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Miscellaneous Papers
by
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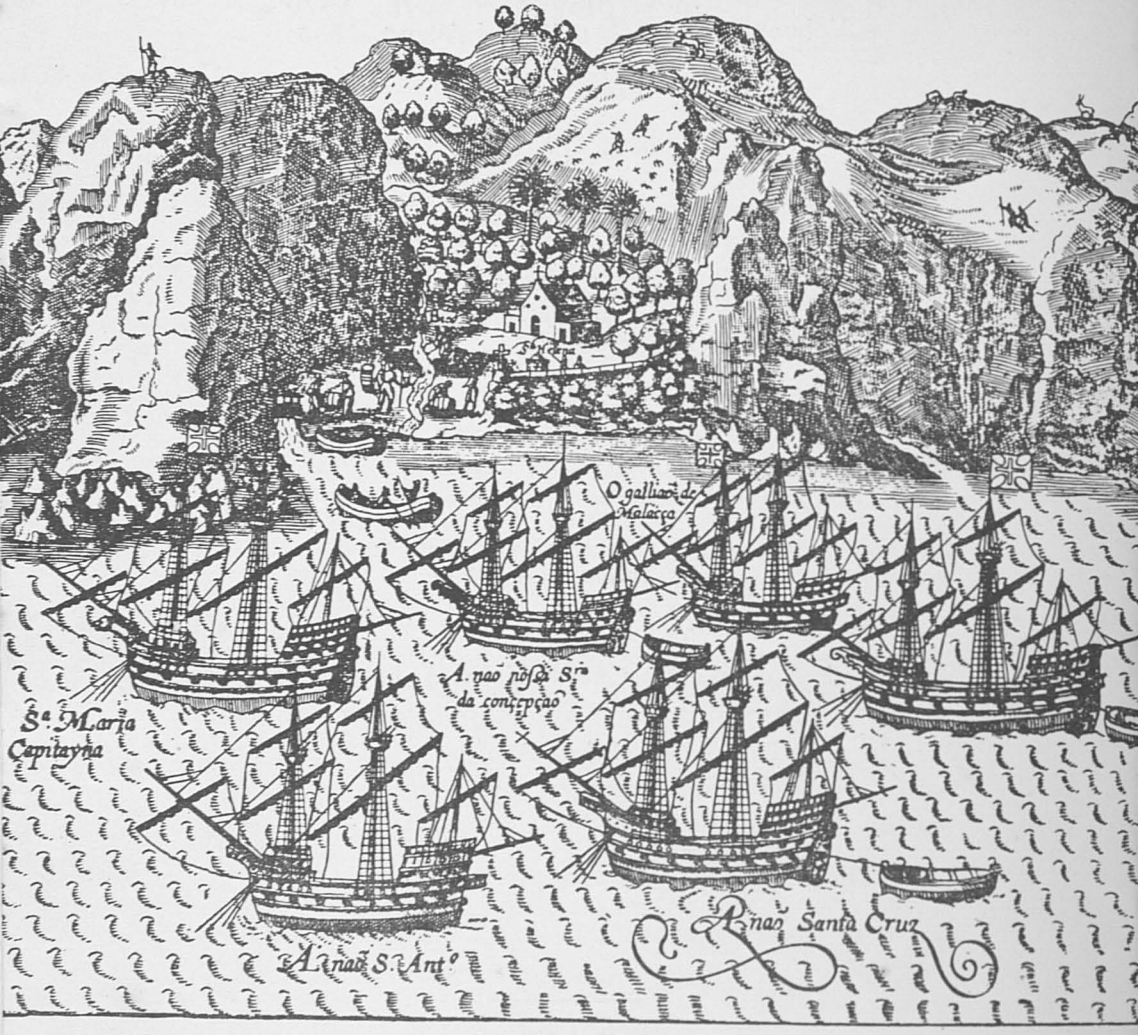


Galleons and galliots of the Portuguese Indies fleet lying off St. Helena, 1589: detail from the plate in the Latin edition of Linschoten's *Itinerario* (*Navigatio ac Itinerarum Johannis Hugonis Linscotani . . .*), published at Amsterdam in 1599.

A Sea Fight near Singapore in the 1570's.

by the late I. A. MACGREGOR, M.A.

(*Received April 1955*)

The object of this paper is to give an account of a naval battle which took place off the island of Singapore, probably on 1st January 1577. This battle was the first of three which were fought between the Achinese and the Portuguese during the time that Mathias de Albuquerque was Captain-Major of the Seas of Malacca. Despite this, the story of these battles, or of any one of them, has not appeared in any history of events in Malaya written since 1800. This omission is probably due to the fact that no account of the fight exists in the *Decades* of Diogo do Couto. As Tiele noted[1], the extant version of the Decades makes no mention of happenings at Malacca between 1575 and 1580[2]. The *Ásia Portugueza* of Manuel de Faria e Sousa is equally barren of information.

In the following account three sources have been used: one of them is printed, but the other two are in manuscript. The printed evidence is contained in *O Oriente conquistado á Jesú Christo pelos Padres da Companhia de Jesús*, written by Padre Francisco de Sousa, *S.J.*, and published at Lisbon in 1710. One of the manuscripts, which is preserved in the Public Library and District Archives at Évora, is a biography of Mathias de Albuquerque[3]. This work makes no mention of the name of its author, but Cunha Rivara thought that it had been composed during the lifetime of its subject.[4] The other manuscript, which is in the National Library at Lisbon, is the *História dos serviços com martírio de Luís Monteiro Coutinho*, written by Manuel Godinho de Eredia and dated 1615[5]. Until recently it was thought that this work had been lost without trace[6].

1. Tiele in *Bijdragen tot de Taal-, Land- en Volkenkunde van N.I.*, **29**, 1881, p. 167.
2. For the misfortunes of Couto's Mss, see C. R. Boxer, *Three Historians of Portuguese Asia*, Macau, 1948.
3. *Vida de Mathias de Albuquerque*, a work of 231 folios. Codex CXV/1-13 in the Public Library and District Archives, Évora. Henceforth cited as *Vida*.
4. J. H. da Cunha Rivara, *Catálogo dos Manuscritos da Bibliotheca Pública Eborense*, Lisbon, **1**, 1850, p. 315.
5. National Library, Lisbon, Manuscripts Section, *Fundo Geral* no. 414. Henceforth cited as *Eredia*.
6. See Eredia's *Description of Malacca, Meridional India and Cathay*, ed. J. V. Mills, *JMBRAS*, **8**, (1) (1930), p. 257. See *ibid*, pp. 265-68 for some account of Eredia's life.

Events prior to the battle.

Achinese war fleets were very active in Malayan waters between 1564 and 1585. In 1564 it seems that the Achinese attacked the capital of Johore, which then lay on the banks of the Johore river, possibly at Johore Lama. They are said either to have killed the Sultan of Johore in the attack, or else to have carried him off as a prisoner to Acheh, where he was later murdered. For a few years Johore may have been a vassal state of Acheh[7].

In 1568 the Achinese unsuccessfully besieged Malacca. At this time the state of Johore seems to have been on friendly terms with the Portuguese, but this amity did not last for long[8]. The Achinese launched a further attack on Malacca in 1573: their example was copied by a Javanese force in 1574 before a further, rather feeble, Achinese attempt occurred in 1575[9]. By the end of 1574 Johore also seems to have turned against the Portuguese. Referring to this period, a Portuguese writer asserted that the Sultan of Johore and Bintan had given refuge to Javanese supply craft and had secretly helped the Achinese against Malacca[10].

Writing in Goa at a later date, Couto mentions friendly negotiations between Johore and Acheh at this time, but dubs them 'tricks and stratagems'. Nevertheless, it is true that, in the late 1570's, Achinese vessels could sail in Malayan waters without risk of opposition from Johore. As a result, it was noted that the seas became infested with Achinese. This was especially true of the approaches to the Singapore Straits: strong Achinese fleets cruised there, impeding the passage of shipping and able, if need arose, to take refuge in the Johore river[11].

After the siege of Malacca in 1568, the news of Achinese activities in Malayan waters caused perturbation in Portugal. The Portuguese now began to think of sending an expedition to conquer Acheh. It is possible that this idea was in mind when the government of Portuguese India was divided between three Governors in 1571. António Moniz Barreto, the Governor appointed to take charge of affairs in the South, that is the Malay Archipelago and Macau, was also said to have been named Governor of the conquest of Sumatra. However, any scheme to

7. Macgregor, 1955, pp. 86-7. Gibson-Hill, 1955, pp. 144-6.
8. *Ibid.*, pp. 91 *et seq.*, & 146.
9. For accounts of these three sieges see Couto, 1778-88, **19**, pp. 121-31, 226-46 and *Descripçam dos cercos de Malacea sendo capitão Tristão Vaz da Veiga e de huma vitória naval que teve da armada do Achem*, Codex CXVI/1-26 in the Évora Public Library and District Archives.
10. *Descripçam dos cercos.*, fl. 22 and 23.
11. See Macgregor, 1955, pp. 86-7. Gibson-Hill, 1955, pp. 144-6.

realise this conquest in the early 1570's was frustrated by dissension between the Governor of India and the Governor of the South, a dissension largely due to the Portuguese lack of resources in the East[12]. Moniz Barreto never came to Malacca, the proposed headquarters of his government, and the plan for dividing Portuguese India into three governorships soon collapsed.

The home government did not forget the needs of Malacca. Indeed, awareness of trouble there must have been sharpened considerably when reports reached Portugal, in 1575 at the latest, of the attack made by the Achinese in 1573. It is not surprising therefore that, early in 1576, the Portuguese government should have decided to send Mathias de Albuquerque to the East as Captain-Major of the Seas of Malacca[13]. Albuquerque was a man of high social position, a collateral descendant of Afonso de Albuquerque, Governor of Portuguese India 1509-15, and he himself was to become Viceroy of Portuguese India in 1591[14]. Moreover, he already knew the East, as he had served there before, though not at Malacca[15].

Albuquerque left Lisbon on 2 March 1576, with two vessels, the *Santa Catherina*, under his own command, and the *São Jorge*, under the captaincy of Bartolomeu Passanha. The two vessels were ordered to proceed direct to Malacca without halting at any place on the way[16].

They did not make a good passage. The crews suffered badly from sickness during the voyage through the Atlantic, and Albuquerque was forced to put in at Mozambique—at least, so said the priest quoted by Francisco de Sousa. Near Mozambique the galleon *São Jorge* foundered, but it was claimed that all the crew and stores were saved[17].

It is not absolutely certain how long Albuquerque stayed at Mozambique. Both the priest quoted by Sousa and Albuquerque's biographer agree that the Captain-Major reached Malacca a short time before the battle was fought[18]. The biogra-

12. *Ibid.*, p. 94, n. 190. Some time before, in 1558, Francisco Barreto, Governor of Portuguese India, had assembled a large fleet for an expedition against Acheh. Before he could set out he was replaced by dom Constantino de Bragança, who abandoned the plan. See Couto, **16**, pp. 396-97; **17**, pp. 12-16, 23-26.
13. *Vida*, fl. 20.
14. Macgregor, 1955, p. 87, n. 156.
15. Couto, **19**, pp. 13, 22-24.
16. De Sousa, 1710, **2**, p. 337; *Vida*, fl. 20-20v.
17. *Ibid.*
18. De Sousa, *ibid*; *Vida*, fl. 21v.

pher states that the battle occurred on 1 January 1577; this is also consonant with the priest's evidence[19]. On the other hand, the battle mentioned by Eredia is dated 1 January 1578, and he supports his assertion with a verbatim reproduction of a certificate issued by António Moniz Barreto[20]. The matter is further complicated by the fact that on three occasions in the same work Eredia gives dates which are inconsistent with other dates or circumstances which he mentions[21]. One of these inconsistencies concerns the certificate of António Moniz Barreto. It is dated from Lisbon 9 March 1578. Since Eredia himself states that Luís Monteiro Coutinho, to whom the certificate was issued, did not reach India until 25 January 1578, its emanation from Lisbon is a physical impossibility, which, if the dates are right, can only be resolved by assuming that Lisbon should read Goa. Moreover, Eredia's account of the battle is at variance with the other evidence[22] and, except in the matter of the date of the battle, his variations are unsupported by the certificates which he reproduced in his work[23]. Indeed, it seems likely that he confused the battle of 1 January 1577 with a later combat which seems

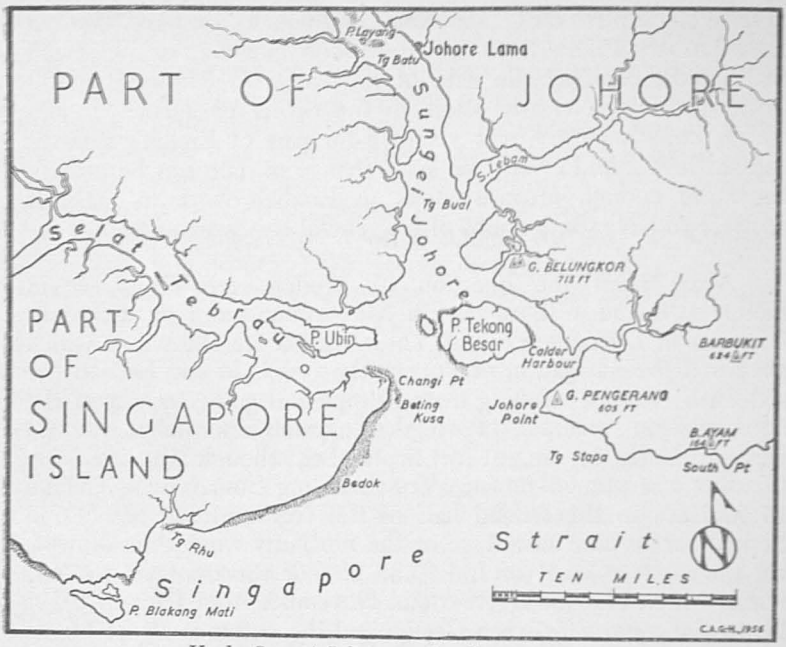
19. *Vida*, fl. 22; de Sousa, 1710, **2**, p. 337 says that the day previous to the battle was the eve of the feast of the Circumcision, 1577.
20. Eredia, fl. 5.
21. The three inconsistencies are: (i) at fl. 3 Eredia says that Luís Monteiro Coutinho reached Malacca on June 1574; at fl. 4, when referring to the same occasion, he quotes orders to proceed to Malacca dated 13 April 1576; (ii) in the introductory page headed 'To the reader' he states that Coutinho's martyrdom occurred on 24 March 1588; at fl. 11v the date is given as 24 March 1583; (iii) the example given in the text is drawn from fl. 4v and fl. 5. For reasons given below it appears that the place is wrong and not the date.
22. Eredia, fl. 4v, is at variance with both the other accounts on three points: (i) in saying that the Portuguese first sighted the Achinese as they were entering the Johore river, whereupon Albuquerque at once set sail and attacked them. *Vida*, fl. 21v and de Sousa, p. 337 say that the Achinese approached the Portuguese, coming in search of them; (ii) in saying that the Portuguese pursued the Achinese to *Cotabatu* (Johore Lama). *Vida* fl. 23 and de Sousa, p. 338 say that the Portuguese pursuit had to stop because the wind fell and *Vida*, *ibid*., adds that the wind fell as the Portuguese were about to pass *Taniambur* (Tanjong Rhu? Tanjong Buai?); (iii) in saying that some Achinese galleys, galliots and foists remained outside *Tanjong ruca* (Beting Kusah) sandbank and that these craft were captured by the Portuguese in addition to the vessels of the Achinese admiral and vice-admiral. *Vida*, fl. 23 mentions no prizes; de Sousa, p. 338 mentions three prizes, a figure which agrees with the certificate quoted by Eredia at fl. 5.
23. Eredia, fl. 5v. certificate of judges, aldermen and city of Malacca, dated at Malacca 14. Dec. 1581, mentions that Luís Monteiro Coutinho went against the fortress of *Jor* (Johore Lama) twice, once with dom Pedro de Menezes (this must have been between Coutinho's arrival in Malacca in June 1576 and Albuquerque's in December of the same year) and once with Mathias de Albuquerque. But this certificate says nothing to indicate that the second visit occurred immediately after Albuquerque's first fight with the Achinese.

to have taken place off Changi Point and which may have occurred on 1 January 1578. Such an assumption, however, would mean that Eredia changed the date of the battle in Moniz Barreto's certificate, which clearly refers to the earlier engagement[24] and which, equally clearly, was a source for part of Eredia's story of the battle[25]. And even if no such change of date can be proved, there are enough inconsistencies in Eredia's work to make it possible to have some doubt of his general trustworthiness.

Apart from the question of Eredia's reliability, certain factors point to a short stay in Mozambique and an arrival in Malacca in December 1576. These factors are the winds which governed the navigation of Portuguese vessels in the East in the sixteenth century. Sailing from Europe and going by way of the Mozambique channel, Portuguese vessels normally reached western India in August or September, though an arrival in October was not unknown. Vessels sailing from Goa or Cochin to Malacca in the second half of the year normally set out in September to take advantage of the northerly wind then blowing off the western coast of India and also of the frequent westerly winds which blow in October and November from Lat. 8° or 10° N. to the equator between Ceylon and the entrance of the Straits of Malacca. These westerly winds are especially strong about the Nicobar Islands. Vessels making this voyage usually reached Malacca in September or October. Assuming that Albuquerque left Mozambique in September 1576, it would have been possible for him to reach Malacca in December. He would have set out by way of the northern Mozambique channel. Having passed the northern tip of Madagascar, he would have found East and E.S.E. winds south of the equator until late October or early November, when the wind changes to N.W. After crossing the equator, he could have picked up the tail-end of the westerly winds blowing from Ceylon towards the Nicobars. If he failed to reach the Nicobars before the N.E. monsoon began north of the equator in November, he would probably have had a difficult passage there — a presumption which would gain support from the statement of Albuquerque's biographer that his hero had a toilsome journey.

24. The text bears a marked resemblance to the letter quoted in Sousa and translated below, pp. 11-17.

25. In his account of the battle on fl. 4v, Eredia used Moniz Barreto's certificate for (i) the numbers of the Achinese vessels; (ii) the numbers of Portuguese vessels engaged, though besides the twelve given in the certificate he adds many foists and bantins; (iii) Luís Monteiro Coutinho's attack on a large Achinese galley, though this was also mentioned in the certificate of the judges, aldermen and other officials of Malacca, Eredia, fl. 5v.



Kuala Sungai Johore, and adjacent areas.

For, as Horsbrugh noted, "Ships from Madras or Ceylon, if bound for the Malacca Strait in the N.E. monsoon, will be liable to have a tedious passage"[26].

If this sequence of events can be accepted, it would have brought Albuquerque to Malacca in December 1576. Indeed, an arrival in December, which is vouched for by two authorities, one of them an eye-witness, cannot be explained except on the assumption that Albuquerque reached Malacca in the same year as he set out. Had he waited a long time at Mozambique, he would surely have tried to leave port in the middle of 1577 in time to make sure of catching the westerlies between Ceylon and the Malacca Strait.

Soon after reaching Malacca Albuquerque set out for the Singapore Straits to meet the annual trading vessel from China and escort it to Malacca[27]. From here onwards the accounts of the three sources are fairly similar. I have therefore furnished translations of the accounts of de Sousa's witness, the Jesuit Amador da Costa and the certificate of António Moniz Barreto

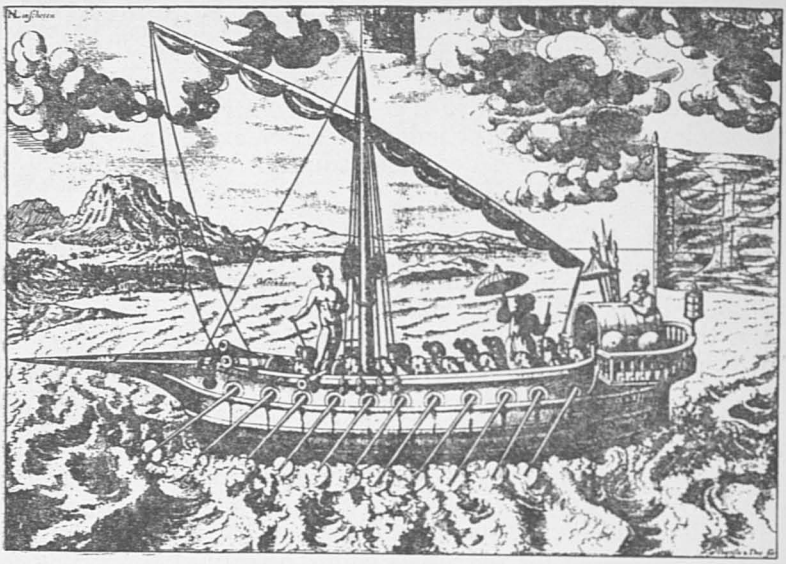
26. James Horsburgh, *India Directory*, 2nd edition, London, 1817, **1**, pp. 115-16; **2**, pp. 146-48. The quotation in the text is from **2**, p. 148. For some references to Portuguese *roteiros* which mention routes to Malacca see Macgregor, 1955, p. 95, n. 195.
27. De Sousa, p. 337; *Vida*, fl. 21v.

which was reproduced by Eredia. Differences between the two are mentioned in the notes to da Costa's account, as is additional or different information given by Albuquerque's biographer. The certificate of Moniz Barreto is collated with that granted to Luís Monteiro Coutinho by the judges, aldermen and other officials of the city of Malacca, a document which is also reproduced by Eredia.

Amador da Costa's account of the battle and its aftermath.[28]

Our voyage to Mozambique was not so good as we had wished, because there was much sickness in all the ships, which was the reason of our putting into port[29] against the instructions which the Captain, Mathias de Albuquerque, had from the king, ordering him to stop at no other place but Malacca. By this haste it seems that the heart of our Lord the King foresaw the great trouble in which Malacca would be, for it was so great, from lack of men[30] and from the great pressure of this Moor[31], its neighbour, that with our arrival it seemed to them to be their resuscitation from death to life. Until the monsoon and the time for leaving for China arrived[32], I was always with the fleet in the company of the Captain Mathias de Albuquerque who, a few days after his arrival, prepared a fleet of 13 sail, that is, three high-sided vessels, three galleys and seven foists[33], and went with it to await the China ship[34], of which, together with a junk in its company, we had news in passing the Strait of Singapore. And, having joined

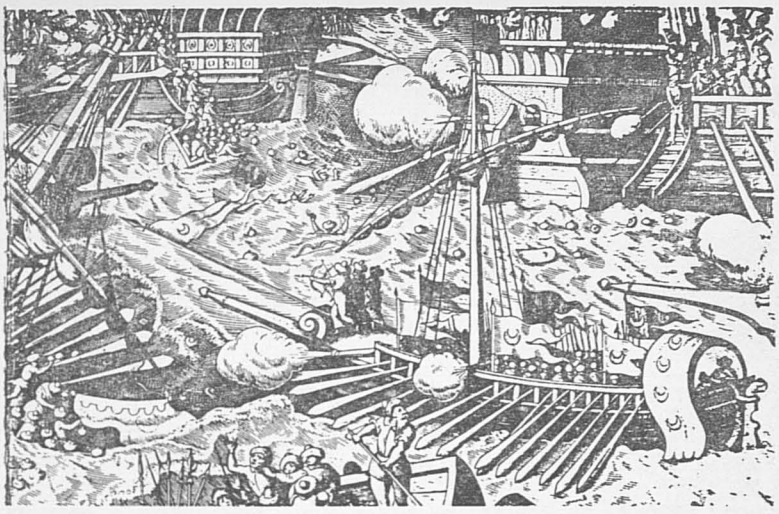
28. De Sousa, 1710, vol. 2, pp. 337-39.
29. *Vida*, fl. 20, mentions the loss of Passanha's galleon near Mozambique and says that Albuquerque went from there to Malacca.
30. *Vida*, fl. 21, says that when Albuquerque reached Malacca he found a lack of almost all things needed to supply a fleet and soldiers, while the Portuguese captains who were there were anxious to return to India.
31. The normal Portuguese term for Muslims in the sixteenth century. 'This' Moor of the text was the sultan of Acheh.
32. Ships normally left Malacca for China in the middle of the year. See C. R. Boxer, *Fidalgos in the Far East*, 1948, The Hague, p. 15.
33. *Vida*, fl. 21v, says that there were 12 vessels: one galleon, two galleasses, three galleys, three galliots and three brigantines. Moniz Barreto's certificate (below, p. 17), says 12 vessels: one galleon, two galleasses, three galleys and six foists. Eredia, fl. 4v, copies this, substituting the word galliots for foists and adding 'many foists and bantins'. *Vida*, fl. 21v. names the captains of the fleet: galleass *Santiago*, Mathias de Albuquerque; another galleass (*Santa Catherina?*) António de Ataíde; galleon *Samorin*, Pedro Lopes de Sousa; galleys, Luís de Carvalho, Roque de Brito, Baltesar de Sequeira; galliots, Gaspar da Costa, Gaspar Diaz, Manuel Monteiro; brigantines, António Padrão, Gaspar de Paiva, Pedro Velho. High-sided vessels (galleon & galliot), see p. 4 above.
34. *Vida*, fl. 23 says that the Portuguese fleet met the 'junk' from China, but does not state when the meeting occurred. *Ibid*, fl. 21, states that Albuquerque went to the Singapore Strait because he had news that the enemy fleet was there. It seems that the expected arrival of the vessel from China and the presence of the Achinese fleet near the Singapore Strait were the things which made Albuquerque set out so hastily.



Portuguese galley (with native crew) as employed on the west coast of India: reproduced, reduced to one-third, from the French edition of Linschoten's 'Voyages' (Paris, 1638). It seems that these boats were built, under Portuguese supervision, at Goa, and presumably also at Malacca and Bantam.

it, the whole fleet was together and about to re-enter the Strait[35], when, on the eve of the Circumcision, 1577[36], we caught sight of the Achinese fleet[37], which consisted of 150 sail[38], very well furnished with men and munitions of war[39] and, above all, a will to fight, for they were promising themselves victory. They came

35. *Vida*, fl. 21v, says Albuquerque took his fleet to a watering place which lay on the other (i.e. eastward) side of the Singapore Strait. It could have been near the mouth of the Singapore river: see J. I. de Brito Rebello (ed.), *Livro de marinharia*...., 1903, Lisbon, p. 203. But it could also have been one of the watering places near Pulau Remunia: see Horsbrugh, 1817, **2**, p. 190. The latter is possibly the more likely place.
36. The eve of the feast of the Circumcision of 1577, or 31 December 1576. The feast of the Circumcision is celebrated on 1 January, the first day of the year.
37. *Vida*, fl. 21v, says that, after reaching the watering place, Albuquerque sent Luis Carvalho with his galley and a brigantine to the river of Jor (Johore) to get some information about the enemy. Carvalho soon returned saying that the enemy fleet was coming to look for them.
38. Moniz Barreto's certificate agrees with this figure, but *Vida*, fl. 21v gives a total of 115 vessels.
39. *Vida*, fl. 22 states that the fleet was commanded by *Ciri maralela* (Sri Maharaja Lela) and contained 10,000 fighting men and much artillery. It adds that the fleet was accompanied by *Raiaale* (Raja Ali), who was married to a daughter of the Sultan of Acheh and to whom the Sultan wished to restore Malacca. Eredia, fl. 4v says that the soldiers on board were Turks, Arabs, Deccanis and Achinese.



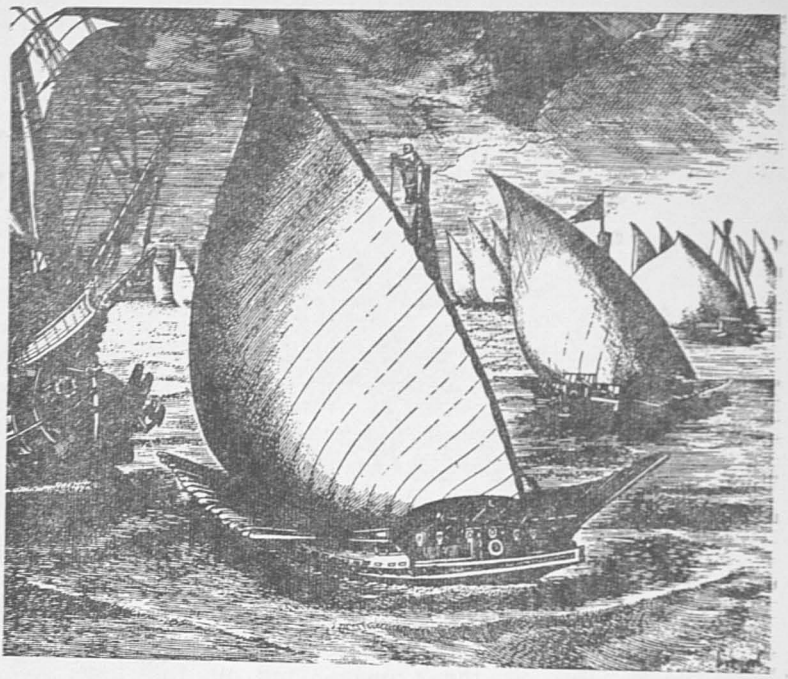
A Turkish galley in action at the battle of Lepanto (1571), detail from the line engraving by L. Cornelisz, after J. Stradanus (1590). The large Achinese galleys in their fleet of 1615 were built by a renegade Portuguese (see Gibson-Hill, this journal, **29**, (1)), but the earlier models probably approximated more nearly to the Turkish boats.

with 40 royal galleys with two rows of oars and other vessels of lesser size[40]. But, as the Captain-Major of the fleet had instructions from his king not to fight the Portuguese in the open sea, but only along the shore, he stationed the galleys in order, according to his instructions.

"Although the proportion between the fleets was so unequal, both in the number of sails and in the artillery, for all their pieces were *spheres* and *basilisks* which, with much fury, fired a shot as large as a man's head while we had no more than two *spheres*[41],

40. Moniz Barreto's certificate agrees with this number, but *Vida* fl. 21v, says 36 royal galleys, 50 galliots, foists and launches and 29 light craft.

41. The *sphere* was a gun smaller that the serpent. (Damião de Goes, *Chrónica do . . . Rei D. Emanuel*, Lisbon, 1909-12, **4**, p. 52). The weight of shot fired by the various muzzle-loading cannon varied both with time and by country during the sixteenth century. In England, towards the end of this period, the *basilisk* had a calibre of about 5", and with 9 lbs of powder was capable of firing a ball weighing 14-15 lbs (Laird Clowes, *The Royal Navy, a History*, **1**, 1897, p. 410). The *serpent* or *culverin* was a long cannon of slightly larger bore, with a projectile of about 18 lbs. With increased standardisation of cannon in the seventeenth century, the *basilisk* became, or was replaced by, the 12-pounder, and the *culverin* became the long 18-pounder. At the request of the Achinese, the Turks are said to have sent 500 men, "many big bombards", supplies and many engineers and gunfounders to Acheh in the 1560's (Couto, *Décadas*, Lisbon, 1778-88, **18**, p. 131). For contacts of Acheh with Turkey see also Lisbon, Arquivo Nacional da Torre-do Tombo, S. Lourenço, **4**, fl. 375.



Dutch galleys under canvas off the Netherlands coast; detail from the engraving by Frans Huys, after Pieter Brueghel the Elder, circa 1565. The print provides a good illustration of the single large lateen sail typical of the smaller and medium-sized galleys.

still Mathias de Albuquerque laboured all that night to reach them. Nor was his labour in vain because, on the morning of the day of Jesus[42], we anchored near the enemy, though not so near as all desired. The Portuguese were excited to see themselves near and the Moors much more, thinking they had us in their hands. The game of bombard shots began from each side, lasting with considerable fury for six hours[43], from the morning until after midday. It lasted so long because our fleet could not reach the enemy, who lay to the windward, until that Jesus, in whose name and trust the Portuguese were fighting, suddenly

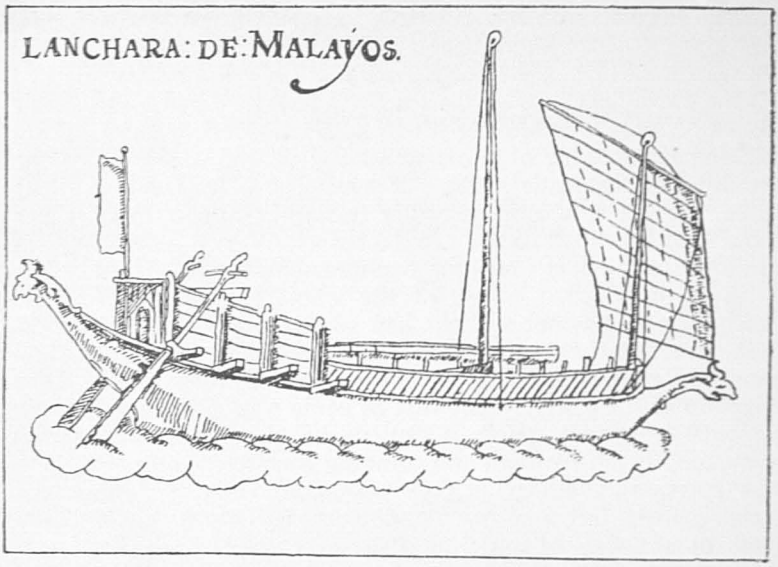
42. Of the feast of the Circumcision of Christ, 1 January 1577.

43. *Vida*, fl. 22v, says the Achinese galleys approached, having the wind in their favour, and bombarded the Portuguese for three hours. The Portuguese suffered many casualties and their vessels were badly damaged, but their resistance was so great that the Achinese finally withdrew and gave Albuquerque time to effect some repairs. On this matter of the approach of the Achinese the *Vida* and da Costa are at variance with Eredia's own report (fl. 4v) (see above, n. 22), but not necessarily with Moniz Barreto's certificate.

turned the wind on our side[44]. With this favour the Captain, Mathias de Albuquerque, had the trumpets sounded and all sails unfurled and he at once put himself and his galley in the midst of all the enemy fleet and so pressed them that they began to become confused, each one seeking his own salvation. But the Captain, making no account of those remaining behind, but only of the enemy flagship, made chase, but when the bows (of his galley) were near the stern and he was in terms of grappling with it, our Lord God mortified us and calmed the wind[45], and the enemy had time to gain safety[46], to our considerable vexation. They left with us only three galleys of the whole fleet[47], including the Vice-Admiral's vessel[48] which had all the powder and the most noble men of the Achinese who, being noblemen, ever refused to surrender and, with courageous heart, resisted to the death. The Captain of the galley, seeing that he could not escape, cut his hair, saying, *Amoucou*[49], that is, let us all die. On this he was embraced by all his men and, forming themselves into one body, they charged like lions, but their valour, although it profited them, gaining them temporal honour, could not save their lives. Thirteen of ours died in this conflict[50] and the enemy killed and captured reached 1,600[51].

Returning towards Malacca, the Captain-Major sent a bantin[52] ahead to go and give the news of the good success. It arrived at midnight. Beating on the gates of the fortress and uttering great shouts, the men of the bantin gave the good news they carried. The Captain of the Fortress, Aires de Saldanha[53] at once had all the artillery fired off in the space of a creed, for it was all ready charged. Behold then the city, which knew not what it was, put into confusion, attributing that noise to the fortress being besieged. All came out, some with two-handed swords in their

44. *Vida*, fl. 23 agrees about the wind turning and the Portuguese then attacking the Achinese.
45. *Vida*, fl. 23, says that Albuquerque had completed the defeat of the enemy fleet if the wind had not failed him as he was about to pass Taniambur (Tanjong Rhu?: Tanjong Buai? The latter is possibly more likely).
46. *Vida*, fl. 23 says that the Achinese retired towards Jor (Johore) where Albuquerque could not seek them out. Eredia's version see above n. 22 (ii).
47. *Vida* does not mention prizes; Moniz Barreto's certificate, see below, p. 17, says 2 galleys and a foist. For Eredia's version see above, n. 22, (iii).
48. Eredia fl. 4v, says that Luis Monteiro Coutinho captured this galley.
49. i.e., amok.
50. *Vida* does not enumerate the Portuguese casualties; for Moniz Barreto's certificate, see below.
51. *Vida* gives no figures. For Moniz Barreto, see below.
52. Bastin; swift, oared craft. See Eredia's *Description of Malacca, Meridional India and Cathay*, *JMBRAS*, **8**, (1), 1930, p. 159.
53. Later Viceroy of Portuguese India, 1600-05.



The Malay *lanchara*, from the drawing by Eredia, circa 1600-13 (MS reproduced in facsimile by L. Janssen, Bruxelles, 1881: see fl. 30r).

hands, others with lances, others with shields and swords, large and small, all running towards the fortress, thinking that it was entered by the enemy. The shouting of men rent the air, the bells sounded the alarm. But, on learning the news which had arrived, the sadness turns to joy, the vows made to thanks given to God. Some knelt down in the streets, raising their hands to heaven; others ran to the temples where, before the holy sacrament, they gave thanks in a loud voice for such a great favour. And from that hour till morning they never stopped running to the churches. The Bishop, dom Jorge de Santa Luzia[54], came out with the clergy in a solemn procession accompanied by many people and by the tears which all were shedding. Two days later the fleet arrived and your Reverence can imagine the joy with which it was received.

My office in all this time was to encourage the soldiers, cure the wounded and do the other things of our Institute[55].

54. The first Bishop of Malacca, who reached the city in 1561. He is generally considered to have renounced the bishopric in 1576. For some occurrences during his stay in Malacca see Frei João dos Santos: *Ethiópia Oriental (varia história de cousas notaveis do Oriente)*, Lisbon, 1891, **2**, pp. 145-50.

55. The Institute of St. Ignatius Loyola.

A few days later we went out again along the coast of this Moor and burned and ravaged many places and captured many men[56].

Certificate of Antonio Moniz Barreto.

I, António Moniz Barreto, of the Council of our Lord the King, make known that while I was governing the states of India and the Southern Parts, Mathias de Albuquerque, being commander in them, with two galleasses, one galleon, three galleys and six foists, (which, with other vessels, I from time to time sent to the succour of those parts), on 1 January 1578 met a great fleet of the king of Acheh, consisting of 150 sail, of which 40 were royal galleys and the rest foists and *lanchara*. After exchanging a great number of bombard shots he put them to flight and burned the vessel of the Vice-Admiral of the fleet, 300 Moslems dying in the fight; and he captured another galley and a foist in which many of the enemy also died. Ten to twelve Portuguese died and many were wounded. And because Luís Monteiro Coutinho[57] was present in the engagement, in a galleot in which I sent him to the help of Malacca, and grappled with the galley of the enemy and was badly wounded[58], for they threw many powder pots and other weapons inside, harming him and the soldiers of his company; and also, considering that he has served in the Malacca waters in the same vessel for more than three years[59] and with much expense of his own goods, all of which I have learned from Mathias de Albuquerque, [António Moniz Barreto issues this certificate.] Lisbon [sic, Goa?], March 1578.

Later events.

According to his biographer, Albuquerque set out again soon after his return to Malacca. This time he went to try and intercept the enemy fleet, which was retiring towards Acheh. But the Achinese vessels were hidden among the islands and Albuquerque failed to find them. He returned to Malacca at the end of the monsoon[60]. It was probably on this voyage that there occurred the burning and ravaging of places mentioned by da Costa[61].

56. *Vida*, fl. 23, says that Albuquerque went out again in search of the enemy fleet which was retiring towards Acheh. See below p. 18
57. For Luis Monteiro Coutinho, see Appendix.
58. The certificate of the judges, aldermen and officials of Malacca, 14 December 1581, Eredia, fl. 5v states that Luis Monteiro Coutinho grappled with a very big galley of the Achinese and defeated it, but was wounded so badly that he was near death. The same source states that many of his soldiers were also badly wounded in the fight.
59. An exaggeration. As the certificate of the officials of Malacca stated, Coutinho served in Malayan waters for a 'little more or less' than two years, June 1576 to January 1578. (Eredia, fl. 5v).
60. *Vida*, fl. 23.
61. See above, p.

Some time later Albuquerque sailed back to the Singapore Straits. While he was there he received news that four Achinese galleys and one *lanchara*[62] were in the Kedah river. To deal with them he sent dom Henrique Bendarra, with two galleys and nine bantins. Dom Henrique was a member of the royal family of Tidore, in the Moluccas: he had become Christian and been made bendahara of Malacca by the Portuguese[63]. He now accomplished his task successfully, burning the *lanchara* and one of the enemy galleys and capturing the three others, which he brought back to Malacca, loaded with much pepper[64] and other merchandise. Among the booty were also twenty-three pieces of artillery, three of them bearing the Portuguese arms[65].

Despite these defeats, the Achinese, according to Albuquerque's biographer, were still not averse to fighting the Portuguese, who were much inferior to them in numbers of men and vessels[66]. Two more combats occurred, but each time Albuquerque is said to have routed the Achinese[67]. One of these engagments was probably the one which Eredia confused with the battle of 1 January 1577. On this occasion the Portuguese were, possibly on 1 January 1578, anchored 'nearer to Baru Buquet' — perhaps at the 'indifferent watering place' mentioned by Horsburgh as lying between Johore Point and South Cape[68]. This watering place would have been a good place to wait for the vessels from China, in order to escort them past the mouth of the Johore river and through the Singapore Strait and thence to Malacca. While anchored there Albuquerque is said to have sighted the Achinese fleet at dawn one morning: it was then sailing towards the mouth of the Johore river, presumably approaching it from the south-west. Albuquerque at once set sail and attacked the enemy. He engaged them when only part of their fleet had passed Changi Point. Some of the leading craft seem to have fled towards

62. See Eredia's *Description of Malacca, Meridional India and Cathay*, edited by J. V. Mills, *JMBRAS*, **8**, (1), 1930, p. 159.

63. *Descripçam dos cercos de Malaca. . . .*, Évora, Pub. Library and District Archives, Codex CXVI/1-26, fl. 27v, describes dom Henrique as an uncle of the king of Tidore and as '*bendara*', "which is governor of the people of the country." As *bendahara* he received a pension of 100,000 reis a year (Lisbon, Arq. Nac. da Torre do Tombo, Livraria, no. 320, fl. 95v.) See also Couto, **16**, pp. 332-33, where he is described as *Cachil Labuzaza*, a cousin of the king of Ternate, and a great knight whom the king of Portugal made a knight of the Order of Christ. Couto said that he lived at Malacca with his family.

64. Kedah produced some pepper in the sixteenth and early seventeenth centuries.

65. For this campaign see *Vida*, fl. 24.

66. *Vida*, fl. 24.

67. *Ibid.*

68. James Horsburgh, *India Directory*, London, 1817, **2**, p. 190.

Calder's Harbour; others ran for the Johore river, pursued by the Portuguese, perhaps as far as Johore Lama. Still other Achinese craft tried to escape from the Portuguese by edging close in shore, with the result that they went aground and were captured[69]. However, the story of this fight, which is the one shown in Eredia's illustration, is not mentioned in the *Vida* or in de Sousa's work and, except for the mention of Albuquerque going against Johore Lama, it does not occur in either of the certificates copied by Eredia. In writing of the two combats, Albuquerque's biographer merely said that he captured the galley of the king of *Cuncal* (Trincal?=Trengganu) which was coming to the help of the Achinese, and also a vessel carrying the king of Lingga[70]: whether or not these successes were obtained in the same engagement as the one mentioned by Eredia it cannot yet be said.

Albuquerque's biographer claimed that, as a result of his hero's efforts, it was many years before the Achinese again infested the seas of Malacca as they had previously been accustomed to do[71]. This, however, is not the whole truth, for the accession of a new ruler in Acheh in 1579 was followed by events which weakened the power of Acheh and broke its alliance with Johore[72].

Albuquerque wished to take advantage of this weakened position of Acheh to attempt its conquest and in 1580 he sailed to India to get support for this scheme. But the plan was not carried out. Mathias de Albuquerque did, it is true, return to Malacca later in the same year, but he stayed for only a short time. In February 1581, he was in Colombo where he was instrumental in raising a siege which had lasted for nearly two years[73].

Appendix.

Luis Monteiro Coutinho.

Monteiro Coutinho was born in the Lamego district of Portugal on 25 August 1952. He apparently came to India in the time of Luis de Ataide's first viceroyalty (1568-71). After serving in campaigns off the west coast of India, he was one of the two Portuguese sent to the Mogul court at Akbar's request in 1573. They were well received by the emperor at Agra and Coutinho is said by Eredia to have astonished the Moslems by beating them at fencing.

In 1576 the Governor, António Moniz Barreto, sent him to Malacca as captain of a galleot, with forty men. His brother, Domingos, went in another galleot and the original idea seems to have been that both should go to the Moluccas. In fact, Luis Monteiro Coutinho remained at Malacca for about eighteen months. During his stay in Malayan waters he is said to have gone up the Johore river as far as Johore Lama on two occasions, once

69. Eredia, fl. 4v.
70. *Vida*, fl. 24.
71. *Vida*, fl. 25.
72. See Macgregor, 1955, p. 88. Gibson-Hill, 1955, pp. 144-6.
73. *Vida*, fl. 35-37.

with dom Pedro de Menezes (1576?) and once with Mathias de Albuquerque (1578). In 1578 he seems to have returned to India. Two years later he was sent back to Malacca, on his way to become Captain of the Sea (naval commander) at Amboina. On his way to Amboina he was wrecked near Solor, where he spent four months, during which he raised the siege of the fortress of Solor and performed other useful tasks. On his return to Malacca he was made Captain of the Sea, in 1581, according to Eredia. In 1582 (Eredia's date of 1583 must be a mistake) a large Achinese fleet appeared off Malacca while Coutinho was away in the area of the Singapore Strait. Disobeying orders, Coutinho returned and attacked the Achinese fleet with one vessel. A fierce fight took place off Malacca, between Pulau Jawa and Pulau Upeh. Coutinho managed to inflict some damage on the Achinese, but, through carelessness with a powder pot, his own vessel blew up. Coutinho and twelve other survivors were taken prisoner by the Achinese and martyred at Acheh on 24 March 1583, Coutinho meeting his fate by being placed in front of a basilik which was then fired at him. (See Eredia, *passim*; Couto, *Décadas*, Lisbon 1778-88, **20**, pp. 280-81).

Works Cited.

(I) Manuscript.

(a) LISBON

(i) *Arquivo Nacional da Torre do Tombo.*
Livraria, no 320: Orçamento do Estado da India do que remde of António de Abreu.
S. Lourenço, **4**, fl. 375. (see n. 41).

