares of the Trust shall be in the following form:

THE WAR LOANS INVESTMENT TRUST OF MALAYA.

FORM OF APPLICATION FOR SHARES.

To The War Loans Investment Trust of Malaya,  
Kuala Lumpur, Federated Malay States.

Gentlemen,

Having paid to.....the sum of \$.....on application for..... shares in the above Trust, I request that I may be admitted a member of the Trust. I undertake, if admitted, and for so long as my membership shall continue, to be subject to the by-laws of the Trust and any by-laws that may be added to or substituted for the same, and to accept the ruling of the Committee of Management for the time being on all matters relating to the said by-laws and on all other matters in respect whereof powers are by the said by-laws vested in the said Committee of Management.

As witness my hand this.....day of.....19...

Usual signature.....

Name in full.....

(Please state if Mr., Mrs. or Miss)

Description.....

Address.....

3. Every such application shall be considered by the Committee or by a Sub-Committee appointed by the Committee for the purpose which shall determine whether the same shall be granted or refused. In every case the decision of the Committee or Sub-Committee, as the case may be, shall be final.

SHARES.

4. The shares shall be under the control of the Committee which may allot or otherwise dispose of the same to members on such terms and conditions as it shall think fit with full powers to give to any member the call of any shares at par or at a premium.

5. Save as herein otherwise provided the Trust shall be entitled to treat the registered holder of any share as the absolute owner thereof and accordingly shall not except as ordered by a Court of competent jurisdiction or as by law required be bound to recognize any equitable or other claim or interest in such share on the part of any other person.

6. The certificates of title to shares shall be issued under the seal of the Trust and signed either by two members of the Committee or by one member of the Committee and by the Secretary.

7. There shall be issued to every member one certificate for all the shares allotted to him in any one calendar month. If any member shall apply for more certificates than one in respect of such shares, separate certificates will be issued accordingly on payment of fifty cents for each additional certificate.

WAR LOANS INVESTMENT TRUST OF MALAYA. 5

8. If any certificate be worn out or defaced, then, upon production thereof the Committee may order the same to be cancelled, and may issue a new certificate in lieu thereof, and if any certificate be lost or destroyed, then, upon proof thereof to the satisfaction of the Committee and on such indemnity as the Committee deems adequate being given, a new certificate in lieu thereof shall be given to the party entitled to such lost or destroyed certificate.

9. For every certificate issued under the last preceding clause there shall be paid to the Trust the sum of one dollar or such smaller sum as the Committee may determine.

10. The certificates of shares registered in the names of two or more persons shall be delivered to the person first named on the register.

TRANSFERS OF SHARES.

11. The instrument of transfer of any share shall be signed both by the transferor and transferee, and the transferor shall be deemed to remain the holder of such share until the name of the transferee is entered in the register of members in respect thereof.

12. The instrument of transfer of any share shall be in writing in the usual common form, or as near thereto as circumstances will admit.

13. The Committee may decline to register any transfer without assigning any reason for such refusal.

14. No transfer shall be made to an infant or person of unsound mind.

15. Every instrument of transfer shall be duly stamped and shall be left at the office for registration, accompanied by the certificate of the shares to be transferred, and such other evidence as the Trust may require to prove the title of the transferor, or his right to transfer the shares.

16. The transfer books and register of members may be closed during such time as the Committee thinks fit, not exceeding in the whole thirty days in each year.

TRANSMISSION OF SHARES.

17. The executors or administrators of a deceased member (not being one of several joint holders) shall be the only persons recognized by the Trust as having any title to the shares registered in the name of such member, and in case of the death of any one or more of the joint holders of any registered shares, the survivors shall be the only persons recognized by the Trust as having any title to or interest in such shares.

18. Any person becoming entitled to shares in consequence of the death or bankruptcy of any member, upon producing such evidence that he sustains the character in respect of which he proposes to act under this clause, or of his title, as the Committee thinks sufficient, may, with the consent of the Committee (which it shall not be under any obligation to give), be registered as a member in respect of such shares, or may, subject to the regulations as to transfers hereinbefore contained, transfer such shares. This clause is hereinafter referred to as "the transmission clause".