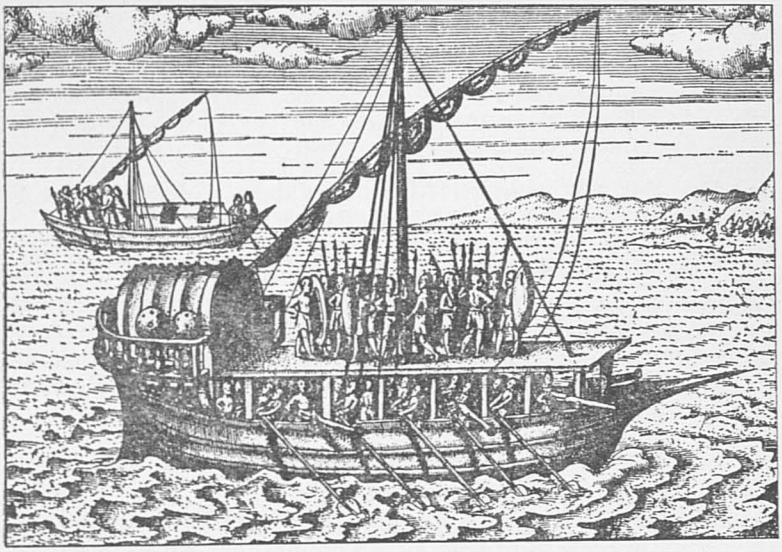
(ii) *Biblioteca Nacional.*
Fundo Geral, no: 414: *História dos serviços com martirio de Luis Monteiro Coutinho.* Written by Manoel Godinho de Eredia.

(b) ÉVORA
Codex CXV/1-13: *Vida de Mathias de Albuquerque.*
Codex CXVI/1-26: *Descripçam dos cercos de Malacca, sendo Capitão Tristão Vaz da Veiga, e de huma victoria naval que teve da armada do Achem.*

(II) Printed.

Boxer, C. R. 1948. Fidalgos in the Far East, The Hague.
Boxer, C. R. 1948. Three Historians of Portuguese Asia, Macau.
Couto, Diogo do. 1778-88. *Décadas da Asia.* Printed together with the *Décadas* of João de Barros, 24 vols., Lisbon. Couto's *Décadas* comprised vols. 10-24, published between 1778 and 1788.
Cunha Rivara, J. H. 1850. *Catálogo dos Manuscritos da Bibliotheca Publica Eborense*, Lisbon, **1**.
Eredia. 1930. Description of Malacca, Meridional India and Cathay, ed J. V. Mills. *JMBRAS*, **8**, (1).
Gibson-Hill, C. A. 1955. Johore Lama and other ancient sites on the Johore River. *JMBRAS*, **28**, (2): 126-97.
Goes, Damiã de. 1909-12. *Chrónica do Felicissimo Rei D. Emanuel* Lisbon, 12 vols.
Horsburgh, James. 1817. India Directory, 2nd ed., London (two vols. bound as one).
Macgregor, I. A. 1955. Johore Lama in the sixteenth century. *JMBRAS*, **28**, (2): 51-125.
Santos João dos. 1891. *Ethiópia Oriental* (vária historia de cousas notaveis do *Oriente*). 2 vols., 1891, Lisbon.
Sousa, Francisco de, S. J. 1710. *O Oriente conquistado á Jesu Christo pelos Padres da Companhia de Jesús*, 2 vols., Lisbon.

Tiele, P. A. 1881. *De Europeërs in den Maleischen Archipel*, the citation made being from the part which appeared in *Bijdragen tot de Taal-, Land-, en Volkenkunde van N.I.*, **29**.



A Portuguese galley off Bantam, circa 1602: from the first edition of Cornelis Houtmann's account of the second Dutch voyage to the East Indies. It will be noted that this vessel differs from the galley shown by Linschoten off Goa (p. 12, above) in having a continuous full deck for the fighting men over the heads of the rowers, and the absence of ports for the sweeps. The Turkish galleys had a raised gangway amidships, amounting to a half-deck running from the gun-platform in the bows to the stern-castle. Possibly the royal galleys built at Acheh for the fleet of 1615 were of the pattern shewn here: this would account for a part of the large complement of rowers and fighting men which they are said to have carried.

It will be seen that the swivel-guns on the galley above are clearly breech-loading cannon. Presumably they were *pedreroes*, either of the dragon-mouth form, of which examples have been recorded from Java, North Borneo and Macau, or of the plainer wrought-iron variety, which was certainly employed by the English and Dutch at this period. It is obvious, of course, that if the guns were mounted in anything approaching the position shown here, they must have been breech-loaders (using chambers), and not the stouter muzzle-loaders, like the bow-pieces and stern-chasers. Even then it is interesting to speculate on the effects on the rhythm of the rowers' strokes as the master-gunner prepared to discharge the piece nearest to them.

The vessel back towards the skyline in the sketch above is probably a *bantin*. It will be seen that the latter has a sewn hull, in the manner of the larger Indian vessels of this period. The *bantin* was a light craft, capable of being propelled by sweeps or a sail, developed by the Portuguese from an Indian prototype, and introduced into the Indies, along with their version of the European galley. [Notes from C.A.G.-H, 30:4:'55].

The Maritime Laws of Malacca

edited, with an outline translation,

by Sir Richard Winstedt & Dr. P.E. De Josselin De Jong

(*Received December, 1954*)

Contents

1. Introduction. .. .. pp. 22-4
2. Text and text of Appendix. 25-50
3. Outline translation. 51-59

For this text thirteen MSS. have been collated, together with sections printed by J.J. de Hollander.

The original maritime laws must have ended with the colophon and comprised at the most twenty-four of our sections. But some MSS. add miscellaneous legal provisions from which we print in an appendix all those (except from MS. Breda) relating to the sea; three of the sections printed, viz. V, VI, VII, occur in Logan's Malayan Laws of the Principality of Johore.

Sections not here included deal, many of them, with fishing and trapping. If a hunter's dogs rouse game and a passing stranger kills their quarry, he gets a leg from the animal. If the owner of orchard or field kill an animal that has outdistanced a hunter's dogs, he should cover the carcass with a wet cloth; if the cloth dries before the hunter arrives, he may skin the carcass and eat the meat. But he must tie up the dogs or pay compensation for their loss, as he has eaten the fruit of their toil. No owner may forbid hunting, snaring or liming of wild beasts and birds on his land or the taking of fish from his stream or swamp. But he may seize wild honey taken without his consent and have the trespasser fined, because though the bees are wild, their nests are fixed habitations. A man poling a boat against the current may take fish from a trap by the bank, because he stops to rest, not to steal; but he must replace the trap and if he meets its owner surrender the fish. A man drifting downstream is a thief and may be fined 2½ ĕmas if he takes fish from another's trap. On divorce a man must get his fish-traps and gear valued and give half to his wife.

Texts collated for this edition

A. From the Library of the Royal Asiatic Society, London.

1. **Raffles Malay MS. 33 = R. 33,** copied for Sir Stamford Raffles at Penang in 1220 A.H., 16 Dzu'l-ka'edah (5 February 1806). Described in this Journal (Vol. **25**, 1952, Pt. I, app. 1 - 19).

2. **Raffles Malay MS. 34 = R. 34,** described on a fly-leaf as *Undang-Undang Mengkasar dan Bugis.* Copied for Raffles in 1221 A. H. (1806 A.D.) on paper dated 1800 A.D. Pages 14-21 contain Maritime Laws, and were used by Raffles for his translation (*infra*). Described in van der Tuuk's Short account of Malay MSS. belonging to the R.A.S. (Miscellaneous Papers relating to Indo-China, Second Series, Vol. II, page 26, London 1887).

3. **Raffles Malay MS. 74 = R. 74.** 211 pages. Pages 1 — 28 contain the *Undang-Undang Laut* and pp. 80 - 81 their Introduction. The legal contents of the MS. comprise sections of the Malacca Code (or Digest), of the *Hukum Kanun* of Pahang, Perak and Johore (*JMBRAS*, **21**, (1), 1948: 1 - 67), here (fol. 79, page 159) called "Johore Laws", and Selangor Slave Law copied (p. 169) in 1189 A.H. (1775 A.D.) for Sultan Salehu'd-din. Folios 51 - 61 contain marriage and divorce laws identical with those in R. 33. Other contents are described by van der Tuuk (ibid, p. 42).

4. **Maxwell Malay MS. 5 = M. 5.** 42 pages copied for W. E. Maxwell, Magistrate Singapore. Pages 1-11 contain the *Undang-Undang Laut*, followed by the Malacca Code, sections on marriage and divorce (= § 42 in R. 33) and some miscellaneous laws. Page 28 gives the insignia of the Bendahara of Patani.

5. **Maxwell Malay MS. 6 = M. 6.** 55 pages. Copied in 1304 A.H. (1887) from a Malacca MS. of 1237 A.H. (1821 A.D.). It contains part of the *Undang-Undang Laut* (pp. 1, 2, 41 - 45), the Malacca Code, the *Hukum Kanun* of Pahang, some sections of R. 33 and of the Johore Laws translated by Logan *Journal of Indian Archipelago*, **9**, (4), 1855: 71 - 95. [*After jikalau shahbandar bĕrniaga akan timah* (*Risalat Hoekoem Kanoen* i.e. The Malacca Code, ed. Dr. Ph. van Ronkel, Leiden, 1919, p. 46, L. 15) this MS. adds *sa-bahara timah* before *sa-ratus tĕngah tiga-bĕlas rial* and for *harga-nya* reads *urup-nya*. It corrects *bola-bola riu-riu* (*JMBRAS*, 25, (1), 1952: 12) to *bulu-bulu ari-ari*.]

6. **Maxwell Malay MS. 11 A. = M. 11 A.** 38 pages copied for W. Maxwell. It has the Introduction (p. 21) and a few sections (pp. 46 - 48) of the *Undang-Undang Laut*, sections from the Malacca and Pahang Codes and (p. 35) a reference to Patani.

7. **Maxwell Malay MS. 19 = M. 19.** 79 pages copied in a Penang hand for W. Maxwell. The colophon (p. 8) of the *Undang-Undang Laut* states the copy was derived from an original, dated 1083 A.H. (1672 A.D.) and recorded in writing by Enche' Maulana. The MS. contains sections from the Malacca and Pahang Codes. There are references to Patani (p. 49), to the laws of Kedah, Makassar and Rum (p. 57) and a statement (p. 60) that it was Kathi Sadar Jahan who compiled *Undang-Undang dan Kanun dĕngan titah kurnia dari bawah duli Sultan Mahmud Shah* of Malacca, whose Bendahara was Sri Maharaja. There are other legal sections from an unidentified source.

8. **Maxwell Malay MS. 47 = M. 47.** 167. pp. copied in 1882. Beside the *Undang-Undang Laut* (folio 33-48) it contains Minangkabau laws given by the Sultan of Pagar Ruyong to his five Penghulus on 8th *Bulan Rasul* 1180 A.H. (1766 A.D.), a Minangkabau fragment (folios 82 - 84) and Kedah laws.

B. From Leiden University Library.

9. **Leiden MS. Orient. 1705 (224) = L. 1705.** Juynboll's *Catalogus* CCCXXVIII. It contains (pp. 1 - 75) the Malacca Code, the *Undang-Undang Laut* (pp. 76 - 95), followed by miscellaneous laws some on trapping and fishing, some maritime and included in our Appendix. It was written at Batavia, in 1829.

10. **Leiden MS. Orient. 1726 (346) = L. 1726.** Juynboll's *Catalogus* CCCXXX. It contains the *Undang-Undang Laut* (pp. 1-20) followed by a legal micellany (e.g. § 43 of R. 33), the Malacca Code, a story of Nushirwan the Just, Riau regulations for the taxation of cargoes and examples of letters from a Sultan ('Abdu'l-Jalil of Johore and Pahang) and from chiefs. Copy completed on 18 Safar 1245 A.H. (19 August 1829) at Riau by Enche' Isma'il.

11. & 12. **Leiden MS. Orient. 3199 (Malay 700) = L. 3199.** Juynboll's *Catalogus* CCCXXXI. It contains two versions of the Maritime Laws, the first closely resembling *L.3199 passim*; the second, closely resembling *L.1726* and cited *passim* as *L.3199B*. The MS. contains also (a) two recensions of the Malacca Code, the second followed by (b) miscellaneous laws that mention Patani and "came from Marhum Kasim down to Marhum Bongsu and so to our lord *Duli Baginda Ta'dzimat dan m.khr.h*", (c) a tale of Nushirwan the Just, (d) the genealogy of the Sultans of Sumanib, (e) a list of fees permitted to his clerk by the Yang di-pertuan of Riau, (f) a Riau *tĕrasul* (g) ten pages on the genealogy of the Sultans of the Riau-Lingga empire.

C. From the Royal Military Academy at Breda.

13. **MS. 6619 = Br.** claims in its introduction to have been written in the year *dal* on 4 Jumadi'l-awal 1066 A.H. (1655 A.D.). It is in illiterate handwriting; is often corrupt; has sentences from the Malacca Maritime Digest in confused order; and the last 13 of its 35 pages have sections absent from other MSS. and evidently miscellaneous additions to the original digest. The Breda introduction is printed below. The Royal Asiatic Society, London, has photographs of the whole MS.

Other References.

Handleiding bij de Beoefening der Maleische Taal en Letterkunde. Dr. J. J. de Hollander. Zesde Druk. Breda. 1893.

Het handels — en zeerecht in de adat-rechtsregelen van den rechtskring Zuid-Celebes — L. J. J. Caron.

The Malayan Laws of the Principality of Johore. *Journal of the Indian Archipelago and Eastern Asia*, Ed. J. R. Logan, **8** (1885), Article 4, pp. 71 - 95.

Raffles, [Sir] Stamford. The Maritime Code of the Malays, translated by. *JSBRAS*, **3** July 1879, pp. 62 - 84. A translation and paraphrase from several texts of the Maritime Laws, e.g. R. 33, R.74 in an order chosen by the translator. One section contains maritime extracts from the Malacca Code.

Newbold, T. J., Political and Statistical Account of the British Settlements in the Straits of Malacca, Vol. II, p. 229. London, 1839.

The Text.

(1) In the manuscripts collated for this text of the Maritime Laws of Malacca, R. 33 lacks the pages that contained nearly all the Introduction; L.1726, L.3199B and M.5 have an identical Introduction I too illiterate to have been written at the Malacca court and too short to have covered both sides of the missing first page of an archetype; its equivalent in Introduction II comes only from MS. 47 and there the Arabic exordium is taken from some other inappropriate manuscript by a copyist ignorant of the meaning of *masa'alah* and *anbia*; the Introduction III, which occurs in R.74, L.1705, L.3199 and M.6, has the best Arabic preface, though its repudiation of the non-Islamic provisions of the Laws may perhaps preclude its direct descent from an archetype compiled under the royal patronage of the Malacca court. The ascription of the Laws in M.19 to Sadar Jahan, of the *Sĕjarah Melayu*, appears to be apocryphal.

Not one of the manuscripts collated has an introduction that can be ascribed to a MS. contemporary with the compilation of the Digest, through several appear to have borrowed contemporary phrases like *tuan kita, Sultan Mahmud*. Older than any of the introductions may be the colophon (§ 22).

(2) The first page of a Malay manuscript is often missing and the owner of a manuscript of one recension may chance to copy the preface of another recension to complete his imperfect version. Accordingly, identity of preface needs to be corrobated by similarity of text in order to prove a common source for two or more manuscripts. Here M.6, though it has the same preface as L.1705 needed further its abundant identities with the text of that manuscript to confirm derivation from a common source.

(3) More reliable than the introduction as evidence of a common recension should be the order of sections in the middle of a manuscript. And a common origin for L.1705, L.3199, M.6 and M.11A is at first sight suggested by the placing of § 13 of our numbering before § 12 as well as by the order of §§ 21, 23, 24, 22 in L.1705, L.3199 and M.6 — the sections are missing in M.IIA.

Confusingly, however, in M.5 though the sections are in the same order as in L.1705, L.3199 and M.6, the introduction with its concluding paragraph as well as many textual identities connect it with a L.1726 group of manuscripts.

Similarly, though the sections in R.33 and R.74 have the order of the L.1726 group, the two manuscripts are closely

allied to the group L.1705, L.3199 and M.6, e.g. by the omission of supplementary passages in § § 4 and 8, the use of *ambong* (not *kĕlat*) in § 9, the omission of *lari* in § 15 and many other verbal identities. So the difference in the order of sections in the two groups of manuscripts will be later than the differences in their texts.

(4) Only L.1705, L.3199 and M.6 have the same introduction, an identical order of sections, a § 13 (b) elsewhere missing and abundant correspondences in the text. But the existence of another group, L.1726 and M.19, is proved by the cumulative evidence of identical arrangement of sections, an identical conclusion for their introduction, identical passages inset in §§ 4 and 8, the use of *kilat* in § 9 and many textual identities. To this L.1726 group belong also L.3199B, M.5 and M.47. To take one example of the evidence: L.1726, L.3199B, M.5 and M.47 all open § 3 with the words: — *Orang yang mĕndapat sĕrta pĕndapatan-nya kapada barang siapa sa-kali pun atau kiwi atau mata-mata dan turun pĕnukun atau kĕluarga nakhoda atau daripada kaom yang ĕmpunya jong itu sa-kali pun. Maka ada-lah ia mĕndapat barang suatu pĕndapatan atau mĕndapat orang lari di-tĕlok atau di-rantau atau kapada barang mana tĕmpat, sĕmua-nya pĕrolehan-nya kapada yang ĕmpunya jong itu. Bĕrmula, jikalau ada ia mĕndapat ĕmas atau perak atau barang suatu bĕnda yang baik atau jahat tatkala ia turun ka-darat atau ka-laut dĕngan pekerjaan nakhoda.*

A survey of resemblances therefore gives two main recensions, viz. (I) L.1705, L.3199, R.33, R.74, M.6, and M.11A and (II) L.1726, L.3199B, M.5, M.19 and M.47.

(5) For the date of the split from an archetype into the two recensions there is only the evidence of the colophon in M.19 (*v.infra*), which states that the manuscript came from an original dated 1083 A.H. (A.D. 1672). So the split should have been before that year.

(6) Which of the two groups is nearer to an archetype? In the introduction Br., R.74, L.1705, L.3199, and M.6 preserve the intelligible Arabic word *karar* 'powerful' in the sententence *tatkala masa zaman nĕgĕri Mĕlaka lagi karar*, which in L.1726, L.3199B, M.5 and M.19 has been corrupted into the absurd *baik*. But the introduction can have formed no part or an archetype. In § 10 Br., R. 33 and R. 74 alone seem to have preserved in *mĕngiwi* an uncorrupted original text, and in § 7 the *sĕgĕra* of the last two manuscripts would appear authentic.

(7) Whatever the differences of the main recensions, all the manuscripts implement one another to correct errors and omissions in the individual transcriptions. For example in the introduction only L.1726 and M.5 read *tĕrbit hukum* for the meaningless *tĕrtĕntu* of M.19 and *tĕrtib* of L.3199B.

(8) As to the date of an archetype, the copyists have gone out of their way to befog enquiry. M.47 relates how sea-captains went to the Bĕndahara Paduka Sri Maharaja (executed in A.D. 1510) to approach Sultan Muhammand (died ca. A.D. 1446) to ratify these laws. R.33, R.34 and R.74 cite as the captains' intermediary Paduka Sri Maharaja, Bĕndahara to Sultan Mahmud (asc. 1488, d.1530) and at the very end of the same § 22, cite also, in what may be a gloss, Sri Nara 'diraja, Bĕndahara to Sultan Muhammad. The older version of the "Malay Annals" (R. MS. 68) ascribes both the Malacca Code and maritime laws to the earlier Sultan Muhammad. Most manuscripts ascribe the latter to Mahmud's reign and all are marked by Bugis maritime terms. Unless there were Bugis frequenting Malacca as early as 1446 the compilation of these sea-laws must fall within the dates A.D. 1488 and 1510. Only one manuscript, M.19, ascribes their compilation to Sadar Jahan, who came to Malacca in the time of Sultan Mahmud and was his teacher. But if this missionary did compile them, he not only acquired proficiency in Malay in a short time but violated his usually rigid principles. The ascription may be the apocryphal deduction of a copyist interested in the *Sĕjarah Mĕlayu*. The introduction ascribes the provisions of these laws to "elders of the time when Malacca was still strong", that is, before its capture by the Portuguese in 1511. Such an ascription is clearly the work of a later day, and not of a contemporary of Sadar Jahan.

Comparative Contents of the MSS.

A. MSS. Leiden 1726, Leiden 3199B, Raffles 33 and 74 and M.19 contain §§ 1-24 in the order of our numbering. (L.1726 and 3199B have the sections numbered in identical order, as shown in our text for L.1726).

Maxwell MS.5 contains §§ 1-24 in our order except that § 13 precedes § 12.

Identical with Maxwell MS 15 may be M.11A as it has the same Introduction I (*infra*) and puts § 13 before § 12. But as it contains only §§ 11, 13, 12, the identity is uncertain.

MSS. Leiden 1705 and 3199 and M.6 put § 13 before § 12 and §§ 23 and 24 before § 22.

B. In R.33 the introduction is missing. L.1726 and 3199B, M.5 and M.11A all have the same exordium to the Introduction I (*infra*).

M.47 has a ludicrous exordium (II *infra*) to the introduction not found in other MSS. The rest of its introduction agrees closely with Introduction III (*infra*).

MSS. L.1705, L.3199, R.74 and M.6 have the best introduction (III *infra*).

MS. R. 34, which is often abbreviated and corrupt, puts the sections in the following order: § 22, §§ 1-7, § 19, Appendix I-III, §§ 8, 9, 10, 12, 14, 15, App. II, §§ 18, 19, 2, 20, App. IV, §§ 10, 8, 11, 13, 21, 23, 24.

Br. 6619 after the introduction closely resembles R.34 in the order of its earlier sections, viz §§ 1-6, §, 19 App. I-III §§ 8-10. After that the order is §§ 11, 12, 14, 15, 22, 17-20, App. IV and thenceafter more maritime laws missing in other MSS. and many of them confused and repetitive.

Undang-Undang Laut.

§ I

[Bahawa ini suatu risalat daripada mĕnyatakan pĕrkataan undang-undang daripada Paduka Sultan Mahmud Shah ibni Sang Purba yang turun dari bukit Si-Guntang (Maha-Meru *M.5*) akan mĕnjadi raja di-Mĕlaka dĕngan kurnia Tuhan Malik al-jabbar. (Insha'llah ta'ala. *M.5*).

Kĕtahui oleh-mu pĕrkataan ini, supaya tĕrpĕlihara sĕgala hamba Allah subhanahu wa-ta'ala sĕntosa daripada sĕgala pĕkĕrjaan di-dalam nĕgĕri dan di-dalam pĕlayaran, jangan bĕrsalahan di-dalam dunia dan di-dalam akhirat, supaya sĕlamat sĕgala pĕkĕrjaan hamba Allah (di-) laut dan (di-) darat, jangan jadi pĕrbantahan sual dan jawab di-laut dan di-darat. L.1726, L.3199B., M.5 and M.11A.]

§ II

[Bismi'llahi 'r-Rahmani 'r-Rahim. Al-hamdu li'llahi Rabbi'l-'alamin wa'l-'akibat li'l-mutakim al-salawat wa'l-sallama 'ala Rasul-ku sayidna Muhammad wa'ala's-sahabatihi 'ajnain. Ini-lah suatu mas'alah karangan puji-pujian sakalian 'alam wa'salawat *etc. down* to 'ajnain *repeated*. Fasal anbiya wa'l-mursalin dan rahmat Allah dan salam atas pĕnghulu kita Nabi Muhammad. Ia-lah mĕngĕtahui atas sĕgala kaum kĕluarga-nya sakalian makhlok-nya dan tĕrlĕbeh ia-itu tuan shaikh al-ma'ruf.

Maka sĕgala nakhoda-nakhoda, bĕrkĕhĕndak mĕreka itu akan pĕrentah hukum pĕlayaran pada kĕtika ia di-laut. Maka di-pĕrsĕmbahkan Dato' Bĕndahara Paduka Sĕri Maharaja, Mangku-bumi, ka-bawah duli tuan kita Sĕri Sultan Muhammad (sic) Shah yang ada kĕrajaan di-dalam nĕgĕri Mĕlaka kĕhĕndak sĕgala nakhoda-nakhoda itu. Maka titah duli Yang di-pĕrtuan pada mĕreka itu, "Kami pun sĕmaja hĕndak juga mĕngurniakan hukum

dan pĕrentah akan sĕgala nakhoda-nakhoda yang dalam pĕlayaran itu, supaya sĕgala hamba Allah tĕrpĕlihara dĕngan kurnia Tuhan Malik al-jabbar. Insha'llah ta'ala supaya sĕgala hamba Allah sĕntosa di-dalam pĕlayaran, supaya jangan bĕrsalahan dan chabul *Br. and MS. 47 only*], [supaya sĕlamat sĕmpurna sĕgala pĕkĕrjaannya di-laut dan di-darat, supaya jangan mĕnjadi (pĕrbantahan *L.1726*) sual jawab di-laut atau di-darat, jangan bĕrsalahan pada (kata dan pĕrbuatan dĕngan *ib., Br., M.5 and M.19*) sĕgala handai taulan-nya yang bĕrsama-sama dĕngan dia nadzar-nya".

Dan jikalau tiada di-sĕbutkan pĕrkataan ini sĕmua-nya di-dalam kĕrtas ini, nĕschaya ia binasa-lah 'adat daripada purba kala yang di-kĕrjakan daripada nenek moyang kita yang tua-tua, karna tĕrbit (*L.1726, M.5*) hukum ini pada zaman nĕgĕri Mĕlaka lagi baik *ib., Br., L.1399*[B] *an M.19; M.11*[A] *begins here*) dari bawah duli tuan kita, Sultan Mahmud Shah, yang kĕrajaan di-nĕgĕri Mĕlaka itu, Bĕndahara-nya Dato' Paduka Sĕri Maharaja Mangkubumi. Tuan kita itu, Sultan Mahmud Shah, mĕmbĕri titah ya'ani mĕnitahkan hukum ini; maka datang-lah kapada sĕkarang ini turun kapada anak chuchu-nya pun mĕnurut hukum ini, tiada lagi bĕrsalahan sĕmua-nya mĕngikut. Jikalau tiada di-ikut, salah kapada sĕgala nadzar-nya. Karna hukum ini di-laut, di-laut juga sudah-nya (= akan salah-nya *M.5*) dan hukum di-darat, di-darat juga sudah-nya (= akan salah-nya *ib.*). *L.1726, M.5, M.11*[A]*, M.19, all in close agreement over this passage; M.47 has a shortened version*].

§ III

R. 74, L.1705 and M.6 have a different introduction. viz. —

[Bismi'llah 'r-Rahmani 'r-Rahim. Al-hamdu li'llahi Rabbi'l-'alamin. Sĕgala puji-pujian bagi Allah Tuhan yang amat kuasa lagi (ĕbpunya kĕbĕsaran pada sarwa sakalian 'alam dĕngan kĕmulian-nya *R.74* = amat mĕngampuni akan hamba-nya sakalian *L.1705, L.3199, M.6*) di-dalam dunia dan (*R.74*) di-dalam akhirat dĕngan kurnia-nya (yang bĕrturut-turut, *R.74*). Ya Ghafur! al-Rahim yang amat mĕngampuni lagi mĕngasehani (hamba-nya *R.74*) dĕngan bĕrkat ugama kĕkaseh-nya Muhammad salla'llahu 'alaihi wa-sallama wa-rahmat Allah akan sakalian umat-nya yang mĕmbawa iman dan mĕngĕrjakan shari'at-nya minta tolong ia kapada sĕgala sahabat-nya ka-hadzrat Allah ta'ala mĕmbĕri shafa'at akan sĕgala umat-nya takut akan (tĕgah *M.6Q* amar-nya dan nahi-nya, maka (ia pun *omitted from R.74*) mĕmohonkan ampun Allah Tuhan Rabbi al-'arshi al-karim yang amat kuasa karna pĕrkataan ini banyak bĕrsalah-salahan pada hukum shari'at.

Maka di-mulaï pĕrkataan ini supaya sĕntosha sĕgala hamba Allah di-dalam pĕlayaran pada mĕngĕrjakan (pĕkĕrjaan *R.74*) ini supaya jangan mĕmbinasakan 'adat dan jangan bĕrkĕlahi dan jangan bĕrsalahan (pĕrkataan *ib.*) dĕngan 'handai taulan-nya, supaya sĕntosha kĕdudokan-nya dan tĕrpelihara daripada mĕniriskan darah dĕngan tiada sa-bĕnar-nya (atas *not in R.74*) sĕgala Islam.

Jikalau tiada di-katakan hukum ini, nĕschaya binasa-lah 'adat yang dahulu kala itu, karna 'adat ini daripada orang tua-tua tatkala zaman nĕgĕri Mĕlaka lagi karar (di-bawah duli tuan kita *L.3199*[a]) Sultan Mahmud (*L.3199*[a], *R.74 and H.*, Muhmmad *L.1705, L.3199*) Shah, Khalifatu'l mu'min yang kĕrajaan di-dalam nĕgĕri Mĕlaka itu. Sĕbab itu-lah nakhoda yang tua-tua mĕnurutkan hukum ini, maka datang-lah kapada anak chuchu-nya sĕkarang ini, tiada lagi bĕrsalahan sĕmua-nya mĕngikut hukum ini, dan jikalau tiada di-ikut hukum ini, salah kapada sĕgala nĕgĕri nadzar-nya, karna hukum di-laut, di-laut (*L.1399*[a], *M.6*) juga sudah-nya dan hukum di-darat, di-darat juga sudah-nya, tiada dapat hukum ini di-bawa ka-darat (*R.34, R.74, L.1705, L.3199, M.6*).

Maka sĕbab di-hukumkan dĕngan hukum ini supaya jangan bĕrkĕlahi dan bĕrbantah dan jangan mĕnurut (sa- *L.1705, L.3199* and *M.6*) kĕhĕndak nafsu (hawa *ib.*) sĕndiri, supaya sĕntosa kita daripada kĕsukaran dan kĕsakitan di-dalam jong (dan balok *ib.*) itu. Jikalau dĕmikian, bĕtapa juga kita mĕlaku (*M.6* = mau mĕlawan *L.1705, L.3199, R.33*) sĕgala nakhoda itu? Ada pun yang di-namaï khalifatu'l-mu'min itu, di-dalam nĕgĕri: dĕmikian lagi nakhoda itu (tatkala *L.1705, L.3199*) di-dalam laut. Karna sudah di-kurniaï oleh (duli *L.1705, L.3199*) Sultan Mahmud (*H.*, Muhammad *M.6 and L.1705, L.3199*) Shah kapada sĕgala nakhoda hukum ini (supaya ia mĕnghukumkan di-dalam jong-nya itu. Jikalau tiada di-turut-nya, salah ia kapada sĕgala orang banyak: maka hĕndak-lah sakalian-nya (kamu *H., M.6, L.1705*) malu akan yang ĕmpunya jong itu (atau balok *L.1705, M.6, which now has a lacuna*) pun, karna segala nakhoda itu ganti raja di-dalam laut: karna sudah di-kurniaï khalifatu'l-mu'min 'adat itu di-dalam nĕgĕri Mĕlaka, maka dapat ia mĕnjadi raja di-laut: jikalau kanak-kanak (atau 'abdi *M.47*) sa-kali pun, raja-lah (raja ia *M.5*, tuan *L.17065, L.3199*, tua-lah *H., R.74*) pada masa itu. (Karna sudah tĕradat dalam jong dan balok itu. Hubaya-hubaya hĕndak-lah sĕgala orang yang di-dalam jong atau balok sakalian-nya pun bĕrbuat takut dan malu kapada nakhoda-nya itu. Hubaya-hubaya jangan tiada di-pakai dan di-turut hukum yang tĕrtulis di-dalam kĕrtas ini, karna hukum ini dari bawah duli tuan kita Sultan Mahmud Shah yang kĕrajaan di-dalam nĕgĕri Mĕlaka, supaya sĕlamat kapada sĕgala dagang yang ta'lok dan bĕrkaseh-kasehan

dĕngan baginda itu ia-itu pada sĕgala Islam di-laut dan di-darat Wallahu a'lam. *L.1726, M.5, M.19, M.47; omitted from H., R.33 and R.74, L.1705, L.3199, M.6 and M.11A.*)

§ IV

Breda 6619 has the following introduction:—

Bismi'l-lahi 'r-Rahmani 'r-Rahimi. Al-hamdu li'llahi Rabbi'l-'alamin wa-salawat wa-sallama al-k-ram bimadd al-layali wa'l-ayyam. Sĕgala puji bagi Allah Tuhan sarwa 'alam sakalian mĕlimpahkan chahaya anugĕrahan-nya atas sĕgala hamba-nya yang mu'min dalam nĕgĕri akhirat baka dar a's-salam.

Kĕmudian daripada itu mĕnyurat dia surat ini pada hijrat al-Nabi salla'llahu 'alaihi wa-sallama 1066 tahun pada tahun dzal 4 hari bulan Jumadi'l-awal pada waktu s.nhi(? = suboh) mĕngarang hukum undang-undang ini dalam pĕlayaran dalam jong-jongan sĕgala yang mĕnaroh jong.

Maka ku-mulaï pĕrkataan ini supaya sĕgala hamba Allah tĕrpĕlihara dĕngan kurnia Tuhan Malik al-jabbar, insha'llah ta'ala supaya sĕntosa kapada pĕkĕrjaan dalam pĕlayaran, supaya jangan bĕrsalahan dan jangan bĕbal mĕmbinarakan 'adat dalam pĕlayaran, supaya sĕlamat pĕkĕrjaan di-laut dan di-darat, supaya sĕlamat sĕgala Allah ta'ala dalam dunia dan dalam akhirat dan supaya jangan sual bantah di-laut dan di-darat, jangan bĕrsalahan pada kata dan pĕrbuatan dĕnagn sĕgala handai taulan-nya dĕngan sĕgala sahabat-nya yang ada bĕrsama-sama dĕngan dia dan supaya jangan mĕniriskan darah sĕgala rakanan-nya yang sama-sama sa-lama-nya dĕngan dia nadzar-nya. Jikalau tiada di-katakan pĕrkataan ini sĕmua-nya di-sĕbutkan ya'ani dalam kĕrtas ini, nĕschaya binasa-lah sĕgala yang di-kĕrjakan oleh ninek moyang kita yang tua-tua, karna hukum ini tatkala zaman Mĕlaka lagi karar di-bawah duli tuanku Sultan Mahmud Shah yang di-atas takhta kĕrajaan dalam nĕgĕri Mĕlaka; dan Dato' Bĕndahara Sĕri Maharaja jadi Mangkubumi di-bawah duli tuan itu, Sultan Mahmud Shah; ia-lah mĕmbĕri titah ya'ani mĕnitahkan hukum ini kapada sĕgala nakhoda yang tua-tua pada zaman itu. Maka sĕgala nakhoda yang tua-tua itu pun kabul-lah mĕnurut hukum ini. Maka datang-lah sĕkarang turun-tĕmurun kapada sĕgala anak chuchu nakhoda yang banyak itu pun kabul-lah mĕnurut hukum ini, tiada lagi bĕrsalahan sĕmua-nya mĕngikut hukum ini. Jikalau tiada di-ikut hukum ini, salah pada sĕgala nĕgĕri nadzar-nya, karna hukum di-laut juga sudah-nya tiada tiada (*sic*) dapat ka-laut nadzar-nya. Sĕbab di-sĕbutkan sĕgala hukum ini supaya jangan ia mĕnurut hawa nafsu-nya yang tiada bĕrkĕnan kapada Allah subhanahu wa-ta'ala kĕhĕndak-nya; lagi pun sa-laku-laku tiada ada bĕristithna

(*brasstsna*)) kapada yang empunya jong dan peraliu ittu nadzar-nya.

§ **11**. ((= § 11, *IL.17726*, *Brr.*)). Bab ini peri mengatakan hukum segala jong dan balok daripada segala nakhoda, karna ia sa-umpama raja-nya. Bermula akan juru-mudi ittu, u(m)pama Bendahara in di-dalam jong ittu. Ada pun juru-batu ittu u(m)pama Temenggong; ia-lah yang memeliharakan baik dan jahat, (menentukan salah dan benar *IL.17705 IL.31099*, *M16*, *Hl.*)) di-dalam jong dan balok ittu. Ada pun tukang kanan dan (*tukang ib.*)) kiri ittu umpama sida-sida (*ib.*, *Brr.*, *IL.17726*, *R374*, *M55*; *shaikh* in *R333 and Hl*; *lacuna in M109*)) mengerjakan (kerja *Brr.*, *M74*)) bersama-sama dengan tukang agong. Bermula akan juru-batu (kanan dan juru-batu kiri *Brr.*)) dan guntong ((= tukang *M16*, gantong layar dan *Hl.*)) senawi dan tukang sakalian ittu terseraih di-dalam tangan nakhoda (*Brr.*, *IL.17705*, *IL.17726*, *IL.31099*, *M55*, *M16*)). [Ada pun segala awak peraliu ittu sakalian-nya terseraih di-dalam tangan tukang (*Brr.*, *M17726*, *R333*, *R74*; nakhoda *IL.17705*, *IL.31099*, *M55*, *M16*)) agong]. Jikalau tukang agong menyuroh awak (*IL.17705*; anak *IL.17726*)) peraliu, maka tiada ia mau (serta *M55*, *17726*; dengan *R74*)), di-lawan-nya tukang agong ittu, maka di-suroh-nya palu kapada juru-batu dengan tujoh ((= dua *Brr.*)) kali palu akan dia tetapi hendak jangan terbuka kelak sharatt memalu-nya dan lagi hendak-lah bersamaan dengan (*IL.17705*, *IL.31099*, *M16* = dengan sa-tahu *Brr.*, *Hl. and R333*)) tukang agong; maka di-lawan-nya pula tukang agong ((= tengah *Brr.*)) ittu, maka di-palu-nya empatt (*Brr.*, *IL.17726*, *R333*, *M55*, *Hl.*, -puloh *IL.17705*, *IL.31099*, tiga-puloh *M16*)) kali ((=palu *Brr.*)) akan dia ((di-peteraina lawang *R333*, *M55*, *Hl.*)). Sa-bermula jika awak peraliu melawan juga guntang (*mai-mai*. *IL.17705*, *IL.31099*)) attau senawi, maka di-palu tiga (*Brr.*, *IL.17726*, *M55*, *Hl.*, -puloh *IL.17705*, *IL.31099*, *M16*)) kali palu akan dia. Demikian-lah hukum-nya*..

§ **12** ((= § 12 *Brr.*)) Bermula hukum atas segala orang yang berzinah di-dalam jong attau balok. Jikalau ia merdeheka (ada beristeri sama merdeheka attau tiada, maka ia berbuat zinah dengan isteri sama merdeheka di-dalam jong ittu, maka *IL.17726*, *M147*)) hendak-lah (ia *IL.17705*, *IL.31099 M16*)) di-banyak-banyaki ((= di-tatzizkan *IL.17726*)) oleh nakhoda (attau *IL.17726*)) di-bunoh kedua-nya. Dan jika laki-laki dan perempuan kedua-nya pun merdeheka lagi bujang maka di-palu sa-ratus kali akan dia (kemudian *IL.17705*, *IL.31099*, *M16*)) di-kahwinkan. Jika tidak ia mau (*kahwin ib.*)), maka di-hukumkan di-pintai kesalahan-nya ittu sa-tahill sa-palu emas tetapi (*? omit* di-kahwinkan *off IL.17705*, *R333*, *IL.31099 and M16*)) dahulu di-kerassi akan dia supaya lepas-lah 'aib anak

*NB. *R374* compares the owner to a king, the captain (sic. *Brr.*)) to a Bendahara, the chief petty officer to a Temenggong, the officers in the bows (*tukang haluan*) to a Mantri and those amidships (*tukang tengah*) to sida-sida.

pĕrĕmpuan. (Dan jikalau laki-laki tiada mau nikah, pĕrĕmpuan mau, maka jatoh hukum itu kapada laki-laki, dĕnda-nya sa-tahil sa-paha; lĕpas pĕrĕmpuan itu. Dan jikalau laki-laki mau pĕrĕmpuan tiada mau, maka jatoh hukum itu kapada pĕrĕmpuan; lĕpas laki-laki itu *L.1726*).

Bĕrmula jika laki-laki anak mĕrdĕheka maka ia bĕrmukah dĕngan 'abdi orang (*L.1726* = bĕrbuat zinah dĕngan sahaya *M.47*), (di-'aib-nya pĕrĕmpuan *L.1705, L.3199*) yang di-pakai oleh tuan-nya, maka (di-hargakan-nya ganda akan mĕrdĕheka itu *Br.*, = di-hargakan budak itu sapĕrti orang mĕrdĕheka *R.34* = di-tĕmpahkan dia harga-nya *L.1726*), (karna ia tiada tahu akan kadar-nya ya'ani akan diri-nya mĕrdĕheka, *Br.*, *L.1726*): (itu-lah nadzar-nya, maka di-hukum dĕngan hukum dĕnda atas-nya *L.1726*).

Bĕrmula jika 'abdi itu sudah lama di-pakai oleh tuan-nya, mana bichara-nya-lah, (hĕndak di-tĕmpahkan pun dapat, hĕndak di-bunoh pun dapat, maka hĕndak-lah nakhoda mĕnyĕrtaï. Itu-lah hukum-nya *L.1726*). (Itu pun jika bĕlum hamil oleh tuan-nya jikalau ia sudah hamil, di-bunoh juga kĕdua-nya *L.1705, R.33*). Jikalau sudah lama di-pakai oleh tuan-nya (sapĕrti istĕri nya, patut-lah mati pĕrĕmpuan dĕngan laki-laki itu *L.1705, L.3199*); (jikalau baharu lagi, mati pĕrĕmpuan itu, laki-laki masok ulor. Itu-lah hukum pada sĕgala jong dan balok *R.33*).

Sa-bĕrmula, jika anak mĕrdĕheka bĕrzinah dĕngan istĕri awak pĕrahu, maka di-bunoh laki-laki (= kĕdua-nya *M.5, L.1726*; oleh laki-nya *L.1705 and L.3199*, (= oleh awak pĕrahu *R.33*), mati sahaja, suatu pun tiada lagi pĕrkataan-nya. Dĕmikian-lah hukum-nya. Ada pun pĕrĕmpuan itu mau-lah di-bunoh oleh laki-nya pula: jikalau tiada di-bunoh, dapat (jua, tĕtapi *L.1726*) di-ambil (oleh nakhoda *L.1726, M.47*) ka-dalam ulor nama-nya (*M.47*) dan jikalau hĕndak (di-tĕbus oleh suami-nya bĕbĕrapa ĕmas sa-kali pun, tiada patut di-tĕrima oleh nakhoda, karna pĕrĕmpuan itu sudah mĕmbĕri malu nakhoda karna ia mĕlalui hukum duli yang di-pĕrtuan itu *M.47* = di-bĕri-nya harga pĕrĕmpuan itu, jangan di-tĕrima oleh nakhoda; jikalau di-tĕrima-nya, salah pada hukum-nya, tĕrtanggong atas nakhoda *L.1726 and M.5*). Tĕtapi laki-laki itu hĕndak-lah di-bĕri istĕri lain oleh nakhoda supaya tĕtap-lah ia pada barang (kĕrja *M.74*) awak pĕrahu. Dĕmikian-lah hukum atas nakhoda dan awak pĕrahu.

(Ada pun hukum bĕrgurau dĕngan gundek orang itu tiga hari, itu pun sĕrta ada saksi yang mĕlihat dia dĕngan nyata, maka hukum-nya di-tĕmpahkan dia harga-nya *L.1705 and L.3199 only*).

Sa-bĕrmula jikalau 'abdi sama-nya 'abdi (bĕrbuat zinah di-dalam jong *L.1726, M.5*) maka di-palu ramai-ramai akan dia

di-pĕtĕrana lawang, tĕtapi tĕrsĕrah hukum (*L.3199, L.1705, R.33, R.74* = pĕkĕrjaan *L.1726, M.5, M.47*) itu kapada tukang agong. Dĕmikian-lah 'adat-nya awak pĕrahu itu, atas tukang agong hukum-nya — *A short and corrupt § in M.19.*

§ **3.** (= 2, *L.1726*) Bab pĕri mĕngatakan hukum orang mĕndapat suatu pĕndapatan daripada ĕmas atau perak atau orang lari atau barang sa-bagai-nya. Ada pun yang mĕndapat itu (*R.33 and R.74*), muda-muda (*R.33, R.74,* = mata-mata *L.1726, M.5*) atau kiwi atau turun pĕnukun atau hamba orang atau kĕluarga nakhoda (atau daripada kaum yang ĕmpunya jong sa-kali pun *L.1726, M.5*), sakalian-nya nakhoda juga bĕroleh dia:— di-dalam pada antara itu pun, mana kaseh nakhoda juga akan yang mĕn dapat itu. — (Maka itu pun hĕndak-lah dĕngan sa-suatu sĕbab, pĕrtama-tama ia ka-darat atau bĕrkayoh sĕbab pĕkĕrjaan nakhoda *R.33 and R.74*). Jikalau tiada dĕngan pĕkĕrjaan nakhoda, hukum-nya di-bahagi tiga; (jikalau kiwi-kiwi atau turun pĕnukun; itu pun di-bahagi tiga juga, sa-bahagi akan yang dapat dan yang dua bahagi akan nakhoda *R.33* = yang mĕndapat dua bahagi, akan nakhoda sa-bahagi *L.1726, M.47*).

Bĕrmula jikalau orang yang bĕrutang kapada nakhoda mĕndapat suatu pĕndapatan, maka sakalian-nya itu akan pĕrolehan nakhoda juga mĕlainkan mana kaseh hati nakhoda-lah pada yang mĕndapat itu.

Bĕrmula jika 'abdi orang mĕndapat, itu pun sapĕrti orang bĕrutang juga pĕndapatan-nya itu.

Jikalau nakhoda yang mĕndapat suatu pĕndapatan, maka di-bahagi ĕmpat, tiga bahagi akan nakhoda, sa-bahagi akan orang banyak.

(Bĕrmula jika kiwi atau turun pĕnukun pĕrgi ka-darat di-tĕlok atau di-rantau atau di-pulau tiada dĕngan pĕkĕrjaan nakhoda hanya dĕngan kĕhĕndak-nya sĕndiri saja, maka ia mĕndapat suatu pĕndapatan, maka di-bahagi dua, kapada nakhoda sa-bahagi, kapada yang mĕndapat itu sa-bahagi.

Bĕrmula jikalau kĕluarga nakhoda mĕndapat maka di-bahagi ĕmpat, sa-bahagi kapada nakhoda, tiga bahagi kapada yang mĕndapat itu. *R.33.*)

(*N.B. In this section all the MSS differ and contain contradictory clauses over the shares of the* kiwi *and* turun pĕnukun. *L.1705* and *L.3199 are corrupt and shorten the section to three lines. In Br. it is § 3 and runs as follows:*— Jika sa-orang baik atau muda-muda atau turun pĕnukun atau kiwi atau kĕluarga-nya yang ĕmpunya jong, jika mĕndapat orang di-tĕlok

rantau atau barang di-mana tĕmpat, maka ia-itu bĕroleh akan yang ĕmpunya jong juga. Jikalau ada arta yang baik sĕrta-nya atau ĕmas atau perak atau arta yang gharib, itu pun yang ĕmpunya jong juga bĕroleh dia, tĕtapi di-bahagi ĕnam, sa-bahagi akan orang yang mĕndapat, lima bahagi akan yang ĕmpunya jong: jikalau is mĕrdeka tiada bĕrutang atau kiwi, dĕmikian-lah hukum-nya.

Bĕrmula jika mĕndapat ĕmas atau perak atau arta yang gharib dalam hutan atau tatkala ia ka-darat, maka mĕndapat pĕndapatan itu dalam pĕkĕrjaan itu maka jikalau ia kiwi, di-bahagi tiga, dua bahagi akan yang mĕndapat, sa-bahagi akan yang ĕmpunya jong. Bĕrmula jika ia orang turun pĕnukun, maka di-bahagi dua, sa-bahagi akan yang mĕndapat, sa-bahagi akan yang ĕmpunya jong, Bĕrmula, jikalau orang itu bĕrutang kapada yang ĕmpunya jong, di-bahagi tiga, dua bahagi akan yang ĕmpunya jong, sa-bahagi akan yang mĕndapat. Bĕrmula jikalau hamba yang ĕmpunya jong mĕndapat barang suatu bĕnda yang gharib, ĕmpunya jong bĕroleh dia.

§ **4.** (= *part of* § 3 *in Br.*). Sa-bĕrmula jika orang lari, maka barang siapa pun mĕndapat dia nakhoda juga yang bĕroleh dia. Maka dalam antara itu jikalau bĕrtĕmu dĕngan tuan-nya, sa-tĕngah (Br., *L.3199*[B] = sa-bahagi *L.1705, L.3199, R.33 and R.74 — these MSS. lack the rest of this section after* di-tĕbusi) harga-nya di-tĕbusi (oleh tuan-nya kapada nakhoda itu. Jika tiada bĕrtĕmu dĕngan tuan-nya, maka di-bawa oleh nakhoda barang ka-mana pĕrgi-nya. Dan jikalau nakhoda itu takut sĕbab jahat pĕrbuatan-nya 'abdi orang itu maka *M.47*). (saměntara-nya bĕlum bĕrtĕmu dĕngan tuan-nya, di-jual-nya oleh nakhoda jong itu, barang bĕrapa harga-nya di-tĕbusi orang, maka hĕndak-lah di-pĕrsaksikan-nya kapada sakalian orang yang di-dalam jong itu dan kapada orang di-dalam nĕgĕri itu tĕmpat ia bĕrjualkan 'abdi itu; mana-kala bĕrtĕmu dĕngan tuan-nya, hĕndak-lah di-kĕmbalikan-nya harga 'abdi orang itu sa-tĕngah pada tuan-nya, dan sa-tĕngah di-ambil nakhoda yang ĕmpunya jong itu. Dĕmikian-lah 'adat sĕgala nakhoda *M.19, L.3199 and cf. M.5, M.47, L.1726*).

§ **5.** (= § 3 *L.1726*, § 4 *Br.*) (a) Bab pada mĕnyatakan hukum sĕgala yang mĕndapat orang rosak binasa kapada suatu pulau atau karang di-dalam laut, maka di-pinta kapada-nya gantong layar pada sa-orang sa-tĕngah tahil (ĕmas *Br., M.47, H.*); (jikalau 'abdi, sa-paha — *R.74, L.1726, M.5*). [Jikalau orang rosak itu maka ada-lah lĕpas (*L.1726, M.5*) harta-nya *M.47* = hak-nya lĕpas *H., R.33, R.74, R.1705, L.3199*) sa-kadar di-makan-nya, sa-hingga sa-paha juga di-bĕrikan-nya (*L.1705, p.103* = di-pinta *H., R.33, R.74;* dapat kapada sa-orang *L.1705, L.3199*) oleh nakhoda *L.1726, M.5, M.47* = Ada pun makan-nya itu di-pintaï dua rial daripada sa-orang. Jikalau bĕbĕrapa lama-nya sa-kali pun, dĕmikian juga hukum-nya *R.34*]. [*From here to the end of (a) L.3199 and M.19 have lacunae; R.33 and 47 are greatly abbreviated and corrupt. L.1726, L.1705 and M.47 read* lain daripada itu di-pintaï (juga *L.1726* = chukai *M.47*) kapada (-nya

L.1726 M.47) gantong layar (= pada gantongan layar *M.47*) tĕngah tahil kapada sa-orang, ĕmas merah juga; tiada dapat tiada di-bĕri-nya, 'adat-nya. Ada pun jikalau ada harta-nya itu, di-chukai pada sa-puloh ĕsa, sa-hingga pakaian-nya itu tiada bĕr-chukai. Lain daripada itu hĕndak di-katakan-nya yang sa-bĕnar-bĕnar-nya akan harta-nya ya'ani orang yang rosak itu kapada nakhoda itu. Jikalau ia bĕrdusta tatkala di-tanya oleh nakhoda itu akan dia, maka kata-nya, "Suatu pun tiada harta hamba", maka kĕmudian hari-nya di-lihat oleh orang, banyak ada harta-nya di-sĕmbunyikan-nya, maka pada hukum pĕndapatan nakhoda sĕgala harta yang di-sĕmbunyikan-nya itu. Dĕmikian-lah hukum-nya *L.1705, M.47*].

(b) Bĕrmula jika orang yang mĕnumpang mĕninggal bĕlum sampai pada yang di-janjikan, maka ia hĕndak turun kapada barang tĕmpat, jikalau orang baik, di-pintai sa-tĕngah tahil ĕmas; [jikalau 'abdi (= orang jahat H., *L.1705, L.3199, R.33, R.74*) sa-paha *L.1726, M.19*] *(Only MS. 47 continues.* Dan jikalau orang yang tĕlah mĕmbĕri mĕnumpang, maka tatkala itu tiada sampai pada tĕmpat yang di-kĕhĕndaki-nya, sa-tĕngah pĕlayaran bĕrbalek pĕrahu, maka pĕnumpangan-nya itu tiada-lah patut, kĕmbali lagi. Maka dĕmikian-lah hukum-nya).

§ **6**. (= § 4 *L.1726*, § 5 *Br.*) Bab ini pĕri mĕngatakan hukum orang jadah (= zadah) pada barang kata-nya di-dalam jong (dan balok tĕmpat-nya mĕnumpang itu *L.1705* only), sa-laku-laku tiada-lah malu akan orang yang ĕmpunya jong (dan balok itu L.1705 only), (barang siapa sa-kali pun *L.1705, L.3199, R.33 R.74; omitted in L.1726, M.19 M.47, M.5*) atau kiwi atau muda-muda, maka di-hukumkan dĕngan hukum ta'ziz dan jadah, sapĕrti mana jadah dan ta'ziz pada sĕgala (orang bĕsar-bĕsar dan *R.33, R.74*) raja-raja, dĕmikian-lah hukum-nya (pada yang ĕmpunya jong itu *L.1705, L.3199, R.33, R.74 only*), karna tiada sa-kali-kali ia umpamakan (pada *L.1705, L.3199, R.33, R.74*) barang laku-nya (dan kata-nya itu tiada bĕrsĕtia kapada nakhoda yang ĕmpunya jong itu *L.1726, M.19, M.5* = dan pĕrkataan-nya tiada bĕristi'adat *M.47*). Maka di-hukumkan ia dĕngan hukum ta'ziz atau di-suroh (palu *M.19* only =) nĕsta pada sĕnawi: jika ia mĕmbalas, di-suroh banyak-banyaki. Jika ia minta ma'af, di-ampuni, tĕtapi yang hukum itu hĕndak-lah di-jatohkan (dahulu *M.5, M.47*) kapada-nya (= atas-nya *L.1726, M.47*), supaya jangan lain hari dĕmikian.

§ **7**. (= § 5, *L.1726*, § 6. *Br.*) Bab ini pĕri mĕngatakan hukum di-dalam pĕlayaran yang harus mati (= dapat di-bunoh *Br., L.1726, M.47*) ĕmpat pĕrkara. Pĕrtama-tama (jika ia *Br.*) bĕrbuat (angkara dan *M.47*) khianat akan nakhoda. Kĕdua

mĕshuarat (ia *L.1726*) dĕngan isi (= orang banyak dalam *L.1705, L.3199*) jong itu akan (= hĕndak *L.1705, L.1726, L.3199*[B]) mĕmbunoh nakhoda atau kiwi atau tukang atau ma'lim, itu pun harus di-bunoh juga (hukum-nya L.1705). Kĕtiga pĕrkara (jikalau dalam pĕlayaran itu *Br.*) sĕgala orang yang di-dalam jong itu tiada bĕrsisip kĕris di-pinggang, maka ia sa-orang bĕrsisip kĕris melainkan orang itu ada-lah suatu kĕhĕndak-nya maka dĕmikian laku-nya. (Shahadan maka di-ingatkan barang laku-nya, jikalau salah *omitted from L.1705*) pada pĕnglihatan mata orang yang banyak, itu pun mati juga hukum-nya, tĕtapi hĕndak-lah dĕngan sĕgĕra (*R.33, R.74* = saksi *L.1705, L.3199*, muafakat *L.1726, M.47*), supaya jangan kĕsukaran orang banyak di-dalam jong itu. Dĕmikian-lah hukum-nya. = [Kĕĕmpat pĕrkara. Kĕlakuan-nya itu tĕrlalu amat jahat lagi biadab dĕngan (? makar-nya or malar-nya) lĕbeh dripada orang banyak dalam jong itu, maka hĕndak-lah mĕshuarat akan pĕkĕrti-nya yang jahat itu; itu pun di-bunoh juga hukum-nya, tiada ada suatu pĕkĕrjaan lagi atas-nya. *Br.*]

§ **8.** (= § 6, *L.1726;* (short and corrupt) § 11, *Br.*) Bab ini pĕri mĕngatakan hukum sĕgala orang yang bĕrutang. Ada pun tatkala dia hĕndak bĕrutang itu, maka hĕndak-lah di-pĕrjanjikan-nya (diri-nya, *L.1726, M.19*) akan mĕngikutkan yang ĕmpunya ĕmas tiga tahun tiga bulan tiga hari. Maka tiada-lah ia kabul, jangan ia di-utangi: jikalau ia kabul sapĕrti itu, bĕri-lah utang kapada-nya. Antara bĕlum lagi sampai sapĕrti janji-nya itu maka ia hendak mĕmbayar, maka hukum-nya jika ada modal-nya, di-chukai sa-puloh ĕsa juga (*L.7105, M.6, R.33, R.74* = oleh orang tĕmpat bĕrutang itu di-dalam sa-puloh di-ambil ĕsa *L.1726, M.19, M.47*). (*L. 1726, L.3199*[B], *M.5, M.19 and corruptly M.47 here insert* Ada pun, jikalau sudah ada sapĕrti janji-nya itu, maka utang-nya itu hĕndak di-tĕrima; jangan lĕbeh daripada utang itu; ia pun kita lĕpaskan barang mana ia suka pĕrgi. *Omitted in L.1705, L.3199, R.33 and R.74 which continue*). Jika tiada (*R.74; omitted wrongly in L.1705, L.3199 and R.33*) dĕmikian, tiada ia dapat turun daripada jong itu.

Bĕrmula sapĕrti turun pĕnukun, maka bĕlum sampai janji-nya maka ia hĕndak turun, itu pun di-chukai sa-puloh ĕsa oleh nakhoda yang ĕmpunya jong itu.

§ **9.** (= § 7 *L.1726;* § 12 *Br.*) Bab ini pĕri mĕngatakan hukum ma'lim. Jikalau (dia *L.1726*) mĕngambil tolongan (? -nya *eds.*) isti'adat-nya sa-bĕlah petak, akan tolongan ma'lim itu tiga tahil ĕmas, atau (ma'lim angin itu *L.1726*) tĕngah dua tahil ĕmas, isti'adat-nya; petak ma'lim angin sa-bĕlah pĕlimasan (*Br., R.33, R.74, M.5 L.1726*) dan sabĕlah kupang (*Br.* = kĕpang *L.1726*) dan sa-bĕlah petak sampan, karna ma'lim angin itu masok ia

kapada ma'lim yang bĕsar; isti'adat-nya muda-muda ma'lim bĕsar di-jadikan ma'lim angin. Maka oleh ma'lim angin pada tatakala akan bĕrlayar (= mĕnarek layar *L.7126*) itu, maka sĕgala pĕrkakas tali-mali sakalian-nya di-suroh-nya tungguĭ, masing-masing pada tunggguan-nya sapĕrti bubutan dan tĕmberang dan ambong-ambong (*R.33, R.74, L.1705, L.3199, M.6* = kĕlat *L.1726, L.3199*[a], *M.5, M.19*) dan tupang (bahu *L.1726, M.19*) sĕmua-nya itu (di-suroh-nya tungguĭ kapada tukang agong. Maka oleh tukang agong *omitted from L.1726*), (di-suroh-nya kĕrahkan = di-sĕrahkan *Br.*) kapada tukang kanan dan tukang kiri akan mĕnungguĭ pĕrkakas jong itu dan tali-tali kapada sĕgala awak pĕrahu dan orang banyak, masing-masing pada tunggguan-nya, maka hadzir ia di-sana. Jikalau tiada sapĕrti kĕbĕndak ma'lim itu (*L.1726 alone reads* tiada di-tunggu-nya)); maka tatkala (mĕngalang *Br.*) mĕmbalik layar, tiada ia (*L.1726* =, di-tinggalkan tungguan-nya-nya *M.5*), maka datang orang lain mĕnunggui, maka salah ia. Maka akan salah-nya itu di-palu ĕmpat kali karna taksir mĕngĕrjakan pĕkĕrjaan di-laut, jikalau tiada mau di-palu, pinta kapada-nya ĕmpat paku pitis. Mana-kala sĕlamat sampai ka-bandar, datang ka-nĕgĕri, maka di-sĕdĕkahkan sĕgala fakir miskin akan tolak mara bahaya. Dĕmikian-lah 'adat-nya.

[Bĕrmula akan ma'lim itu, jikalau lupa (alp *M.19*) ia akan hal pĕlayaran, maka tĕrlanggar jong itu kapada karang atau batu (*L.1726* = bĕting *M.19*) rosak, (jikalau dĕngan taksir ma'lim itu, di-bunoh *Br.*); jikalau tiada dĕngan taksir-nya, *L.1726, M.5, M.19*) tiada harus di-bunoh mĕlainkan hukum Allah ta'ala (nama-nya *R.33 R.74*) mĕlakukan (kudĕrat dan *L.1726, M.5*) kĕbĕsaran-nya atas hamba-nya. *This paragraph is omitted in L.1705, L.3199 and M.6*].

Bĕrmula akan ma'lim itu hĕndak-lah ingat-ingat ia akan pĕlayaran (jangan taksir kapada sĕgala pĕkĕrjaan (*L.1726, M.5*; = hal *M.19*) di-laut dan di-darat, (jangan alpa *ib.*) akan angin dan ombak dan harus dan dalam atau tohor-nya lautan dan bulan dan bintang dan tahun dan musim dan tĕlok dan rantau dan tanjong dan pulau tukun dan tĕrombu dan karang dan bĕting dan busong dan gunong dan bukit, maka sakalian-nya itu hĕndak di-ingati ma'lim itu baik-baik supaya ia sĕlamat sĕmpurna dalam pĕlayaran, lĕpas-lah ia ma'lim itu daripada taksir-nya, sĕrta ia (*L.1705, L.3199, M.6*, = ingat-nya *R.33 R.74*) mĕminta do'a kapada Allah subhanahu wa-ta'ala dan kapada Rasulu'llah sala'llahu 'alaihi wa-sallama supaya sĕlamat daripada bahaya. Karna ma'lim itu umpama iman (kapada sĕgala orang yang di-dalam jong itu, dan orang dalam jong itu umpama ma'mum-nya *Br., L.1726; omitted in L.1705 and L.3199*). Dĕmikian-lah hukum-nya.

Tĕtapi jikalau ma'lim itu hĕndak turun pada barang tĕmpat-nya, jikalau bĕlum sampai janji-nya (maka ia hĕndak mĕmbayar juga, maka di-pintaï kapada-nya ganda; kĕmudian dari itu, jikalau ada modal-nya yang di-bawa-nya, sĕmua-nya di-chukai, di-dalam sa-puloh di-ambil ĕsa. Dan jikalau sudah sampai janji-nya ia hĕndak bayar utang-nya, hĕndak di-tĕrima, jangan lĕbeh daripada ĕmas utang-nya itu. *L.1726, M.19* =, tiada dapat turun *L.1705, L.3199 R.33*).

§ **10.** (= § 8. *L.1726;* § 13 *Br.*) Bab pada mĕnyatakan hukum kiwi (= mĕngiwi *Br.*) atas ĕmpat pĕrkara. Pĕrtama, kiwi itu mĕmbĕli petak. Kĕdua, kiwi tiada mĕmbĕli petak sa-hingga mĕnolong modal akan nakhoda tiga tahil atau ĕmpat tahil (ĕmas *Br., R.34*), (maka di-bĕri oleh nakhoda kapada kiwi itu suatu petak *L.1726, M.5, M.19* = Ada pun muatan-nya di-bĕri dua koyan atau tiga koyan oleh yang ĕmpunya jong itu; maka sĕbab dĕmikian, karna laba ĕmas yang ĕmpat tahil itu; maka petak sa-petak akan dia *L.1705, L.3199, R.33, R.74*). Kĕtiga pĕrkara [kiwi itu mĕngadakan petak dua-lapan peta atau tujok petak. Akan ĕmpat pĕrkara (*Br.*), kiwi tiada mĕmbeli petak *'ib*] sa-hingga bĕrjanji, mana-kala sĕlamat datang ka-bandar, pada sa-puloh di-ambil tiga chukai-nya oleh nakhoda daripada-nya (= pada sa-puloh dua atau sa-puloh tiga chukai-nya *Br.*). Yang ĕmpat pĕrkara itu-lah yang bĕrnama hukum kiwi itu.

Ada pun yang bĕrnama mulkiwi (malakiwi *M.6*) itu, (sa-bĕlah *Br. M.19*) petak akan dia, karna ia pĕnghulu kiwi yang banyak.

Ada pun kharajat nĕgĕri atas petak yang dua-lapan itu juga. (Lain daripada itu, atas petak yang tiada masok kharajat nĕgĕri, pada sa-petak, kain layar pĕngapoh dua hĕlai. Bĕrmula rotan-nya pada dua hĕlai kain, sa-gĕlong rotan. *Br.: corrupt in other MSS.*)'. Dĕmikian-lah hukum orang yang mĕngiwi (*Br.; R.33, R.74;* mĕngĕtahui *L.1705, L.3199;* mĕngira, *M.5, M.19, L.1726*).

Bĕrmula kiwi yang mĕmbayar chukai tiada ia kĕna kharajat nĕgĕri; sudah sĕlĕsai dalam jong itu, pada-lah. Ada pun isti'adat mulkiwi itu hĕndak-lah ia mĕshuarat dĕngan nakhoda dan dĕngan sĕgala kiwi yang banyak pada barang suatu pĕkĕrjaan baik dan jahat. Dĕmikian-lah hukum-nya.

§ **11.** (= § 9 *L.1726;* § 14 *Br.*) Bab ini pada mĕnyatakan hukum (orang yang *L.1726, M.6*) mĕmbuang di-laut sĕbab karna ribut yang bĕsar. Maka tatkala itu hĕndak-lah di-mĕshuaratkan dĕngan orang yang banyak; karna mĕmbuang itu atas modal-nya jua; jikalau banyak modal-nya, banyak di-buang-nya (= kĕna-nya

L.II726));; jikalau sadikit modal-nya, sa-dikit di-buangkan ((ya'ani sadikit kĕna-nya *L.II705*,, *L.3I99*,, *M.6*)).. Jikalau tiada di-mĕshuaratkan hal itu ((tiba-tiba mĕmbuang *L.II726*,, *M.I9*)) mĕnjadi taksir-lah atas nakhoda yang ĕmpunya jong.

§ **12**. [[Ada pun tatkala bĕrlayar ada bĕrsaeng barang bĕrapa buah pĕralu; maka kapada jalan itu ada sukar-nya. Antara itu,, maka tunum nibutt dan ombak bĕsar di-dalam lautt itu. Maka di-dalam antara saeng itu ada sa-buah mĕlanggar,, pĕralu yang kĕna langgar itu pun pĕchah binasa lalu tĕndampar ka-atas batu karang attau tĕbing maka rosak-lah ia sĕbab tĕrsakall ka-daratt kanna taksir yang mĕlanggar itu; kanna lauttan bĕsar lagi luas,, dapatt juga [[di-upayakan lagi ((= lalu *L.3I99*)) pada-nya mĕlainkan mana bahaya tĕmpatt-nya bĕrsaeng itu ((= di-jauhi dan̈ipada mana bahaya itu *HI*,, *R.33*,, *R.74*,, *L.II726*,, *L.3I99*[a],, *M.5*]].. Maka tatkala sampai ia kapada barang nĕgĕri,, maka di-adukan-nya kapada hakim,, maka di-hukumkan-nya itu atas papa kĕrana kanna salah yang mĕlanggar itu,, ya'ani sa-bahagi kĕna yang binasa,, dua bahagi di-gantii olch yang mĕlanggar itu *Br*.,, *L.II705*,, *M.6*;; *R.33*,, *R.74*,, *M.5*,, *M.I9 are all corrupt at the beginning of this section*]] ((kanna mulam tiada dĕngan di-sahaja-nya; sĕbab alpa-nya orang yang bĕrjaga,, kanna itu-lah taksir-nya itu. Ada pun jikalau pada siang hari di-langgar-nya itu,, patutt-lah ia mĕnggantii sĕgala hartta orang yang binasa itu,, kanna taksir-nya pada laku-nya itu *L.II705*,, *L.3I99*,, *HI*,)).

"§ **13**. ((a)) Sa-bĕrmula,, jikalau kĕna lintang payar,, atas nyawa yang banyak,, sĕmua-nya kĕna ulor,, baik ((= mau *R.74*,, *L.II705*,, *L.3I99*,, *M.6*)) pun kaya,, baik ((= mau *ib*.)) pun miskin,, baik ((= mau *ib*.)) "abdi,, baik ((= mau *ib*.)) mĕndĕheka attau ((tua attau muda attau kĕchil attau bĕsar attau laki-laki *L.II705*,, *R.33*,, *M.6* = budak-budak *L.II726*,, *M.5*,, *M.I9*)) attau ((= mau)) pĕrĕmpuan,, sama juga sĕmua-nya kĕna ulor;; tiada lĕbeh,, tiada kurang ((sama banyak-nya *ib*. = yang mana ulor yang banyak,, itu juga *R.74*,, *L.II705*,, *L.3I99*,, *M.6*)).. Dĕmikian-lah "adatt-nya lintang payar itu.

((b)) ((Sa-bĕrmula,, jikalau di-dalam nĕgĕri pun,, maka nĕgĕri itu huru-hara olch musoh,, maka di-kĕhĕndaki-nya kapada sĕgala dagang pĕralu bĕsar attau pĕralu kĕchil,, maka mĕmbĕri "adatt-nya ia-itu,, tolak sĕnjatta nama-nya,, akan ulor:: sapĕrtti "adatt lintang payar itu juga tatkala di-lautt,, dĕmikian-lah "adatt-nya tolak sĕnjatta di-dalam nĕgĕri. Dĕmikian-lah "adatt-nya *ib*.))

§ **14**. ((= § I0 *L.II726*;; § I5 *Br*.)) Bab ini pada mĕnyattakan "adatt ((pada *R.33*)) sĕgala orang yang bĕrjong,, pĕri dudok di-balai lintang dan di-balai bujor.. Ada pun akan balai lintang itu ((tiada *Br*.,, *R.33*)) dapatt siapa-siapa dudok di-sana:: apa-bila ada sa-suatu pĕkĕrjaan yang bĕsar,, maka dapatt dudok di-sana bĕrhimpun

bĕrbichara bĕrmĕshuarat. Sa-bĕrmula jikalau awak pĕrahu dudok di-sana, salah; hukum-nya, harus di-palu (lima kali *Br. L.1705, L.3199 M.6*) akan dia, karna bukan kadar-nya naik ka-balai lintang itu. (Bĕrmula akan *R.33* = dan *Br., L.1705, L.1399, M.6*) balai bujor itu akan tĕmpat sakalian muda-muda tĕrmasa di-sana Jikalau awak pĕrahu naik ka-atas balai bujor itu, salah; hukum-nya di-palu tiga kali akan dia.

Sa-bĕrmula akan pĕtĕrana lawang; itu pun tiada siapa-siapa dapat dudok-di-sana, mĕlainkan (*Br., L.1705, M.6, M.19* = hanya-lah *L.3199, R.33*) nakhoda juga (dan sĕgala muda-muda dan tukang agong juga yang dapat dudok di-sana *R.33* and *cf. M.19*). Jikalau awak pĕrahu dudok sana, (salah; hukum-nya di-palu akan dia ĕnam kali *Br., L.1705, L.3199, M.6*).

Sa-bĕrmula alang muka yang di-atas itu ya'ani anjong-anjong, itu pun tiada dapat (siapa *L1.705, M.6, M.19*) dudok di-sana, (karna tĕmpat itu tĕmpat tukang kanan dan tukang kiri *R.33, L.3199, M.19*). Jikalau awak pĕrahu dudok di-sana, salah; hukum-nya di-palu tiga kali akan dia.

(= § 16 *Br.*) Sa-bĕrmula kiwi itu dapat ia (mĕnunda *Br., L.3199* = mĕnundakan *R.33*) sa-buah sampan kĕchil, karna akan tĕmpat-nya mĕngambil ayer dan kayu. Dĕmikian-lah 'adat-nya.

§ **15.** (= § 11. *L.1726;* § *17 Br.*) Bab pĕri mĕnyatakan hukum orang yang bĕrkepang (ya'ani bĕrjaga-jaga *L.1726, L.3199B*) itu ĕmpat pĕrkara. Pĕrtama-tama bĕrkepang akan sĕgala tĕbusai di-dalam jong itu, jikalau lari (*L.1726, L.3199B., M.5, M.19, Br.: omitted in L.1705, L.3199, R.33, R.74, M.6*) atau bĕrbuat jahat sĕbab alpa orang yang bĕrkepang itu. [Bĕrmula hukum-nya sa-tabah pada sa-orang muda-muda bĕrjaga bĕrganti-ganti mĕnjagakan orang bĕrkepang supaya ingat; jika yang bĕrkepang itu kĕtidoran atau alpa, maka jikalau tĕbusan itu lari harga-nya atas muda-muda yang mĕnjagakan: orang bĕrkepang itu di-palu ĕnam-puloh kali Br. = Maka hĕndak-lah sĕgala muda-muda mĕnjagakan orang bĕrkepang itu supaya ia *R.33, R.74, M.5, omitted in L.1705, M.6*) ingat. Ada pun jikalau tĕbusan itu lari atau bĕrbuat jahat, maka atas muda-muda itu-lah mĕnyileh dia, tĕtapi yang ĕmpunya giliran (*L.1726, M.5, M.6* = kĕsiaran *L.1705,* kĕsalahan *R.33, R.74*). Ada pun yang bĕrkepang itu di-palu ĕnam-puloh kali.]

Sa-bĕrmula. Apa-bila (*R.33,R.74* = mana-kala *L.1726, M.19*) lĕpas daripada giliran-nya itu, maka hĕndak-lah di-shahidkan (*Br., R.33, R.74, L.7105, L.3199* = di-pĕrsaksikan *L.1726, M.5,* di-sĕrahkan *M.6*) kapada (juru-mudi dan jurubatu dan *L.1705.*

L.31099, *M.6*)) sĕgala muda-muda ((dan orang banyak itu.)) yang sĕrta-nya mĕnjagakan itu ((dĕngan tanda-nya sattu, maka disĕrahkan pada orang lain yaʿani apabila sampai pada tabah dua apabila lĕpas dattang kapada ganti-nya itu Br. = [[dĕngan mĕmalu taboh sa-kali, lĕpas ia dan]pada giliran-nya *L.11705*, *L.31099*, *M.6* = Dĕmikian-lah ʿadat-nya. Tĕtapi ʿadat-nya bĕrkepang itu ((sa-tabʿr *L.11726*, *M.5* = sa-tabah jua madat-nya *R.33*, *R.74*, *M.19*)) pada sa-orang supaya jangan mĕnganttok itu,, *L.11726*, *M.5*]].

Ada pun jikalau jong itu larat maka tĕrdampar ka-karang attau pada bĕting attau pada tanjong sĕbab muda-muda tiada mĕnjagakan orang bĕrkepang itu, maka di-hukumkan ((taksir *L.31099*)) akan dia itu ((dĕngan hukum taʿziz *L.11726*)) tĕtapi di-lihat kadar-nya yang di-taʿzirkan ((= di-taksirkan *L.31099*)) itu. Ada pun yang bĕrkepang itu, di-pallu akan dia dua-puloh kali pada sa-orang.

Bĕrmula jikalau jong itu larat dari labohan ((itu hampir tĕrdampar ka-karang attau pada bĕting attau tanjong attau battu *L.11705*, *L.31099*, *M.6* = dan labohan itu hampir karang, maka ia alpa, maka tĕrdampar pada karang attau pada bĕting attau tanjong attau battu *R.33*, *L.11726*)), maka di-pallu yang bĕrkepang itu dua-lapan ((puloh *L.11726*, *R.33*, *M.5*,, *M.19*,, dua-puloh *L.11705*, *L.31099*,, *M.6*)) kali kama taksir-nya.

Ada pun bĕrkepang itu atas ĕmpatt pĕrkara-nya. Pĕrtama-tama, mĕnjagakan ayer ((di-))mung; [[kĕdua-nya mĕlihat hal nibutt dan angin; kĕtiga, mĕlihat musoh dĕrhaka; kĕĕmpatt, api di-dalam jong itu.

Ada pun jikalau kĕayĕran, yang omk-omk itu ((pun *L.31099*; punya *L.11705*)) tanggangan((-nya *M.6*)).. Ada pun omk-omk itu barang siapa mĕnghilangkan dia, sa-tahil sa-pallu harga-nya kama dia nyawa pĕralu. Maka yang mĕnghilangkan dia itu, kĕna dia bĕrtimba sa-lama-lama-nya di-larat itu. Di-dalam itu pun, atas *L.11705* = pada *M.6*) tilek mukhoda juga akan orang itu. Dĕmikian-lah ʿadat-nya. Ada pun bĕrkepang itu. *Only in L.11705 and M.6*] jikalau kĕayĕran jong itu sĕbab alpa tiada ((mĕnjagakkan orang yang bĕrtimba itu *L.11705*,, *L.31099*,, *M.6*,, *M.33*; = mĕnggĕrakkan *L.11726*, *M.5*, *M.19*, matta-matta ayer *L.11726*)),, maka ((salah-nya itu *L.11705*, *M.6*)),, di-pallu lima-bĕlas kali akan dia.

Lagi pula kalau-kalau pĕralu dattang dari sama-sini, maka tiada di-tĕgor-nya oleh orang yang bĕrkepang itu ((nadzar-nya *L.11726*, *M.5*, *M.19*)) sĕbab ia tertidor ((= kĕtiduran Br., *L.11726*, *M.5*, *M.19*)) tambalam dĕngan alpa-nya sĕgala muda-muda itu

tiada ia mĕnjagakan, maka (pĕrahu itu pun dĕkat ka-jong, maka orang lain atau jong lain mĕnĕgor pĕrahu dĕkat itu *Br.*,), maka di-dĕndaï muda-muda itu sapĕrti dĕnda tĕbusan lari juga. Ada pun orang yang bĕrkepang itu di-palu tujoh (*L.1705; L.3199; R.33, R.74, M.5, M.6, M.19;* dua-puloh *L.1726.* tujoh-puloh *Br.*) kali. Dĕmikian-lah hukum-nya. [Maka hĕndak-lah sĕgala muda-muda itu ingat-ingat pada mĕngĕrjakan pĕkĕrjaan yang ĕmpunya jong itu, jangan alpa dan lalai. Dĕmikian-lah hukum-nya.

§ **16**. Bab ini pĕri mĕnyatakan kĕrja sĕgala muda-muda di-dalam jong itu. Jikalau *L.1705, L.3199, R.33, R.74, M.6*] di-dalam pĕlayaran kĕrja-nya muda-muda itu bĕrkĕmudi juga. (Apa-bila lĕpas daripada giliran-nya, maka hĕndak-lah ia mĕnjagakan sĕgala sĕnjata *ib.*). Jikalau bĕrtemu dĕngan musoh, hĕndak-lah ia bĕrpĕrang bĕrsunggoh-sunggoh (hati-nya *R.33*), dĕmikian-lah kĕrja-nya. Tatkala datang ka-labohan atau ka-bandar orang, hĕndak-lah ia bĕrsama-sama dĕngan nakhoda barang ka-mana pun kĕmudian daripada itu barang kĕrja-nya (tĕpok tari *R.33, R.74*) hĕndak-lah bĕramai-ramai sĕrta-nya dari barang sa-bagai pĕkĕrjaan-nya di-tĕlok atau di-rantau *L.1705, L.3199; M6* = mĕnyĕrtai awak pĕrahu bĕramai-ramai; jikalau di-tĕlok-rantau ia sĕrta bĕkĕrja *M.5, M.19*). Dĕmikian-lah 'adat-nya kĕrja muda-muda itu.

§ **17**. (= § 12. *L.1726*) Bab ini pĕri mĕnyatakan sĕgala hukum yang bĕrtupai. (Maka datang-lah orang yang hĕndak naik ka-pĕrahu, maka tanjak-lah ia atas tupai itu lalu putus, maka jatoh-lah luka atau patah, mĕlainkan nakhoda itu mĕmbĕri bĕlanja ubat-nya itu, karna nakhoda itu taksir, tiada mĕlihat pĕrkakas pĕrahu-nya. Karna tupai itu tĕmpat orang turun naik. Dan tupai itu jikalau tĕrbakar, orang yang mĕndatang ka-pĕrahu itu, salah: 'adat, kĕna tĕngah tiga ĕmas *L.1705, L.3199, M.6.*).

Dan jikalau hamba orang di-dalam jong itu di-makan api tupai-nya, maka salah-nya itu atas tuan-nya, di-dĕnda-nya tiga (*L.1705, M.6* = ĕmpat *L.1726, L.3199, L.3199B, M.5, M.19*) paku pitis Jawa; (jikalau tiada di-bĕri oleh tuan-nya *R.34, 19*), maka hamba itu di-palu (di-manau *Br.*) ĕmpat (-puloh *L.1705, L.3199, L.3199B, M.6*) kali di-timba ruang. Dĕmikian-lah 'adat-nya.

§ **18**. Ada pun jikalau orang bĕrkĕlahi di-dalam jong itu, maka (mĕnikam atau *L.1705, L.3199, M.6*) mĕnĕtak (tĕmberang atau tali sauh *R.34* = atau mĕmarang maka tĕrparang abah-abah *R.33, R.74*) jong itu, maka di-dĕnda akan dia ĕmpat paku pitis Jawa.

§ **19** Sa-bĕrmula. Jikalau orang bĕrkĕlahi mĕngunus kĕris (dari haluan *L.1726, L.3199B, M.19*) mĕlaluï timba ruang datang

(kapada sangga *R.33, R.74* = sa-hingga *L.1705, L.1726, L.3199, M.5, M.6*) layar buritan, sa-barang sĕnjata yang di-hunus-nya itu, di-bunoh hukum-nya; jikalau dapat di-tangkap, di-dĕnda sa-ĕmas (*L.1705, M.6,* = sa-laksa *Br. R.33, R.74, L.1726, L.3199B*) lima paku pitis Jawa.

Sa-bĕrmula. Jikalau bĕrkĕlahi maka mĕngusir datang ka-muka kurong tĕtapi tiada ia mĕngunus kĕris-nya, maka itu pun mati juga hukum-nya, tĕtapi jikalau boleh di-tangkap, di-dĕndaï dua laksa tujoh paku pitis Jawa akan dia.

Sa-bĕrmula. Jika kiwi bĕrkĕlahi dĕngan nakhoda maka ia mĕndatangi nakhoda ka-buritan, itu pun mati juga hukum-nya; jika dapat di-tangkap-nya, maka [ia (bersadud *R.33, R.74?* = bĕr-sujud; mĕlĕmahkan *L.1705, L.3199, M.6*) diri-nya (sapĕrti mĕnundokkan kĕpala-nya *ib.*) omitted in *L.1726, L.3199B*] minta ma'af dan ampun, itu pun (= tiada dia mati tĕtapi *L.1726, L.3199B, M.5*) di-dĕnda juga akan dia ĕmpat paku (sa-ĕmas *ib.*) pitis Jawa dan sa-ekor kĕrbau: (Tatkala sampai ka-bandar orang *L.1705, L.3199, M.6*) maka mĕmbĕri makan nakhoda (itu akan sĕgala orang pĕrahu *ib.*) minta do'a al-khair kapada Allah subha-nahu wa-ta'ala akan mĕlĕpaskan mara bahaya (tolak bala *ib.*) daripada huru-hara Iblis la'natu'llah itu. Dĕmikian-lah 'adat-nya.

§ **20** (= § 13. *L.1726*) Bab ini pĕri mĕnyatakan hukum bĕrniaga. Ada pun apa-bila sampat (sĕlamat *ib.*) ka-bandar orang, mĕlainkan nakhoda-lah yang dahulu bĕrniga ĕmpat hari; sa-tĕlah itu, maka (juru-mudi dan *ib.*) kiwi dua hari; sa-tĕlah itu maka orang banyak bĕrniaga. Apabila ada dagangan sudah di-tawar oleh nakhoda, maka tiada kita dapat mĕlĕbehi dia dan (jikalau orang di-dalam-jong itu mĕlihat orang mĕmbĕli daagangan itu mahu kiwi atau orang-orang banyak dalam jong itu ia mĕlĕbehi mĕmbĕli dagangan itu *L.3199* = jikalau di-bĕli oleh kiwi atau barang siapa sa-kali pun mĕmbĕli dia *M.19*), maka tahu nakhoda, maka 'adat-nya di-pulangkan kapada nakhoda sapĕrti mana harga bĕlian-nya itu juga.

Sa-bĕrmula apa-bila ada orang mĕmbawa tĕbusan atau barang sa-bagai-nya atau bĕnda yang baik, maka di-bĕli-nya oleh kiwi atau turun pĕnukun dĕngan tiada sa-tahu nakhoda, hukum-nya di-pulangkan kapada nakhoda sapĕrti pĕmbayaran orang itu.

Jika ada orang mĕnĕbus ayut-ayutan (= irat-iratan *L.1705, L.3199, M.6*) di-dalam jong itu dĕngan tiada sa-tahu nakhoda, hukum-nya di-ambil sahaja oleh nakhoda. Dan jikalau mĕmbawa orang lari, dĕmikian-lah hukum-nya.

Sa-bĕrmula, jika bĕrlayar di-laut, jikalau nakhoda hĕndak singgah di-tĕlok atau di-rantau atau di-pulau, maka hĕndak-lah

mĕshuarat nakhoda itu dĕngan sĕgala orang banyak dan bĕrwa'ad tĕgoh-tĕgoh, maka dapat-lah singgah: jika tiada nakhoda itu mĕshuarat, salah atas nakhoda itu.

Sa-bĕrmula. Jika nakhoda hĕndak mĕnyabĕrang, itu pun sa-yogia-lah (= bagi *M.6; L.1705, L.3199*) nakhoda mĕshuarat dĕngan orang banyak: tĕlah sama suka-lah, maka mĕmileh (*Br., R.33*, mĕmbĕli *L.1705, L.3199*, mĕnĕgohi *L.1726*) tali tunda sampan (*L.1726, L.1705, M.6* = akan pĕnunda sampan *L.3199*, R.33); sa-tĕlah sĕdia-lah tali akar itu, maka hĕndak-lah muafakat juru-mudi juru-batu dan tukang agong. Dĕmikian-lah hukum-nya pada sĕgala yang bĕrjong dan balok.

§ **21** (= § 14. L.1726) Sa-bĕrmula pĕri mĕngatakan hukum sara (sĕgala awak pĕrahu itu. Ada pun hukum sara muatan awak pĕrahu itu *H.*) sa-koyan, bahagi (= sara *R.34*, jika *L.1726*) (anak mĕrdĕheka dan *H., L.1705, L.3199, M.6 R.33*) turun pĕnukun dua koyan. Tĕtapi di-lihat buka jong (= pĕrahu *L.1705 L.3199, M.6*) itu; jika buka-nya ĕmpat (atau tĕngah ĕmpat *H., R.33, L.1705, L.3199, M6*) dĕpa, maka mĕmbĕri sara itu pun dĕmikian juga; dan jikalau jong itu buka (tĕngah *H., L.1726*) tiga (dĕpa *ib.*), maka sara awak pĕrahu (tĕngah dua koyan, sara orang banyak *ib.*) sa-koyan. Ada pun jikalau jong itu buka dua (*L.1705, L.1726*) dĕpa (*L.1726*), sara awak pĕrahu tiga-ratus (gantang *R.33, L.1705, L.3199, M.6, M.19*), (sara orang banyak ĕnam-ratus *H., R.33, L.1726, M.19*). Dĕmikian-lah 'adat-nya orang pĕlayaran.

§ **22** (= *Br.* § 18) Ada pun pĕpatah (*L.1705, L.1726, M.5, M.6, M.19, R.33, R.74*) ini daripada pĕpatah (= pĕrĕntah *R.33*) Patih Harun dan Patih Elias dan Nakhoda Zainal dan Nakhoda Buri (*R.33, R.74, L.3199;* = Diri (?a) *L.1726, L.3199B*, Dewi *Br.*, Dewari *L.1705*) dan Nakhoda Isahak. (Orang itu-lah *R.34*) yang ĕmpunya bichara ini. Maka ia mĕshuarat dĕngan sĕgala nakhoda: sa-tĕlah sudah ia bĕrbichara, maka ia pĕrgi mĕngadap Dato' Bĕndahara Sĕri Maharaja (*R.33, R.74, L.1705, M.6, L.3199*, = Paduka Raja *L.1726, L.3199B*, Paduka Sĕri Maharaja *M.5*) (mangku-bumi mĕnyĕmbahkan bichara itu *L.1726, L.3199B*). Maka di-bawa Bĕndahara mĕreka itu mĕngadap duli Yang di-pĕrtuan Sultan Mahmud Shah. Maka di-pĕrsĕmbahkan oleh Bĕndahara ka-bawah duli baginda sĕgala bichara itu. Maka titah baginda, "Baik-lah. Kami kabulkan sapĕrti sĕmbah Bĕndahara itu. Sĕdia-lah kami kurniakan (*L.1726, L.3199B* = kita anugĕrah-kan-lah *R.33*) hukum 'adat ini, tĕrtanggong-lah atas-mu datang kapada anak chuchu-mu. Apabila sudah kamu hukumkan di-laut, tiada dapat di-rombak lagi hukum (*R.33* = siapa mĕngata kamu *L.1726, L.3199B*) itu, karna hukum daripada (anugĕrah *L.3199*) aku. Dĕmikian-lah titah baginda kapada sĕgala nakhoda. "Ada pun yang tĕlah sudah kamu hukumkan di-laut, di-laut juga sudah-

nya; yang hukum di-darat, di-darat juga sudah-nya. Karna kamu sakalian nakhoda sa-umpama raja di-dalam jong kamu itu sakalian."

Maka di-kurniaï nama akan sĕgala nakhoda-nakhoda itu oleh duli Sĕri Paduka Sultan Mahmud Shah khalifatu'l-mu'min, yang kĕrajaan di-dalam nĕgĕri Mĕlaka itu. Dĕmikian-lah asal-nya yang di-namaï undang-undang ini. Ada pun akan Nakhoda Zainal itu di-kurnaï (nama) Sang Naya (*Br. L.1705, L.3199,* Baya *R.33, R.74,* Nila *M.6*) 'diraja, dan akan Nakhoda Dewa (*L.1705*) itu di-kurniaï nama Sang Sĕtia 'dipati (dan sa-orang di-gĕlar Sang Utama 'diraja *R.33, M.19, M.1726*). Tuan-tuan itu-lah (asal nakhoda di-dalam nĕgĕri Mĕlaka dĕngan titah duli baginda *M.5, M.19*) mĕngatakan hukum 'adat ini pada zaman Sultan Mahmud Shah khalifatu'l-mu'min yang kĕrajaan dalam nĕgĕri Mĕlaka [dan Bĕndahara-nya (Sri Nara 'diraja *R.33, R.74* = pada zaman itu Dato' Bĕndahara Sĕri Maharaja yang di-kurniaï chiri oleh duli Paduka Sĕri Sultan Mahmud Shah khalifatu'l-mumin ia-lah *L.1705, M.6*) mangkubumi di-dalam nĕgĕri Mĕlaka (*omitted from R.34, M.5, M.19, L.1726 and L.3319B*].

§ **23** (= § 15, L.1726). Bab pĕri mĕngatakan sĕgala hukum pĕlayaran musim kasip. Maka yang ĕmpunya jong itu lambat bĕrlayar, maka di-nanti oleh kiwi itu tujoh hari; jikalau tiada juga nakhoda itu mahu bĕrlayar, taksir-lah atas nakhoda. Dan jikalau musim sudah habis, tiada lagi, maka di-kĕmbalikan harga petak itu kapada kiwi, hukum-nya.

Ada pun jikalau kiwi itu lambat turun (sĕbab utang piutang-nya atau barang sa-bagai-nya *L.1705, L.3199, M.6*) maka musim itu pun sudah kasip (= hampir habis *L.1726, L.3199B*), maka di-nanti (oleh nakhoda *L.1726, L.3199B, L.1705, M.6*) tujoh hari (kiwi itu turun dari darat *L.1705, L.3199*); sa-tĕlah genap tujoh hari, maka lalu di-layarkan oleh nakhoda jong itu tinggal-lah kiwi itu di-bandar orang, maka suatu pun tiada pĕrkataan-nya lagi. Demikian-lah 'adat-nya.

Ada pun jikalau musim itu lagi ada, maka (harus *L.1705*) di-nanti oleh nakhoda tujoh hari lagi (*ib.* = sampai lima-bĕlas hari *L.1726, L.3199B*; jikalau lĕpas *L.1705, L.3199* = lalu *M.19, L.1726, L.3199B*) daripada itu, maka (harus *L.1705, L.3199*) di-layarkan oleh nakhoda jong itu pun tiada-lah lagi taksir atas nakhoda itu (*ib.*, = tiada pĕrkataan karna tinggal kiwi itu dĕngan taksir juga dan *followed by* § 24, *L.1726, L.3199B*).