GENERAL MEETINGS.

19. A general meeting of the members of the Trust shall be held within three months after the incorporation of the Trust. Subsequent general meetings shall be held annually not later than the 30th day of April in each year. In every case the Committee shall determine the place where such meetings shall be held.

The general meetings referred to in this by-law shall be called "ordinary" meetings; all other general meetings of the Trust shall be called "extraordinary meetings".

20. The Committee may, whenever it thinks fit, and shall on a requisition made in writing by not less than eight members of the Trust, proceed forthwith to convene an extraordinary meeting.

21. If the Committee does not proceed to convene the same within twenty-one days from the date of the requisition, the requisitionists or any other members amounting to the required number may themselves convene an extraordinary meeting.

PROCEEDINGS AT GENERAL MEETINGS.

22. Fourteen clear days' notice of every general meeting, specifying the place, day and hour of meeting and in case of special business the general nature of such business, shall be given to all members resident in the Federated Malay States by notice advertised in the *Government Gazette* and in not less than two daily newspapers published in the Federated Malay States and by a notice posted on the notice board in the office of the Trust.

23. The business of an ordinary meeting shall be

- (a) to receive and consider the accounts and the report of the Committee and of the auditors;
- (b) to elect the following officers for the ensuing twelve months:
  - (1) A Chairman of the Committee; and
  - (2) Six other members to be members of the Committee.
- (c) any other business which by virtue of these by-laws ought to be transacted at an ordinary meeting.

24. The Chairman shall be entitled to take the chair at every general meeting or if there be no such Chairman or if at any meeting he shall not be present within fifteen minutes after the time appointed for such meeting or if being present he shall refuse to act as Chairman the members present shall choose some one of the members of the Committee to act as Chairman and if no member of the Committee be present, some one of the members of the Trust who is present.

25. Seven members present in person shall, independently of their voting power, form a quorum for any general meeting but if within half an hour from the time appointed for the meeting a quorum is not present, the meeting shall stand adjourned to the same day in the next week at the same time and place, and if at such adjourned meeting a quorum is not present those members who are present shall be a quorum and may transact the business for which the meeting was called.

WAR LOANS INVESTMENT TRUST OF MALAYA.

7

26. Every question submitted to a meeting shall, in the first instance, be decided by a show of hands and in the case of an equality of votes the Chairman shall, both on a show of hands and at the poll, have a casting vote in addition to the vote or votes to which he may be entitled as a member.

27. Any member present at a meeting shall be entitled to demand a poll, and if a poll be demanded it shall be taken in such manner and at such time and place as the Chairman of the meeting directs and the result of the poll shall be deemed to be the resolution of the meeting at which the poll was demanded.

VOTES OF MEMBERS.

28. Every member shall have one vote and one vote only.

29. Votes may be given either personally or by proxy.

30. The instrument appointing a proxy shall be in writing under the hand of the appointer or his attorney or if such appointer is a corporation or company under its common seal or the hand of its attorney or general manager.

31. The instrument appointing a proxy and the power of attorney if any, under which it is signed shall be deposited at the office of the Trust not less than twenty-four hours before the time for holding the meeting or adjourned meeting, as the case may be, at which the person named in such instrument proposes to vote.

32. Every instrument of proxy whether for a specified meeting or otherwise shall, as nearly as circumstances admit, be in the form or to the effect following:

WAR LOANS INVESTMENT TRUST OF MALAYA.

I,....., of....., a member of the War Loans Investment Trust of Malaya, hereby appoint....., of....., to vote for me and on my behalf at the.....meeting of the said Trust to be held on the..... day of....., 19..., and at every adjournment thereof.

As witness my hand this.....day of....., 19...

Signature .....

Three cents  
stamp.

NOMINATION OF OFFICERS.

33. Persons proposed for election as Chairman or as members of the Committee shall be nominated by forwarding to the Secretary of the Trust a notice in writing specifying the names of such persons, signed by one or more members of the Trust; a copy of every such notice shall be posted on the notice board of the Trust not less than fourteen days previous to the holding of the annual general meeting, and the election of Chairman, and of members of the Committee shall take place at the annual general meeting.