[Ada pun jong itu apa-bila sudah bĕrsauh tunggal dan mĕngĕ-nakan bubutan di-puchok tiang dan sĕrta sudah mĕndirikan alat, ada-lah sa-umpama raja akan bĕrangkat, sudah kĕluar tombak

janggar (- *L.1705*, changgah *L.3319*, chĕnagah *M.6*), dĕmikian-lah tamthil-nya.

Jikalau awak pĕrahu itu lagi gundala di-darat, jikalau musim itu lagi awal, tujoh hari di-nanti oleh nakhoda; jikalau juru-mudi, sa-puloh hari, 'adat-nya; jikalau musim kasip, lima hari di-nanti oleh nakhoda; jikalau awak pĕrahu, tiga hari di-nanti oleh nakhoda; lĕbeh daripada itu di-layarkan-nya, suatu pun tiada pĕrkataan-nya.

Jikalau mĕreka itu sayang akan harta-nya, maka di-ikut-nya nakhoda itu mĕnyatakan kĕsalahan-nya, mana yang patut pada nakhoda itu, 'adat-nya *L.1705, L.3199, M.6*].

§ **24** Jikalau kiwi itu hĕndak turun di-tĕlok-rantau, hilang harga petak itu sĕmua-nya, tiada boleh di-da'wa pada nakhoda.

Jikalau ada sa-suatu sĕbab-nya ya'ani bĕrbantah bĕrkĕlahi atau mĕlawan nakhoda atau hĕndak bĕrbuat ma'siat, maka di-kĕmbalikan harga petak itu (sa-tĕngah *H., R.33, R.74, L.1726, L.3199B* bahagi ĕmpat, sa-tiga bahagi pulang, sa-bahagi tinggal pada nakhoda *L.1705, L.3199*, M.6); jikalau sa-hingga bĕrbantah (dĕngan kĕluarga nakhoda *R.33, R.74*); (kĕmbali sĕmua-nya erga petak itu *L.1726, L.3199B, M.19*). (Dĕmikian-lah hukum yang di-sĕrahkan oleh duli Yang di-pĕrtuan Sultan Mahmud-shah di-dalam nĕgĕri Mĕlaka *L.1726, L.3199B, M.5, M.19*).

[Bĕrmula, jika bĕrbantah dĕngan awak (= anak *R.33*) pĕrahu (maka di-turunkan oleh nakhoda *L.1705, M.6*), kĕmbali juga (sĕgala harta-nya itu *ib.*); mĕlainkan tiada dĕngan suatu sĕbab, maka di-turunkan oleh nakhoda (dĕngan bĕrbantah, kĕmbali harga petak kapada yang punya *ib.*), (tĕtapi di-tilek pula pada antara itu pun, ada dĕngan pĕrbuatan-nya *R.33*) — *R.33, L.1705, L.3199, M.6*].

(Bĕrmula hukum jikalau awak pĕrahu sakit, harus di-nantikan lima hari atau tujoh hari; jikalau tiada ia bĕtah, maka bĕrkata sĕgala awak pĕrahu, "Apa bichara kita akan ayer ruang itu mati sa-bĕlah?" Maka hĕndak-lah ia mĕngakap mĕnchari orang, di-upahkan, karna ia tiada boleh mĕnanggong kĕrja dua, mĕlainkan nakhoda juga yang boleh di-upah-nya. Dan jikalau tiada boleh orang yang di-upah-nya, mĕlainkan sara-nya itu di-bahagikan pada sĕgala awak pĕrahu itu, masing-masing mĕmulangkan modal muatan itu. Tammat. *R.34*).

§ **25** (*Only in M.19*). Ada-lah yang mĕnyuratkan asal-nya Ĕnche' Maulana tatkala is mĕngambil kĕturunan kapada hijrat Nabi sa-ribu dua-lapan puloh tiga kapada tahun dzal awal kapada tarikh dua-lapan hari bulan Rabi' al-akhir kapada hari juma'at

waktu tĕngah naik matahari pada kĕtika Bĕrahim di-sakip-nya kapada Dato' Suboh pada tatkala ia dudok bĕrniaga di-nĕgĕri Pag.r. Itu-lah zaman-nya kitab undang-undang pĕlayaran ini turunan. Tammat.

Appendix.

§ I. Bab pĕri mĕngatakan jika (*Br.*) orang mĕngambil himmat bĕrlayar (*Br.*) pada sa-buah nĕgĕri janji-nya (*Br.*) akan pulang musim, maka antara itu, di-bawa-nya pada nĕgĕri yang lain, jikalau suatu bahaya, atas yang mĕngambil ia-lah karna bĕrsalahan pĕrjanjian itu, tĕtapi jikalau bĕrapa lama-nya sa-kali, tiada lĕbeh dari-pada (sa-kali omitted in *Br.*) ganda. Dĕmikian-lah 'adat-nya. (§ 9 *Br.; L.1705, L.3199*).

§ II. Bab pĕri mĕngatakan (hukum *Br.*) mĕmĕliharakan api di-dalam pĕlayaran itu. Sa-bĕrmula hĕndak-lah sĕgala orang yang (bĕrbuat tupai *Br.*) di-dalam pĕrahu itu, apa-bila sudah bĕrmasak hĕndak-lah kamu padamkan api, karna api itu suatu bahaya yang amat bĕsar di-dalam pĕlayaran. Maka jikalau is sudah bĕrmasak, maka tiada di-padamkan api itu, maka pada antara itu api pun bĕrnyala, maka tĕrbakar tupai itu atau barang sa-bagai-nya di-dalam pĕrahu itu kĕmudian maka di-makan oleh api itu, maka di-hukum orang yang di-dalam jong itu dua kali palu akan dia. Ada pun akan tuan-nya di-lumori ia dĕngan abu (= di-bĕri amar lagi-lagi-nya *Br.*) jangan dĕmikian lagi, supaya ingat akan pĕkĕrjaan itu. (§ O. *Br., L.1705 L.3199, H.*).

§ III. Bab pĕri mĕngatakan hukum pĕnchuri di-dalam jong. Jikalau ada sa-orang baik-baik, maka ia mĕnchuri ĕmas atau perak atau barang sa-bagai-nya, maka di-hukum atas-nya sapĕrti hukum nĕgĕri. Dan jikalau hamba orang mĕnchuri itu, maka di-bawa-nya kapada tuan-nya, antara itu tahu tuan-nya akan bĕnda itu bĕroleh hamba-nya mĕnchuri, maka di-taroh-nya harta itu, ada pun, jikalau tiada di-katakan kĕchĕlaan hamba-nya itu kapada ĕmpunya jong itu (atau kapada nakhoda *Br.*) atau kapada tukang agong, kĕmudian maka tahu ĕmpunya jong itu akan pĕrbuatan (= kĕrja *Br.*) itu, maka di-hukumkan (hamba) itu kodong dan tuan-nya itu kĕna hukum dĕnda sapĕrti pĕnchuri, karna yang mĕnchuri itu dĕngan yang mĕnaroh itu sama juga (dosa-nya *Br.* 10 = di-hukumkan atas-nya *L.1715, L.3199*).

§ IV. Bab ini pĕri mĕngatakan hukum jikalau sĕlamat jong ka-Jawa, akan hak-nya daripada suatu petak 500 pitis pada sa-pĕtak dan (pĕngapit *M.6;* pĕng.ng.h *Br.*) layar dua lajor dan rotan sa-gĕlong (dua gĕlong *Br., L.1705, L.3199*).

(Ada pun hak sĕlamat jong ka-Bima 600 pitis Jawa pada sa-petak dan layar dua lajor dan rotan sa-tĕngah gĕlong *R.34*).

Ada pun hak sĕlamat jong ka-Timor, 700 pitis Jawa pada sa-petak dan (pĕngapit M.6) layar dua (tiga *L.1705, L.3199*) lajor dan rotan sa-gĕlong (tiga gĕlong *ib.*).

(Ada pun hak sĕlamat jong ka-Mĕngkasar ubat bĕdil dua gantang pada sa-petak dan layar tiga lajor dan rotan dua gĕlong.

Ada pun hak sĕlamat jong ka-Tanjong Pura 600 pitis Jawa pada sa-petak dan layar dua lajor rotan sa-gĕlong *R.34*).

§ **V.** Ada pun jikalau isti'adat dapat dudok pada anjong-anjong dan di-bawah-nya. Maka barang siapa dudok bĕrjuntai di-atas anjong-anjong itu sĕrta mĕngadap ia ka-buritan, salah bĕsar ia, laku-nya tiada umpamakan nakhoda dan orang banyak di-dalam jong itu. Maka di-hukumkan dia dĕngan hukum sapĕrti orang yang tiada mĕngumpamakan raja; maka di-palukan dia tujoh kali palu sĕrta dĕngan hukum dĕnda akan dia sa-tahil sa-paha ĕmas, maka sĕbab bĕsar kĕsalahan-nya (*M.6, p.53; L.1705, p.105, L.3199*).

§ **VI.** Dĕmikian lagi barang siapa bĕrchermin mĕngadap ka-haluan, itu pun salah juga, karna jikalau nakhoda itu mĕmbawa istĕri-nya atau gundek-nya, jadi salah bĕsar; dĕmikian-lah hukum-nya dan dĕnda-nya. (*L.1705, L.3199, M.6*).

§ **VII.** Ada pun jikalau sa-orang di-haluan, maka ia mĕngail pada kĕtika pĕrahu bĕrlaboh, maka hanyut tali-nya ka-buritan, maka oleh sa-orang orang dari buritan maka di-ambil-nya tali kail itu, maka di-pĕrmain-main-nya, maka pada sangka si-pĕngail ikan juga makan kail-nya sĕrta di-sentakkan kail itu, tĕrlĕkat mata kail itu ka-tangan-nya atau kapada tuboh-nya, maka ia pun mĕrasaï sakit; sĕbab sakit itu di-turutkan-nya, maka dapat oleh si-pĕngail itu, jikalau barang siapa sa-kali pun laki-laki atau pĕrĕmpuan atau gundek nakhoda sa-kali pun, bĕroleh akan si-pĕngail juga. Dĕmikian-lah 'adat (*M.6, p.53; L.1705, pp. 105-6, L.3199*).

§ **VIII.** Ada pun akan 'adat orang yang bĕrtimbakan (ruang itu dan kĕna *M.6*) orak-orak itu. Jikalau pada kĕtika bĕrlayar di-laut, sakalian orang yang di-dalam pĕrahu itu sĕmua-nya kĕna mĕlainkan nakhoda dan ma'lim dan juru-mudi dan juru-batu itu pun kĕna ia bĕrtimba bĕrsama-sama orang banyak di-dalam pĕrahu itu. Dĕmikian-lah 'adat-nya.

Ada-lah akan 'adat juru-mudi dari timba ruang ka-buritan ia-lah ĕmpunya pĕrentah mĕlihat baik dan jahat. (Sabagai lagi, jika pĕrahu itu tidak bĕrma'lim, maka juru-mudi itu-lah sa-

umpama ma'lim mĕmĕrentahkan sĕgala pĕkĕrjaan di-dalam pĕrahu itu. Maka pada kĕtika orang bĕrtimba maka putus tali atong itu daripada burok tali-nya atau luchut daripada simpulan-nya lalu jatoh tĕratong itu di-timpa-nya pĕrahu itu, maka bĕrdapat dĕngan kĕchĕlaan pĕrahu itu, maka juru-mudi mĕmbĕlanjaï mĕmbaiki pĕrahu itu *L.1705, L.3199, M.6*). Sa-pĕrkara lagi. Pada kĕtika akan bĕrlayar, hĕndak-lah ia mĕlihat tali tunda sampan dan (*M.6 omits* yang) tĕgoh-tĕgoh (*M.6 omits* dan; *L.1705 adds it above the line*) burok; hĕndak-lah di-pĕreksaï mĕlihat ayer sampan sĕrta di-suroh-nya orang pĕrgi bĕrtimba baik-nya dan jahat ada-nya atau tiada-nya. Jikalau luchut atau putus tali-nya daripada lalai-nya, juru-mudi itu-lah atas-nya juga mĕngganti daripada taksir-nya amat bĕsar. Dĕmikian-lah 'adat-nya.

Ada pun isti'adat juru-batu itu daripada timba ruang lalu ka-haluan, ia-lah yang ĕmpunya pĕrentah; hĕndak-lah mĕmĕreksaï daripada barang pĕkĕrjaan yang tĕrtanggong atas-nya tali sauh dan sauh-nya dan sĕgala pĕgawai pĕrahu itu daripada sa-bahagi-nya baik jahat-nya. Maka apa-bila ada-lah di-lihat-nya ada suatu kĕchĕdĕraan-nya, maka hĕndak-lah di-pĕreksaï dan di-baiki-nya (*L.3199, M.6* = baik-nya *H.*), supaya jangan mĕmbĕri kĕsukaran pada kĕtika bĕrlaboh. Apa-bila sudah bĕrlaboh, atas juru-batu barang sa-suatu pĕkĕrjaan mĕnjagakan orang bĕrtimba. Maka hĕndak-lah sangat ingat-nya dan jaga-nya. Jikalau sauh larat tiada makan maka tĕrlanggar kapada bĕting pĕrahu itu atau kapada pulau, maka jadi susah-lah sĕgala orang di-dalam pĕrahu itu, karna (*M.6* = daripada sĕbab *H. and L.1705, L.3199*) tĕrlanggar (itu *L.3199, M.6*), maka taksir-lah (atas M.6) juru-batu dĕngan sa-pĕnoh-pĕnoh-nya (taksir *L.3199, M.6*). Maka lazim-lah sapĕrti 'adat yang tĕrsĕbut dahulu itu akan juru-batu itu kĕna hukum atas-nya. Maka itu-lah sĕbab-nya maka taksir-lah juru-batu dĕngan sa-pĕnoh-pĕnoh-nya (taksir *M.6*). Maka lazim-lah sapĕrti 'adat yang tĕrsĕbut dahulu itu akan juru-batu itu (? *omit* kĕna hukum atas-nya. Maka itu-lah sĕbab-nya maka jikalau barang siapa) bĕrbuat pĕrkasa-nya pada mĕlihat barang yang tĕr-tanggong atas-nya itu. Maka barang siapa bĕrbuat suatu pĕkĕr-jaan di-dalam pĕrahu itu akan mĕmbĕri kĕchelaan kapada juru-batu itu, sapĕrti orang mĕmbakar tali sauh, jikalau sa-urat putus, sa-kali palu-nya; jikalau tiga urat putus, tiga kali palu-nya; jikalau sĕmua-nya putus, sa-banyak tali sauh, itu-lah palu-nya. Dĕmikian-lah 'adat jong dan balok sa-kali pun. (*L.1705, M.6, L.3199, and H.*).

Outline Translation.

Words between ( ) occur in some texts only. *Var.* **means a variant of words previously translated. Words between [ ] are conjectures or explanations by the editors.**

§ **I.** These are the Laws given by Sultan Mahmud Shah, son of Sang Purba who descended from Mount Si-Guntang (Maha-Meru) and became Ruler of Malacca. Know these laws, in order that all matters be peacefully settled.

§ **II.** The sea-captains desiring a code of maritime law, the Dato Bĕndahara, Paduka Sĕri Maharaja Mangkubumi put their request to Sultan Muhammad [sic] Shah. The Sultan consented. This code, which was composed in the days when Malacca was still powerful, under the rule of Mahmud Shah, is now set down in writing.

§ **III.** [*Variant of II. It continues:*] The captain is, as it were, a Caliph on board his own ship.

§ **IV.** [*In MS. Breda 6619*] This was written in the year of the Hijrah 1066[1], in the year Dzal, on the 4th day of the month Jumad I.

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§ **I.** The captain [*Nakhoda*] is as a king on board his ship. The steersman [*Jurumudi*] is as the Prime Minister [*Bĕndahara*]. The officer in charge of casting anchor and taking soundings [*Jurubatu*] is as the chief of police [*Tĕmĕnggong*]. The petty-officers in charge at starboard and port [*Tukang kanan & kiri*] are as the courtiers [*sida-sida*]. They co-operate with the chief petty officer [*Tukang agong*]. All petty officers, boatswains [*Gantong layar*] and supercargoes [*Sĕnawi*] are under the captain's command. The sailors [*Awak pĕrahu*] are under the chief petty officer's command.

If a sailor resists a command of his chief petty officer, the *Jurubatu* shall punish him with seven lashes; but the flogger may not lift his arm above the shoulder. For a second offence, he is punished with four lashes at the fore-hatch.

The punishment for insubordination towards a boatswain or supercargo is three lashes.

§ **2.** The punishment for adultery on board ship is death to both offenders. If the offenders are both unmarried, fornication is punished by 100 lashes, and the offenders are obliged to marry. If the man is unwilling to do so, he is fined 1¼ tael of gold.

1. A.D. 1656.

If a free man commits fornication with a female slave, he pays a fine equal to the slave's price. But if this female slave has been so long in her master's possession as to be practically his wife, the master may claim either a fine or the death penalty.

If a free man commits adultery with a sailor's wife, he is put to death. As to the wife, her husband may put her to death. If he does not wish to do so, she becomes the unalienable slave [*ulor*] of the captain.

A male and a female slave who commit fornication are whipped at the fore-hatch.

§ **3.** If someone goes ashore on the captain's business, and then makes a chance find of gold or silver, etc., the captain may claim the entire treasure trove, and award the finder what he thinks fit.

If the finder was ashore on his own business, he keeps one-third of the treasure trove, and the captain gets two-thirds. If the finder is a slave, or the captain's debtor, the captain gets all.

If the captain himself makes a find, he retains ¾, and ¼ is shared by the crew.

Var.: If a supercargo goes ashore and there captures a runaway, the latter becomes the captain's property. If the runaway was in possession of valuables, the captain gets 5/6, the finder 1/6.

In the case of treasurer-trove, if the finder is a supercargo [*Kiwi*], he gets 2/3, the captain 1/3. If the finder is supercargo [*turun pĕnukun*], he gets 1/2, the captain 1/2. If the finder is the captain's debtor, he gets 1/3, the captain 2/3. If the finder is the captain's slave, the captain gets all.

§ **4.** A captured runaway slave is given to the captain. If the slave's owner is found, he must pay the captain 1/2 the slave's price. If the owner is not to be found, the slave remains in the captain's service. If the captain decides to sell the slave, he must have the transaction witnessed by the crew and inhabitants of the place where the transaction takes place. If the owner is subsequently found, he gets 1/2 the slave's price.

§ **5.** (a) Who even rescues shipwrecked mariners can claim 1/2 a tael head from the boatswain. (If the rescued men are saved with their goods, the rescuer can claim an award of 10% of the goods' value. The rescued crew should make a true statement

of the value of their salvaged goods to their captain. A member of the crew who tries to conceal his salvaged goods, which later come to light, forfeits all these goods to the captain.)

(b) A member of the crew who leaves his ship before the expiry of his contract, pays half a tael of gold if he is a freeman, or 1 *paha* if he is a slave.

§ **6.** Who ever uses disrespectful language to the captain shall be punished by being publicly jeered at and insulted. If he answers back, the insults are to be multiplied. If he asks pardon, he should be forgiven, but the punishment be carried out all the same, as a warning.

§ **7.** The four crimes punishable by death on board a ship: 1, disloyalty to the captain; 2, conspiracy to kill the captain, supercargoes, or petty officers; 3, wearing a dagger while all the other members of the crew are unarmed; 4, bad conduct.

§ **8.** Who ever wants to borrow on board a ship must contract to follow his creditor for three years, three months, and three days. If the debtor wishes to repay the debt before the term is up, the creditor can claim 10% interest, and the debtor is then free to go where he will. If he repays after expiry of the contracted term, he need pay no interest.

§ **9.** If a navigator [*ma'lim*] has a share in the trading venture, he has a right to a division of the hold, and 1½ or 3 taels of gold. His midshipmen are appointed navigators [*ma'lim angin*], while he himself is considered a chief navigator [*ma'lim bĕsar*]. When about to sail, the navigator [*ma'lim angin*] orders the chief petty officer to supervise the rigging.

A navigator who neglects his duties is to be punished with four lashes, or a fine of four stems[2] of *pitis*.

The navigator should not fail to pray to Allah and His Prophet, for he is as an *imam* on board a ship.

A navigator who wishes to leave his vessel before the expiry of his contract should not be allowed to do so.

Var.: must pay a fee of 10% of his capital.

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2. *paku* = "nails' weight"? Or "stem", referring to the tree-shaped moulds for coins?
3. *one koyan* = 5,320 lbs.

§ **10.** A supercargo can travel under four conditions: 1, he buys a division of the hold: 2, he does not do so, but loans the captain who gives him a division of the hold (*var.*: gives him a 2 or 3 *koyan*[3] share in the cargo); 3, (the supercargo takes eight or nine divisions); 4, the supercargo does not buy a division of the hold, but contracts to pay the captain 20 to 30 per cent of his takings. The chief supercargo [*Mulkiwi*] gets a division of the hold.

Countries levy taxes on the eight divisions of the hold. (In addition tolls are levied on other divisions: two sheets of cloth for topsails per division, or, in rattan, one bundle of rattan for every two cloths).

A supercargo who pays harbour-dues does not have to pay tax.

§ **11.** Before throwing cargo overboard in a storm, the crew has to be consulted, if they also have their share in the cargo. In that case the part of each crew-member's share in the cargo that is to be thrown over-board should be proportionate to the size of that share. This is the captain's responsibility.

§ **12.** In case of a collision between two vessels sailing in convoy leading to one vessel being wrecked, [the master of] that vessel should lodge a complaint before a judge. [The master of] the vessel that caused the collision must indemnify two-thirds of the other vessel's loss. (This applies if the collision took place at night or during a storm. If it took place in daytime, the total loss should be refunded.)

§ **13.** (a) The penalty for evading a patrol-boat at sea is that all on board the ship, men, women, and children, freemen and slaves, pay a fee in lieu of slavery [? = *ulor*].

(b) A country at war can levy a toll from merchant vessels. The levying of this toll is comparable to the enforcing of a blockade by patrol-boats at sea, and the penalties are the same.

§ **14.** Sailors are not allowed either in the "transverse cabin" or or in the "lengthwise cabin". The first is reserved for the ship's council, the second for the midshipmen [*muda-muda*].

Only the captain (and midshipmen and boatswains) may sit on the fore-hatch. A sailor sitting there is punished with six lashes.

Only the petty officers in charge at starboard and port may sit on the cross-boards forming outboard seats above the hatch. A sailor sitting there is punishable with three lashes.

A supercargo is entitled to have a dinghy towed along for fetching water and firewood.

§ **15.** The watchmen's duty is to keep guard over the slaves on board the ship, and the midshipmen's to superintend the watches. If, due to a watchman's neglect, a slave escapes or does any harm, the midshipman in charge must pay the slave's price, and the watchman receives sixty lashes.

The changing of the watch should be witnessed by the midshipmen (and announced by one beat on the drum). (The man on watch is issued opium to keep him awake).

When a ship drags its anchor and runs aground owing to the carelessness of the supervising midshipman, the latter is held responsible, but the sailors whose watch it was each receive twenty lashes.

When a ship drags its anchor at an anchorage near sandbanks and runs aground (*var.*: and narrowly escapes running aground), the sailor on watch is punished with eight lashes.

The sailors on watch have four duties: to watch the water in the holds; to observe the winds; to keep a lookout for enemies; to guard against fire.

Whoever loses a baler [*orak-orak*] is fined 1¼ tael, and has to do the baling for the rest of the voyage. If a ship makes water due to negligence of the sailor on watch, the latter is punished with fifteen lashes.

If an approaching ship is not hailed, as the watch is asleep and the midshipman negligent, the midshipman is punished as in the case of the runaway slave, and the sailor on watch gets seven lashes.

§ **16.** The task of the midshipman, when at sea, is to help in the navigation; when ashore, to accompany the captain wherever he goes.

§ **17.** (If a man is hurt when boarding a ship through the galley collapsing, the captain has to pay his medical expenses, for it is customary to board a ship by the galley. Whoever sets fire to a galley is fined 2½ ĕmas.)

If a galley catches fire through the fault of slaves on board the ship, the slave's master is fined three stems of Javanese *pitiss*: (if the master refuses to pay) the slave gets four lashes.

§ **18.** If a man, by fighting on board a ship, damages the ship's rigging, he is fined four stems of Javanese *pitis*.

§ **19.** If a man in a fight makes his way with a drawn dagger across the centre of the hold to the stern, he is to be killed. If he is caught alive, he is fined one *ĕmas* and five stems of Javanese *pitis*.

If a man in a fight chases his adversary to the front of the deck-house he is put to death, even if he did not draw a dagger; but if he is caught alive, he is fined 20,007 stems of Javanese *pitis*.

A supercargo aggressively approaching the captain at the stern of the ship is liable to the death penalty. If he is caught alive, and asks pardon, he is fined four stems of Javanese *pitis* and a buffalo.

§ **20.** If a trading ship has safely arrived at a foreign port, the captain alone is permitted to trade [on his own account] for the first four days; after that, (the mate and) the supercargoes, for two days; after that, the crew may trade.

If a captain in buying goods has beaten the seller down to a certain price, no other members of the crew may offer a higher price. If they do so, they forfeit their purchases to the captain.

Supercargoes buying slaves or valuable goods without the captain's knowledge forfeit their purchases to the captain. The same applies to whoever buys a female slave without the captain's knowledge.

If a captain, while at sea, wishes to put in to any port, he should first consult the entire crew.

If a captain wishes to cross a river, he should also consult the crew. If they agree, they choose (*var.*: buy) the tow-rope. After that, the mate, the *jurubatu* and the boatswain should consult together.

§ **21.** In the holds, one *koyan* should be allotted for cargo of the crew, two *koyan* for that of the supercargoes. This applies to ships with a beam of four (or 3½) fathoms. For ships of (2½ or) three fathoms in the beam, the allocation is 300 (and 400) *gantang*.[4])

§ **22.** These rules were drawn up by Patih Harun and Patih Elias, and captains Zainal, Buri (*var.*: Dewa), and Ishak, after

4. One gantang = 6½ lbs.

consultation with all captains. They then presented them to the Dato Bendahara Seri Maharaja, who offered them to Sultan Mahmud Shah. His Majesty approved, and granted the three captains the titles of Sang Naradiraja, Sang Setiadipati, and Sang Utamadiraja respectively.

§ **23.** If a ship is more than seven days late in sailing and then misses the monsoon through the tardiness of the captain, the latter has to refund the price of his division in the hold to the supercargo.

If a ship risks missing the monsoon because the supercargo has not come on board, the captain is entitled to sail off without the supercargo, after waiting seven days. If there is no danger of missing the monsoon, the captain may depart without him after waiting fifteen days.

A ship rigged and ready to sail is like a king about to leave his palace.

If a monsoon has just broken, and the crew is tardy in coming aboard, the captain should wait seven days for sailors, and ten days for the mate; if there is danger of missing the monsoon, three and five days respectively. After that he may sail.

If the latecomers want their possessions back, they should follow the captain and lay bare their fault. After that, they must abide by whatever the captain decides.

§ **24.** If a supercargo wishes to go ashore, he forfeits the sum he paid for his division in the hold. If he leaves the ship for a valid reason, i.e. a quarrel with the captain (½, var.: ¾ of) the sum is returned to him. The entire sum is returned to him if he is (put ashore by the captain for) quarrelling with the crew, or even the captain's relatives, or for no reason at all.

(If a sailor falls ill, one should wait five or seven days. If after that period he is not yet better, he should try to find someone whom he can pay wages for taking his place. He may not choose another member of the crew, for a sailor may not do two men's work; only the captain can be paid by him [?]. If he cannot find an understudy, he should sell out his share in the venture to the members of the crew.)

§ **25.** This was originally written by Enche' Maulana in the year of the Hijra 1083[5], in the year Dzal I on the 8th day of the month Rabi' II, on a Friday.

5. A.D. 1672.

Appendix.

§ **I.** A skipper who takes [a passenger with cargo?] to a different port than was agreed on, is responsible for this action. However, he need not pay more than double compensation, however long the voyage.

§ **II.** After cooking, fires should always be put out. Who fails to do so, with the result that the galley or anything else on board the ship takes fire, is punished with two lashes. [The culprit's] master is smeared with ash, as a warning.

§ **III.** A free man who steals gold or silver articles on board a ship is punished according to the laws of his country.

If a slave steals such articles and then brings them to his master, who keeps them while knowing that they are stolen goods, the slave will have his hand chopped off, and the master be fined for being a thief: for thief and receiver are equally guilty.

§ **IV.** If a merchant ship successfully completes its voyage to Java, participants in the venture are to be presented with 500 *pitis*, two strips of sail-cloth, and a bundle of rattan per share in the cargo.

For a successful trip to Bima the bonus is 600 *pitis*, two strips of sail-cloth, and bundle of rattan per share.

For a trip to Timor, 700 *pitis*, two (*var.*: three) strips of cloth, and one (*var.*: three) bundle(s) of rattan per share.

For a trip to Makassar: two *gantang* of gunpowder, three strips of sail-cloth, and a bundle of rattan per share.

For a trip to Tanjong Pura[6], 600 *pitis*, two strips of cloth, and one bundle of rattan per share.

§ **V.** Sitting on a cross-beam with dangling legs and facing astern is an insult to the captain and is punished like lèse-majesté, with seven lashes and a fine of 1¼ tael of gold.

§ **VI.** Whoever uses a mirror facing towards the bows commits a serious offence, for the captain's wife or concubine might be on board. The punishment is as above.

6. South-east Borneo: see Gibson-Hill, *Memoirs Raffles Museum*, **3**, 1956: 30. Bina and Makassar are about equidistant from Malacca; Tanjongpura was some 300-350 miles nearer to Malacca, on the route to Makassar.

§ **VII.** Suppose a man is angling at the bows of a ship, and his line drifts aft. A person at the stern grasps the line as a joke. The angler thinks it is a catch and draws in the line. The hook catches onto the hand or body of the person at the stern, who thus is forced to follow the line to the angler in the bows. Whoever is 'caught' in this way becomes the angler's property, even if it were the captain's wife or concubine.

§ **VIII.** The mate supervises the baling of a vessel abaft the centre of the hold. If there is no navigator on board, the mate takes over his duties, and supervises [the baling of] the entire vessel.

If, while the crew is baling, something crashes down on the vessel from aloft because the rope was bad, or slipped its knot, the mate has to pay for any damage done. He is also responsible for any loss caused by a defective tow-rope.

The *jurubatu* supervises everything from the centre of the hold forward. He superintends the baling when the ship is at anchor. He is responsible if damage is caused by the anchor dragging.

Any member of the crew who sets fire to the anchor-rope is punished by lashes equal in number to the burnt strands in the rope.

The Malay composition of a village in Johore.

by Kenelm O. L. Burridge.

(*Received, March 1956*)

1.

The village with which this paper is concerned is a long and well established community on the west coast of Johore.[1] At the time research was carried out there were forty-one Malay households containing approximately two hundred and fifty souls whose ascendant genealogies carried the investigator back to Celebes (Bugis), Java, Sumatra, Malacca, Selangor, Kelantan, and to neighbouring villages in Johore. Four Indians, and one hundred and nineteen Chinese distributed in twenty-five homesteads and shophouses made up the rest of the population.

Almost all the Malay houses are confined to the one side of a metalled road, strung out over a mile of sandy soil. Centrally placed, and set off from the main road, is the mosque. Nearby, and on both sides of the road, are a small cluster of coffee shops, agencies, and shophouses kept by Chinese. At either end of the straggle of Malay dwellings, and set back from the road on the further side, live Chinese vegetable farmers. All who live in the village consider themselves to be members of it, but the Chinese are, as it were, transients. On the principle that they will migrate should better opportunities offer elsewhere, neither they themselves nor their Malay neighbours regard them as permanently attached to the village. Only a few of these Chinese families are bound to each other by kin ties, and although they come into financial, commercial, and (very recently) quasi-political relations with the Malays, no kin ties bind the latter to them. The Malays of the village, on the other hand, form a closely interrelated and integrated group whose kin ties outside the village itself reinforce their solidarity as Muslim subjects of the sultan of Johore. That is, they are part of the political and social community of Johore in a way in which even those Chinese who have taken out citizenship papers are not.

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1. Research was carried out in 1955 whilst holding a Research Fellowship with the Social Research Unit, University of Malaya.

   The terms 'agnate' and 'sibling' are employed here with their usual meanings. Agnates are those tracing descent exclusively through males to a common male ancestor. Siblings are brothers, sisters, brothers and sisters. Half-siblings are half-brothers, or half-sisters, extended siblings are the children of siblings, i.e., cousins.

2.

Since every Malay carries the name of his or her father[2] one may infer some kind of patrilineal bias, a placement in society by referring to the father. At the same time those who are kin to Ego are reckoned on a bilateral basis; neither the incest barrier[3] nor kinship terminology reveal a bias either toward father's or mother's kin at the expense of the other. Those properly in a kin relationship to each other, *saudara*, should be able to trace descent, either through males or females, from a single group of siblings. That is, kin relationship springs from the union in marriage of two representatives of two groups of siblings, where the singleton or 'only child' may be considered as the representative of a hypothetical or contingent 'group' of siblings. Strictly, the term *saudara* refers to siblingship or its extended forms — cousinship, but more as a matter of courtesy than anything else the term is also used colloquially to include neighbours as well as descendants of parents' siblings' affines[4]. For, those who are *saudara* visit each other, help each other when in trouble, go to each others' feasts and weddings, share much of their worldly wealth, and aid each other in the crises of life such as childbirth, illness, and death. Neighbourhood — where one lives — tends to qualify which of one's *saudara* are kin with whom relationships are actively and continuously maintained. Ego, brought up in the village of his mother, tends to come into more effective relationships with kin deriving from his mother if it so happens that the father is an immigrant from a relatively distant place. If both parents are associated with the neighbourhood in which they are settled then the chances are that kin deriving from either side will be equally well known. Thus, though a bias towards patrilineality coupled with a bilateral system of reckoning kin remain formal axioms, descent — as a projection through time of properties and attributes conferred by particular kinds of kin — is a function of neighbourhood coupled with a preferential marriage.

3.

Diagram 1 illustrates the main interrelationships of a group of nineteen Malay households in the village. P was a Bugis prince who came to the village in the early nineteenth century as

2. e.g., Awang bin Ahmad (of a male), or, Rokia binte Ahmad (of a female).
3. Primarily, the incest barrier applies only between parent and child, and between physiological siblings and half siblings. Islam takes it further to prohibit marriage between Ego and parents' siblings, and between Ego and foster mother. But although the Islamic barrier is a strong one, and although I have not myself come across a case of marriage between Ego and parents' sibling, I am told that such cases do occur.
4. That is, to those who usually behave as though they were *saudara*.

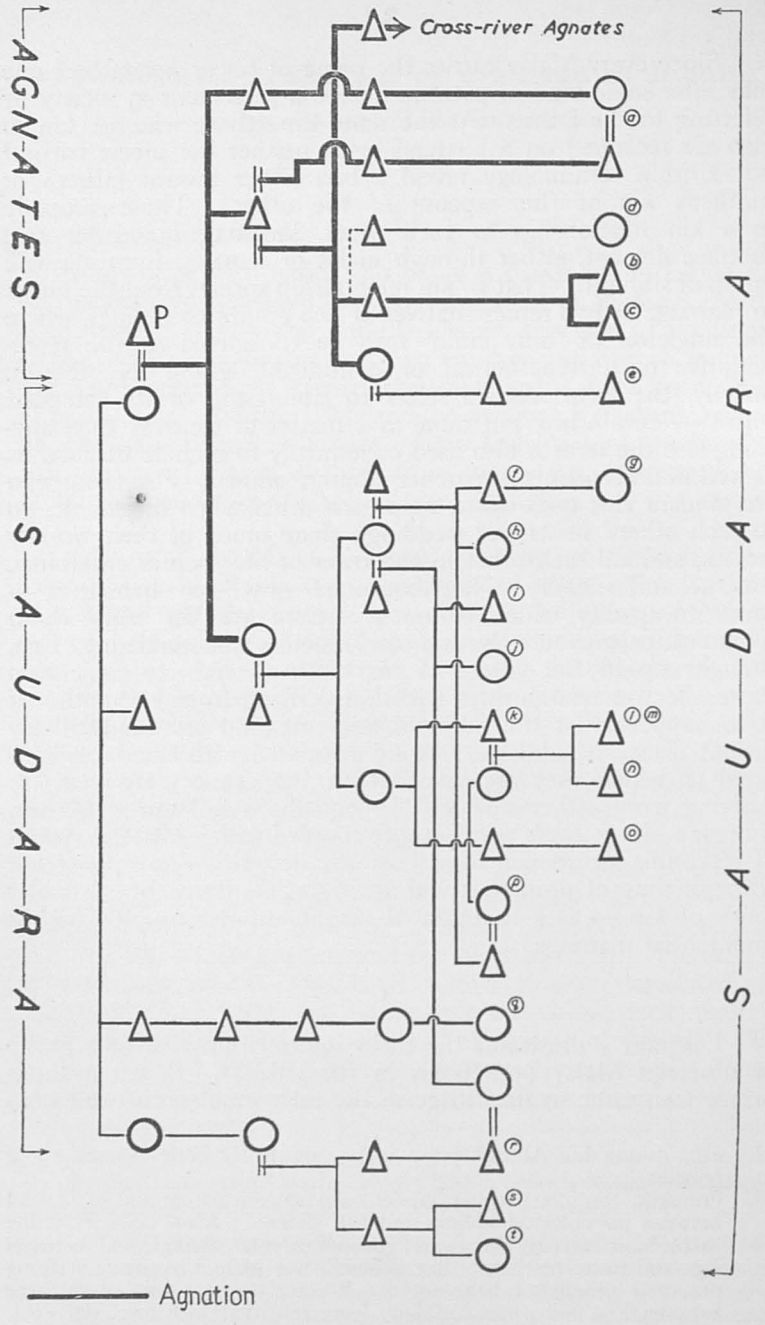


Diagram 1: see text pp. 61 & 63-4.

conqueror and settler. He brought friends and retainers with him, and he married the daughter of another Bugis prince who had settled in further to the north. P had power when he came, much power. The descendants who stayed in the neighbourhood of the village have owned land, and no less than ten penghulus may be found among the agnatic descendants. The heads of households (a), (b) and (c) are, as may be seen, agnatic descendants of P. Though a himself is dead, his wife, also an agnate, is alive. The wives of *b* and *c* were close *saudara* to their husbands prior to marriage. Households (b) and (c) are the two most influential in the village, and if *a* were alive his household would also be influential through him. Households (f), (g), and (h) are agnatic descendants of the father of the wife of P, but the position they hold in the village in question derives from the link with P's daughter. In that way they are *saudara* with the main agnatic stem from P and become associated with the dominant group — the agnatic descendants of P. *d* is not an agnate, but by virtue of her father's extremely close association with an agnate she and her siblings have come to be regarded as 'one of the family.' The grandmother of the family represented by (e) married out. The grandson prospered and on retirement from government service returned to the village and bought some land there. Households (a), (b), (c), (e), (f), and (h) — all be it noted direct descendants of P — own their own land in the village. *d* also has her own land.

The agnates (a, b, c,) not only own their own land in the village, they also engage in reciprocal cousin marriages with the other branch of agnates on the other side of the river estuary. Households do not consist of 'cores' of male agnates, for brothers who remain in the area split off and build their own homesteads when they marry — although the parcel of land with which they associate themselves is not necessarily 'family' land or a part of an inheritance but may be simply a purchase. The brothers who do not remain in the area emigrate to other parts of Johore. The same is also true of the agnatic descendants of P who live on the other side of the river. Similarly, the daughters of either branch of agnates who are not able to cross the river on marriage tend to marry husbands from other parts of Johore, and on marriage leave the area altogether. In short, where the males stay, they own land, and they marry cousins from across the river.

Leaving the agnates, e, who can get back to P through two males and one intervening female, owns his own land in the village: three married daughters are elsewhere in Johore and the marriage of his young son has not yet been arranged. *f* also owns land and proposes to pass it on to his very young and sole surviving son. One married daughter lives elsewhere, the other, g, lives in the village on land belonging to *d* but does not pay rent. *q*, *r*, *s*,

and *t* also own their own land and live on it although what is left them (*q*, *s*, *t*,) is the last remanant of what were not inconsiderable estates both in the village and across the river. r is from across the river. His grandfather was a village man who (unlike the agnates above) went across the river to marry a woman and land. The son stayed in the cross-river land, marrying there: r, a grandson, 'returned' to the village to marry the daughter of a woman having close connections with both P's and P's wife's siblings descendants. He bought a parcel of land next to *f* and there settled.

The households discussed so far are all reasonably well-to-do. With the exception of (g) — and g herself is well connected — they enjoy the security of their own land. And while households (d), (g), (q), (s) and (t) are by no means wealthy, they are not wretchedly poor. Households (i), (j), (k), (l), (m), (n), (o), and (p) are, however, very poor indeed. *p*, an old lady, childless, married a near agnate: he died and she remarried. The second husband died soon after. Later, the widow — who is also sister-in-law to *k* — adopted one of *k*'s sons who presently supports her. *i* and *j* have small parcels of land but the husbands are dead and the widows and children have to support themselves and accept the help of wealthier relatives. *p* lives rent free on land belonging to an agnate, but the remaining five homesteads are built on land belonging to relatives on the further side of the marriage links, and all live rent free.

It should be emphasised at this point that the households so far dealt with look towards P. Among the living agnates are two penghulus. Although the majority of these households are descended from P's wife and her siblings — indeed *all* are descended from P's wife and her siblings and are thus *saudara* — power, linked with landholding, is associated with agnation. The wealthier households have married within the *saudara*: the poorer households have married outside this group and find their way back to the dominant agnatic stem through females. But they themselves are nonetheless *saudara*, and the connection is not only worth maintaining simply as an axiom, it links one with power, with the potential of living on land rent free, with invitations to weddings and feasts, and with the opportunities for odd jobs when they are going, and perhaps the opportunity for a permanent job.

4.

The nine households on diagram 2 each trace descent from S who is supposed to have been the most notable man in the village before P arrived. It is said that, originally, he came from Malacca, or from the Negri Sembilan, or from Selangor. All nine

households are poor. *e* lives on land belonging to an old lady who is herself descended from one of P's wife's siblings and who herself married a descendant of P. *f* lives on land in the ownership of a grandmother who came into the land from her dead husband — himself an immigrant from Sumatra. *i* lives on land belonging to a distant relative; *a* on land in the ownership of an Indian chettiar; *b* on land belonging to a neighbour; and the remainder live on land belonging to the dominant agnates from P. So impoverished are these households that one old lady is reduced to selling the sand outside her front door to a building contractor.

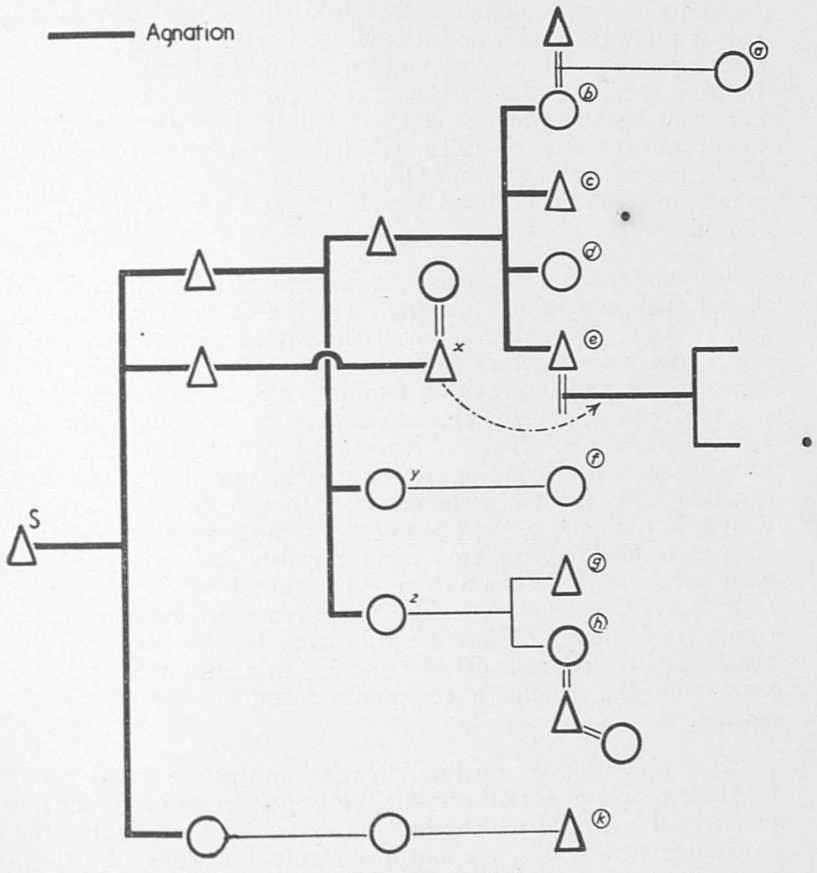


Diagram 2: see text pp. 64-6.

The descendants of S are distinct from the Bugis group of families who look towards P and his wife. Locally, the relatives of the latter are concentrated in the cross-river land; and in both places the association of power, wealth, and landholding are supported by tradition and agnation from P. The descendants of S,

and their relatives, are to be found in the village we are dealing with, and in three neighbouring villages on the same side of the river. Although S was an immigrant himself the descendants are, so to speak, stock of the original inhabitants. But this does not set them in opposition to the Bugis group. On the contrary, alignment with, and dependence on the Bugis families — especially the dominant agnates — is characteristic. *x* is in a close relationship of mutual friendship and aid with one of the most influential Bugis agnates; though not an agnate herself, the mother of *x*'s wife is a descendant of P, and household (e), in *x*'s charge, live on her land. *z* is the village midwife, and besides living rent free on dominant (Bugis) agnate land, helps bring the latter's children into the world. *c* is the village bomor or doctor. *g*, the son of *z* conducts classes for childen in reading the Koran. *d*'s. husband, besides acting as caretaker of the house of one of the dominant agnates who has left the village, lives there with his family and is always on call for odd jobs and help at weddings, feasts, funerals, and so on. Other relationships with the Bugis group are based on boyhood friendships, and quasi-adoptive relationships.[5]

Among themselves the agnatic descendants of S (*b*, *c*, *d*, *e*, *x*, *y*, and *z*) form a strong solidarity. On the death of *e*, *x* and his wife took over the entire family. All visit each other frequently, and *y* and *z* are together particularly often. *c* and *d* live close together and, cash apart, both families help each other in small day to day tasks, and the children are almost as often in the one house as the other. *f*, *g*, and *h* remain a part of the main solidarity through the living agnates *y* and *z*, but since their own agnation leads them elsewhere, and although they are *saudara* with *a*, *b*, *c*, *d*, and *e*, there is not a common economic interest, such as landholding, to hold them together. *k* has wandered even further from the main stem and is almost outside the group altogether. On the other hand S was a renowned *pawang*, and a common inheritance of "occult" knowledge is shared between the agnates and the descendants of *y* and *z*. In addition, the *saudara* share with the agnates a common dependence on the Bugis agnates.

The obligations of existing kin relationships are as axiomatic for these people as for others, but the principles determining the preferential marriage which, in turn, provides kinsfolk for the succeeding generations, are not necessarily functions of power,

5. There is not space to digress into this form of adoption here; it is hoped to publish a note on it shortly. Briefly, it embraces the case where **A** says to **B** "Look on me as your father," — or whatever the relationship may be. **A** then behaves toward **B** (and *vice versa*) as though they were father and son — even though each may be living in different households or villages.

wealth, and descent. Opportunities for an advantageous marriage are taken when they occur; or the marriage is contracted with another in like case — just as poor. Thus marriage into an influtial family (*b*'s husband is a grandson of a very famous man in Johore), or a profitable marriage (*d*'s daughter has just been married to a wealthy old man of past sixty years), is preferred to one that merely brings cousins together in marriage.

5.

Diagram 3 accounts for seven households. Here the factors under discussion have been affected by rather different circumstances. *x* is the descendant of a long and influential line of agnates who have wielded power in the district for many years. The 'original' male ancestor came from one of the islands near Singapore; he found favour with the Bugis families who were waxing in power, and his son was awarded a penghuluship in the hinterland of he district. The grandson, however, refused the responsibilities and hardships of a country penghuluship and returned to make merry in Singapore. Eventually he retired to a neighbouring village and invested his fortunes in land; *x* and *b* between them still retain much of this wealth, and *x*'s first marriage was with a descendant of P.

y came to the village from Sumatra, but he did not sever his connections there. Thus, g, an old lady, has recently returned to Sumatra to die there. But the union represented by z and g broke early through the deaths of one or other spouse. *c*, *d*, *e*, and *f* were, therefore, 'out on a limb' as it were. *x* took over the care of *c* and *d* who, as part of *x*'s family, gained a new and wider set of adoptive kin connections at the expense of their kin in Sumatra. *e* and *f* remained with g, but while not foregoing their Sumatran ties grew to depend much on *x*. In the course of time, *b*, *c*, *d*, *e*, and *f* — who had grown up together and who had been nurtured almost as though they were brothers and sisters — married and settled down in the village. *x* is still very much the grand old man; households (a), (b), (c), (d), (e), and (f) are still very much tied to him, not only from affection and habit but also because some of them live on his land. *e* and *f*, however, still maintain their Sumatran connections whilst *c* and *d* have almost entirely dropped them.

Dependence and identification with a landholder who is also equipped with an impeccable line of agnatic descent is a feature of this group of households. *x*'s first marriage with a descendant of P meant that his own and adoptive children played frequently with the children of the dominant Bugis agnates; and these childhood friendships have been maintained to the present day. In the case of g, *e*, and *f* — who lived apart from *x* — these child-

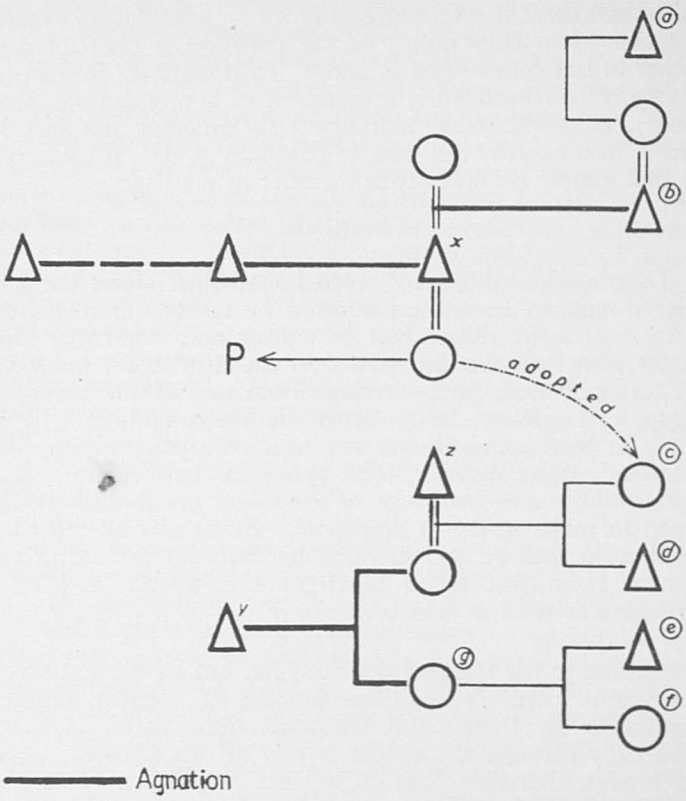


Diagram 3: see text pp. 67 & 68.

hood friendships were not as strong; and today they remain rather apart from their cousins. Thus while *b*, *c*, *d*, are able to identify themselves with two powerful lines of agnates, (their own and the Bugis), *e* and *f* have isolated themselves. Finally, *e* and *f* married Sumatran connections through *g* and so further distanced themselves from the dominant Bugis agnates without, however, severing their connection with *x*. *c* and *d* married spouses from elsewhere in Malaya (Malacca and Johore) but stayed in the village under an attachment to *x* and the dominant Bugis agnates. *b* has married locally, maintaining *x*'s father's local connections.

6.

Diagram 4 accounts for the remaining households in the village. They are remarkable on two counts. First, they are immigrant households and their kin connections in the village are minimal; second the men perform specialised tasks and work at them industriously.

p is a Javanese. He grew up in Java, married, and had a family there. Then, at the age of forty years or thereabouts he came to Singapore because 'living was so poor in Java, because there was not enough land, nor enough to eat.' From Singapore he came, in a roundabout fashion, to the neighbourhood of the villages. He hewed out for himself a plantation of coconuts, betel, bananas, and vegetables. As the years passed he 'forgot' his family in Java, and marrying a Sumatran immigrant, settled down for good. He had three children of whom two sons, *q* and *r*, survive. *q* quickly proved himself able and intelligent, and becoming a school teacher eventually succeeded in gaining the headmastership of the village school. He bought a small parcel of land off an influential Bugis agnate — whose immediate family had been largely responsible for his appointment as headmaster, married a girl from the neighbourhood where he had spent his boyhood, and settled down.

The younger brother, *r*, does not seem to have had the opportunity to prove himself as able as his sibling. He helped his father on the plantation, married a local girl, and when the elder brother had amassed sufficient wealth to employ a manager for the plantation, he moved into comfortable quarters in the village as the salaried caretaker and cleaner of the school buildings. The father retired and came to live with his eldest son. Recently too, *r* submitted the lowest tender, and was awarded the contract, for maintaining the street light (*q* was chairman of the body awarding the tender).

The above provides an example of an agnatic descent group in the making. The agnates themselves have made good. They have a plantation, solid homes, regular incomes, a position of influence, and affinal kin. The children have *saudara* in the area; possibly they will inherit some land; some who go to the English School will attain to positions of wealth and influence outside the village, and others, not so well endowed perhaps, will remain in the village and wield influence there. For apart from their own abilities and inheritances they have the approval and support of the Bugis agnates as well as firm friendships with their children.

Household (b), represented by *s*, are recently arrived. *s* was born across the river of Javanese parents. There he grew up and married. For various reasons both he and his wife found their life across the river burdensome. So, having sufficient money, they bought a block of rubber in the village and came to live there. The couple work hard together. The only surviving child of the marriage lives elsewhere with his mother's father who is a schoolmaster. The couple live well, are on the way to becoming fairly wealthy, and have no kin in the area to support. Because they have no kin they live very much to themselves, taking only a

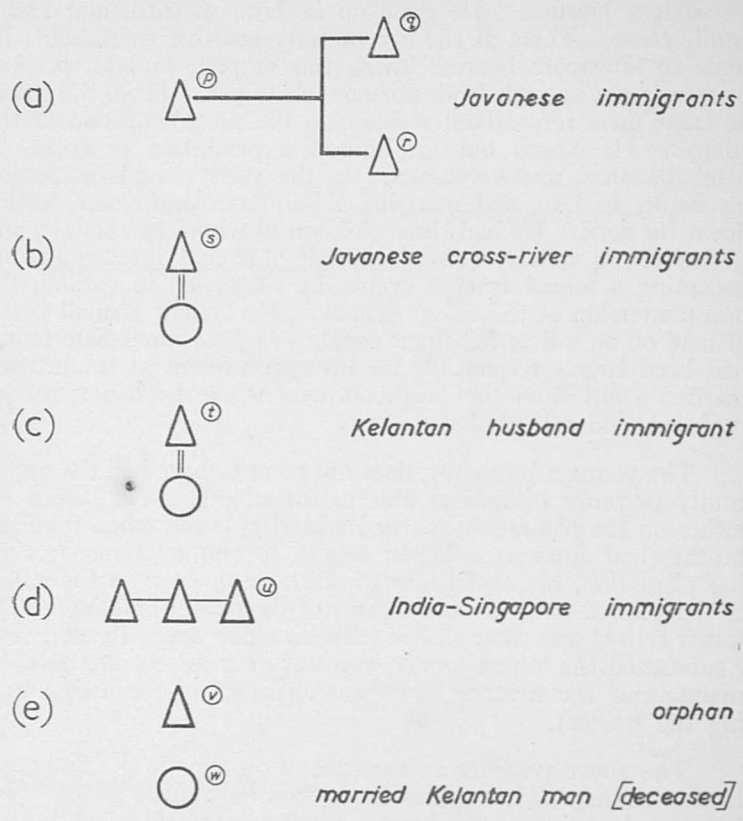


Diagram 4: see text pp. 68-71.

cursory interest in village affairs. They are intent, at present, on amassing wealth; on building themselves a solid basis of economic security. In consequence, they steer clear of other commitments and relationships which might deflect them from their main purpose, and as they have no children in the village they have not the responsibilities of caring for them, and providing them with a framework of friends, future workmates, spouses and relatives.

The husband of household (c), represented as *t*, is an immigrant from Kelantan. He suffered two marriages and two divorces in Kelantan before achieving his present stable union in the village. The land on which the household lives belongs to his wife who herself is a native of a neighbouring village, and whose mother also married a man from Kelantan. But her family was poor; and the present wealth of the household, and its rather

high position in the quasi-political structure of the village is almost entirely due to *k*'s ability as a carpenter and his extremely close friendship and alliance with the Bugis agnates.

Household (d) is an immigrant household of rather older standing. The original male agnate came to live in the village as the manager of a large rubber estate owned by an agnatic descendant of P who, however, chose to live near the centre of power in Johore Bahru. The son grew up in the village and later went to Singapore — where he contracted two marriages. He returned to the village where he has lived since in a third (stable) union with a woman from Johore Bahru who is also the teacher in the village (girls') school. *u* is partly of Indian Muslim descent. Besides salaries from teaching posts, the household also gains in wealth from the activities of the husband as a general commission agent, and from a son who is with a trading company in Singapore. But though this family owes its initial place in the village to a dominant Bugis agnate, both father and son have fallen foul of the agnates in the village itself and remain on the peripheries.[6] Partly as a consequence of their independence of, and coolness towards, the Bugis agnates they maintain more and stronger connexions with the Chinese in the village.[7]

The two remaining households are shortly dealt with. (*v*) is an orphan, poor, who married locally and remains poor. Affinal links connect the household to the dominant Bugis families (through the wife's sister), but the links are too tenuous to be included in the first group of households. The mother-in-law is more nearly connected with the third group of families, but her husbands, immigrants, died. In like manner, the mother of the mother-in-law married an immigrant policeman from Selangor — who also died. Thus, with each succeeding generation the agnatic lines have been lost. Household (*w*) is in a similar structural position. The old lady married an immigrant from Kelantan who died. She had no close kin in the area and she was unable or unwilling to seek aid from her husband's kin in Kelantan. So she and her children eke a bare living from tapping rubber and are helped out from time to time by the dominant Bugis agnates.

6. The quarrel has since been made up (temporarily?).
7. In fact, this work both ways. Strong friendships with too many Chinese invites the resentment of the Bugis agnates and their dependents.

7.

Although the groups of households indicated by the diagrams above are heuristic abstractions, they are also, in large measure,[8] real representations of the way in which households in the village are grouped together and distinguish themselves from each other; they reveal the significance and solidarity of patrilineal and agnatic groups whether these are long established or in the making.

The diagrams reveal, too, that the dominant unilineal groups are necessarily contained within the *saudara*. *Saudara*, kin, does not describe a concrete, named, corporate group. Ego's *saudara* can only be the same as those of his full siblings. Other groups of siblings have different ranges of *saudara*, and in addition to the infinite series of overlapping ranges of kinsfolk the term may also be extended to include neighbours who behave as though they were kin. So that when using the term *saudara* the reference point is always to a particular individual or group of siblings.

Marriage within the range of *saudara* is a conservative device: it narrows the range of folk concerned with a particular entity of wealth such as an income or a parcel of land. Even though marriage outside the *saudara* tends to enlarge the total range of *saudara* and thus tends towards a dispersal of wealth where this wealth is viewed largely in terms of land, providing the household formed by the marriage remains identified with a resident patrilineal group no advantage is lost. For the poor and landless, however, the problem becomes one of seeking a point of entry into a cycle of growing prosperity.[9] That kin should adhere to kin, in both a territorial and a social sense is axiomatic. But against this are the advantages for particular individuals in making a good match. An individual making a profitable marriage may be the starting point of a measure of prosperity for all the *saudara* concerned. On the other hand it may mean the loss of a kinswoman or kinsman entailing no particular increase in wealth for the rest of the *saudara*. In addition, it is apparent that when agnation associated with territory is lost, unless the household migrates[10] and makes good as a small independent unit, poverty is their lot; but through the *saudara* they have the advantages of identification with and dependence on the wealthier solidarity.

The dependence of a landless group on the landowning group is marked. It is true that there do exist cross-currents of rivalry and opposition within the village, but at the same time groups of households are not set in opposition to one another. Not only are all in the village either *saudara* or as though *saudara*, but

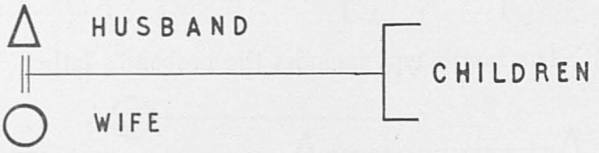
8. Diagram 4, for example, merely collects together those who are not in a kin relationship to the other groups.
9. *Vide supra*, section 4.
10. e.g., on diagram 4, house (b).

identification and alliance with particular powerful or influential persons is contained within an overall identification, alliance, and dependence on the the dominant agnates stemming from the Bugis prince P.[11] Economic factors apart, it is apparent that this political unity — an arrangement largely of males in relation to each other — is also derived from the nature of the *saudara*, from the fact that kin obligations are extended beyond the unilineal group by female siblings whose children are as significant kin as those of the males. This underpinning of political relations in a small community by kin ties is further brought out by the complex of domestic relations which are largely determined by the internal structures of the households themselves.

8.

The core of a household is taken to be a man and woman in union as husband and wife. Basically, a household consists of this core plus its own or adopted offspring. But variations occur. one of the spouses may have died; father, mother, or grandparent may be added; and children's spouses may be resident. There is significance in the patterns and their incidence.

(a) The first and basic pattern, then, consists of husband, wife, and children — represented by the diagram below.



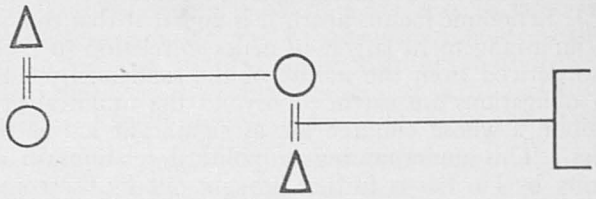
Nineteen households conform to this type. In the case of one of them there are no children, and in another a male bachelor cousin to the husband is part of the group. Related significances may be be set out in tabular form as —

p.	q.	r.	s.	t.	u.
19	2	7	2	1	7

Where column p refers to the number of households
- q refers to wife ownership of household land.
- r refers to husband's ownership of household land.
- s refers to ownership in the wife's parents or siblings.
- t refers to ownership in the husband's parents or siblings.
- u refers to other people's ownership of household land.

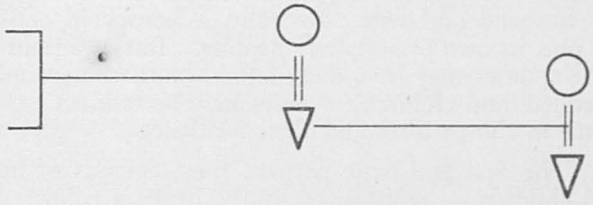
11. Household (d) on diagram 4, of Indian Muslim extraction, is the only Malay household which does not conform to the pattern of dependence on the Bugis agnates — although it owes its existence in the village to the dependence of the grandfather on the agnates.

(b) The second type takes into account the married daughter and her husband with or without children. Thus:



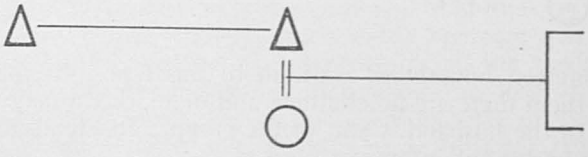
p.	q.	r.	s.	t.	u.
3	1	1	1	-	-

(c) The third type includes the married son and his wife. Thus:



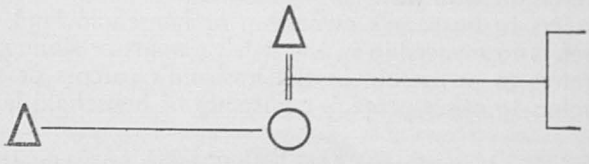
p.	q.	r.	s.	t.	u.
1	-	1	-	-	-

(d) The fourth type includes the husband's father. Thus:



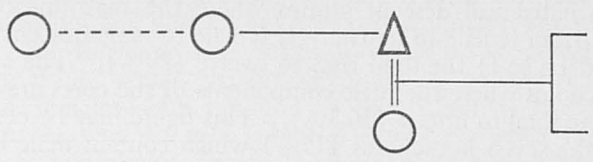
p.	q.	r.	s.	t.	u.
1	-	1	-	-	-

(e) The fifth variation includes the wife's father. Thus:



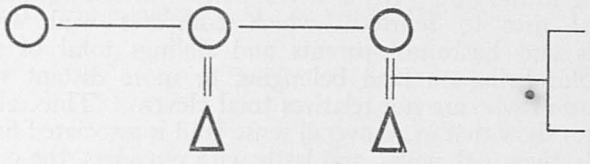
p.	q.	r.	s.	t.	u.
2	-	-	-	1	1

(f) The sixth type includes the husband's mother and/or grandmother.



p.	q.	r.	s.	t.	u.
3	-	-	-	2	1

(g) The seventh type may be represented as follows:



p.	q.	r.	s.	t.	u.
9	-	2	6	-	1

(h) The eighth type are households built round a woman lacking a husband. Thus:

p.	q.	r.	s.	t.	u.
3	-	-	2	-	1

A summary tabulation is as under:

Type	p.	q.	r.	s.	t.	u.
a	19	2	7	2	1	7
b	3	1	1	1	-	-
c	1	-	1	-	-	-
d	1	-	1	-	-	-
e	2	-	-	-	1	1
f	3	-	-	-	2	1
g	9	-	2	6	-	1
h	3	-	-	2	-	1
Total	41	3	12	11	4	11

As a simple pattern complete in itself type (a) accounts for nearly half the total number of households: at the same time it is common to, and included in all households excepting those

under type (h). Of the variations type (g) is the most significant. In a village where political values are associated with patrilineal and agnatic descent groups, no less than nine households (22%) contain matrilineal descent groups where the matrilineal line is counted from female to female. If female to male descent groups be added (type f) the total rises to twelve (29%). The addition of households where the male components of the cores are lacking brings the total to fifteen (36.5%). This figure may be compared against the seven households (17%) which contain male to male or male to female descent groups.

Out of fifty couples counted no less than twenty-four husbands are from outside the village whilst only sixteen wives are in a similar case. Yet, only three households live on land belonging to the wife. If the wives' parents or siblings are added the total rises to fourteen—which compares well with the husbands and husbands' parents and siblings total of sixteen. Households living on land belonging to more distant relatives or to persons who are not relatives total eleven. Thus, although the figures show that in an overall sense land is associated first with husbands, then with wives, and lastly with outsiders, the emphasis surely lies on how close together they are and not on the gap between them (16:14:11).

9.

The detail may be summarized as follows. Agnation, preferential marriage within the *saudara*, political power, and wealth in terms of landholding are associated together. But agnation and political power are not wholly interdependent functions within the village. If they were one would surely expect to find rival political groups explicitly in some kind of opposition to each other, and defined, for example, by fission through brothers in the one agnatic stem, and/or by reference to quite another ancestor altogether. It is true that in fact there is fission, that a branch of the dominant Bugis agnates are settled across the river; but within the limits of the present field, socially if not topographically, households cluster about an agnatic or patrilineal descent group associated with salaries or landholding wealth, and each of these clusters identifies itself in some way with the largest and most powerful agnatic group descended from P—which latter is associated explicitly with political power (ten penghulus) and landholding. This solidarity, hierarchically based and taking its departure from agnation with P, is confirmed as an ideal when, in the event of a dispute, the most frequent comment is, "By quarreling thus he is splitting the village." Or, "Such a dispute is a bad thing—it divides the village against itself."

Several factors emerge as the 'cement' holding the village together. Each agnatic or patrilineal group is contained within the *saudara* — a collectivity including by courtesy neighbours, amongst whom rivalry is repugnant and mutual aid characteristic. Values within the *saudara* are primarily axiomatic kin and moral values, but they are also linked to wealth and power. Land-holding itself, overall, is associated almost equally with males as with females—but agnation is the definitive criterion; and while males tend to part (physical) company when they marry and form households, within the households themselves females form significantly strong linear groups. Finally, descent, here a political notion since it involves passing on to the next generation wealth, influence, and power, is through males; but it is balanced by an equivalent recognition of kinship through females which not only forms the *saudara*, but provides the necessary links between power (in the agnates) and the whole *saudara*.

The Distribution of Stone Bark Cloth Beaters in Prehistoric Times.

by G. DE G. SIEVEKING.

(*Received March, 1956*)

Bark clothing is still made by all the different aboriginal groups in Malaya and by similar groups in Indo-China, Borneo and parts of Indonesia, where its manufacture and use has been studied in detail[1]. The instruments employed in the preparation of bark cloth differ widely in design, but all have in common a raised, serrated surface, used to beat or pound the bark in order to separate its fibres without entirely severing their connection with one another, the essential process in the manufacture of this primitive substitute for cloth. Also, since the function of beating or pounding is common to a number of techniques employed by these peoples, there is a tendency for the instruments used in the manufacture of bark cloth to resemble, for example, those used in preparing clay for pottery or sago for gruel.

The bark cloth beater used by the Malayan aborigines is a handled wooden bat, between six and twelve inches in length, resembling the butter pat found in European dairies[2]. Objects of identical design, made both of wood and stone, have been described and illustrated from Indo-China[3], where they were used for decorating pottery and, by the Moi tribes, for preparing bark cloth. The design is simple enough and no far-reaching conclusions can be drawn from the resemblance of these objects to the *tapa*-pounder of Tonga and Tahiti, to which Holbé draws our attention[4]. Evans was on firmer ground when he compared the bark cloth beater with cross-hatched stone pounders assigned to the Neolithic period in the Malay Peninsula[5]. The environment and economic status of the Malayan Neolithic cultures appears to have been much the same as that of the more highly developed Malayan aboriginal societies of the present day, while the use of waist bands, in all probability fashioned out of bark cloth, is suggested by the relative position of associated tools and weapons found on the Neolithic skeletons at Gua Cha[6]. Moreover the stone artifact described by Evans is a clearly defined

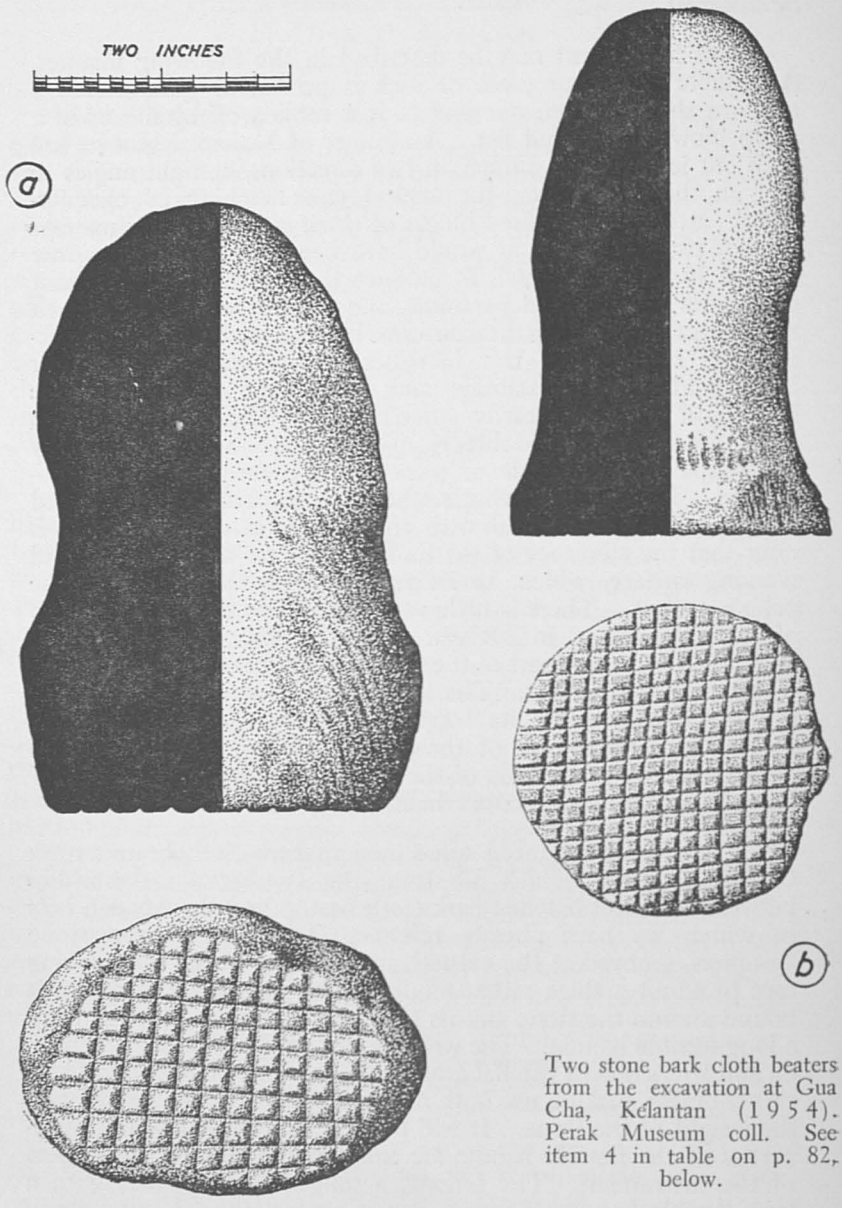
1. Kennedy, 1934: 229-243. Kruyt, 1901: 139-191. The preparation of bark cloth is well known in all the other tropical societies — Oceania, East & West Africa and Central America (cf Buhler 1940, Roscoe 1911, 1923 etc), but these are outside the scope of the present discussion.
2. Evans 1926, plate 42.
3. Colani 1933, plate 4 (2); plate 6 (4).
4. Holbé 1915, 44. The Oceanic bark-cloth beaters of this design illustrated by Naumann (1940) form even better parallels!
5. Evans 1926: 115-116.
6. Sieveking 1956, especially plate 5 (2).

type, of restricted distribution, and of some cultural and social significance, to which a definite every-day primary function should be assigned.

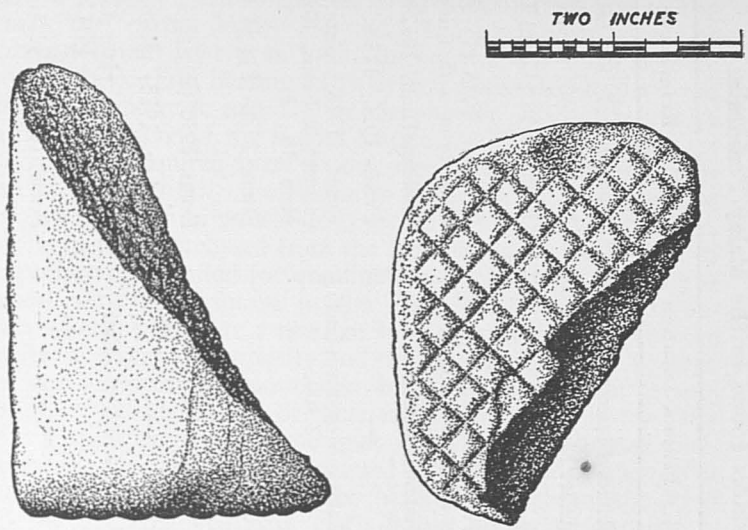
This instrument may be described in the following manner. A suitable pebble or piece of rock is pecked or ground into a uniform shape. Then one end of it is broken off by means of a sharp blow and ground flat. A number of V-shaped grooves are then cut into the flat surface in two directions, at right angles to one another, producing the typical cross-hatching or chequer-board pattern. The raised blocks of stone created in this manner are not exactly square, as would have been the case if a narrow vertical file had been used to produce them, but are in the form of a series of truncated pyramids, and a wide gap separates each raised area. Since this broken cross-hatched surface is the working part of the tool this increases its efficiency. The beater is brought down repeatedly and with some force upon the bark, and its fibres easily forced apart. The form of these implements was undoubtedly governed to some extent by the shape of the pebble or piece of rock used in their manufacture. Thus the working surface may be circular or flatened on two sides, or an oval with rounded ends. However, it is clear that the efficiency of the tool depends on its having a broad working surface, which, in its turn decided the choice of the pebble or rock. There is little variation in size between the tools of this class found in Malaya. They are between 90-125 mm. long, and the widest part of the working surface is usually between 60-80 mm. in diameter. The body of the instrument is roughly cylindrical throughout its length and has an abruptly rounded butt. In addition four of the recorded examples have a broad groove encircling the body of the instrument just above the cross-hatched face, where a rattan handle might be attached.

Evans has reproduced some modern bark cloth beaters from Central Celebes[7] which illustrate the typological relationship between the cross-hatched bark cloth beaters and the wooden bats to which we have already referred. These are square stone hammers, grooved at the corners, immediately below the working face to admit a thick rattan binding. A single piece of rattan is bound around the stone and its free ends twisted together to form a long flexible handle. The working face of the hammer is flattened and striated with parallel grooves. The instrument is used like a carpet-beater, making use both of the flexibility of the handle and the weight of the stone. It will be seen that the mechanical properties of the flexible handle are fully appreciated by the makers of the instrument. The *biliong*, a tanged forester's axe with a long flexible handle of wood, in use among the Malayan abori-

7. Evans 1926, plate 43.



Two stone bark cloth beaters from the excavation at Gua Cha, Kelantan (1954). Perak Museum coll. See item 4 in table on p. 82, below.



Fragment of a stone bark cloth beater, from the excavation at Gua Cha, Kelantan (1954): Raffles Museum coll. See item 4 in table on p. 82, below.

gines, is wielded in the same manner, force being transmitted by means of the turn of the wrist rather than the swing of the arm. The hafting grooves on the Malayan stone bark cloth beaters suggest that they must have been provided with handles like those on the examples from Celebes, and used in the same manner. However the design of the hammerstone of these modern bark cloth beaters is not directly related to the prehistoric examples from Malaya. The Celebes hammer is a flat squared block of stone with parallel grooves cut in one direction, while the Malayan stone bark cloth beater is an elongate pebble cross-hatched at one end.

It seems likely that the Celebes bark cloth beater may be related to prehistoric or historic artifacts of similar design found in archaeological associations in the Philippines and Celebes themselves[8], while close parallels can be drawn between the hammerstone of the modern Celebes beater and 'bark cloth stamps', made of clay found by Evans at the site of Kuala Selinsing, Perak[9].

8. The Philippines type described by Beyer (1947, 1948) as the Horned Bark Cloth Beater. It has also been found in Dutch New Guinea (Hoop 1935) and in Celebes (Callenfels 1951), though there is a distinct Celebes type also found in early historic contexts more closely related to the modern examples described above.
9. Evans 1928, (1): 128 & pl. 46. Equally close parallels exist between the decorated 'Early Bronze Age' pottery at Minango Sipalcko in Celebes, and the decorated 'Indian' wares from Kuala Sĕlinsing.

Recorded examples of cross-hatched stone Bark Cloth Beaters found in the Malay Peninsula.

No.	Locality.	Number of specimens.	Associated Finds.	Present Location	References.
1.	R. Galas, nr. Gua Musang, Kelantan	1	—	Raffles Museum, Z.529.	This journal: 85, below.
2.	Gua Madu Cave, Kelantan	1	Found in excavation.	Raffles Museum, 39.1h.	Tweedie, 1940: pl 5, (3).
3.	Kuala Gris, Kelantan	1	Neolithic beaked axe, adzes & spearhead.	—	Evans, 1930 (1): pl 2.
4.	Gua Cha, Kelantan	3 (2 Grooved)	Neolithic pottery and burials.	Perak Museum (2) & Raffles Museum.	Sieveking, 1956 (1), & illustrations with this paper.
5.	Tui Gold Mine, Lipis, Pahang	1	Found in a mine.	National Museum, K.L.	Williams-Hunt, 1952: 183.
6.	Ulu Dong, Pahang	2	Three stone bracelets.	—	Evans, 1926: 115-6.
7.	Telom River, Pahang	1 (Grooved)	—	Raffles Museum (Cast), Z.509.	Evans, 1926: plate 42 (centre) & Evans, 1927: plate 38 (2).
8.	Nyong (K. Yong), Tembeling River, Pahang	1 miniature	Cord impressed pottery, quadrangular stone adzes.	Perak Museum.	Evans, 1928 (2): pl 55 (4).
9.	Ulu Telom, Pahang	1	—	—	Evans, 1930 (2): pl 4.
10.	R. Tanam, nr. K. Merapoh, Pahang	1	—	—	Linehan, 1928: pl 38, (5).
11.	Pong, Upper Perak	1 (Grooved)	—	Raffles Museum (Cast), Z.510.	Evans, 1926: plate 42, & Evans, 1927: pl 38 (1).
12.	Changkat Menteri, Perak	1	With iron tool outside Iron Age cist grave.	Perak Museum.	Evans, 1926: pl 42 (top).
13.	Ampang, Selangor	1	—		Evans, 1926: pl 42 (left).

The distribution of the prehistoric cross-hatched bark cloth beater on the other hand, appears to have been restricted to the southern part of the Malay Peninsula, though modern examples of this instrument have been found in Sumatra and north Borneo. A wooden bark cloth beater of this design, perforated through the centre of the body to admit a wooden handle (still in position) is in the collections of the Raffles Museum in Singapore [10]. This specimen was acquired from Sipora, one of the Mentawi islands off western Sumatra. Furthermore Harrisson informs me that the Sarawak Museum collections include stone bark cloth beaters of Malayan type purchased from the Kelabits, and a plaster cast of one specimen forwarded for examination to the Perak Museum is identical with those found in the Peninsula. Harrisson is uncertain whether they are a modern type or were collected by the Kelabits as objects of curiosity and religious significance, like the stone axes often in their possession, but I understand that he considers it certain that none of these implements were in use after 1914. The Sipora wooden specimen is undoubtedly modern and, for the time being, it may be assumed that the same is true of the north Bornean specimens. In the Malay Peninsula on the other hand the cross-hatched bark cloth beater occurs in associations undoubtedly dating from prehistoric times, as can be seen from the table printed with this note.

In four cases these instruments are associated with Neolithic artifacts, and in the case of the latest Neolithic excavation at Gua Cha, a bark cloth beater was found beside a Neolithic skeleton, and associated with quadrangular stone axes and cord impressed Neolithic pottery[11]. A single example has also been found in close contiguity to an Iron Age cist grave at Changkat Menteri, while it is possible that the example, illustrated by Linehan, from the banks of the Tanam in Pahang, is also of Iron Age date. There is a fair consensus of evidence, therefore, in favour of assigning these tools to both the Malayan Neolithic and related Iron Age cultures, and as Evans has pointed out[12] the extension of the use of these tools to north Borneo and Sumatra, would suggest an extension of the influence of the Malayan prehistoric cultures into western Indonesia at some time when their characteristic tools were still in use. Moreover the use of different types of bark cloth beaters, both in prehistoric and modern times, in Celebes and the Philippines provides further evidence in support of Heine-Geldern's theoretical scheme of early population movements in South-East Asia[13] since, according to this authority, the main prehistoric influence in these islands

10. Evans 1930 (3), second plate.
11. Sieveking 1956, plate 5 (1 & 2).
12. Evans 1930 (3): 157-9.
13. Heine-Geldern 1932, parts 11 & 12.

should be derived direct from the mainland to the north of them, while Java, Sumatra and Malaya belong to a different cultural sphere at this time, as yet only identified by the use of cord impressed pottery and quadrangular polished stone tools. The representative groups in the Malay Peninsula are known collectively as the Malayan Neolithic cultures, and it appears that the cross-hatched bark cloth beater is decisively associated with this culture.

Bibliography.

Abbreviations: *FMJ.* *Federation Museums Journal* (New Series).
JFMSM. *Journal of the FMS. Museums* (Old Series).
TBG. *Tidschrift voor Indische Taal-, Land- en Volkenkunde* (Bandoeng).

Beyer, H. O. 1947. Outline review of Philippines Archaeology by islands and provinces. *Phil. J. of Science*, **77**: 205-373.

Beyer, H. O. 1948. Philippines and East Asian Archaelogy. *Nat. Res. Council of the Philippines* (Manila), **29**: 1-130.

Buhler, A. 1940. The geographical extent of the use of bark fabrics. *Ciba Review* (Basle), **33**: 1170-75.

Callenfels, P. V. van Stein. 1951. Prehistoric sites on the Karama River, West Toraja land, Central Celebes. Manila.

Colani, M. 1933. Ceramique, Procedes anciens de decoration — Raquettes de potiers en schiste. *BEFEO*, **33**: 349-354.

Evans, I. H. N. 1926. On slab graves in Perak. *JFMSM*, **12**: 111-113.

Evans, I. H. N. 1927. Ethnology & Archaeology of the Malay Peninsula. C.U.P. Cambridge, England.

Evans, I. H. N. 1928 (1). On Ancient remains from Kuala Selinsing. *JFMSM*, **12**: 121-131.

Evans, I. H. N. 1928 (2). Further notes on stone implements associated with pottery. *JFMSM*, **12**: 143-144 (plate 55, fig. 4).

Evans, I. H. N. 1930 (1). On a stone spearhead from Kelantan. *JFMSM*, **15**: 1-3. (plates 1-2).

Evans, I. H. N. 1930 (2). Further notes on stone implements from Pahang. *JFMSM*, **15**: 8, (pl. 4).

Evans, I. H. N. 1930 (3). Notes on two types of stone implements from the Malay Peninsula. *Man*, **30**: 157-9.

Heine-Geldern, R. von. 1932. Urheimat und fruheste wanderungen der Austronesier. *Anthropos*, 1932: 543-619.

Hoop, A. N. T. 1935. Een Neolithische boomschersklopper uit Borneo. *TBG*, **75**: 468-470.

Holbé, T. V. 1915. Quelques mots sur le prehistorique Indochinois a propos des objets receuillis par M. de Piray. *Bull. des amis du vert Hué*, 2° Anne, **43**.

Kennedy, R. 1934. Bark cloth in Indonesia. *Journ. of the Polynesian Soc*, **43**: 229-243.

Kruyt, A. C. 1901. Geklopte boomschors als kleedingstof op midden Celebes en hare geographische verspreidung in Indonesia. *Int. Arch. fur. Ethn.*, **14**: 139-191.

Linehan, W. 1928. Some discoveries on the Tembling. *JMBRAS*, **6**, (4): 66-76.

Naumann, W. 1940. The manufacture of bark cloths. *Ciba Review* (Basle), **33**: 1181-93.

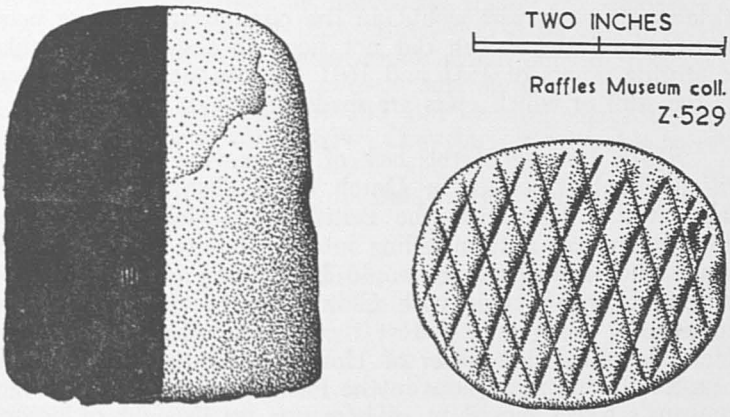
Roscoe, J. 1911. The Baganda. Macmillan, London. [see pp. 403-6 & 442.]

Roscoe, J. 1932. The Bakitasa. CUP, Cambridge, England. [see pp. 236-8.]

Sieveking, G. de G. Excavations at Gua Cha, (Part I). *FMJ*, **1-2**: 75-138.

Tweedie, M. W. F. 1940. Report on excavations in Kelantan. *JMBRAS*, **18**, (2): 1-22, 16 plates.

Williams-Hunt, P. D. R. 1952. Recent Archaeological discoveries in Malaya (1951). *JMBRAS*, **25**, (1): 181-190.



A stone bark cloth pounder found on the Sungai Galas near Gua Musang (Kelantan). No further details are available (and it has not previously been illustrated), but it was presented to the Raffles Museum by a Mr. E. V. Peters, together with 'a long rolling-pin shaped stone', said to have been found on the Sungai Galas near Gua Musang railway station. It is thus not safe to assume that the two objects were found together, though they may well have been. (Raffles Museum Nos Z.529 & Z.530: item 1 in table on page 82, above).

Governor Couperus and the Surrender of Malacca, 1795

by Graham Irwin, *M.A., Ph. D.*

(*Received, January 1956*)

"We have received the agreeable Intelligence," wrote the President and Council at Madras on 24 October 1795 to the Directors of the East India Company in London, "of the surrender of Malacca to the Troops under Major Brown; Mr. Couperus, the Governor, upon the receipt of our President's Letter, objected to the delivery of the Fort upon the terms expressed therein, and declared his Determination to Maintain it to the last Extremity. Our Troops accordingly landed, and were marching to the Attack, when the Garrison, after firing a few ineffectual Shots, offerred to surrender Prisoners of War; Articles of Capitulation were agreed upon, and Major Brown took Possession of the Fort without having sustained the smallest Loss."[1]

The British capture of Malacca in 1795 was a minor incident in a global war. As conquests ago, it was singularly uninspiring. The Dutch defenders showed no heroism—a more determined resistance on their part would, in the circumstances, have been pointless—and the British did not need to show any. Unlike the stirring events of 1511 and 1641 the conquest of 1795 was not the stuff of which epics are made.

Partly because of this lack of drama very little has been written about it, either in Dutch or English. Historians of Malaya record flatly that the British took Malacca from the Dutch to prevent it from falling into the hands of the French. As a French naval base it would have been a danger to the security of British trade with China. It therefore had to be neutralized. Using as a pretext the so-called 'Kew Letters,' by which the exiled Stadholder of Holland gave Britain the right to protect Dutch possessions in the East, the English East India Company's forces moved in. There was no thought of permanent retention, for the Company did not wish to enlarge its already considerable territorial holdings in Asia. The British would merely retain Malacca while the French War lasted, and they did, in fact, return it to Holland (though only for seven years) with the coming of peace.

1. Fort St. George: Secret Letters Received, Vol. 1, 18 Sept., 1784 to 3 Oct., 1796.

From a distance of a century and a half the episode of 1795 may seem unimportant, but the inhabitants of Malacca at the time obviously did not think it so. For many Malacca burgers the capture of their city by a foreign army meant financial ruin. They cared little for European political alignments. All they knew was that the Dutch defending forces had barely begun to resist before the cease-fire was ordered and that the Dutch administration had continued to function side by side with the British for some months after the capitulation. Ugly rumours began to circulate. It was suggested that the Governor, Abraham Couperus, had been in league with the British from the start and that his brother-in-law, a burger named Adriaan Koek, had guided the English landing-craft in by hoisting signal lanterns. This same Koek, moreover, had given aid and comfort to the enemy after the landing. Malacca, the whisper went round, had been unnecessarily and treacherously surrendered, and somebody should be made to pay for it.

Among those who believed these rumours were various traders and soldiers who were evacuated to Java after Malacca had fallen. Early in 1796 some of them were summoned before a commission of inquiry at Samarang and their accusations against Couperus, Koek and others taken down in the form of affidavits or depositions. In ordinary times the Dutch authorities would no doubt have demanded an immediate answer from Couperus to the charges laid against him. But by 1796 he had been removed by the British to Coromandel, where he was forced to spend the next twelve years entirely cut off from contact with his superiors at Batavia. He did not receive copies of the accusatory depositions until 1804. Only then was he able to set about the task of clearing his name, and he did so by means of a very long letter of protest to Batavia rebutting the treason charge of a decade before.

Transcripts of the depositions taken in Java in 1796 and of Couperus' belated reply to them were generously made available to me time ago by Prof. T. H. Milo of the University of Leiden. (The originals are in the state archives at Jakarta.) I have since translated the most interesting parts of these documents, and present them below.

In doing so, it is not my purpose to resurrect the old argument about Couperus' guilt or innocence, which has long since been decided in his favour.[2] Indeed, what has to be explained is why the charges against him were taken seriously in the first place. He had nothing to gain by turning traitor.

2. See C. R. G. Vlielander Hein-Couperus, 'De overgave van Malacca aan de Engelschen door den Gouverneur Abraham Couperus,' *De Indische Gids*, April 1915.