COMMITTEE OF MANAGEMENT.

34. The Committee shall consist of the Chairman and six (6) other members.

35. The Committee shall meet together for the dispatch of business once a month or oftener if need be and at other times on the requisition of three of its members or of the Chairman and may adjourn and regulate its meetings and proceedings as it may think fit

and may determine the quorum necessary for the transaction of business. Until otherwise determined three members shall form a quorum. At least five days' notice of Committee meetings shall be given to members of the Committee and the notices shall state the nature of the business to be considered at such meetings; provided that in cases of emergency the Chairman may call a meeting of the Committee at any time upon such notice (if any) as he may think necessary.

36. The Chairman shall preside at all meetings at which he is present and in his absence the members present shall choose some one of their number to preside.

37. Questions arising at any meeting of the Committee shall be decided by a majority of votes, each member being entitled to one vote, and in case of an equality of votes the Chairman or other member presiding shall have a second or casting vote.

38. The Committee may delegate any of its powers to Sub-Committees, on each of which there shall be at least one member of the Committee. Sub-Committees so formed shall, in the exercise of the powers delegated, conform to any regulations that may from time to time be imposed upon them by the Committee. The decision of a Sub-Committee shall in all cases be referred to the Committee, unless the Sub-Committee has previously been empowered by the Committee to act on its decisions.

39. The meetings and proceedings of all such Sub-Committees shall be governed by the provisions of these by-laws for regulating the meetings and proceedings of the Committee so far as the same can be applied thereto and are not superseded by regulations made by the Committee under the last preceding by-law.

40. All acts done by any meeting of the Committee or by a Sub-Committee or by any person acting as a member of the Committee or a Sub-Committee shall, notwithstanding that it shall afterwards be discovered that there was some defect in the appointment of such Committee or Sub-Committee or person acting as aforesaid or that any member of such Committee or Sub-Committee or such person acting as aforesaid was disqualified, be as valid as if every member of such Committee or Sub-Committee or person acting as aforesaid had been duly appointed and was qualified to act.

#### RETIREMENT OF OFFICERS.

41. A member of the Committee may retire from his office upon giving one month's notice in writing to the Secretary of the Trust of his intention so to do, and such resignation shall take effect upon the expiration of such notice or its earlier acceptance.

42. The Chairman or any member of the Committee shall vacate office:

- (a) if he becomes bankrupt or suspends payment or compounds with his creditors;
- (b) if he is found lunatic or become of unsound mind;
- (c) if he is absent from the meetings of the Committee during a period of three calendar months without special leave of absence from the other members of the Committee;



WAR LOANS INVESTMENT TRUST OF MALAYA. 9

- (d) if by notice in writing to the Secretary of the Trust he resigns his office;
- (e) if he is requested in writing by all the other members of the Committee to resign.

REMUNERATION OF OFFICERS.

43. Neither the Chairman nor any member of the Committee or of any Sub-Committee shall be entitled to remuneration for his services, but he shall be paid the travelling expenses incurred in attending and returning from meetings of the Committee or Sub-Committee, as the case may be.

POWERS AND DUTIES OF OFFICERS.

44. The business of the Trust shall be managed by the Committee who may exercise all such powers of trust as are not by the Enactment or by these by-laws required to be exercised by the Trust in general meeting.

45. Without prejudice to the general powers otherwise vested in the Committee the following particular powers are conferred upon it, namely,