On the contrary, he had everything to lose—his appointment, his home and his possessions. (He was one of Malacca's leading property and slave owners.)[3] It seems that the sole reason why the accusations against him were followed up is that he was of the Stadholder's faction in Dutch politics and therefore *non persona grata* with certain members of the pro-French party at Batavia, who hoped to ruin him. In the end he was completely exonerated. Returning to Java, he became a Councillor of the Indies and was President of the Court of Justice at Surabaya during the early part of the British interregnum. Apparently, however, he never recouped the financial losses he suffered at the fall of Malacca. The records show that he 'died a bankrupt' at Surabaya in July 1813.[4]

Although the *affaire Couperus* is now a dead letter, the documents set out below have an intrinsic interest quite apart from the controversy which called them into being. For one thing, they provide the only Dutch account of the surrender of 1795 that we are ever likely to have, since the Dutch East India Company's Malacca records do not go beyond 1794. For another, the various authors, seeking to make their points clear, provide a wealth of incidental information which is not directly relevant to their argument. From the depositions and the answer to them much may be learnt about life in Malacca at the end of the eighteenth century, and about the structure, garrisoning and maintenance of the 'Town and Castle' which it was Governor Couperus' misfortune to be called on to defend.

The Depositions.

1. Statement by the Madurese soldiers, Raden Djaja Panantan, Kertie Laxana, and others.

The Deponents solemnly declare that they, when at Malacca last year, heard that three ships of unknown nationality had come in sight.

When these ships neared the coast, they were recognized as English warships. The Governor then gave the necessary orders for the defence of the town. After this the Deponents, and other members of the garrison, including Europeans, Sepoys and Portuguese, drew live rounds for their matchlocks from the magazine. The Deponents took up their positions at the Battery named Tranquerah, while the European, Sepoy and Portuguese soldiers were divided among the various posts and provided with

3. Cf. W. C. Lennon, 'Journal of a Voyage . . ,' *JSBRAS*, **7**, June 1881, p. 59.
4. F. de Haan, 'Personalia . . ,' *Bijdr. Taal-, Land- en Volkenkunde*, **92**, 1935, p. 524.

ammunition so that they could give a proper account of themselves in battle against the attacker.

The said ships, having sailed into the outer roads, anchored there until the next day. Various other vessels then appeared, twelve in all, including three warships. All these ships moved into the inner roads and took possession of the Honourable Company's Ship *Constantia*, which was lying at anchor there, before she had a proper opportunity to resist. During the affray one of the European members of the *Constantia*'s crew was shot dead. There was no further fighting and the twelve ships dropped their anchors.

The Deponents remained at their posts throughout the whole of that day. They were much astonished when orders were received at twelve o'clock at night to the effect that, if the English should come, no resistance whatever should be offered to them, since they were already masters of Malacca. It seemed very strange to the Deponents that everything should have happened so quietly, and they had not believed the orders until the day following when, to their amazement, they saw that the whole city was full of Englishmen and Sepoys, and that the English were in charge of all the sentry posts. They were informed that 600 Englishmen had made a landing during the night and, meeting no opposition, had taken possession of Malacca.

Once the English had made themselves masters of the city they immediately began to commit all kinds of crimes, plundering houses and scandalously abusing Chinese, Malay and Portuguese women. These outrages continued for eight days until at last the criminals were satiated.

About a month later the Governor of Malacca with his wife, the Officer Commanding the Troops, all the other officers and almost all the Dutch officials and soldiers, some 200 altogether, were sent by the English to Madras. None of their wives accompanied them. Of the European soldiers, only those who elected to take service under the English — 8 men and 1 sergeant — remained at Malacca. So also did the Dutch Fiscal[5] and the burgers.

The English tried very hard to persuade the Deponents to transfer to their service. The Deponents, however, steadfastly refused, saying that they never wished to serve any master other than the Dutch Company. When the English finally became convinced that they, the Deponents, were firm in the resolve not to enter the English service, they let them depart from

5. A legal official, whose duties corresponded roughly to those of an English public prosecutor or law enforcement officer.

Malacca. For their journey to Java the Deponents were divided among the private vessel of the Resident of Rembang, a bark belonging to the Capitan China of Sourabaya, Ten Toenko, and a vessel belonging to a certain Arab . . .

In the opinion of the Deponents, had it been the desire of the authorities to defend Malacca resolutely, the English would never have been able to conquer it. The Deponents can think of no reason why the surrender should have been offered so secretly, nor why it should have taken place before a proper attempt had been made to oppose the invaders.

The men of the Malay Nation living at Malacca (as many as were slaves or in the service of the Honourable Company) later declared that, had they been given the opportunity, they could have cleared the English from Malacca by means of a night *amok*. The Deponents themselves prepared weapons so as to be ready should any orders to this effect be issued. But to their great sorrow nothing of the kind happened, presumably because (or so it seemed to them) those in charge at Malacca were such good friends of the English.

Done at the Government Office, Samarang, on the 20th February 1796.

II. Deposition of Commander Emanuel Campadonico.

The Deponent, then in command of the privately-owned vessel, *Arnolda*, left Samarang on the 17th May 1795 for Malacca, reaching there safely on the 30th. On arrival he learnt that French privateers were cruising off the Cape of Atjeh.

After selling his cargo the Deponent left Malacca again on the 14th August, bound for Samarang via Riouw. He arrived at Riouw on the 8th September. On that day two English warships and a transport, under command of Captain Henry Newcome, appeared in Riouw roads. The English Captain, whose flagship was the *Orpheus*, sent one of his officers aboard the Deponent's vessel to inform him that the English were now masters of Malacca and that he must not leave harbour, since his ship was needed to transport the Dutch Company's goods and soldiers there from Riouw. The expenses of the journey would later be made good to him from that Company's Treasury. To this order the Deponent was obliged to submit, since the English threatened to use force against him if he did not.

After making themselves masters of Riouw the English placed aboard the Deponent's vessel 115 men, with their wives, etc., and some ammunition and stores.

The Riouw factory was then completely broken up and within four days the Deponent was ordered to proceed to Malacca. The Honourable Company's vessels *Griffioen* and *Postlooper* were to make the journey with him and he was to be careful not to lose them on the way.

When the Deponent reached Malacca again on the 16th September, he noticed that the English and Dutch flags were flying side by side, that the English had full possession of the Fort, and that the Company's soldiers were quartered outside it with no duties to perform.

On the 20th September, when all goods and passengers had been removed from the Deponent's vessel, Captain Henry Newcome, wrongly assuming that she was an Honourable Company's Ship, declared her a prize. The Deponent protested against this and brought out his ship's papers to prove she was his own property. After three days of argument the fifty sailors who had been placed aboard her by the English were removed and she was returned to him. But he was instructed that he must not leave Malacca before the arrival of a certain admiral.[6]

While he was still at Malacca the Deponent heard a rumour that the place had been surrendered to the English by treachery. The burger Adriaan Koek, it was said, had caused to be hung from a coconut tree in his plantation three lighted lanterns to serve as a signal to the English where they should land, and they did in fact land at the place indicated by the lanterns. The Deponent heard, moreover, that shortly before the departure from Malacca of the European officials of the Honourable Company (who were sent by the English to Bengal and Madras) a gallows had been erected in the plantation of the said Koek, and on it had been inscribed in bold letters: "Here the traitor will hang." By these words none but Koek could have been meant. It was also whispered that for some days after this incident Koek had hidden himself away at Tanjong Kling.

The Deponent himself saw some of the common people attacking Governor Couperus at Tranquerah Gate, pulling at the skirt of his cloak and abusing him as a traitor.

On the day Governor Couperus boarded the ship *Armida* preparatory to leaving Malacca the Deponent, while standing on the steps of the Secretariat, saw His Excellency being attacked a second time by the people. This took place in front of the

6. Peter Rainier, who was at this time, strictly speaking, still a Commodore.

house of Senior Merchant[7] Thierens. The Governor escaped into the house and the Deponent saw no more, but later heard that His Excellency had been smuggled out of the rear of the house, placed in a canoe, and ferried in a clandestine fashion to the *Armida*, hiding the while under a canopy.

At noon on the next day, accompanied by the Police Secretary, C. M. de Groot, and the former Secretary of Justice, Mr. van Haak, the Deponent went aboard the *Armida*. His object was to collect a debt owed to him by Governor Couperus. The other two gentlemen simply wished to take leave of His Excellency. The Governor was wearing a cloak and his right hand was concealed in a wollen glove. He was standing with his wife and both were complaining bitterly about the treatment he had received ashore the day before. Also on board the ship were the Officer Commanding the Dutch Troops and the burger Bellemond. Governor Couperus, after exchanging a few words with the Deponent, turned to an English chaplain who was present, and spoke to him in the English language which the Deponent does not understand.

Soon afterwards the English admiral arrived with two frigates, the *Orpheus* and the *Resistance*. To celebrate the conquest of Malacca a salute of twenty-one guns was fired. The Political Council was dissolved and from then on the Dutch flag no longer flew beside the English.

The Deponent's ship was hired by the English for 2,000 rupees to transport Dutch prisoners of war to Bengal and Madras and to bring back English reinforcements. The Deponent tried to obtain provisions and necessaries for this journey on credit but could not. The English were considering taking over his vessel and placing a crew of their own on board when by good fortune a private English ship arrived in the roads. She was immediately requisitioned, and it was decided to allow the Deponent's vessel to remain at Malacca for the time being . . .

On the 4th January Governor Couperus, with his wife and children, left Malacca for Madras in the bark *Armida*. The vessel was commanded by a certain Barise de Kloret and flew the Cochin Chinese flag . . . .

After repeated requests had been addressed to the English authorities the Deponent was at last allowed to return to Java and was given a pass for that purpose. He left Malacca on the

7. (Senior Merchant' or '*Opperkoopman*.' Thierens held the *rank* of Senior Merchant, but the *appointment* of 'Secunde' or 'Second-in-Command' to the Governor.

21st January. As passengers aboard his ship he was compelled to take the Captain, Commander and Sub-Lieutenant of the Honourable Company's Ship *Constantia* and also seventeen European ordinary seamen and twenty-four Madurese soldiers, but was provided with no rations to feed them on the journey.

While still at Malacca the Deponent heard reports of a fire in the private office of Governor Couperus. He was also told that the files of the Secretariat and Board of Trade had been thrown out of a window and hidden in the Church.

The Deponent states that he knows no more of the matter under investigation and is ready, if required, to confirm the above deposition on oath.

Done at the Court of Justice, Samarang, on the date as recorded above,[8]

(Signed) E. Campadonico

Before me,

(Signed) A. van Hemert, Secr.

In the presence of

(Signed) C. L. Wieling, H. Palm

Approved,

(Signed) H. Veekens Eykl.

III. Deposition of Johan Gottlieb Braune.

This day, the 21st March 1796, the burger Johan Gottlieb Braune, 61, a resident of Japara but at present here, appears before me, Junior Merchant Barend van den Worm, the Fiscal of this Government and, having been required to make a statement in the interests of justice, declares it to be true:

That he, the Deponent, went to Malacca last year to engage in private trade. During his stay there ten ships appeared at about 11 o'clock on the morning of 15th August 1795, stood in towards the roads and, within the hour, dropped anchor.

At about three o'clock in the afternoon of the same day a skiff detached itself from the main body of the fleet and set ashore the English Major Brown, who had an immediate audience with the Governor.

The Deponent was unaware of the nature of this English Major's business, but he did hear the Governor, then at the house of Senior Merchant Thierens, say, "I have received a strange piece

8. The date is, however, missing from this deposition.

of news." At this the Deponent withdew and thus did not hear the rest of the conversation. He presumed, however, that it was about affairs of state. He returned later to ask the Governor whether he should draw his vessel up on to the mudbank for greater safety. His Excelency concurred in this suggestion and the Deponent carried it out.

Next day, the 16th, the English fleet was increased by the arrival of two more vessels, including, so it was said, a privately-owned ship from Hamburg. The English, the rumour ran, had requested this ship to accompany them to Malacca to make their fleet appear more formidable. During the morning small craft made repeated trips from the fleet to the shore and back again. These boats contained armed men, who each time were landed and then taken back to their ships. The Deponent could learn nothing of their activities ashore.

This open communication on the part of the Dutch authorities with the English caused much uneasiness among the officials of the Company, viz. the Bookkeepers, Assistants and Artisans, as well as among the civilian inhabitants of Malacca. The people, fearful of the outcome, fled as fast as they could into the jungle, taking with them only what they could carry on their backs. Among those who ran away were women, children, slaves and servants from the households of Company officials and city burgers, high and low.

On the 17th, by which date most of Malacca's inhabitants had disappeared into the interior, the City Ward Superintendents [*wijkmeesters*] requested the Governor to provide for the needs of the unfortunates in the wilderness. But His Excellency replied, "Just let them go."

The Captains of the Burgers, the Chinese, the Malays and the Moors then requested His Excellency's permission to arm themselves and their people in order to repel the enemy. Governor Couperus assured them that this was unnecessary, remarking in an aside to the Captain of the Chinese that he had better make good his escape. The Captain accordingly left Malacca with all speed.

The English landing, so the Deponent heard later, took place in the evening, and all the troops were ashore by 8 or 9 o'clock. They came in opposite the plantation of the burger Adriaan Koek. On Koek's orders three lanterns had been hung in a coconut tree to show them where to land. After landing they were richly entertained at Koek's plantation, though the owner himself was not present.

On the morning of the 18th the English forces approached Malacca Castle, but halted when they saw how strong its fortifications were. To find out if it was still occupied, they sent out reconnoitring parties. Discovering nothing, they marched in at the Land Gate and thus took possession of the Castle.

The Deponent heard later that the Governor and some of the other gentlemen were drunk that night, and that drink was also sent to Captain of Artillery Thiel at his post on the ramparts, after consuming which he went to sleep. The Deponent also heard that there had been a fire in Government House, which adjoins the office buildings of the Honourable Company, and the Governor had bribed a European mandor with seven or eight Spanish dollars to throw the official files on the flames. This, however, is hear-say, for the Deponent was not in the city at the time.

On one occasion during this period Senior Merchant Thierens said in conversation with the Deponent, "Well, Braune, this man Couperus is certainly a rascal," and made use of other similar expressions. To this the Deponent replied that the surrender might have been prompted by incompetence as much as by rascality. Thierens said, "Ah, but you don't know the whole of it," and the Deponent replied, "In that case I would prefer not to know everything."

On the 18th and 19th all the property and possessions of the Honourable Company at Malacca were taken over by the English, though the Dutch administration continued for the time being. . . .

A few days after the English took possession of the Castle a proclamation by the King of Great Britain, and also the text of a letter from the Prince of Orange, were read out.

Some time later six ships arrived from Pulau Penang, including the one commanded by Admiral Rainier. With the arrival of Rainier, everything at Malacca was changed. The Political Council was dissolved, though the Board of Trustees of the Orphanage and the Council for Church Affairs remained in existence. Some of the judges of the Supreme Court were replaced, among them the traitor Adriaan Koek.

On a certain day while the Deponent was still at Malacca he was at the house of Fiscal Ruhde and the Governor came in. His Excellency said, "I have been told I must leave here within three days and go to Madras aboard the English ship, *Swallow*." The Deponent said, "I cannot believe such an order. Your Excellency cannot clear up your affairs here in so short a time.

An order like this would be more appropriate if given to a common soldier or sailor than to a Governor." But His Excellency confirmed that the order had indeed been given and became very melancholy and in the afternoon Fiscal Ruhde and Senior Merchant Thierens both assured the Deponent that His Excellency had been speaking the truth. Eight days later Govrnor Couperus, with his wife and children and a few slaves, left for Madras . . .

When on one occasion the Deponent was standing in front of his own house, he saw Governor Couperus being attacked by the common people near Tranquerah Gate.

The Deponent also heard that Governor Couperus was taken aboard the *Armida* in a very secret manner, travelling in a small boat from the rear of Senior Merchant Thierens' house.

When the ship *Swallow* left for Madras she had on board the English Major, Brown, and the following Dutchmen: Captain-Engineer Essenbach, Smeeling, the Senior Surgeon at the Hospital, Stechers, the Officer Commanding the Troops, and Stechers' son, who had been confidential clerk to Governor Couperus. The free burger, Bellemond, who had been interpreter for the English, had already left at the same time as the Governor in the *Armida*.

Most of the officers and other ranks of the Honourable Company's service were also sent either to Madras or Bengal. Their wives and children were not permitted to accompany them. Only about thirty European soldiers and an officer named Daniel remained at Malacca and shortly before the Deponent left the city even these few were warned for movement to India.

Before his departure Deponent noticed that Fiscal Ruhde had packed up most of his goods and made preparations for a journey to Madras. He had not left, however, by the time the Deponent did so. The remaining officials, clerks and artisans of the Honourable Company's service are still at Malacca.

Fiscal Ruhde told the Deponent that Governor Couperus had been removed from Malacca to Madras by his own choice. The common soldiers sent there, on the other hand, were compelled by the English to leave, and some of the European sailors had to be put on board the ships by force.

All the clerks, artisans, etc., remaining at Malacca were addressed by the English Admiral Rainier, who told them that if they did not resume their former jobs they would be deported to Madras. But, so far as the Deponent knows, they were

unmoved by this threat and none of them, apart from a sergeant of the body-guard, entered the English service.

All the Honourable Company's property and goods, victuals and stock of opium at Malacca were publicly auctioned by the English, and absurdly small bids were accepted for them. Forty or fifty chests of opium, for example, were sold at $12.00 the chest.

In the Deponent's opinion, if even a small force had been sent against Malacca, the place could have been reconquered without much difficulty. Few of the Chinese, Malay, Moorish or Portuguese inhabitants were well-disposed towards the English. In the event of an attack they would not have supported the Government. Some of the Malays and of the Madurese soldiers who were in the city immediately after the surrender offered to run *amok* and thus destroy the enemy. The English troops numbered only four or five hundred, including two hundred Sepoys, and many of those were sick in hospital.

On the 16th August the Deponent clearly remembers having seen Mr. Michiel, an officer of the Honourable Company's service, drunk at his post at Tranquerah Gate.

About a year before the surrender a certain English clergyman, Mr. Klergs [?], arrived as a passenger aboard a ship belonging to Boatswain Meyer, named the *Cirteura*. During his stay at Malacca this chaplain resided for part of the time with the Dutch pastor and part at Government House. Just before the English attack he went to Pulau Penang, accompanied by a youth from Governor Couperus' household who acted as his personal servant. This same Klergs was with the English fleet when it came to capture Malacca and now holds the post of English chaplain there.

The two English prize agents had complete charge of affairs at Malacca under the English Commander. One of them was Mr. Scott, the man who was chiefly responsible for the English success in establishing themselves at Pulau Penang.

The Deponent states that he knows no more of these matters and is ready, if required, to swear to the truth of the above deposition on oath.

Done and declared at the Court of Justice, Samarang, on the above date.

(Signed) J. G. Braune

In the presence of us,

(Signed) C. L. Wieling)
H. Palm) Commissioners.

IV. Deposition of Hendrik Westerman.

This day, the 22nd March 1796, Gunner Hendrik Westerman, 23, born at Aachen and now of the Honourable Company's service, appears before the Fiscal of this Government, Junior Merchant Barend van den Worm, in the presence of me, the Secretary to Government and, having been required to make a statement in the interests of justice, declares as follows:

That, on the night the English assaulted Malacca, he was on sentry duty at Cras Point, under the command of Captain of Artillery Thiel. At 10 o'clock in the evening he received orders to shoot at anything and everything landing on the coast.

At about 12 o'clock Bombardier Potjer, whose post was at the Land Gate, warned Captain Thiel that the English were landing. Captain Thiel told the Bombardier to take this information to the Commandant, who said (or so the Deponent later heard the Bombardier tell Captain Thiel), "Nonsense! What you think is the sound of rowing is merely the slapping of the sea against the rocks." Yet the Bombardier had reported to the Commandant that he had not only heard the enemy but had also seen them.

One or two rounds were fired at the English from the Vriesche Berg, but the Fiscal immediately came up and ordered a cease-fire.

The English landed opposite the plantation owned by the Governor's brother-in-law, the burger Adriaan Koek, and the Deponent saw lanterns hanging in the trees at that place.

After the English had landed, they fired three shots and the same number of rockets. At this Governor Couperus announced that they were our friends and told Captain Thiel to fire three rockets from Wilhelmus Point, which was done. Soon afterwards a further order was brought to Captain Thiel informing him that the war was over. He was to tell his men that they could go to sleep and to report to the Governor himself immediately . . .

Later all the Dutch soldiers were summoned before Major Brown and asked whether they wished to enter the English service. They refused, preferring to be sent away from Malacca. Governor Couperus then visited the men at their barracks at Meester Court and said, "Come now, lads, have I treated you so badly that you are planning to desert me " To this they were loath to reply, because they did not know whether he came as a friend or an enemy and they had no wish to betray themselves.

The Governor said, "You need have no fear, since it is I who speak to you." But the soldiers abided by their decision. The Deponent was then sent here to Java by sea.

Done at the Court of Justice, Samarang, on the above date,
Gunner Hendrik Westerman, his mark,

Before me,
(Signed) Van Hemert, Secr.

As Commissioners,
(Signed) C. L. Wieling, H. Palm.

V. Deposition of Johannes van Hees, Caspar Gerner and Hein Reinders.

This day, the 22nd March 1796, Master-at-Arms Johannes van Hees of Schiedam, 50, Seaman Caspar Gerner of Hilburghhausen, 37, and Naval Apprentice Hein Reinders of Dockum, 22, appear before me, the Secretary to Government and, having been required to make a statement in the interests of justice, declare it to be true:

That they were aboard the Honourable Company's Ship *Constantia* in Malacca roads when the English fleet dropped anchor there.

A boat came alongside the *Constantia* bearing an officer who demanded her surrender in the name of the English commander. The Captain of the *Constantia* was ashore at the time and the Mate said he had no orders. The officer then left. The first-named Deponent was sent ashore by the Mate to fetch the Captain, who returned with other members of the crew. They had scarcely come aboard when the English fired a couple of shots, causing two men to be wounded. One died shortly afterwards. The English fire was answered by the *Constantia*, but her Captain realizing that he could not sustain a resistance against so large a fleet — the more so because his vessel was high and dry on the mudbank — struck the Dutch flag and hoisted the English. The English then came aboard and removed the officers and crew of the *Constantia*.

The *Constantia*'s crew were later allowed to take over their ship again, but discovered when they did so that everything valuable aboard had been stolen by the English sailors. The Deponents were sent to Java in the privately-owned vessel *Arnolda*.

Done at the Court of Justice, Samarang, on the above date,
(Signed) J. van Hees, Hein Reinders & C. Gerner,

Before me,
(Signed) Van Hemert, Secr.

As Commissioners,
(Signed) C. L. Wieling, H. Palm.

VI. Deposition of Jan Westerveld and Daniel Fredrik Schultz.

This day, the 22nd March 1796, the Honourable Company's Boatswain, Jan Westerveld of Leeuwarden, 30, and the Honourable Company's Quarter-Gunner, Daniel Fredrik Schultz of Middleburg, 25, appear before the Fiscal of this Government, Barend van den Worm, in the presence of me, the Secretary to Government and, having been required to make a statement in the interests of justice, declare it to be true:

That, in pursuance of their duties as described above — the first-named being the commander — both the Deponents were present aboard the galliot *Griffioen* when the English captured the Honourable Company's factory at Riouw. At the time their ship, the *Griffioen*, was on fire-watch, and was captured by the English, along with other vessels in the harbour, in the following circumstances.

When on the evening of the 8th September last the English ships came in sight, the first named Deponent received orders from the Resident to maintain a vigilant watch during the night. Next morning two English frigates, accompanied by the privately-owned vessel *Arnolda*, anchored in the roads. A boat immediately put out from one of the frigates for the shore, and soon a sentry was seen to have been posted in front of the Resident's house. All the guns were removed from the fort. The first-named Deponent then received orders from the Resident to prepare his ship to carry the Company's property from Riouw to Malacca. The whole factory was dismantled within three days, and the Company's goods were loaded aboard various ships, including the *Griffioen*, the *Arnolda* and the galliot *Postlooper*. All set sail for Malacca where, on arrival, their cargoes were unloaded. The first-named Deponent was ordered by the Government of Malacca to lay his ship up, and later to bring her into the river and abandon her. After this both Deponents received permission to proceed to Java in the *Arnolda*, of which permission they availed themselves, and thus arrived here.

The first-named Deponent adds that he himself saw Governor Couperus enter a small private craft at the rear of the

house of the Senior Merchant at Malacca and by that means cross to the *Armida*. Various gentlemen took their leave of the said Governor within the house, though a few friends, including the burger Adriaan Koek, joined His Excellency aboard.

The Deponents declare that they are prepared, if necessary, to confirm the above statements on oath.

Done and declared in the Court of Justice, Samarang, on the above date,

(Signed) J. Westerveld, D. F. Schultz,

Before me,

(Signed) Van Hemert, Secretary,

As Commissioners,

(Signed) C. L. Wieling, H. Palm.

VII. Deposition of David Steur.

This day, the 22nd March 1796, the Honourable Company's Quartermaster, David Steur, 25, born at Amsterdam, appears before the Fiscal of this Government, Barend van den Worm, in the presence of me, the Secretary to Government and, having been required to make a statement in the interests of justice, declares it to be true:

That he, the Deponent, lay sick in hospital at Malacca when the English took that place, though by the time of their night landing he had almost recovered his health and was able to walk round and about in the Castle during the action.

At half past twelve at night there was a fire in the slave quarters at Government House, and no one appeared to be in any great hurry to extinguish it. The Deponent himself carried water and helped to put out the fire. He saw no papers burnt, but he did see Governor Couperus standing there fully clothed with some other gentlemen of his company.

At one o'clock in the morning two shots were fired from the Vriesche Berg. Immediately afterwards a certain Portuguese, by name Pietje Puit, was sent from the Fortress with orders to stop the firing. The gunners on the Vriesche Berg, however, did not obey, and so the Fiscal was sent out. After this the shooting stopped and within a short time some rockets were fired from the Castle rampart . . .

Early the next morning the English, meeting no further opposition, marched into the Castle with their drums beating. The

Deponent received permission to depart with the private vessel *Arnolda* for Java.

The Deponent states that he knows no more about the matter in hand and is prepared, if necessary, to confirm the above statement on oath.

Done and declared at the Court of Justice, Samarang, on the date as above.

(Signed) David Steur,

Before me,

(Signed) Van Hemert, Secr.

As Commissioners,

(Signed) C. L. Wieling, H. Palm.

VIII. Deposition of Braun Samson.

Braun Samson was employed as Steward's Mate aboard the Honourable Company's Ship, *Constantia*, when the English attacked Malacca last year, though at the time of their landing he was ill in the Malacca Hospital. Two of his comrades were brought to this same hospital, having been wounded in action.

On the night of the landing he heard several shots. Then he heard Governor Couperus, who was on the hill at the foot of which the hospital lay, call out to Captain of Artillery Thiel and tell him to cease firing and set off three rockets. Captain Thiel shouted in response, "Very good, my lord the Governor, your orders shall be attended to," and soon afterwards three rockets rose into the air. While these incidents were taking place, the Deponent, together with most of the other convalescent patients, was standing amongst the crowd at the Hospital gates, where they had all congregated to see what was going on.[9]

IX. Deposition of Said Aloewie Segaf.

This day, the 21st April 1796, the Arab Said Aloewie Segaf, of full age and born at Perim in Arabia, appears before the Fiscal of this Government, Barend van den Worm, in the presence of me, the Secretary to Government and, having been required to make a statement, declares it to be true:

That he, the Deponent, journeyed last year from here to Malacca for the purposes of trade, and found on arrival that the English were in possession of that place. He noted, however, that the Dutch flag still flew beside the English . . .

9. This Deposition has neither heading nor signature.

Following normal practice the Deponent presented his papers to Governor Couperus. He observed that there were two English sentries on duty outside Government House and an English officer installed inside. The Governor drew him apart and said, "To avoid trouble, don't say that you come from Samarang — just say that you are a trader." His Excellency then asked him what news was current in Java regarding Malacca. The Deponent replied, "Nothing but good news," but made bold to indicate to His Excellency his astonishment at finding the English in occupation. The Governor then explained how he had reported the shortage of troops and the parlous state of the Malacca defences to the High Government at Batavia, but that no action had been taken. Nor had he received warning from Batavia about the expected English attack. When the landing was made, the Governor went on, most of the inhabitants of the town had run away and he had not been able to check them. He said that the English had been provided with letters from their King and also from the Raja of the Hollanders. He complained of the base trading methods of the English. From these and other remarks of the Governor's, the Deponent gained the impression that His Excellency was beginning to realize the folly of surrendering Malacca to the English . . .

The Deponent also discussed the surrender of Malacca with the Captain of the Malays, Inche' Mohammed, who told him that he had been summoned by Governor Couperus when the attack began and ordered to arm his people, which had been done. But the same evening he was told to disarm them, after which they fled, and when he informed the Governor of this, the Governor said, "Oh well, let them go."

The English landed opposite the plantation of the Governor's brother-in-law, Adriaan Koek, who had always been a great friend of an Englishman named Scott.[10] This Scott had accompanied the English expedition. Lanterns had been hung in the trees at Koek's plantation, and before the landing Koek himself had paid three visits to the English ships. No doubt influenced by Koek the Governor had become afraid of the might of the English, though during the Riouw War His Excellency had shown himself to be a brave man.

When the English landed, a few shots were fired, but immediately signal rockets were set off and by morning the English, meeting no opposition, had made themselves masters of Malacca. Inche Mahomet told the Deponent that the English victory could have been prevented if his twelve hundred Malays had been armed.

10. James Scott, property-owner and trader of Penang; formerly a partner of Francis Light.

The Captain of the Moors told the Deponent that during the whole period of the attack he was not once summoned by the Governor, though if he had been he could have called out seven or eight hundred Moors.

These two Captains also told the Deponent that a few days before the landing they had met the Governor at his request at his plantation. He had seemed very pensive and disgruntled. He was worried, apparently, because his brother-in-law, the former Resident of Riouw, whom he had sent in irons to Batavia, had been released by the High Government.

The Deponent himself, from an observation post in the house of the Capitan China witnessed the departure of Governor Couperus and his wife from Malacca. The Governor left from behind the house of the Senior Merchant, which was not a usual place from which to be ferried out to ships. The Governor's wife, accompanied by her brother, Adriaan Koek, went first to the ship on which she and her husband were to travel, making the passage in a small boat. It was low water and the whole business was extremely difficult. A ladder supported by bamboos had to be employed, and the way in which the two of them laboriously climbed down to the boat was pitiful to see. Half an hour later the Governor himself summoned a sampan and was rowed to the ship in it. He was not accompanied by any suite. He held an umbrella in his hand and sat alone in the sampan with the two natives who plied the oars. In the house were the Senior Merchant and a few other gentlemen, but apart from this the Governor's departure was without any seemliness or ceremony at all.

The Deponent was among those who visited the Governor aboard the *Armida*. He noticed that His Excellency's wife looked extremely ill and had time and again to excuse herself from the company. The Governor himself wept loudly and continually wiped the tears from his face. The Deponent asked him if he wished to send any letters to Java. His Excellency replied pathetically that there was nothing he could write. Then the Deponent took his leave and returned from the *Armida* to the shore.

An English fleet of nine ships subsequently set sail from Malacca for the Great East with the object, so the Deponent heard, of taking possession of Amboina and all other places that wished to put themselves under its protection . . . The English commander, it was said, had thirty or more letters with him, addressed to the princes of Java and the islands and to other chiefs, panglimas and rulers of lands to the eastward.

The Deponent both saw and read these letters in the house of a certain Mahomet, who before the surrender had been a writer for the Honourable Company and afterwards was taken into the English service. The said Mahomet had written these letters in the Malay language on instructions from Mr. Scott and from Adriaan Koek, who was involved in all these matters.

The import of the letters was as follows: The French had put the whole world in a turmoil, and had become brutes rather than men, seeking the downfall of all princes; they had murdered their own king; they had chased the Raja of the Hollanders out of his own country and he had had to seek sanctuary with the King of England; it was at the behest of their King and of the Raja of the Hollanders that the English had now come to protect both the princes of the islands and the posessions of the Dutch Company against the brutish French; the King of England and the Raja of the Hollanders consequently besought all princes to co-operate with the English forces and live in amity with them; they desired, moreover, that those princes who resided in areas where the Dutch Company exercised its pernicious influence should drive the Dutch out, allowing the English to replace them, or, alternatively, should retain such areas under their own rule, since the English came only to remove injustices and oppression and to make trade and the general welfare flourish once again.

A proclamation was issued in Malacca by the English abolishing all prohibitions on private trading in opium, spices, tin, cloth, etc. Trade in these commodities was declared free, but the inhabitants had been better off under the Honourable Company, for the English did not treat them well.

Even the Saids did not deny this, as the case of the Said Sen clearly shows. This man was voyaging from Palembang to Malacca with a cargo of tin and other goods when he was stopped by an English privateer.[11] The privateer was commanded not by her owner but by a mere skipper. This skipper confiscated the greater part of Said Sen's cargo, to the value of six thousand dollars. He gave the Said a letter which purported to contain a list of the confiscated goods and told him that if this letter were produced at Malacca payment would be made for the goods. The Said believed this and brought the letter to Malacca. But he soon discovered that it contained no mention of payment, asserting instead that the skipper of the privateer had confiscated the cargo because the Said's vessel came from a Dutch settlement. The English commander at Malacca, Brown, regarded this treatment of the Said as quite unjust, and told him, "As surely

11. This was the *Phoenix*, commanded by Captain Hay, and belonging to a Mr. J. Tate of Bombay.

as the sun rises in the east, you will have your cargo back again or the value of it." But Major Brown left Malacca shortly afterwards, and everything there changed for the worse.

Said Sen then departed from Malacca himself but, before doing so, gave authority to Mr. Scott, to a Chinese whose vessel had been captured by the same privateering skipper and her cargo removed, to Adriaan Koek and to the Baba Gijsje, to act on his behalf. If the skipper returned to Malacca, they were to demand from him the Said's cargo or, if it had already been disposed of, the value of it. The Deponent was also asked by the Said to act for him.

After some time the privateer did return to Malacca, but the skipper did not come ashore. He sent his quartermaster instead. The Deponent and the Captain of the Chinese therefore approached Mr. Scott, who was staying at the house of Adriaan Koek, and made representations about the Said's cargo. But Scott said, "I can do nothing. The skipper stays aboard his vessel, which is lying out there in the bay and is barely in sight. I have no ship with which to bring pressure on this skipper." The Deponent demanded that the skipper should be sent for by the English commander of Malacca. He considered the matter urgent because sailors had come ashore from the privateer and were selling the goods removed from Said Sen's vessel—batik cloth and the like—to the Chinese merchants in the bazaar. But Scott again said, "I cannot help you. If you want justice you must apply to Madras. As to the sailors selling the cargo, what can I do? They are sailors, after all." The result therefore has been that neither Said Sen nor the Chinese have so far received satisfaction in respect of their just and rightful claims.

Mr. Scott had many conversations with the Deponent about Java, and asked how strongly it was defended, whether there were large numbers of Europeans there, and how the Honourable Company stood with the Javanese princes. The Deponent always answered that, at the time he left Samarang, that port had been well provided for and ready to repel an enemy, that there were numerous European soldiers in Java (though he could not say how many because some were in the interior) and that the Honourable Company's relations with the princes continued to be based on mutual advantage and true and brotherly friendship.

Done and declared at the Court of Justice, Samarang, on the above date,

(Signed in Arabic characters) Said Aloewie Segaf.

Before me,

(Signed) A. van Hemert, Secr.

As Commissioners,

(Signed) A. Cassa, M. Elbers.

The Defense of Abraham Couperus.

To His Excellency, the Right Honourable Johannes Siberg, Governor-General, etc., etc., and to the Honourable the Councillors of the Indies

Most Excellent and Worthy Sir and Gentlemen!

A period of nearly ten years has now gone by since the surrender of Malacca. The events of that day, though unhappy, have never aroused astonishment in the minds of those fully acquainted with the facts.

It has always been my wish, and I have long tried, to place before Your Excellencies a faithful record of the occurrences which then took place, in order to convince you that neither in my own conduct nor in that of my colleagues of the Political Council was there any question of dereliction of duty. But none of us has been allowed to go either to Batavia or to Holland. It was therefore not in my power to acquit myself of the task, and I was constrained to await the conclusion of a peace which, it was then hoped, was close at hand. But no peace came, and I have been forced to spend many weary years in a place where (despite the outward signs of respect accorded me) each month has seemed more like a year.

Anxiety that I should not live to see the restoration of peace disturbed my every day; illness followed anxiety, and I despaired of ever being in a position to wash away the stain which ignorance and stupidity had placed upon my adminstration and upon the conduct of everyone connected with the surrender of Malacca.

Before long I learnt that in various places under the rule of the Government of Java several former residents of Malacca had signed depositions which so far from describing what these persons had themselves seen and knew, were full of hear-say and, more serious still, of supposition and mere opinions. Rumour, which always blazens everything abroad in an exaggerated and distorted form, portrayed our behaviour as base and cowardly and our aims as wicked and treacherous. Some people attributed the surrender of Malacca to the peculiar political beliefs to which it was supposed we subscribed; many, ignorant of the contents of the depositions signed in Java, imagined that these proved conclusively that we, as a result of an attachment to the interests of the enemy, had gladly embraced

the opportunity of placing Malacca in his hands. The true contents of the depositions were, and remained, secret, being witheld not only from the public at large but even from me and my fellow-Councillors, who were most concerned. Ignorance guessed at the truth and formed an imaginary picture of events, according as she thought well or ill of our characters.

I now deal with certain of the charges which the Deponents have laid against me.

In the first place, I must assert as a fundamental truth (myself believing it fervently and sincerely) that had there ever been any wicked plan to surrender Malacca without sound or lawful cause (and any such action, I readily admit, would have been most base and treacherous), I would clearly have been a party to it, and therefore unquestionably guilty. I should, moreover, be obliged to declare my guilt if there had been any treachery on the part of the Members of the Council or of any of the officers, all of whom saw the absolute necessity for the surrender and gave their unanimous consent to it. I am further free to view all similar accusations, by means of which slander and ignorance have sought to lay blame on my colleagues, as an injustice done to me personally, and to take up my pen in order to come to the defence of the innocent.

In general the evidence of the Deponents labours under those defects which must necessarily result from ignorance and lack of judgment, but in some of the statements a malignant desire to make me and the other suspects an object of calumny is very clearly to be seen.

It is obvious from the statement of Emanuel Campadonico, for example, who, at the time the English took Malacca, on 17th August 1795, was not even present, but had already departed for Riouw, and did not return until a month later, on 16th September, that he is unable to speak as an eye-witness, and consequently that none of his remarks rests on a sure basis of proof; yet he does not scruple to say that the Government of Malacca was surrendered by treachery. He gives no reason for this assertion other than that he had 'heard it said' (he does not mention by whom), a remark which is valueless as a proof and merits no serious consideration.

His wish to throw suspicion on me has led him to include in his account one outrageous lie. In order to invest his remarks with the appearance of truth, he suggests that I was hated by the soldiers. He has no hesitation in declaring that they attacked me — an incident which never took place and which, I have no

doubt, was falsely and wickedly fabricated by him and his friend, J. G. Braune . . .

Of all the Java Deponents none should have given a clearer account than the Java burger, Johan Gottlieb Braune, were it not that fear of the English had driven him as well as many other inhabitants from Malacca, and were he not notorious as a man very chary of speaking the truth. His absence therefore prevented him from speaking except from *hear-say* (that is, without proof).

Anyone who did not know this person would stand aghast at his impudence.

He makes no bones about describing the flight of the inhabitants as something base and cowardly, and uses language which suggests that he would have people think he himself is a man of courage. Yet this was his behaviour at the time. He, Braune, was in the service of Mr. Thierens and was employed on a brig belonging to that gentleman. When the English began sailing into the roads, he, in accordance with general orders issued by me, and acting in common with the other nakhodas (skippers), moved his vessel to the mudbank or as near to the shore as he could.

Before this manoeuvre was half completed he had already spent all the time available in placing his own belongings in safety ashore and in making ready to save himself as quickly as possible by flight; and this he effected up-river in his ship's boat manned by the crew of his brig. The rascality and cowardliness of the said Braune were thus incomparably greater than that of any of the other inhabitants of Malacca.

Most of these had wives, children, or helpless old people to look after. But the man whose flight was the result of his own cowardly fear and nothing else was not even an eye-witness of the subsequent events, and speaks solely from *hear-say* . . . If he had not been convinced that Malacca must bow before the forces brought by the English, what caused him to run away? His actions provide clear proof of his real thoughts regarding the famous fall of Malacca; they show also that there is every reason to suspect his deposition of partiality and the desire to condemn.

The sale of the brig which he commanded dissatisfied him, dissatisfaction changed into hatred, and hatred in turn fathered calumny. Having no weapons with which to revenge himself other than the sword of slander and lies, he did not scruple to assert as true (under cover of having learnt them by hear-say) things which I am certain he neither heard nor himself believed

— as, for example, the episode of the fire in my office, the groundless attack on my person in general and also on my secret (as he pretends) departure to the seaward, and the entertainment afforded to the English after their landing by Koek . . .

The accusation brought by the Deponents against Fiscal Ruhde, namely, that he prematurely stopped our guns firing at the English from the Vriesche Berg, I would willingly attribute to lack of knowledge and judgment rather than to wilful malignity. But it is hard, very hard, for an old and experienced Company Servant like myself to see his honour and good name thus assailed, and to find himself suspected by his superiors and by the world. The Deponents knew nothing of the facts surrounding our decision to surrender and do not appear to have appreciated that this decision had already been taken when the Fiscal ordered a cease-fire. At the time Fiscal Ruhde was still a member of the Government.

The Deponents were ignorant of the strength of the forces on the Berg and from their ignorance stems their faulty judgment. They maintain that the order given by the Fiscal (to cease firing) affected the surrender, since otherwise our post on the Berg would have been able to inflict considerable damage on the English. But it must be remembered that from the Vriesche Berg none of the troops who had already landed could be seen. The Coconut Plantations and other wooded areas prevented it. Even had it been broad daylight instead of night the enemy would not have been visible. One must also consider what possible action this post could have taken. From the allocation of troops to the various positions (set out below) it can be seen that this particular post was occupied by two gunners and eight Javanese. This was the total strength of the outpost, and it was certainly not enough to cause the enemy any significant damage.

With regard to the burger Adriaan Koek I realize that anyone glancing through or, indeed, carefully studying the accusations made by some of the Deponents must agree that there are cogent reasons for suspecting him.

Consequently, since I am *certain*, and *genuinely* and *completely convinced* of his innocence, I have not hesitated in my previous letters to Your Excellencies to defend him to the utmost of my power and, further, to state that I was in a position to prove his innocence.

It is not only friendship and personal association alone that oblige me to defend Koek; he is a burger of Malacca and, in common with all other burgers, has a right and a title to call me in his defence.

Permit me, therefore, most worthy Masters, to insert here a letter from Colonel James Mackerras, who served as Brigade Major in the expedition against Malacca, and who was present when the English troops landed.

Realizing that this gentleman, because of the nature of his service at that time, must have possessed full knowledge of so important a matter as the raising of lanterns, etc., if such had taken place, I wrote him the following letter:

Sir!

Several Declarations have been made at the Island of Java, relative to the Surrender of Malacca to His Bretanick Mayesty[12] Troops in 1795, amongst other things it is deposed under offer of oath that Mr. Adriaan Koek, in order to direct and facilitate the landing of the British forces, employed for the reduction of the place, did hoist three lanthorns in his gardens in the Banda Their as a Signal either himself or through his immediate directions and by this means that the British troops effected a safe landing at Mr. Koek's garden; where it is further deposed they were entertained in a most sumptuous manner by Mr. Koek.

As I am confirmed that if what is stated be a fact it must have come within your knowledge, I therefore take the liberty of requesting the favour of you, to inform me, if there is any truth in the report.

I feel confident that as a man of Honor and more especially as a Military character you would scorn to defend any man who had been guilty of treason, in the most flagitious acts of treachery to his country, whatever might be the advantage resulting from it at the moment.

I entreat therefore you will oblige me by making me acquainted with what you know on the subject, that I may either have an opporunity of assisting to wipe out this stain upon an honest man's Character or of denouncing him as a traitor.

My duty requires that I should make a faith full enquiry; without considering Ties of friendship or connection.

I should be sorry to suffer any consideration of a private nature to have any weight.

I hope you will excuse the trouble I am giving you, and I shall receive any communication on this subject as a very great obligation conferred on

Sir! Your most obedient servant,
A. Couperus.

Tranquebar, 11th March 1805.

12. *Sic.* Here and in other places where Couperus uses English I have made a literal transcription, allowing mistakes in grammar and spelling to stand.

The answer to this letter . . . was as follows:

To A. Couperus, Esq.,
Late Governor of Malacca.

Sir!

I have the honour to acknowledge the receipt of your letter of the 11th Ultimo, which only reached me two days ago.

From my having been Major of Brigade to the Troops that went from Madras in 1795 against Malacca, and being at the same time entirely in the confidence of Major Brown who commanded them, I am acquainted with every circumstance that took place regarding its reduction, and for the truth of which I pledge to you my most Sacred Word of Honor, both as a Gentleman and an Officer, as to every circumstance here after stated.

From the Hour we arrived in Malacca Roads, Major Brown determined on landing the Troops to the Southward of the Fort, and in consequence I was sent on the 16 of August with two Naval Officers to determine on a proper spot to debark the Troops on, when we fixed on the first open ground to the Southward. On the 17th the landing took place but, owing to the confusion attending Night Operations, the Boats went considerably [wide of] the place previously fixed on, and where the jungle was so thick as to render it impossible to land. The Boats therefore drew off and stood to the Northward an officer walking in the serf, abreast of the boats, to inform us when we came opposite to the open ground, when the Troops immediately landed.

Some little time after we got ashore, parties were sent out in various directions to obtain a knowledge of the ground as well as to prevent the approach of any person from St. John's [Hill], which we saw, and knew, to be fortified and garrisoned.

One of these parties discovered the Road leading to Mr. Koek's House; previous to which I am confident Major Brown did not know that Mr. Koek or any person had a House there.

I most solemnly declare that no lights were hoisted or shewn to us from the shore, or any signal of any kind whatever.

I was in the leading boat wth Col. [sic] Brown. Of course, had there been any thing of the kind, I must, both, have known, and seen it. But the circumstance which I have before stated of the Boats having gone so far to the Southward of the spot fixed on for landing of the Troops, must in the mind of every honest, and liberal Man effectually do away so unjust, and false an accusation.

After Mr. Ruhde, who was sent out by you, had a conference with Capt. Newcome and Major Brown, we went up to the place where Mr. Koek was beginning to build a House by fixing posts in the ground: but it then had neither walls nor roof; in this we remained until morning; that is, the two Commanders, the interpreter, and I myself.