- (a) to pay the costs, charges and expenses preliminary and incidental to the promotion and establishment of the Trust;
- (b) to appoint and at its discretion remove or suspend such managers, secretaries, officers, clerks, agents and servants for permanent, temporary, or special services, as it may from time to time think fit, and to determine their powers and duties, and fix their salaries or emoluments, and to require security in such instances and to such amount as it thinks fit;
- (c) to accept from any member, on such terms and conditions as shall be agreed, a surrender of his share or stock or any part thereof;
- (d) to appoint any person or persons (whether incorporated or not) to accept and hold in trust for the Trust any property belonging to the Trust, or in which it is interested, or for any other purposes, and to execute and do all such deeds and things as may be requisite in relation to any such trust, and to provide for the remuneration of such trustee or trustees;
- (e) to institute, conduct, defend, compound, or abandon any legal proceedings by or against the Trust, or its officers, or otherwise concerning the affairs of the Trust, and also to compound and allow time for payment or satisfaction of any debts due to the Trust;
- (f) to refer any claims or demands by or against the Trust to arbitration and observe and perform the awards;
- (g) to make and give receipts, releases, and other discharges for money payable to the Trust, and for the claims and demands of the Trust;

- (h) to determine who shall be entitled to sign on the Trust's behalf bills, notes, receipts, acceptances, indorsements, cheques, releases, contracts and documents;
- (i) to fill up any vacancy occurring in the Committee;
- (j) to set aside out of the profits of the Trust such sums as may be available after the payment of interest to be a reserve which shall, at the discretion of the Committee, be applicable to any purpose to which the profits of the Trust may be properly applied, and pending such application may be invested in such securities as are prescribed by the Enactment for the investment of the share capital of the Trust.

THE SEAL.

46. The Committee shall provide for the safe custody of the seal of the Trust and the seal shall not be affixed to any instrument except in the presence of one member of the Committee and of the Secretary or such other person as the Committee may appoint for the purpose; and such member of the Committee and Secretary or other person as aforesaid shall sign every instrument to which the seal of the Trust is so affixed in their presence.

INTEREST.

47. The Committee may without reference to the members of the Trust in general meeting pay to them interest at the rate prescribed, and on the days appointed, by the Enactment.

48. No interest shall be paid otherwise than out of profits or out of such sum as the Chief Secretary to Government may cause to be advanced to the Trust for the purpose.

49. No interest shall bear interest against the Trust.

50. Subject to the rights of persons, if any, entitled to shares with special rights as to interest, all interest shall be declared and paid according to the amounts paid on the shares.

51. A transfer of shares shall not pass the right to any interest payable thereon before the registration of the transfer.

52. The Committee may retain the interest payable upon shares in respect of which any person is under the transmission clause (clause 18) entitled to become a member, or which any person under that clause is entitled to transfer, until such person shall become a member in respect thereof or shall duly transfer the same.

53. Any one of several persons who are registered as the joint holders of any share may give effectual receipts for all interest and payments on account of interest in respect of such share.

54. Unless otherwise directed any interest may be paid by cheque or warrant sent through the post to the registered address of the member entitled, or, in the case of joint holders, to the registered address of that one whose name stands first on the register in respect of the joint holding; and every cheque or warrant so sent shall be made payable to the order of the person to whom it is sent.

WAR LOANS INVESTMENT TRUST OF MALAYA. 11

ACCOUNTS.

55. The Committee shall cause true accounts to be kept of the sums of money received and expended by the Trust, and the matters in respect of which such receipt and expenditure takes place, and of the assets, credits, and liabilities of the Trust.

56. The books of account shall be kept at the office of the Trust established under the provisions of section 13 of the Enactment.

57. The Committee shall from time to time determine whether and to what extent, and at what times and places, and under what conditions or regulations, the accounts and books of the Trust, or any of them, shall be open to the inspection of the members; and no member not being a member of the Committee shall have any right of inspecting any account or book or document of the Trust, except as authorized by the Committee or by a resolution of the Trust in general meeting or by the Court.

58. At the second ordinary meeting and at each subsequent ordinary meeting the Committee shall lay before the Trust a profit and loss account and a balance-sheet containing a summary of the property and liabilities of the Trust made up to the 31st day of December of the preceding year.

59. Every such balance-sheet shall be accompanied by a report of the Committee as to the state and condition of the Trust, and as to the amount of interest or bonus which it has declared, and the amount (if any) which it proposes to carry to the reserve fund; and the account, report, and balance-sheet shall be signed by two members of the Committee and countersigned by the Secretary.

60. A printed copy of such account, balance-sheet and report shall, not less than fourteen days before the date of the ordinary meeting, be published in the manner prescribed by by-law 22 for the publication of notices to members.

AUDIT.

61. Once at least in every year commencing from the first day of January, 1917, the accounts of the Trust shall be examined, and the correctness of the profit and loss account and balance-sheet ascertained by one or more auditor or auditors.

62. The Trust at each ordinary general meeting shall appoint an auditor or auditors to hold office until the next ordinary general meeting and shall fix the remuneration to be paid to him or them. The first auditor or auditors shall be appointed by the Committee which shall fix the remuneration to be paid to him or them.

63. If an appointment of an auditor is not made at an ordinary general meeting or if any vacancy occurs in the office of auditor, the Chief Secretary to Government may, on the application of any member of the Trust, appoint an auditor of the Trust for the current year and fix the remuneration to be paid to him by the Trust for his services.

WINDING-UP.

64. On the winding-up of the Trust the Committee may declare a date upon which the share capital shall be refunded to members. The interest payable upon the share capital shall cease to accrue as from such date.

PROTECTION OF OFFICERS.

65. Every Chairman, member of the Committee, Secretary and other officer or servant of the Trust shall be indemnified by the Trust against, and it shall be the duty of the Committee out of the funds of the Trust to pay, all costs, losses and expenses (including travelling expenses) which any such officer or servant may incur or become liable to by reason of any contract entered into, or act or thing done by him as such officer or servant, or in any way in the discharge of his duties: and the amount for which such indemnity is provided shall immediately attach as a lien on the property of the Trust and have priority as between the members over all other claims.

66. No Chairman, member of the Committee, Secretary or other officer or servant of the Trust shall be liable for acts, receipts, neglects or defaults of any member, officer or servant or for joining in any receipt or other act for conformity or for any loss or expense happening to the Trust through the insufficiency or deficiency of title to any property acquired by order of the Committee for or on behalf of the Trust or for the insufficiency or deficiency of any security in or upon which any of the moneys of the Trust shall be invested, or for any loss or damage arising from the bankruptcy, insolvency, or tortious act of any person with whom any moneys, securities, or effects shall be deposited or for any loss occasioned by any error of judgment or oversight on his part or for any other loss, damage, or misfortune whatever which shall happen in the execution of the duties of his office or in relation thereto, unless the same happen through his own dishonesty.

Passed this 20th day of October, 1916.

W. H. MACKRAY,  
*Clerk of Council.*

No. 3329.—“CUSTOMS DUTIES ENACTMENTS, 1897 AND 1898.”

IN exercise of the powers severally vested in them by section 3 of the “Customs Duties Enactment, 1898” (Perak and Selangor), and of the “Customs Duties Enactment, 1897” (Negri Sembilan), and with the approval of the Chief Secretary to Government, the Residents of Perak, Selangor and Negri Sembilan, each for the State whereof he is Resident, hereby cancel with effect from the 21st day of October, 1916, the Import Duties imposed by Notification No. 508, published in the *Gazette* on the 1st day of March, 1915, and impose in the stead thereof with effect from the said date the following Import Duties:

Import duties are imposed upon the articles specified in Table A appended to this notification at the rates therein severally specified, provided that no such articles which have paid import, export or excise duty in any other State of the Federated Malay States shall be liable to pay duty under this notification unless brought into or conveyed through the State in contravention of the provisions of the rules, if any, from time to time made in that behalf by the Resident.

TABLE A.  
IMPORT DUTIES.

Description of article.	Duty.
Intoxicating Liquors—	
(i) Containing not less than 85 per cent. of proof spirit...	\$6.00 per proof gallon
(ii) Containing less than 85 per cent. but not less than 70 per cent. of proof spirit...	4.80 per gallon
(iii) Containing less than 70 per cent. but not less than 40 per cent. of proof spirit...	3.00 ..
(iv) Containing less than 40 per cent. of proof spirit—	
(a) Sparkling wines ...	3.00 ..
(b) Still wines ...	1.60 ..
(c) Beer, cider and perry ...	.48 ..
(d) Other intoxicating liquors	2.00 ..
Petroleum ...	.05 ..