The accusation of having had a Supper is of the same malignant nature, and equally without foundation, as the other accusations made against Mr. Koek, for I most Solemnly Declare, that from the time we left the ships until next morning, when we got into the Town, we had nothing, either to eat or drink, but some salt beef and Biscuit,

with some spirits and water, all of which we brought from the ships with us, and which were all consumed before we got to Mr. Koek's ground. There we had nothing of any kind whatever, not even a Servant or a light, so far from anything like a Supper.

I am happy in the opportunity you have afforded me, in giving my Testimony as to Koek's conduct at the reduction of Malacca, and which I again repeat to you, on my most sacred word of honour . . . both as a Gentleman and an Officer, and which I pledge for the truth of everything which I have above mentioned. Mr. Koek's enemies, whoever they are, are actuated by motives the most unjust, and entirely without foundation. But if the accusations preferred against him are examined by any fair and impartial man, they will be found to be as false as they are cruel and unjust.

I have the Honour to be, Sir,
Your most obedt. Servant,

(Signed) James Mackerras, Lieut-Colonel, and formerly Major of Brigade on the Malacca Expedition.

Madura, 1st April 1805.

This clear and circumstantial account, written by a man of honour, who was not only present (as were the other officers) but landed at the head of his troops, and therefore knows and is able to give a full account of the affair, rebuts and refutes all those ill-grounded depositions concerning Koek which have been signed by persons who, according to their own statements, were more than a half-hour's journey from Koek's plantation at the time when they claim lanterns were seen . . .

I hope that everything which I have asserted so far in justification of my own and my colleagues' administration will be found by Your Excellencies to amount to an entirely satisfactory refutation of the calumny and false charges which have been laid against us.

I have, however, still to carry out the chief task which duty calls upon me to perform; namely, proving to Your Excellencies that the motives which led to the surrender of Malacca were born of absolute necessity and conceived in good faith; that our decisions were not swayed by special interests or beliefs; and that we, faithful to our oath and responsibilities, were inwardly and genuinely convinced that it was impossible for us to retain the place any longer, and that any delay in surrendering it would have brought in train total catastrophe for an innocent and defenceless community and would have cost the blood and tears of widows and orphans.

First I shall give an exact account of the forces available at the time for the defence of the fort, the town, and the outlying

posts; a force which, as anyone possessing understanding and judgment will quickly realize, was far too weak to defend the place for a day.

The number of ordinary European soldiers, including inhabitants of Malacca was		95 men
But since it is my object to give the numbers of those actually employed, together with the details of the posts to which they were assigned after the adoption of the revised defence plan, I may perhaps be permitted to deduct from the number given those who could not bear arms, viz.		
The sick, and men unfit for duty because of age	22 men	
Persons employed in issuing muskets and weapons from the Armoury	6 "	
And those employed, by my orders, on Mess Duty	4 "	
		32 men
		63 men

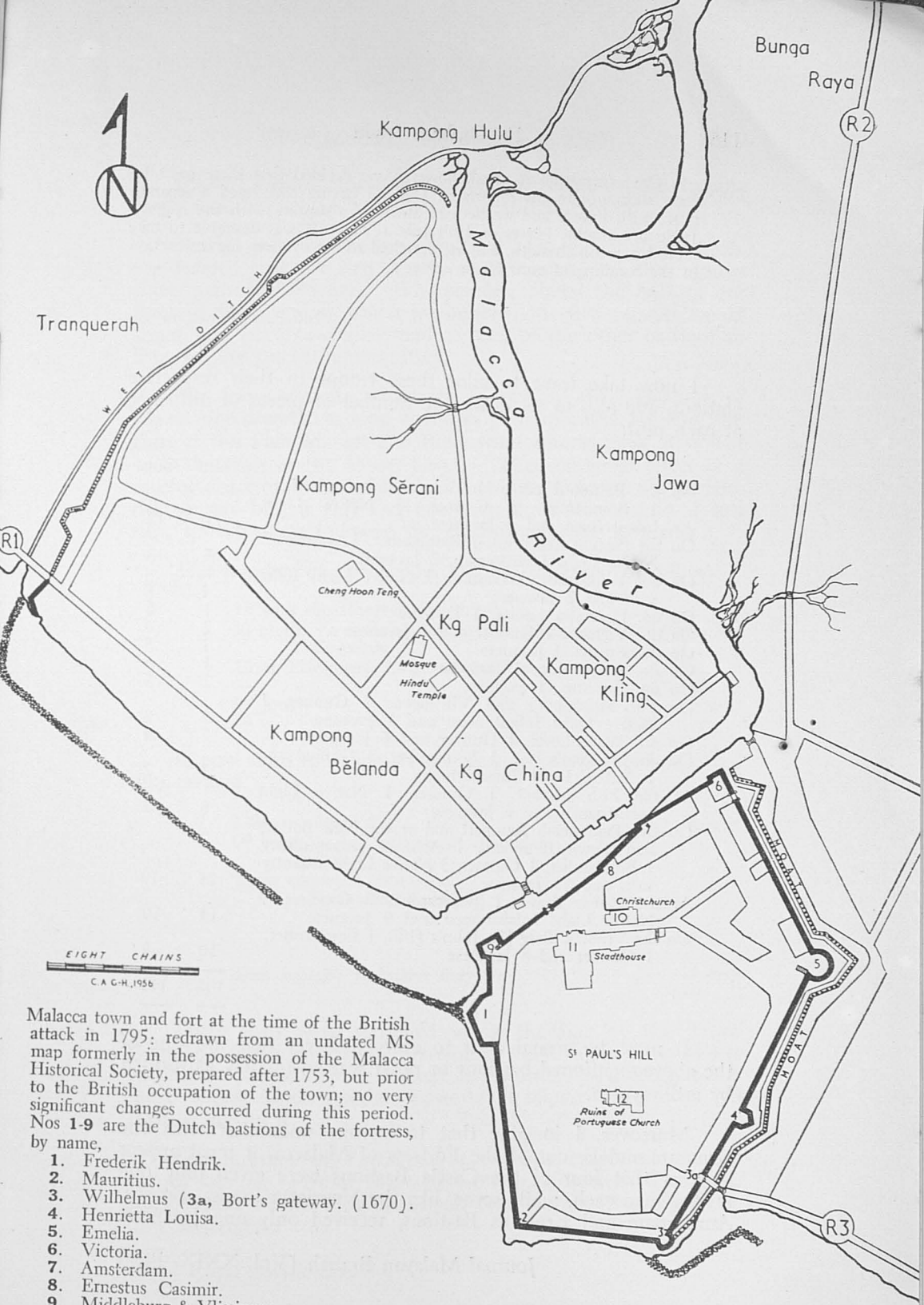
I now assign these men to their various posts:

Headquarters Guard	15 men
On the Bastion Fredrik Hendrik	6 "
" " do. Mauritius	10 "
" " do. Wilhelmus	2 "
" " do. Henrietta Louisa, none	
" " do. Emelia	3 "
" " do. Victoria	4 "
" " do. Amsterdam, none	
" " do. Ernestus, none	
" " do. Middleburg and Vlissingen, none	
On St. Paul's Hill and near the Powder Magazine	6 "
In the Redoubt near the Watering-Place	4 "
At the Harbour Boom	6 "
On the Vriesche Berg or St. John's Hill, none	
On Bukit China, none	
With the Battery at the Water-Level, none	
At the Town Boundary and Tranquerah Gate	7 "
In reserve, none	
Total	63 men

The number of our artillerymen was:

1 Captain-Lieutenant and Officer Commanding Artillery
1 Artificer Extraordinary
6 Bombardiers
12 Gunners
12 Native Light Infantrymen or Auxiliaries

32 Men



Malacca town and fort at the time of the British attack in 1795; redrawn from an undated MS map formerly in the possession of the Malacca Historical Society, prepared after 1753, but prior to the British occupation of the town; no very significant changes occurred during this period. Nos **1-9** are the Dutch bastions of the fortress, by name,

1. Frederik Hendrik.
2. Mauritius.
3. Wilhelmus (**3a,** Bort's gateway. (1670).
4. Henrietta Louisa.
5. Emelia.
6. Victoria.
7. Amsterdam.
8. Ernestus Casimir.
9. Middleburg & Vlissingen.

R.1, the road to Limbongan & Tanjong Kling. **R.2**, the road inland to Bunga Raya, **R.3**, the road through Banda Hilir to St. John's Hill.

On information received, however, we decided that there must be some substance in the reports of Holland having concluded a separate peace with France and we became afraid of a rupture with the English (vide my humble letters of 19th July 1795). It was desirable to take more troops on strength, and we attached to the artillery for instruction in the handling of guns 68 Javanese:

68 Men

100 Artillerymen in all.

I now take leave to allot these troops to their respective stations, and also to set down the number of pieces of ordnance at each post:

	Men	Guns
On the Bastion Fredrik Hendrik, the O/C Artillery, 1 Bombardier, a Gunner, 2 Native Light Infantrymen and 6 Javanese, or	11	12
On the Bastion Mauritius, 1 Bombardier, 1 Gunner, 1 Native Light Infantryman, 2 Javanese	5	3
On do. Wilhelmus, 1 Gunner, 1 Native Light Infantryman and 2 Javanese	4	6
On do. Henrietta Louisa, 1 Javanese	1	6
On do. Victoria, 1 Gunner and 1 Javanese	2	5
On do. Emelia, 1 Javanese	1	5
On do. Amsterdam, 1 Javanese	1	6
On do. Ernestus, 1 Javanese	1	5
On do. Middelburg and Vlissingen, 1 Gunner, 1 Native Light Infantryman and 5 Javanese	7	8
On do. Water-Level, 1 Gunner and 6 Javanese	7	4
On do. St. Paul's Hill, 1 Bombardier, 1 Gunner and 1 Native Light Infantryman	3	2
At the Fish Market, 1 Gunner, 1 Native Light Infantryman and 6 Javanese	8	2
On the Tranquerah Rampart and at the New Battery and Town Boundary, 1 Artificer Extraordinary, 1 Bombardier, 1 Gunner, 3 Native Light Infantrymen and 19 Javanese	25	19
At the Fausse Braye, 1 Bombardier, 2 Gunners, 2 Native Light Infantrymen and 9 Javanese	14	19
On the Vriesche Berg [St. John's Hill], 1 Bombardier, 1 Gunner and 8 Javanese	10	9
	100	111

It must be crystal clear to every observer that not one of the above-mentioned bastions or posts was adequately garrisoned by artillerymen.

Moreover, I imagine that to anyone unfamiliar with the structure and lay-out of the Fortress of Malacca, it must appear singular that four of the Castle Bastions were given only one artilleryman each, while some, like the Henrietta Louisa, Emelia, Amsterdam and Ernestus Bastions, received only one Javanese.

Ideally, I admit, these posts should have been more strongly garrisoned, but where were the troops to come from?

Bearing in mind the topography of Malacca and its environs, we decided that the first attacks would not be directed against these particular bastions. We therefore placed the bulk of our force at posts against which we believed the first assaults would come, and left one artilleryman at each of the other bastions to keep an eye on the ammunition.

We felt a definite reluctance to employ many Javanese, of whom nine deserted as soon as the English appeared: six from the guns at the Fish Market and three from among those stationed with the guns at the Water-Level. The combined effect of a careful watch and fair words and promises induced the remainder to stay but, if this had not been done they would, I feel sure, quickly have followed the example of their comrades.

The number of the Sepoys was 58, allocated as follows:

12 with the Headquarters Guard
20 at the Land Gate under a European ensign, a Sergeant and 2 Corporals
26 at Tranquerah Gate and the Town Boundary

58 men

It now remains to detail the posting of the Madurese and Sumanapese.

Their number was		76 men
Of these the sick and absent from duty totalled	8	
Those employed aboard the *Commando* numbered	13	
		21
Thus available for active duty were		55 men

These men were stationed along the line of the Town Boundary, which runs from Tranquerah Gate to the River and is therefore a position of the highest importance. According to the most modest expert opinion, however, it requires a force of 280 men to defend it.

The number of Portuguese Christians employed by the month was 63. Five of these were off duty because of sickness. At the time of the English attack their number was therefore only fifty-eight.

They were stationed as follows:

9 with the Headquarters Guard
6 at the Water-Level below Middelburg
18 along the Town Boundary
19 at Tranquerah Gate Rampart and the New Battery
6 at the Fish Market

58 men

The conduct of these persons is notorious: all except three – an Amboncse and two natives of Batavia – deserted as soon as hostilities began.

I have detailed above the forces from each detachment stationed at the various posts. For greater clarity, I will now consolidate this information by listing under each post the different forces employed, viz:

With the Headquarters Guard	15 Europeans 12 Sepoys 3 Portuguese Christians	
	30	30
At the Land Gate, On St. Paul's Hill and looking after ammunition	26 Sepoys 6 Europeans 3 Artillerymen	26
	9	9
At the Magazine, Tranquerah Gate, Tranquerah Rampart and the New Battery	7 Europeans 6 Artillerymen 19 Javanese Artillerymen 20 Sepoys	
	52	52
On the Bastion Fredrik Hendrik	6 Europeans 4 Artillerymen 6 Javanese Artillerymen	
	16	16
On the Bastion Mauritius	10 Europeans 3 Artillerymen 2 Javanese Artillerymen	
	15	15
On the Bastion Wilhelmus	2 Europeans 2 Artillerymen 2 Javanese Artillerymen	
	6	6
On the Bastion Henrietta Louisa	1 Javanese Artilleryman	
	1	1

		Men
On the Bastion Emelia	3 Europeans 1 Javanese Artilleryman	
	4	4
On the Bastion Victoria	4 Europeans 1 Artilleryman 1 Javanese Artilleryman	
	6	6
On the Bastion Amsterdam	1 Javanese Artilleryman	
	1	1
On the Bastion Ernestus	1 Javanese Artilleryman	
	1	1
On the Bastions Middelburg and Vlissingen	2 Artillerymen 5 Javanese Artillerymen	
	7	7
At the Water-Level beneath the above-mentioned Posts	1 Artilleryman 3 Javanese Artillerymen	
	4	4
At the Redoubt near the Watering-Place	4 Europeans	
	4	4
With the guns at the Fish Market	2 Artillerymen	
	2	2
On the Vriesche Berg [St. John's Hill]	2 Artillerymen 8 Javanese Artillerymen	
	10	10
At the Boom	6 Europeans	
	6	6
On the Town Boundary	55 Madurese and Sumanapese	
	55	55
In the Fausse Braye	5 Artillerymen 9 Javanese Artillerymen	
	14	14
	Total	269

The above is an accurate statement of the strength of the Malacca defence force. It agrees in every particular with the Military Reports submitted to me and also with the strength returns forwarded to Your Excellencies.

Anyone who did not understand the local situation at Malacca might suppose, on seeing these figures, that there was no need for us to surrender as quickly as we did. Yet it was this local knowledge that convinced us that the place must inevitably fall . . .

Since there was no hope of holding the enemy outside the walls of the Fortress and Town, it would have been the height of obstinacy and irresponsibility and a mere thirsting after glory for us to have abandoned the Fortress and Town, with its innocent inhabitants, to the mercies of the enemy, and to have plunged these unfortunates into an abyss of sorrow and misery merely so that we ourselves might remain free Netherlanders for a few days longer.

The English force sent to reduce Malacca consisted of 2,860 men. Of these 1,378 had already landed, although we were not then aware of it, south of the Fort.

In addition to this specially committed force, which was made up of regular troops brought from Madras and Pulau Penang, the English could, if they thought fit, have landed a further 700 men from the ships without seriously weakening their fleet. They would therefore have experienced no difficulty in producing a force of 3,500 for the attack.

I am confident that I do not exaggerate this number and that it is, if anything, *much* too small. . . .

Past experience has shown that at all times the English launch an assault, both by land or sea, with so great a superiority of force that the success of their arms is never in doubt.

If this expedition had been planned to capture Malacca only, then it would be reasonable to assume that the number of troops would not have been so great, since the enemy had complete knowledge of our exceptional weakness, nay, rather, of our utter defencelessness. The fleet was in fact prepared to capture Malacca *and other places as well* but, because Malacca was the first objective, the enemy still had his entire force in one piece at the time of his assault . . .

In my letter of the 12th September, 1804, I gave Your Excellencies a description of the hill called Bukit China, which is situated near the Fort and the Town, and I pointed out how

dangerous it would be if in enemy hands during a siege. I proved by examples how this hill absolutely dominates both the Castle and the Town from the landward side.

Although we had no doubt of the imperative necessity of occupying this Hill against the possibility of a large-scale siege, I have no hesitation in saying now that it would have been gross irresponsibility on our part had we weakened our already depleted forces by stationing even a few men there; a small number would have been useless, since the wide expanse of this Hill calls for an occupying force quite as numerous as the whole army we then had available. A reference to the Military Reports of the time will fully confirm this statement. From these it will be seen that during the recent War of 1780 and the following years some 240 men comprised the occupying force. . . .

On many occasions before the English attack took place I drew Your Excellencies' attention to the desperately weak state of the Malacca garrison and urgently requested reinforcements.

In view of our serious position my duty necessitated my asking, in the strongest terms, for more troops. At the same time, however, I was fully aware that it was not in Your Excellencies' power to meet our requirements. Sometimes, I must admit, the realization of the smallness of the military resources available at the Capital made me hesitant and dubious about the manner in which I should formulate my requests. I needed no reassurance about the fervour and sincerity of Your Excellencies' desire to protect and safeguard the Colonies, and I was conscious that there was a certain incongruity in my making an urgent request for something which I knew could not in any circumstances be supplied. But I believed that my duty as Governor demanded that I should make my needs known to my superiors and, further, that it was not incumbent upon me to take the weakness of the Capital into account when obliged, in pursuance of duty, to entreat Your Excellencies so repeatedly for speedy and adequate reinforcements for Malacca.

The Secret Letters from me as Governor in Council and my own confidential letters are sufficient witness that I was by no means negligent in this respect.

Your Excellencies will perhaps allow me to insert here some brief extracts from these Letters:

> *Extract from the secret letter of 30th April 1794, written to Their Excellencies the Governor-General and Councillors of the Netherlands Indies by the Governor in Council at Malacca.*

Para. 13. It is with the utmost regret that we find ourselves obliged most humbly to ask Your Excellencies for some more European reinforcements. If Your Excellencies will be good enough to examine our reports of the state of our defences, we believe that your researches will convince you that our requisition is fully justified.

Our whole force consists of 202 men: 81 Europeans, 69 Portuguese and 52 Sepoys. About half the Europeans are men who, because of age or some other infirmity, would not in Europe be held fit for service of any kind.

Perhaps Your Excellencies will be good enough to bear in mind:

That guarding the walls of the Castle alone absorbs 28 sentries;

That it is well known that there should be a guard on the Boom, and that it should consist of not less than one Corporal and six men;

That the Bukit China, though guarded in time of emergency by men taken from the main garrison, still needs personnel for maintenance duties — who also should number not less than one Corporal and six men, of whom four should be Europeans;

That on the Vriesche Berg, which has no garrison except in time of emergency, there should be three men for maintenance duties, all Europeans;

That a Corporal and four Europeans are needed to guard the Watering-Place;

That not less than fourteen men, even on the lowest estimate, must permanently be posted sick or incapacitated; and

That duties in the Magazine, Military Gaol and Hospital, etc., account for twelve more men, while a total of sixteen are needed as orderlies for the Governor and as batmen for the officers (who are never denied batmen whatever the nature of the service in which they are engaged).

All of which means that in ordinary times we need here an establishment of 323 private soldiers; yet even this number does not allow for the garrisoning of the Hills in time of emergency, for a reserve from which to fill the gaps caused by death in the garrisons at Riouw and Perak, for a reserve from which replacements may be sent as reliefs to these posts (though, it is true, the men relieved are absent only temporarily), nor for a reserve from which troops may be withdrawn to go on expeditions.

We therefore claim that there ought to be 323 men here, because 28 are needed for daily sentry duty in the Fort, which means a total of 84 for the daily guard and, in consequence a grand total of 252 Men

plus,	at the Boom	7 "
	on the Hill by the Powder Magazine	7 "
	Bukit China	7 "
	Watering-Place	5 "
	Vriesche Berg	3 "
	Sick and incapacitated	14 "
	Hospital, etc.	12 "
	Governor's orderlies, etc.	16 "
	or in all,	323 Men

> Now if, over and above this number, we had 36 men in reserve, then our force would consist of 359 men, and although even then we would not have enough people to garrison every post during emergencies, we could always take on strength some more Christian Burgers — provided the receipt of reinforcements enabled us to discharge those now serving, which discharge they most earnestly desire. Moreover, if this could be done, the result would be beneficial for our civilians, who in this town are few in number and, because of their service under the Company, are deprived of the opportunity of carrying on their trades. Since, if these men are relieved and if the Hill Posts, the Boom and the Watering-Place are occupied (as detailed above), we would not have more than 31 able-bodied soldiers available for guard duty, including 18 Grenadiers (one the Governor's body-guard), Your Excellencies will not take it amiss if we humbly request the augmentation of our garrison by such a number of European soldiers as shall be deemed desirable and requisite. We hope, further, that Your Excellencies will be pleased to take into consideration the fact that there are many soldiers here who desire a discharge, and constantly ask for it, although we have thus far successfully resisted their demands. In the above description we have listed the posts which we are obliged by necessity to garrison, without calculating the number of the men we would need here in time of emergency, because in the event of an attack we would hope to have appropriate reinforcements made available to us; we therefore beg leave humbly to submit this our requisition for more troops without any stipulation as to numbers.

This extract clearly shows that the shortage of men had become so serious that even by peace-time standards and without taking into account the additional personnel who would be needed in time of emergency, our force was short by 121 men. (As shown above, we needed 323 and had in all 202. We were therefore deficient by 121.)

Although in this letter we referred at length to our great shortage of European soldiers, it is notorious that Your Excellencies had no power whatever to satisfy our needs, and could not help us save by dispatching the Madurese and Sumanapese soldiers.

In our Ordinary Letter of the 18th February 1795 we similarly described the inadequacy of our defences and besought Your Excellencies for reinforcements; saying, at Para. 14:

> In Para. 5 above we have drawn attention to the inadequacy of the naval forces, but the position with regard to soldiers is no less serious. Excluding Officers and Non-Commissioned Officers, the total number of European soldiers here comprises seventy-seven men only, of whom at least thirty, as a result of old age or for other reasons, are unfit for active service.
>
> Most of them are unsuited for the daily sentry duty at the Gates, and we can use them only for guard duties at the Powder Magazine, on St. Paul's Hill in the Fort (where one sentry is posted by day and two by night) and on Bukit China and at the Watering-Place, at which last two posts the most efficient men are chosen to stand guard.

> This matter was dealt with very fully in our letter of the 30th April last year, and as since then a number of deaths have decreased the strength of the garrison considerably we must stand by the request then made and press Your Excellencies most urgently for reinforcements.
>
> We cannot use Native, i.e. Malay, soldiers in this Fortress because, if we did so, their number would quickly surpass that of the Europeans, which would be dangerous. We therefore are obliged, as with the naval forces, to make up our numbers by enlisting civilians, of whom we have under arms at present fifty-one (51). Most of them are Portuguese Christians, and have stipulated on enlistment that they will not serve in the outer posts nor go on expeditions to other areas.

The purpose of my Secret Letter addressed to Your Excellencies on the 19th July 1795 was chiefly to acquaint you of the presence of French frigates in these Straits. I also then advised you that these marauders had captured the Honourable Company's Cutter *Java*, the ship *Zeenimph* (part-chartered by the Company), as well as certain vessels of the English. I mentioned, too, my apprehensions regarding a possible rupture with England.

I referred on that occasion to the weak state of our garrison and repeated our recent request to Your Excellencies for reinforcements, supporting my demand with a statement of all the most important reasons thereto pertaining.

I take the liberty of inserting here the last part of this letter as an extract, viz:

> From prisoners landed here I learn of a second piece of news which can also be of great consequence for this place. This is, that Holland has concluded a separate peace with France, that Prussia and Spain have done likewise, and that England has in consequence seized all ships in her harbours belonging to Holland and has placed all natives of Holland at present in England under arrest. This news gives us cause to be apprehensive both of our allies and present friends, the English, as also (in view of our weak state at the moment) of our public enemies, the French.
>
> My suspicion that the English are concocting something has been aroused by the fact that all ships coming from Bombay pass here without lying to, and I am assured on good authority that all of them, even private vessels, have strict orders to act in this way.
>
> Consider, most worthy Masters, the situation in which I find myself. In my recent letters I asked Your Excellencies for reinforcements with much urgency, and now repeat that request, beseeching you in some measure to fulfil it, and to bear in mind how pitifully small is the number of those who are called on to defend this place. I have not fifty (50) European soldiers capable of carrying out such a duty. I cannot depend on the native troops newly arrived from Java as, in general, they are still undisciplined and not to be trusted to perform duties in the Fortress — at least, not all of them. And in any case the area of the Town is so extensive that they, together with the inhabitants who have volunteered for service, are needed for occupation duties there.

> For the defence of the Castle and its Bastions the only troops remaining to me, apart from the small number of Europeans, are fifty-eight Portuguese Christians. And from the ranks of these and the Europeans some men have to be detached for duty alongside the natives, if any useful service is to be expected from the latter in the event of an attack.
>
> I am happy in the assurance of Your Excellencies' good will towards us, and am only too well aware that the general shortage of troops and above all of European soldiers makes the dispatch of reinforcements impracticable. I believe, however, that my duty obliges me, in the present circumstances, to make our dire necessity known to Your Excellencies.

The letters reproduced above show clearly not only that we were imbued with grave anxiety about our defenceless situation but also that we did not allow careless indifference to keep Your Excellencies in ignorance of the pressing needs of Malacca and of the obvious dangers in which it stood in the event of a rupture with England . . .

[Even before this rupture came] the English were sending into Malacca certain Portuguese Christians, Malays and Chinese with instructions to distribute among the population various writings in the languages of those three nations as soon as the English fleet came within sight of the town. And announcements of this nature were in fact distributed either then or upon the arrival of the Squadron in the roads.

Long after the surrender of the place I was lucky enough to obtain examples of two of these writings, namely, one in Malay and one in the Chinese language. Despite the greatest efforts, however, I have not succeeded in laying my hands on a copy of the Portuguese document. The contents of the two former, of which originals are in my possession, are not so interesting as the one written in the Portuguese language is said to be. The author of it, so the report runs, was the Bishop of Siam. I have no certified translations of the first two, but in substance they consist of a proclamation to the inhabitants in the name of Mr. A. Brown, the commander of the expedition, stating that the fleet and forces under his command were fully adequate to subdue Malacca by force if more peaceful measures did not prevail; that his intention was to refrain from molesting the inhabitants provided they would stay quietly in their houses, plantations or gardens and not take up arms; that all inhabitants would be allowed free access to the fleet in order to supply it with fresh provisions, etc.; that they would receive a very good price for their goods; and that care would be taken to see that no harm was done them by Europeans, Sepoys or others.

The persons charged with the delivery of these writings supplemented them with oral announcements, and by their promises and threats struck terror and confusion into the hearts of the population.

To this propaganda and not to disaffection is undoubtedly to be ascribed the desertion of those of our force who were Portuguese Christians.

It is easy to understand how effectively a letter emanating from their Prelate would influence his stupid and ignorant co-religionists.

I shall probably never have the good fortune to learn the true contents of this letter, but should a copy of it come to light I am sure it will be apparent that the surrender of the Portuguese Christians was influenced by the Bishop's arguments and spiritual counsel. Some of them had wit enough to perceive our weakened state and how impossible it would be to defend a place of this size with so tiny a force. And some later claimed, as a reason for deserting, that they felt themselves in duty bound to conduct their families to safety when it became clear that the place must fall. These motives for desertion, it is true, were quite insufficient to justify their miserable conduct (which was, unquestionably, very bad indeed); I certainly do not wish to defend it. But when one bears in mind that these people were narrow-minded in outlook and accustomed blindly to obey the voice of religion (though unable to recognize that voice when it spoke the truth) and that all of them (as I mentioned in my letter of the 12th September 1804) had the safety of an aged father or mother or of wife and children to consider and were able to foresee clearly the inevitable fall of the city, then one cannot regard their desertion (though culpable) as being so very treacherous. Had it been a native force that attacked us, I am sure they would all have remained faithfully at the posts . . .

In my letter of the 12th September 1804 I declared to Your Excellencies that I had spared no effort when trying to persuade Admiral P. Rainier that the Malacca Books ought to be properly brought up. In order to verify this statement, however, I may be permitted to mention here the following circumstances, as bearing on the incident.

On 23rd December 1795 I received a letter from the English prize agents which ran as follows:

To the Honourable
A. Couperus, late
Governor of Malacca

Hon. Sir!

We, the agents for the Captors of Malacca, are directed by His Excellency Commodore Rainier, by a verbal order communicated to us by Major Mackerras, to apply to you for all the Books of the Dutch East India Company, and those of the Orphanage, Church and Poor Funds.

We have the Honor to be,
Sir!
Your Most obedt. Humble Servants,
J. Scott,
Wm. Heitland,
J. L. Chalmers.

Malacca,
23 Dec. 1795.

To this I replied as follows, viz:

Sirs,

I am unable to recognize Your Honours in the capacity of prize agents. Your intention to act as such is, I claim, utterly at variance with the promises of your King.

Captain Newcome has given me a copy of a letter written by the Minister of War, Henry Dundas, to Sir Robert Abercromby, dated 'Horse Guards, 19th February 1795', from which the following (translated by me) is an extract:

"Having taken due note of the very exceptional circumstances in which the Dutch Colonies at present find themselves, His Majesty has been graciously pleased to command me to make known to you:

That, in the event of any or all of them falling into our possession through force of arms or of their being taken by us in His Majesty's name, *you must not regard them as booty to be disposed of by the captors*, since His Majesty reserves the question of disposal to himself as something to be decided later."

Therefore, gentlemen, were I to recognize you in the capacity of prize agents, I would be admitting that Your Honours possessed powers which, without breaking good faith, you have no right to arrogate to yourselves.

I am, however, quite ready to allow any properly qualified person (provided he bears a written order) to have access to the Company's books and to all papers relating to the financial affairs of this Factory, and also to see that he receives as full an explanation of them as may be deemed necessary. For this the proper place will be the Office of Trade, where the books are held and from which they should not be removed, particularly since it is our duty and sincere desire to bring up these books correctly (they are already considerably in arreas) and as quickly as possible, in order that after completing them we may acquaint our superiors with the true state of affairs at this Factory and give an account of our administration here.

I have the Honor to be,
Your Honors' obedient servant,
A. Couperus.

Malacca,
23 December 1795.

To this I received no written answer, but when Mr. Rainier visited me, I pointed out to him the absurdity of the request made by the prize agents. I told him that although I had no

doubt that he was the author of the order I had received, I imagined he must be suffering under a misapprehension, because otherwise I could not understand how he found it proper to give instructions of this kind to prize agents whom I neither could nor would recognize. I said that the promise of the King fully substantiated my assertion that no one could order private property of widows and orphans to be disposed of, and that if he would refer to the letter of Minister Dundas he would see that the King's command clearly stated:

> You will in no case arrogate to yourselves any power over the private property of the inhabitants, since the laws of England, common usage, and the laws of nations at war forbid any such seizure or distraint.

I am sure I convinced Mr. Rainier that no prize agent in any circumstances could assume authority over the Church, Poor or Orphanage Funds. I believe he felt his error and have no doubt that he was inveigled into it by others, notably Mr. James Scott, who made a second attempt to achieve his purpose after I had left Malacca, as can be seen from my Letter of the 12th September 1804, to which I refer Your Excellencies.

On the 25th December I received another letter from the prize agents which ran as follows:

> To the Hon'ble.
> A. Couperus
>
> Sir!
>
> We are directed to request you would immediately furnish us with the Dutch Company's Books of the years 1794 and 1795 as they now stand, whether brought up or not.
>
> We have the Honor to be, Sir,
> Your most obedt. Servants,
> J. Scott
> Wm. Heitland
> J. L. Chalmers
>
> Malacca,
> 25 December 1795.

When this letter arrived at my house I had already gone to Church and, to hasten matters it was brought to me there. I ordered the Bookkeeper at the Board of Trade to hand over all books and papers asked for (obtaining receipts for them) and told the Conveyancer [*overdrager*] to supply any necessary explanations.

I am sure I satisfied Admiral Rainier that the prize agents were incompetent to interfere, *qua* prize agents, with the funds of the Church, etc. But I am certain, too, that my conversations with him caused him to be resentful, and that this resentment,

inflamed (as I believe) by Mr. Scott and others, grew into a secret hatred for me. In order to revenge himself the Admiral could not do better than remark, on the evening of the 26th December and in the politest language, that the Government of Madras had sent over the *Swallow* packet, that she was to return about the 3rd or 4th of January, and that she would be available to carry me there with my family if I chose to have them accompany me. . . .

Although in my recent letters I have dwelt at length upon what befel between me and Admiral Rainier in relation to my hasty and unexpected removal to Madras and to the consequent delay in bringing up the books and effecting a proper hand-over of the Company's property, I find I have not sent Your Excellencies a copy of the letter written by the Admiral in answer to mine of the 3rd January 1796, nor have anywhere indicated its contents.

I had written as follows to this gentleman:

To His Excellency, Admiral P. Rainier

Sir!

Although it is not my intention to beg any favours from you, since I am well aware that the order issued by you for my immediate removal (after a residence in this place of some seventeen years) had no other purpose than that of encompassing my absolute ruin, I feel obliged to set down in writing the various points which I have so often and so fully explained to you by word of mouth. To my requests that care should be taken to ensure that the Trade Journals were fully entered up and a proper balance struck, you have repeatedly stated that such overconscientious scrupulousness must not be allowed to cause delay. Your attitude is satisfactory neither to me nor to my second-in-command, since in due time we will be called upon to render an account of these transactions to our superiors.

I will not now pause to argue at length how incompatible your actions are with good order and established practice. The many well-founded arguments which I have adduced in the past on this question have been in vain. I cannot doubt that their cogency and relevance have been felt by you. But others, hoping to create muddle and confusion, have tried to stifle some of the arguments I have brought forward, and these I shall therefore briefly repeat.

If, Sir, the books are not brought up and our respective Sovereigns decide after peace is concluded that this settlement is to be handed back in the same state as it was before the occupation, how can the transfer take place? How shall we on the Dutch side frame our demands?

Are we to content ourselves with the returns made out by your prize agents?

The apparent aim which you have in sending me away at such short notice I have already mentioned. By this action you make it

impossible for the books to be properly brought up, and you must therefore take full responsibility in this matter on behalf of your superiors and all other interested persons, since you cannot justify these high-handed proceedings. If indeed you believe you have well-grounded reasons for your actions, it will not perhaps be considered out of place on my part if I demand to know them and, further, to expect you to make a reply.

I am satisfied that your decision is irrevocable and that nothing remains for me except to protest against your arbitrary proceedings and to place all responsibility for the results that may flow from them squarely upon you.

Perhaps I may be permitted to repeat the request I made yesterday, namely, that I shall be obliged if you will provide me with a passport or similar document under the protection of which Captain Stechers, my family and I myself, with our belongings, can undertake the journey direct to Madras in safety and without fear of delay or interruption from warships or vessels with letters of marque.

I have the honor to be,
Your Excellency's obedient servant,
A. Couperus.

Malacca,
3rd January, 1796.

To this letter I received next day, or the 4th of January, the following answer:

To Abraham Couperus,
Late Governor of Malacca,

Sir,

In reply to your letter of yesterday's date, I beg leave to acquaint you, that I have communicated to Vice-Admiral the Honble Sir George Keith Elphinstone, Commander in Chief of His Majesty's Ships in the Indian Seas, and to the Right Honble the President of Fort St. George, my reasons for ordering you on the 26th Ult. to proceed to that Presidency.[13]

And as the Swallow packet was the only convenient opportunity that then offered for your conveyance, there was a necessity to limit your stay here to the time of her sailing.

But, after you were permitted to take your passage in the *Armida*, had you requested a longer time to prepare for the voyage, it would have been attended to.

I consider the 2nd part of your letter as a Parole of Honor, on your own and Capt. Stechers' part, binding you both to proceed immediately to Fort St. George on the Coast of Coromandel, without touching any where, but at Prince of Wales Island, and you will please regard this as a sufficient authority to proceed for your departure from hence.

13. For these reasons, see C. Northcote Parkinson, *War in the Eastern Seas, 1793-1815* (London, 1954) pp. 93-4

The passport for the *Armida*, with leave to sail, are herewith enclosed.

I have the Honor to remain,
Sir!
Your most obedient humble servant,
Peter Rainier.

Malacca,
4th January 1796.

I am confident that Your Excellencies will deduce from this letter that at all times I have tried to do my duty, and that it is not I that must be held responsible for the failure to enter up the books and accounts properly.

The ignorant public thought it very curious when, after Malacca had been conquered, the political government still remained in our hands and the Dutch, as well as the British, flag continued to fly. Being ignorant of the true reasons for these occurrences and unable to guess our purpose, they saw fit to invent, quite confidently, an utterly erroneous explanation. This was that we had become attached to peculiar political principles similar to those held by our conquerors.

Your Excellencies, however, upon whose wise and penetrating judgement I pin my hopes, will certainly view this matter from a very different standpoint. You will understand that we, so far from adhering to the cause of the enemy or pursuing courses of action not conformable to the strictest principles of honour and duty, rather had before us as our aim nothing but the true welfare of the inhabitants, amongst whom there were at the time many traders from Java. It was the unusual nature of the event that provoked astonishment among the ignorant, and provides a sufficient reason for their mistaken suppositions.

We were ourselves very surprised when, after we had capitulated to the English and they had taken possession of Malacca, a proposal was put before us that the capitulation should be set aside and a joint government established. But we quickly saw that the motives which led the English naval and military commanders to make this proposal derived from the purest of intentions.

Their orders to us indicated the greatest possible sincerity; it was clear that they wished to carry out the wishes of their King, and they convinced us that their only object was to take Malacca, defenceless as it was, under their temporary care in order to protect it from the French.

After getting the place into their hands, they exhibited a strong desire to maintain good order and to promote the prosperity of the inhabitants. Being unfamiliar with the local language,

they were anxious to guard against unwitting errors when arbitrating disputes, and foresaw that suspension of the law courts would lead to disorder. The proposal that they made, therefore, was put forward not in their own, but in the inhabitants' interests. We understood their attitude completely and, after giving the matter careful consideration, decided to accept their offer, believing that by so doing we could be of the greatest service to the worthy inhabitants and could also render the most effective assistance to the Javanese traders. At the same time, however, we well understood that certain people were likely to suspect our motives, and we expected many difficulties to arise.

We were given an assurance that no private Dutch vessels bound for Malacca out of Batavia or Java, whether lying in the roads or about to anchor there, would be molested, and that, on the contrary, they would be allowed to come, do their business, and return home again without hindrance or interference from the authorities.

This question of the trading vessels from Java carried much weight with us. Since we could not watch over them ourselves and see that they did not fall into the hands of the victors, our object was to act so that the enemy had no chance of fattening himself on their cargoes, which belonged to our innocent and defenceless fellow-countrymen.

We therefore accepted the above-mentioned proposal in order to prevent the enemy from snatching as his prey seventeen trading vessels.

We did not believe that this step involved a departure from the path of honour and duty.

No suggestion was made to us at any time by accepting which we would have betrayed the faith we owed to our superiors and our country. Both English commanders, we believed, were too honourable to contemplate a proposal involving anything of that nature.

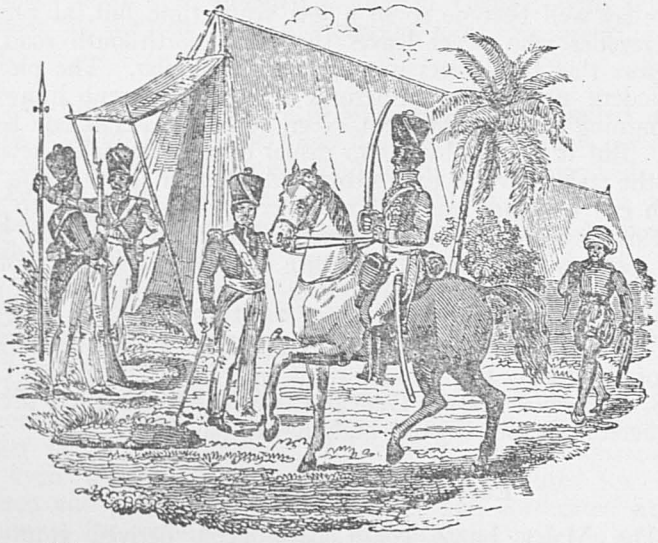
The only thing that was required of us was that we should remain neutral in the event of an attack on Malacca. And this we would have had to do in any case as prisoners of war.

That the political administration and legal system should continue on the old footing we could not but consider was most likely to procure the true wellbeing of the inhabitants. It was the welfare of our fellow-countrymen and the safety of the people of Malacca that our actions were designed to promote. At no time were we influenced by motives of self-interest or emotions at variance with the dictates of honour and duty . . .

Being assured of Your Excellencies' protection and favourable remembrance, I pray that Almighty God will pour down upon the persons of Your Excellencies and your families His dearest blessings, that Your Excellencies' official endeavours may tend to the furthering of the welfare of the State and of its Eastern Possessions, and that I may be permitted, with the sincerest feelings of respect, esteem and obedience, to remain,

Most Noble, Worshipful and Puissant Sir,
and
Right Honorable Sirs,
Your Excellencies' most obedient
humble Servant,
A. Couperus.

Tranquebar,
12th June 1805.



Officers and men of the Madras Native Infantry, circa 1820-25: title-page vignette from Col. James Welsh's 'Military Reminiscences . . .', 2 vols, London, 1830.

The Basic Malay House

by R. N. Hilton

(*Received, July 1956*).

Introduction.

Of all the products of Malay material culture the house is the most prominent. Yet, if one may judge from the small number of published references to it, it has received very little study. There have been excellent accounts of Malay basket work, hat and dishcover making, silverwork, brass and white metalwork, weaving and boat-building but no systematic account of house design and construction. This may have been due to the fact that house-building is not a skilled and localised craft and is therefore very liable to change with fashion. Consequently one might suspect that Malay houses have in common only their raised floors, and that otherwise they represent the owner's whims. This may well become so in a few years' time but, at present, the traveller who never leaves the main north-south road can recognise that the houses in a district are similar. The plethora of modern nondescript structures does not prevent him from determining broadly a Malacca, Negri Sembilan, Perak, and Kedah style. But it is not obvious to casual observation what relationship the styles have to each other and whether there is one style which can be called basic. The object of this paper is to trace out this relationship and to describe in detail the basic form. It is recognised that the basic form is almost certainly not the ancestral form, which is probably to be sought in Sumatra (Snouck Hurgronje, 1906. Hasselt, 1897). As Malays are essentially the inhabitants of the Straits of Malacca only the western side of the Malay Peninsula is dealt with here. The East Coast states, with their strong Thai and Majapahit influence, are not considered, nor are religious buildings or palaces.

Evolution of the Malay House.

The Malay house could have been derived from tree dwellings, or from the coastal piled or raft dwelling of the type constructed by many Malaysians, Melanesians, and Polynesians. Our knowledge is too scanty yet to trace an evolution on ethnological evidence; with such perishable materials one cannot hope for help from archaeology, except indirectly in tracing race movements, and historical records go back only two or three hundred years. It is useful to compare the humbler Malay

house, such as that built temporarily in the padilands or new clearings, with the aborigine type, as both are adapted to a similar environment and demonstrate the fundamental problems involved. Both have a steeply pitched roof with overhang to protect the inmates from the sun and heavy rains. They are both built on piles and entered by means of a ladder, which offers protection against flood water and wild animals. Both are built with slatted floors which, together with the piles, make for cleanliness, ventilation and absence of the smaller noxious animals. Both are constructed of readily available materials: atap, bamboo, jungle sticks and rollers, rotan for lashings, nibong stems, bark. A model of such a house is shown in Plate 5a and an unusual and ingenious form in Plate 5b, where an old jungle stump has been utilised.

What additional factors affect the design and construction of the Malay house, even when the owner has small resources and cannot improve on these materials? Primarily those of custom:- privacy for the womenfolk, together with hospitality for the casual guest. This calls for three parts to the house: the main body (*ibu rumah*), a kitchen (*dapor*) with separate entrance at the rear, and a reception room for guests at the front.

The above factors apply to an owner of less limited means but in addition he can use more timbers to build a larger house with extra rooms, and larger timbers in which mortised joints can be cut. His house will be designed so that more rooms can be added, and so that it can be dismantled and re-erected elsewhere. Squared timber may be used, at least for the main framework. The name Tiang Bertarah for a village near Sungkai, in Perak, perhaps commemorates the notability of a squared house post in days gone by.

With the advent of the power-operated saw-mill and cheap transport additional materials are available to the kampong dweller of moderate means. All timber can be square-sawn, and even planed. Weather-boarding can be used for walls, tongued and grooved strips for flooring, and corrugated iron or aluminium for roofing. Machine cut material, and the presence of skilled workmen with special tools, enable a more elaborate roof structure, and the *rumah limas* comes into being. This is a style recognised as such by the Malays and characterised by a protruding reception room and five ridged roof. The term *limas*, a dipper of palm leaf or spathe, refers to the shape of the roof; this shape is also known as the *pĕrabong lima* in contra-distinction to the *pĕrabong panjang* (p. 139). The lamp of the

Malay spirit burns low when the *rumah limas* comes to have brick pillars, and is finally extinguished when the lower portion is boxed in with weather-boarding.

The Basic House.

The house from which we can learn most about Malay architecture is neither that severely limited by the means of the owner and materials available, nor the *rumah limas* in which modern materials remove the limitations, and hence the style, of the original. It is the house that utilises squared timber, boards, and perhaps even corrugated aluminium for its roof, but eschews tongued and grooved boarding and concrete piers. The type that is still common in kampongs all over the country, and which is seen at its finest in Malacca. The house style varies from state to state and is influenced by various non-Malay Malaysian peoples: Bugis, Minangkabau, Achehnese, Banjarese, etc: in many places. That described here, and drawn as a plan in figures 1 — 6, is peculiar to no particular state, and has constructional details that could probably not be found together in any one house. It is represented by two models in the Perak museum (Plate 1, c.d.) and shows all the features mentioned in the description of housebuilding in 'Papers on Malay Subjects'. It also shows all the features of Winstedt's 'Perak Malay House' (Figure 7), except that the latter has a *sĕrambi gantong* on both sides. The timber sizes and dimensions drawn in figures 1—6 are those most commonly encountered.[1]

The body of the house (*ibu rumah*) is traditionally built on an axis running from east to west. On one of the eaves' sides, usually the north, the roof is extended at a lower pitch to form a gallery running the length of the house (*sĕrambi*). This is the reception room. At the opposite side a comparable structure becomes the kitchen (*dapor*). The *ibu rumah* used to be divided into a *balai* at the east end, a *lorong* in the centre, and a *pĕntas* at the west end.