*Exemptions:* Still wines, red or white, containing less than 26 per cent. of proof spirit, and toddy.

*Definitions:* In this table the words “liquor,” “intoxicating liquors,” “beer,” “toddy” and “gallon” have the meanings assigned to them in “The Excise Enactment, 1915.”

“Proof spirit” means a liquid containing 49.24 per cent. by weight of alcohol and 50.76 per cent. by weight of distilled water and having a specific gravity at 60° Fahrenheit of .91984.

“Proof gallon” means a gallon of proof spirit. A duty payable on any liquor “per proof gallon” means a duty payable upon the maximum number of proof gallons which the alcohol contained in such liquor, when mixed with water, is capable of forming.

“Petroleum” includes the liquids commonly known by the names of rock oil, Rangoon oil, Burma oil, kerosene, paraffin oil, petrol, gasoline, benzol, benzoline, benzine, naphtha or any like inflammable liquid, whether a natural product or one that is made from petroleum, coal, schist, shale or any other bituminous substance or from any products thereof, but does not include any liquid or substance which has a flashing point higher than 150° Fahrenheit ascertained in manner provided from time to time under “The Petroleum Enactment, 1914” (*vide* Notification No. 2030 of *Federated Malay States Government Gazette* of July 3rd, 1914.)

No. 3330.— “CUSTOMS DUTIES ENACTMENT, 1898.”

IN exercise of the powers vested in him by section 4 of the “Customs Duties Enactment, 1898,” the Resident of Pahang, with the approval of the Chief Secretary to Government, hereby cancels with effect from the 21st day of October, 1916, the Import Duties imposed by Notification No. 509, published in the *Gazette* on the 1st day of March, 1915, and imposes in the stead thereof with effect from the said date the following Import Duties :

Import duties are imposed upon the articles specified in Table A appended to this notification at the rates therein severally specified, provided that no such articles which have paid import, export or excise duty in any other State of the Federated Malay States shall be liable to pay duty under this notification unless brought into or conveyed through the State in contravention of the provisions of the rules, if any, from time to time made in that behalf by the Resident.

TABLE A.

IMPORT DUTIES.

Description of article.	Duty.
Intoxicating Liquors—	
(i) Containing not less than 85 per cent. of proof spirit...	\$6.00 per proof gallon
(ii) Containing less than 85 per cent. but not less than 70 per cent. of proof spirit...	4.80 per gallon
(iii) Containing less than 70 per cent. but not less than 40 per cent. of proof spirit...	3.00 „
(iv) Containing less than 40 per cent. of proof spirit—	
(a) Sparkling wines ...	3.00 „
(b) Still wines ...	1.60 „
(c) Beer, cider and perry ...	.48 „
(d) Other intoxicating liquors	2.00 „
Petroleum ...	.05 „

*Exemptions:* Red or white wines containing less than 26 per cent. of proof spirit, and toddy.

*Definitions:* In this table the words “liquor,” “intoxicating liquors,” “beer,” “toddy” and “gallon” have the meanings assigned to them in “The Excise Enactment, 1915.”

“Proof spirit” means a liquid containing 49.24 per cent. by weight of alcohol and 50.76 per cent. by weight of distilled water and having a specific gravity at 60° Fahrenheit of .91984.

“Proof gallon” means a gallon of proof spirit. A duty payable on any liquor “per proof gallon” means a duty payable upon the maximum number of proof gallons which the alcohol contained in such liquor, when mixed with water, is capable of forming.

“Petroleum” includes the liquids commonly known by the names of rock oil, Rangoon oil, Burma oil, kerosene, paraffin oil, petrol, gasoline, benzol, benzoline, benzine, naphtha or any like inflammable liquid, whether a natural product or one that is made from petroleum, coal, schist, shale or any other bituminous substance or from any products thereof, but does not include any liquid or substance which has a flashing point higher than 150° Fahrenheit ascertained in manner provided from time to time under “The Petroleum Enactment, 1914” (*vide* Notification No. 2031 of *Federated Malay States Government Gazette* of July 3rd, 1914.)