THE FOUNDATIONS (*Alas Rumah*).

When a propitious position and the size and orientation of the future building have been decided upon work starts on the foundations. The ground is levelled and, where filled up with

1. For convenience the text figures have been grouped together and occupy pages 147-55, at the end of the paper. I am indebted to Che' Abdul Wahab, artist at the Perak Museum, Taiping, who has redrawn all of the figures for me, except No. 7, which is reproduced direct from *JMBRAS*, **7**, (3), 1929.

soft earth, solid barriers buried to prevent slip. Sections of coconut trunk are often used as barriers despite the laws against this, enacted to control coconut beetle. On the levelled ground the plinths upon which the posts are to stand are placed at regular intervals, the distance between any two plinths corresponding to the span of the lowest horizontal beams to be used, usually nine feet.

The plinths may be pieces of hard wood, stone, or concrete. A most convenient material before the days of cement, was laterite (limonite) which could be dug, cut to shape with a knife, and would then harden. Laterite blocks are still to be seen commonly in the Malacca district. Houses of wealthier people could stand on shaped blocks of granite. Nowadays concrete blocks are becoming universally used, but retain the traditional shape. Contrast the square vertical side of the Kedah or Perak block (Plate 3, a & c) with the rhomboidal sloping side of the Malacca block (Plate 5, a, b, c,).

THE PRIMARY FRAMEWORK (*Bagan*) Plate 5, a. b. c.

The key to the whole structure lies in the fact that the house is supported on legs that stand on the ground. Walls, which comprise the basic structure of most of the world's houses, are but incidental to the Malay house. Nor is there any question of sinking posts into the ground (with the attendant difficulties of future removal, as well as exposure to white ant attack) and then nailing on floor supports and walling. The framework is erected as a whole and its uprights stand on the plinths (*batu alas*) (*pĕlapek*) just as the legs of a table stand on a floor, being kept in position by cross-pieces and the weight of the whole structure. There is no peg and socket between upright and foundation stone, as a properly constructed house is sufficiently large and well-balanced not to slip. Two sets of horizontal beams keep the main posts (*tiang*) in place. The lower, about 4 - 5 ft. above the foot of the post, are the summer (*rasok*) on which the floor joists rest, and a tie-beam (*pĕlanchar*) which runs at a lower level and at right angles to the *rasok*, parallel with the floor joists. *Pĕlanchar* are shown in figure 9, but a very common alternative mode of construction is to place the horizontal beam alternating with the *rasok* above, instead of below, the *rasok* as in figure 8. It then becomes the outermost floor joist. Both *rasok* and *pĕlanchar* pierce the *tiang* and project for 2 - 3 inches. Beneath the projections, wedges (*susoh*) are driven into the mortise and serve to correct distortion of the frame and to facilitate dismantling. The upper set of horizontals consists of the *tutup tiang* which tie together the tops of the posts and constitute the wall-plate of the outside

walls, and the tie-beam (*alang*) running across the house which may also act as the wall-plate of an internal wall. The *tutup tiang* may be joined end to end by a half lap joint through which a peg is driven into the top of the post, but they are more usually mortised as illustrated in figure 11. The *alang* has to resist the tendency of the roof to force outwards the posts which it ties and consequently may pierce the post below the level of the *tutup tiang* and be held by having a dowel driven through it.

From this description it can be appreciated that the completed framework is extremely rigid, though during the course of erection it is liable to tumble down. In practice, posts and horizontals are prepared already cut and jointed, whole sides are fitted together, and then hauled into the vertical position with some ceremony (Noone, 1948. Evans, 1918).

THE FLOOR (*Lantai*) Plate 6, c,

The floor is built on a series of joists (*gĕlĕgar*) supported at each end on the rasok. The *gĕlĕgar* are exposed to the vertical stress of weight and consequently, when not round, are chosen to be of greater thickness than width. Across the *gĕlĕgar* run split laths (*jĕriau*). To these the floor proper is lashed, consisting of split sections of *nibong* stem, or *bamboo*. A simpler mode of construction available to those within reach of a saw-mill is to fix 1″ boards directly across the *gĕlĕgar*. A floor of this nature lacks the springiness and open structure of a lath one, but is more suitable when furniture is introduced. A common compromise is boarding for the floors of the living and reception rooms, and laths for the kitchen and perhaps the portion of the house used as a creche for babies.

At the edge of the floor runs the skirting-board (*bĕndul*), which is sufficiently large to enclose the *tiang* on the outside and come within the walls on the inside. It forms the threshold of the doorways.

THE ROOF (*Bumbongan*) Plate 6, b.

The roof-plates and tie-beams upon which the roof is erected are provided by the *tutup tiang* and *alang* respectively. On them the roof trusses (*kuda2*) are built, consisting of a pair of main rafters (*kasau jantan*) crossing about 6″ at the apex and overhanging the *tutup tiang* by about two feet at the base. Running from the crossed *kasau* to the centre of the *alang* or *tutup tiang* directly below, is the king post (*tunjok langit*). King post struts are absent, as the run of the rafters is not long. The pitch of the roof may be more or less than 45°, and is closely related to the materials to be used for weather-proofing. With

a pitch of more than 45° the ridge is an acute angle (*giruf*); if less than 45° it is obtuse (tara). *Giruf rooves*, with their taller rise and shorter span, are more suitable when a roof-loft is made. It is common for the steeply pitched main roof to merge into a *sĕrambi* roof of much more gentle pitch, thus giving a greater height towards the outside of the *sĕrambi*.

Horizontally, joining the *kasau jantan* and projecting beyond them at the ends, run the purlins (*gulong2*) supported by wedges (*tupai2*). Running vertically, on top of the purlins, are the common rafters (*kasau bĕtina*) to which the roofing material is fixed. These are frequently of palm midrib (*pĕlĕpah*).

The ridge (*bumbong*) consists of a ridge-covering (*pĕrabong*) supported by a beam (*tulang pĕrabong*) lying within the crutch of the crossed *kasau jantan*. Below it, running parallel and supported by the apices of the *tunjok langit*, is the inner ridge beam (*larian tikus*). The basic roof has a single ridge running the length of the house (*pĕrabong panjang*).

The effective covering of ridge and pent is fundamental to the functioning of the house. The steeper the pitch and the sharper the ridge the greater the area of roofing but the more readily is the water shed. Other considerations apart, an atap roof is best made *giruf* because the extra expense due to the area covered is saved by the additional time the roof lasts. An aluminium or corrugated iron roof is best *tara* because pitch will not affect its ageing or effectiveness, but does make a material difference to the initial expense. The length of time that a *giruf* atap roof, say 50°, will last depends on the spacing of the ataps and their quality. Two inches may be taken as the spacing for a permanent roof, the ataps being seven feet long and overlapping one foot where they abut on the adjacent tier of ataps.

The individual atap is constructed by cutting the pinnae from the frond of a *nipah* or *rumbia* palm and folding them, over-lapping, over a "backbone" of split *nibong* stem, the *mĕngkawan*. Each pinna is about 18″ long, and is folded for two thirds of its length, giving an atap width of 12″. The more pinnae per foot of *mĕngkawan*, the better the atap. The folded pinnae are kept in place by being sown together with strips of *bĕmban* (*Donax canniformis*) which is cheaper and softer than rotan. On the underside they are supported by a *sĕmat* usually of *buloh akar*. Ataps with a *mĕngkawan* of bamboo (which is flexible, and allows breaking up), not dried properly, with few pinnae, or made from immature fronds, are inferior and will not last.

When well made there is little to choose between ataps of *nipah*, *rumbia*, and *bĕrtam* (Barnard, 1918). The choice will depend on availability: *nipah* is a palm confined to brackish water, *rumbia* to the freshwater swamps, and *bĕrtam* to the hills.

Other naturally-occurring roofing materials, rarely seen now are fibre from the *kabong* palm (*atap ijok*) and wooden shingles (*atap gĕnting*).

THE GABLE (*Tebar layar*).

Tebar layar implies "sail shaped" and at its simplest it is a triangular frame to which a screen of *atap* or *tĕpas* is lashed. In the old days it was fixed to extend beyond the end wall of the house and over the *tutup tiang* of the end wall a shelf was fixed to form a roof-loft (*pĕran*). This was usually of heavy timber and was the sleeping place for the unmarried girls. It is still used as a convenient storage space for valuables as it is well out of reach of thieves unless they actually enter the house.

In Malacca the *tebar layar* is elaborated to form a pair of large louvres, facilitating ventilation of the space under the roof and improving the appearance (Plate 6, a). Frequently the *pĕran* of a Malacca house is extended right across the roof space from one *tebar layar* to another to form an attic (*loteng*). The two sheets may then be joined by a third sheet at a different angle, and the gable pierced by ornamented ventilating holes and small glass windows.

The louvres are two in number but it may be that the Bugis custom of three louvres for chiefs and five for princes used to hold (McDonald, 1934).

As well as louvres protecting the space, the edges of the gable may be protected and decorated by a pair of barge boards (*tumbok kasau*).

THE WALL (*Dinding*).

Walls are constructed when the secondary framework (*pĕranchah*) is finished. The simplest walls of all are built on the same design as a roof, but much lighter in construction, becoming mere screens. Loose ataps are used to form *samir*, the horizontals corresponding to the purlins are the *bĕlĕbas* and the verticals are the *jĕrĕjak* (Figure 7). In an alternatively more robust construction the uprights are *jĕnang dinding* and the horizontals *rĕmbat*, with further verticals — the *jĕrĕjak dinding* (Figure 3).

Another construction is for the walls to be built of flattened bamboo (*pĕlupoh*), either vertical or interwoven as a wattle. An alternative cheap material consists of beaten out sheets of bark of the *tĕrap* tree (*Artocarpus elastica*).

A common and attractive walling used particularly in Perak and Kedah is a strong wickerwork (*dinding tĕpas*) made of the split midrib of the frond of the *kumbar* palm. The outer side is dark brown and the inner straw-coloured, so that a variety of patterns can be built up, sometimes accentuated by dyeing. The midribs of the *bĕrtam* palm may be employed similarly, and there is an account by R. O. Winstedt (1909) of its use in building a palace.

Examples of patterns in the Perak Museum from Bukit Gantang, Perak, are as follows:—

Bunga halia (Ginger flower), *Tapak badak* (Rhino spoor), *Siku kĕluang* (Flying foxes' elbows, a zig-zag pattern) *Tapak chator* (Chess marks), *Matahari mĕmanchar* (Rising Sun).

From Kedah, in the same museum, is the basic diamond-shaped pattern (*kĕlarai*) under the following names:—

Tapak gajah (Elephant spoor), *Empat sa-bilek* (Four in a room, i.e. four patterns enclosed on all four sides), *Empat sa-kandang* (Four in a stall; i.e. four patterns enclosed on three sides).

Substantial wooden walls are very common. The universal Malayan way of constructing them is to nail vertical strips (*bĕroti*) along the main hardwood uprights and nail short horizontal overlapping planks to these *bĕroti*. The result is a panelled wall in which the full length of the uprights is visible from outside the house (Figure 1). The appearance is attractive from the outside but less satisfactory structurally than would be the half-lap weather boarding usual in temperate climates, which is more readily fixed, requires only one nail per plank to hold it in place, and gives a smooth inside finish.

DOORS AND WINDOWS (*Pintu dan Tingkap*).

The simplest window is but a horizontal gap in the *samir*, and the simplest door but a gap covered by a movable screen suspended on rotan. Windows are not a prominent feature in more humble houses as sufficient light penetrates cracks in the wooden walls. Banjarese houses, seen in the Bagan Sĕrai district,

retain the simple windows. A more developed type is square, with shutters and bars. In the *rumah limas* (plate 4c) the window becomes an attractive and practical feature with long shutters from floor to roof and fitted with a railing to prevent falls.

The door of the well built dwelling of fifty or more years ago was a large sliding panel combining simplicity of construction with strength. Now the double doors, hinged at each side and locked in the middle, are almost universal

FINAL HOUSE-TO-GROUND CONNECTIONS.

In earlier days, and with rougher materials, supports to the floor additional to the *tiang* were required. These consisted of props. Under the *gĕlĕgar* were put *pĕnyambut* and then a *tongkat* was wedged into position, prevented from sinking into the ground by a stone or hardwood foundation.

Last of all the house ladders are made and placed. However constructed they should have an odd, not an even, number of steps. The steps rest on their own foundation stone at their foot, by the side of which stands the water jar (*tĕmpayan*) from which to wash one's feet. Always there will be a second ladder at the back, and sometimes a third at the side. The front steps may have a *rumah tangga* built into them, and the back steps a *pĕlantar*, but these structures are accretions and best discussed in the next section.

Stone steps are an attractive feature of Malacca house, often decorated with gaily-coloured tiles (Plate 4, a) and surfaced with cement. One can still see the original type of stone step, made of blocks of laterite, used in some houses to the south of Malacca town.

Accretions.

The form and relative positions of the subsidiary buildings that may be built on to the main body of the house have been described by R. O. Noone (1948). His description refers to houses built by Malays of Patani descent living in Perak, but the principles and names broadly apply to the whole of the Peninsula. Noone classifies the groups both architecturally and according to the use to which they are put. The architectural classification is according to whether the group is under a one-pent roof, double-pent roof or is simply a platform. A classification according to use is used here as it is more easily recognised. If one takes the main axis of the house as runinng east-

west, with the reception room at the front, main body in the middle, and kitchen at back or side the orientation of the groups is largely determined. This is especially so when it is known that west is regarded as a suitable kitchen side and definitely an unsuitable bedroom side. The floor levels of groups are invariably higher or lower than the main body as one cannot drive a mortise through a post in two directions at once without severely weakening it. The *tiang gantong* construction illustrated in figure 10 is used frequently in joining a group to the main body. Plate 6, e.f. shows its use in joining *sĕrambi* to *anjong*.

The reception room groups, added to the *sĕrambi*, are the *rumah tangga*, elaborated particularly in Kedah where it may lead into the *lĕpau*, but with no walls in the Banjarese houses of Perak, and the *anjong* which is very popular in Malacca and Negri Sembilan (Plate 6, d). A double *anjong*, one at each end of the *sĕrambi* is highly characteristic of the Negri Sembilan form Plate 2, g) derived from the Minangkabau. The modern tendency is for the *sĕrambi* to be totally replaced by a large *anjong* turned at right angles to the main axis, although in Malacca the original *sĕrambi* is usually retained. A *rumah tangga* may then enter at the side of this. The name *sĕrambi* is often then used for the vestibule just within the front door. One wonders how far the old British houses in Taiping have set the pattern. The result is the *rumah limas* (Plate 4, c), of which an attractive form is to be seen along the main road at Kota Lama Kiri near Kuala Kangsar.

The sleeping accommodation, when it cannot be increased by further subdivision of the main body, may be extended by a *rumah bilek* on the main axis, but a floor higher following the Minangkabau style.

The kitchen admits of most variation and is important as the gathering place of the womenfolk, as well as a cooking room. The most simple increase in kitchen accommodation is to drop the back *sĕrambi* to give greater height. Then there is the building of a *pisang sa-sikat* (lean-to) or *gajah mĕnyusu* (double pent) on the main axis like the *rumah bilek* both with dropped floors. Another way is to turn the axis like an *anjong*, or to build a separate *rumah dapor* with covered way approaches, the approach itself becoming a separate little room (Plate 1, f; 6, b, d, e). Added to the kitchen are the *pĕlantar*, most popular in the north, and the *jĕmoran*, in padi areas or fishing villages.

Conclusion.

So the house fulfils admirably the following requirements:

1. Protection against climate — heat and tropical rain.
2. To be built of readily available materials and therefore cheap.
3. Adapted to the social customs of hospitality yet with seclusion of the women.
4. Protection against animals and floods.
5. Attractive appearance.
6. Clean.
7. Well-ventilated.
8. Can be enlarged readily.
9. Removable from place to place.
10. Utilisable space (*kolong*) underneath.

The Malay house today can be considered to have reached the acme of its evolution. Degeneration can already be discerned as those with more money than their fellows build brick imitations of the traditional style. Before long we can expect the poorer to build small brick imitations of the larger houses of their more wealthy neighbours and the old style will vanish.

Nothing has been said concerning the customs relating to siting, designing, and living in houses, but it is hoped that this paper may encourage such records, as well as lead to a special study of house types in relation to those of other Malaysian races.

Notes on the Plates

[*All photographs are by the author, except for those of models in the Raffles Museum collection*].

Plate 1

1a Model in the Raffles Museum of a *pondok* from Selangor.

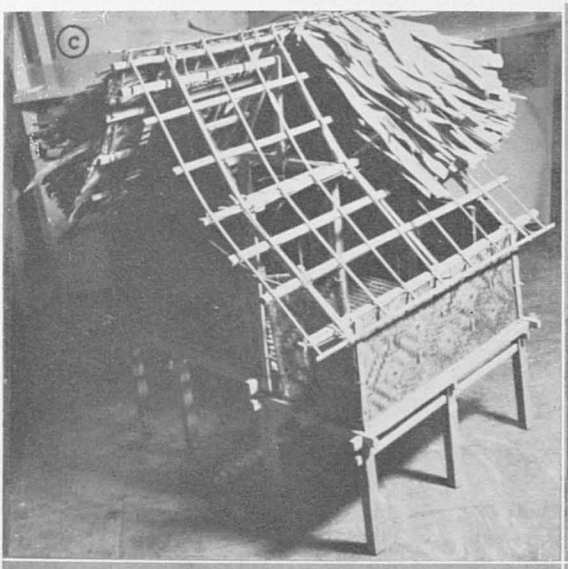
1b Model in Perak Museum (46/29) of a one-posted *pondok* at Lambor Kiri, Kuala Kangsar district. The ladder and atap of the kitchen annexe can be seen projecting at the rear. The door is a screen sliding on a rotan line.

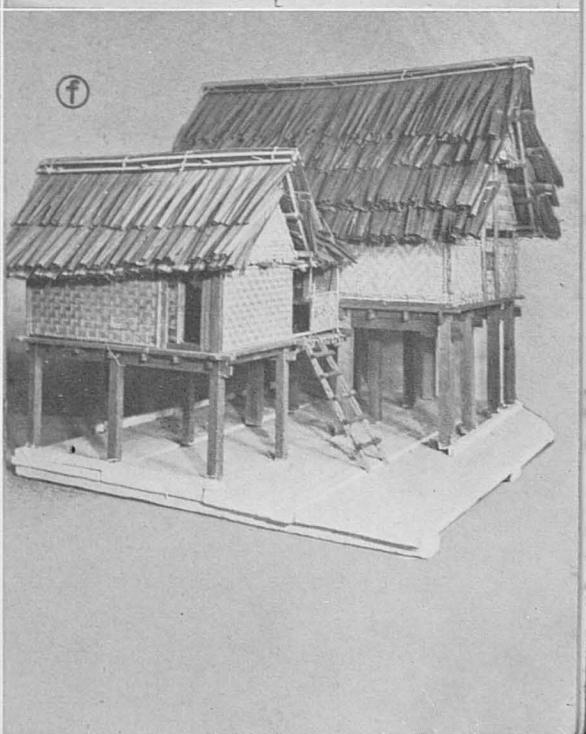
1c Model in the Perak Museum (12/22) of a house at Grik, Upper Perak district. Note the walls of *tĕpas*, the material that would also have been used in the original.

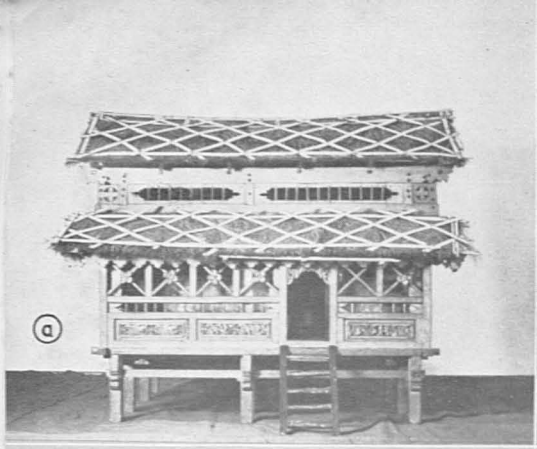
1d Model in the Perak Museum (unnumbered) of the typical form of the basic Malay house, found all over the peninsula. The ladder enters from the gable end.

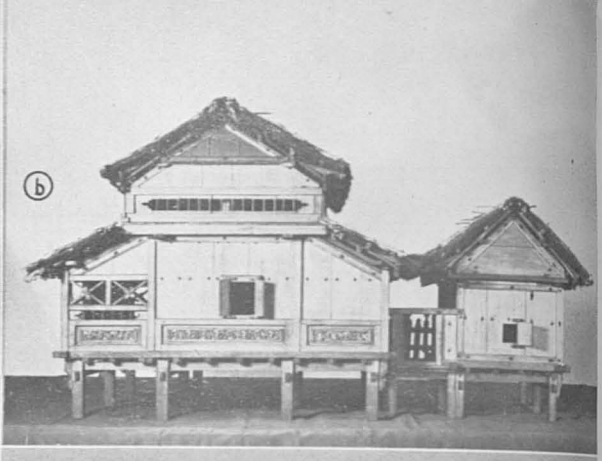
1e Model in the Perak Museum (13/22) from the front. The ladder enters under the eaves into the single *sĕrambi sama-naik*.

Models of Malay houses, Perak and Raffles Museum collections. See text, pp. 144-5. *JMBRAS*, Vol. 29, pt 3, 1956. plate 1.









Models of Malay houses: (a, b), Negri Sembilan; (c, d), Malacca territory; (e, f), West Sumatra; and two views of the Astana Ampang Tinggi, as reconstructed at Seremban, where it now houses the State Museum. See text, p. 145.

JMBRAS, Vol. 29, pt. 3, 1956.
Plate 3.

(a)

(b)

Malay houses (see text, p. 145). (a) at Asun, Kubang Pasu district, Kedah. (b) at Chengkau, Rembau district, Negri Sembilan. (c) at Kg Banggul Aru, Larut district, Perak. (d) at Lubok China, Alor Gajar district, Malacca territory.

(c)

(d)

JMBRAS, Vol. 29, pt 3, 1956. Plate 4.

(a)

(b)

(c)

Malay houses (see text, pp. 145-6). (a) at Kandang, Central district, Malacca. (b) at Kg Bukit Jeram, Kuala Selangor district, Selangor. (c) Muar district, Johore. (d) at Temerloh, Temerloh district, Pahang.

(d)

1f The same model (Perak Museum, 13/22) from behind, showing the *rumah dapor* separate from the *ibu rumah*, but joined to it by a *rumah sĕlang* equipped with its own ladder.

Plate 2

2a Model in the Raffles Museum of a Negri Sembilan house similar to the Malacca style, as seen from the front. An interesting feature is the long attic window running the length and width of the *ibu rumah*. An original house of this style at **3b.**

2b The model in **2a** seen from the side. Note the double verandahs at the same height as the main body of the house (*sĕrambi sama-naik, sabĕlah-mĕnyabĕlah*).

2c Model in the Malacca Museum of a modern house at Alor Gajah, showing the typical Malacca style. Note the cement-walled bathroom projecting on the left, and the front steps leading into the *anjong*, a prolongation of the *sĕrambi*. A fine original of this style is shown at **4a.**

2d The same model (**2c**) from the side. Note the cement steps leading to the side door and the kitchen athwart the *rumah dapor* projecting on the right.

2e A model in the Raffles Museum of a West Sumatran house seen from the side. Note that the double *anjong* are extensions of the *sĕrambi*, not built on to the main axis of the *ibu rumah* as is the case with the true Minangkabau style.

2f The same model (**2e**) from the front. Note the attractive overhang of the two anjong.

2g The Seremban Museum (originally the Astana Ampang Tinggi: see below, pp. — , and plates 19 & 20), from the front. Note the graceful curve of the *sĕrambi* roof ridge, recalling the strong curve of the Minangkabau roof.

2h The Astana Ampang Tinggi from the side. It lacks the *rumah tangga* and *rumah dapor* of the model in **2e,** but both these features are to be seen in houses of similar style in the Kuala Pilah district.

Plate 3

3a A house at Asun, Kubang Pasu district, Kedah. Note the *sĕrambi* wall low in proportion to the height above ground level, and the wall material of *tĕpas*, common in this district.

3b A house at Chengkau, Rembau district, Negri Sembilan. An original of he type illustrated by the model in **2a.** The wall panels are heavily carved.

3c House at Kg Banggul Ara, Larut Distirct, Perak. This house is pointed out by the villagers as an example of their traditional style of building. Note the low outer wall of the *sĕrambi*. The filling under the *sĕrambi* and the *rumah tangga* have been added. This is in the kampong described by Noone (*JMBRAS*, **21**, ((1), 1948: 124-41).

3d House at Lubok China, Alor Gajah district, Malacca: built in 1952, but preserving the original style of the district. Note the *rumah tangga* covering steps entering at the front and side.

Plate 4

4a House at Kandang, Central district, Malacca. A fine example of the style illustrated by the model in (**2c**): note the tiled roof with roof ridges upturned at the extremities, and the flight of cement steps faced with coloured tiles.

4b House at Kg Bukit Jĕram, K. Selangor district. A style similar to the Malacca style, but with the steps entering at the end of the *anjong*.

4c A recently built house at Kg Bukit Jĕram, K. Selangor district.

4d House at Tĕmĕrloh, Tĕmĕrloh district, Pahang. Note the steps approaching the front door via a *jĕmoran*. This house survived the 1926-27 floods.

Plate 5

Detail of houses in course of construction at Lubok China, Alor Gajah District, Malacca.

5a House at the stage at which roofing has commenced.

5b House of which the roof is complete and the gables about to be fixed. Seen from the back.

5c The same as (**5b**), but seen from the *anjong* side.

5d Corner post of the *ibu rumah* showing the *tutup tiang* passing through its head, with the *alang* above and at right angles. Into the extension of the *alang* are mortised the head of the *sĕrambi* roof *kasau jantan* and the foot of the main roof *kasau jantan*.

5e Geseral view of the interior. Note the *tiang sĕri* with a coconut attached to its head.

5f Corner post of the *sĕrambi sama-naik* showing the *kasau* passing through its head with the *tutup tiang/gulong-gulong* above and at right angles.

Plate 6

Further detail of houses in course of construction at Lubok China, Alor Gajah District, Malacca.

6a House complete except for walls and accrtions. Houses can be occupied at this stage, and they may not be completed until a year or more later, when the owner is in funds again.

6b Interior of the roof, showing the vertical *tunjok langit* mortised into the horizontal *alang*.

6c Corner of the *ibu rumah*, showing from below the cosstruction depicted in Figure 8 after the *papan lantai* and *bendul* have been completed.

6d Close up of the *anjong* of the house depicted in **3d.**

6e Inside the *anjong* in **6d,** showing the flying pillar by the corner of the *ibu rumah*.

6f The flying pillar in **6e,** seen from outside and below. The mode of construction is shown in Figure 10.

References.

Barnard, B. H. F. 1918. *Nipah* versus *Bĕrtam* attaps. *Agric. Bull. F.M.S.* **6**: 270.

Evans, I. H. N. 1918. Setting up the Posts of a Malay House. *Journ. FMS Museums*, **7**: 211,

Hasselt, A. L. van. 1897. Midden-Sumatra. Leiden.

Hurgronje, Dr. C. Snouck. 1906. The Achehnese. Translated from the Dutch by A. W. S. O'Sullivan. Leiden & London.

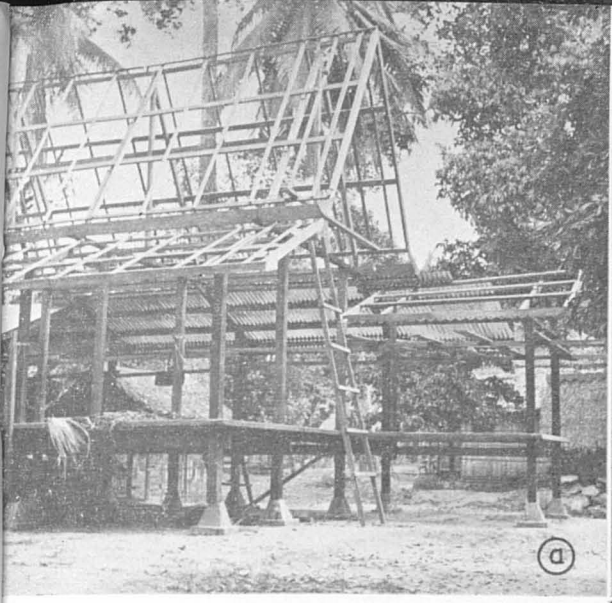
MacDonald, M. 1934. Malacca building. *JMBRAS*, **12**, (2): 27-37.

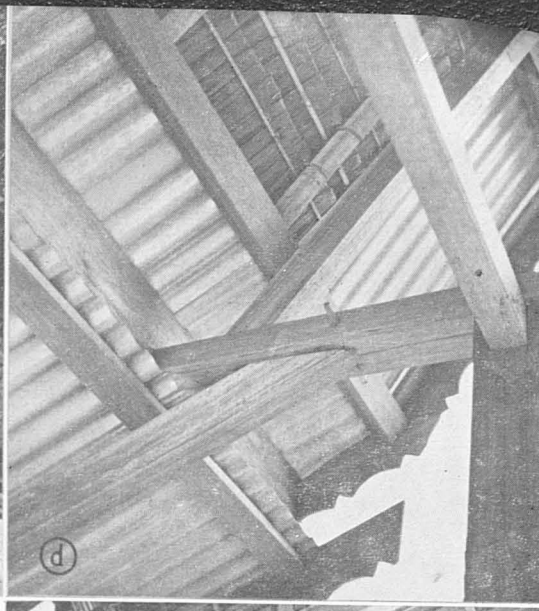
Noone, R. O. 1948. The Patani Malay village of Banggul Ara. *JMBRAS*, **22**, (1): 124-41.

Winstedt, [Sir] R. O. 1909. Carpentry (in Malay Industries, Pt I, Arts & Crafts). *Papers on Malays Subjects*. Govt. Printer, Kuala Lumpur.

Winstedt, [Sir] R. O. 1929. Royal Tabus in Negri Sembilan. *JMBRAS*, **7**, (3): 454-55.

Winstedt, [Sir] R. O. 1929. The Malay House. *tom. cit.*: 459.





JMBRAS, Vol. 29, pt 3, 1956,
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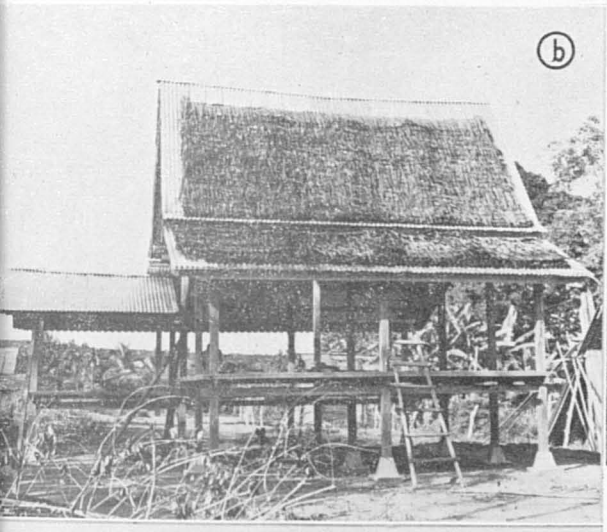
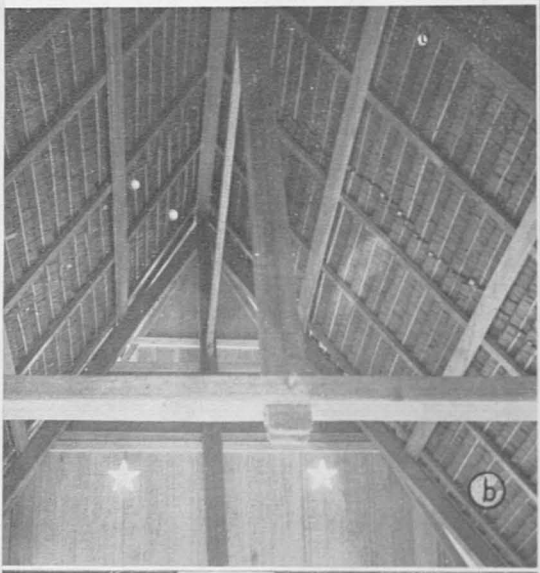
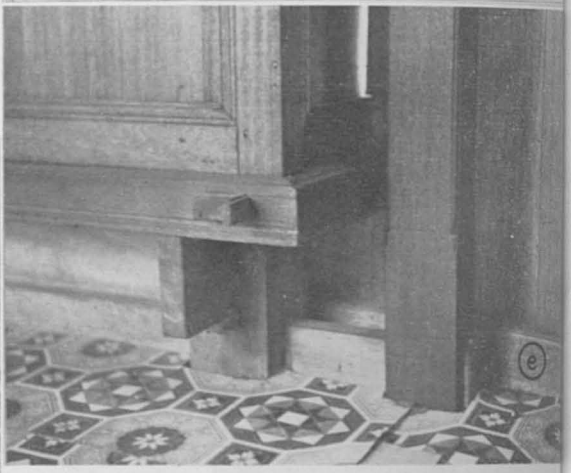


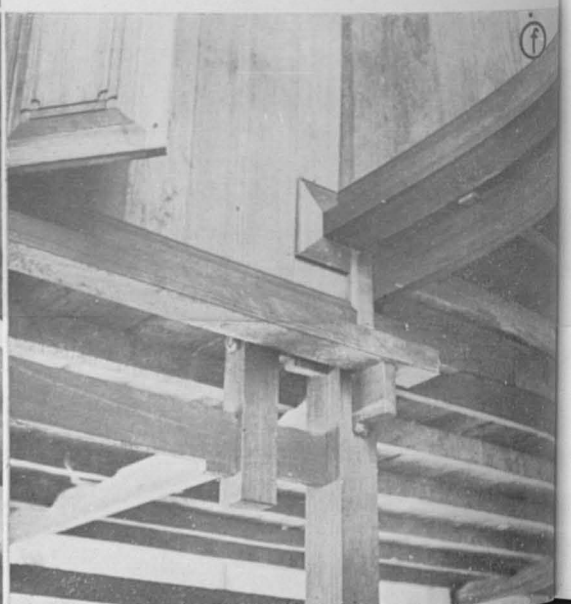
Detail of houses in course of construction at Lubok China, Alor Gajah, district, Malacca territory, See text, p. 146.

JMBRAS, Vol. 29, pt 3, 1956,
plate 6.





Further details of houses in course of construction at Lubok China, Alor Gajah district, Malacca territory. See text, p. 146.



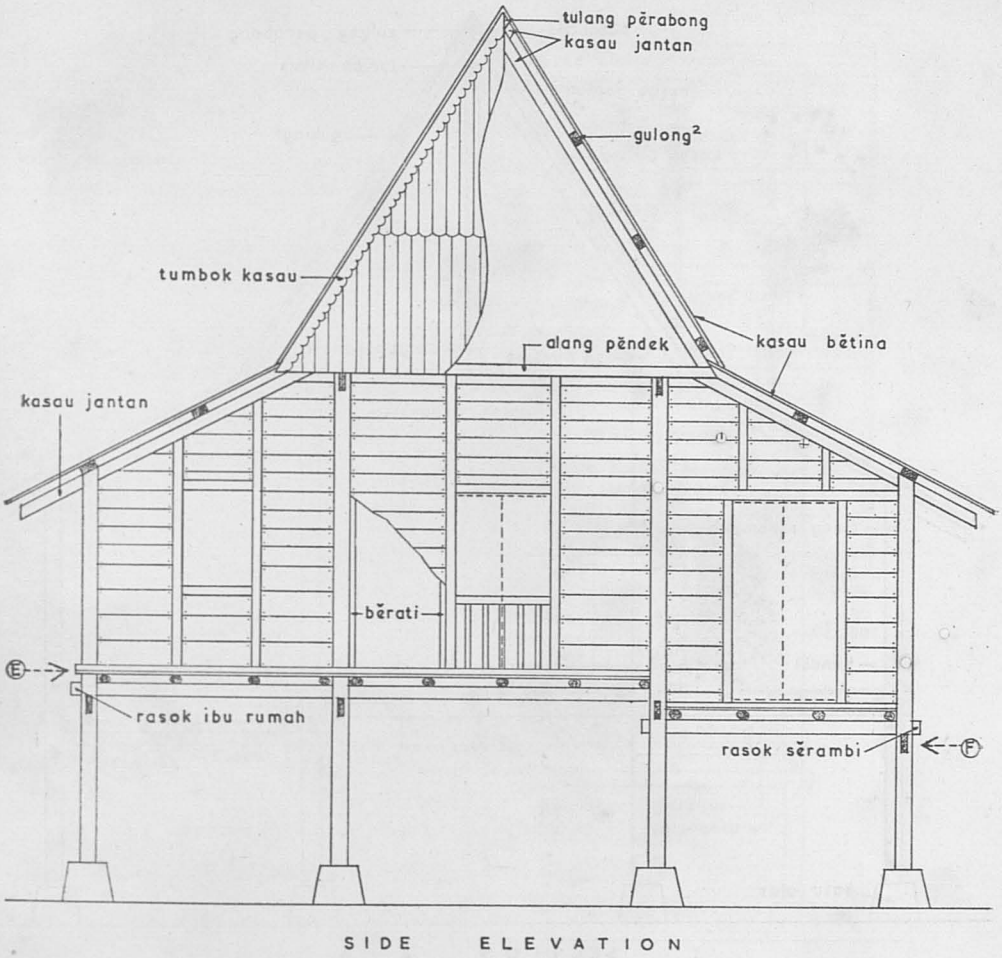


Figure **1**. The basic Malay house; side elevation. The house is shown facing towards the right, (F) being at the front, & (E) at the rear. *bĕrati* should read *bĕroti*. Scale 1/64.

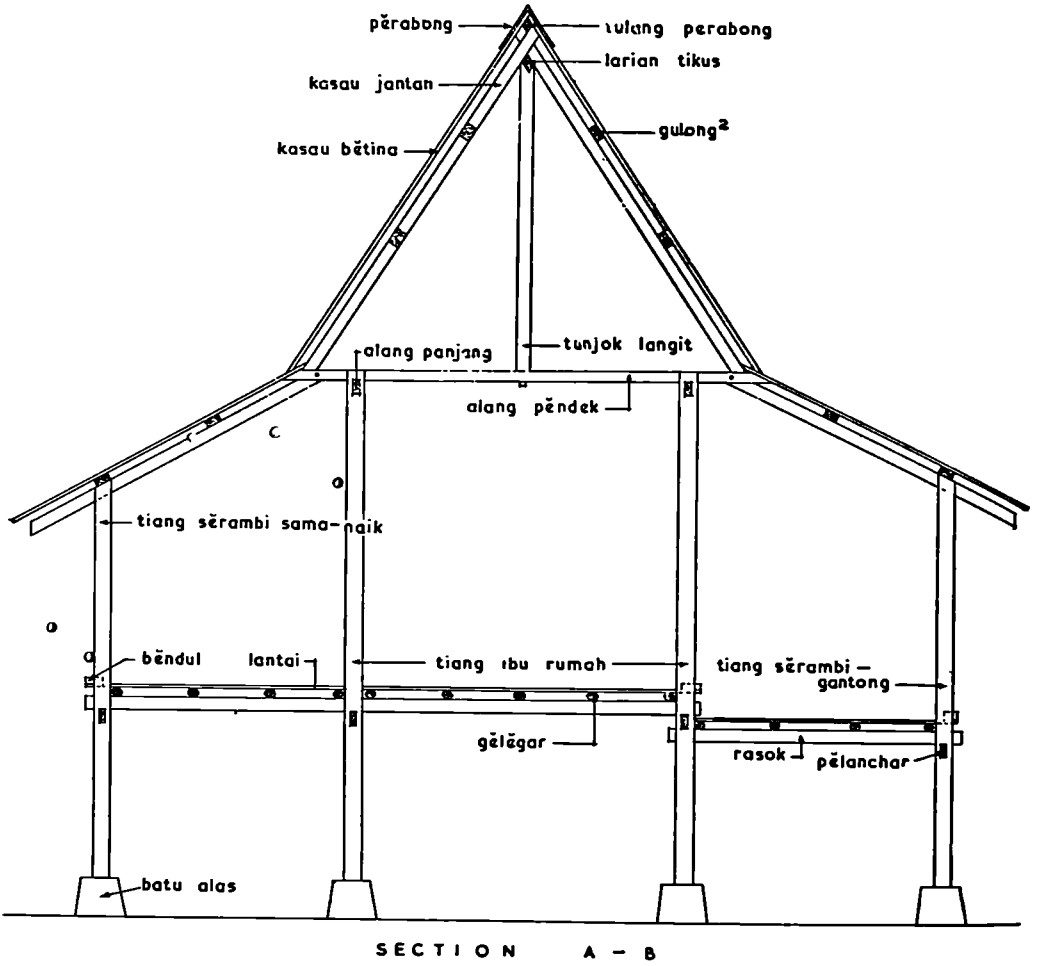
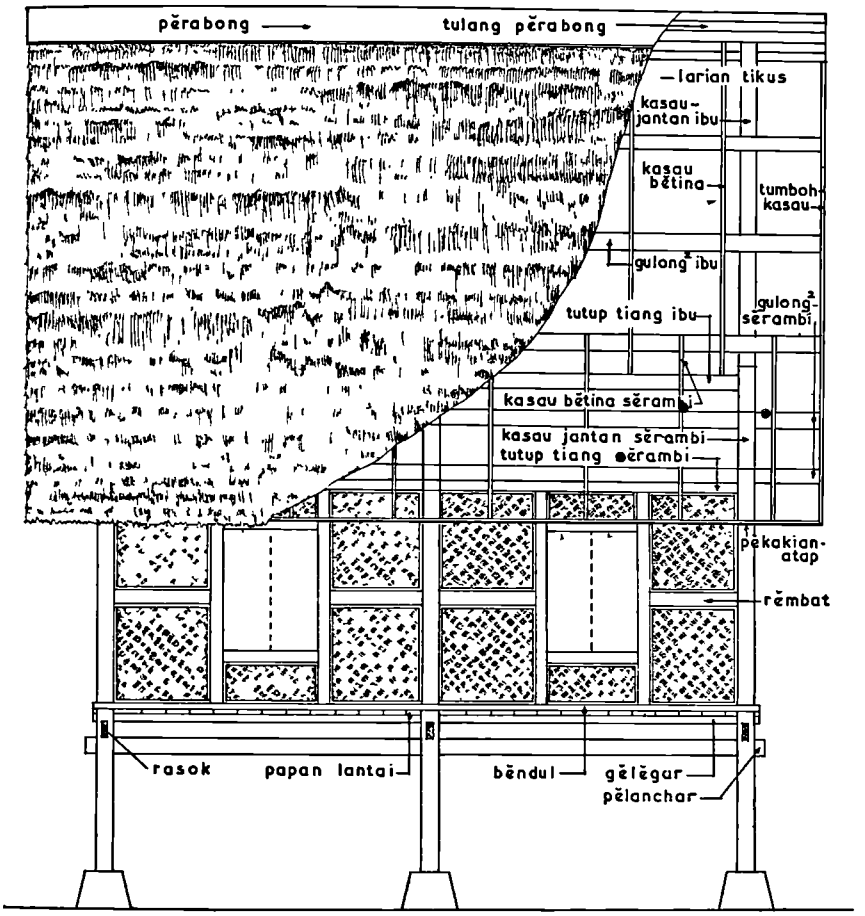


Figure 2. The basic Malay house; mid-line section [from (A) to (B) on the floor- and *tiang*- plans, figures 5 & 6, below]. The house is shown facing towards the right, of figure 1, above. Scale 1/64.



FRONT ELEVATION

Figure 3. The basic Malay house; front elevation. Scale 1/64.

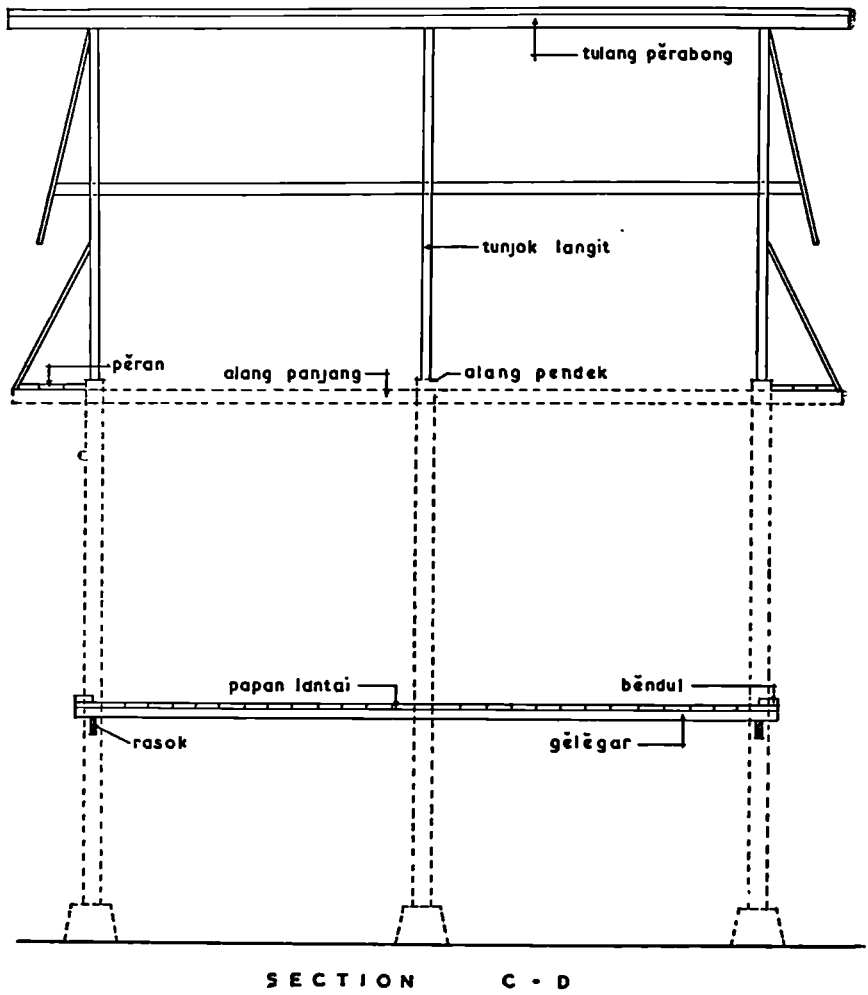


Figure 4. The basic Malay house; transverse section [from (C) to (D) on the floor- and *tiang*- plans, figures **5** & **6**, below]. Scale 1/64.

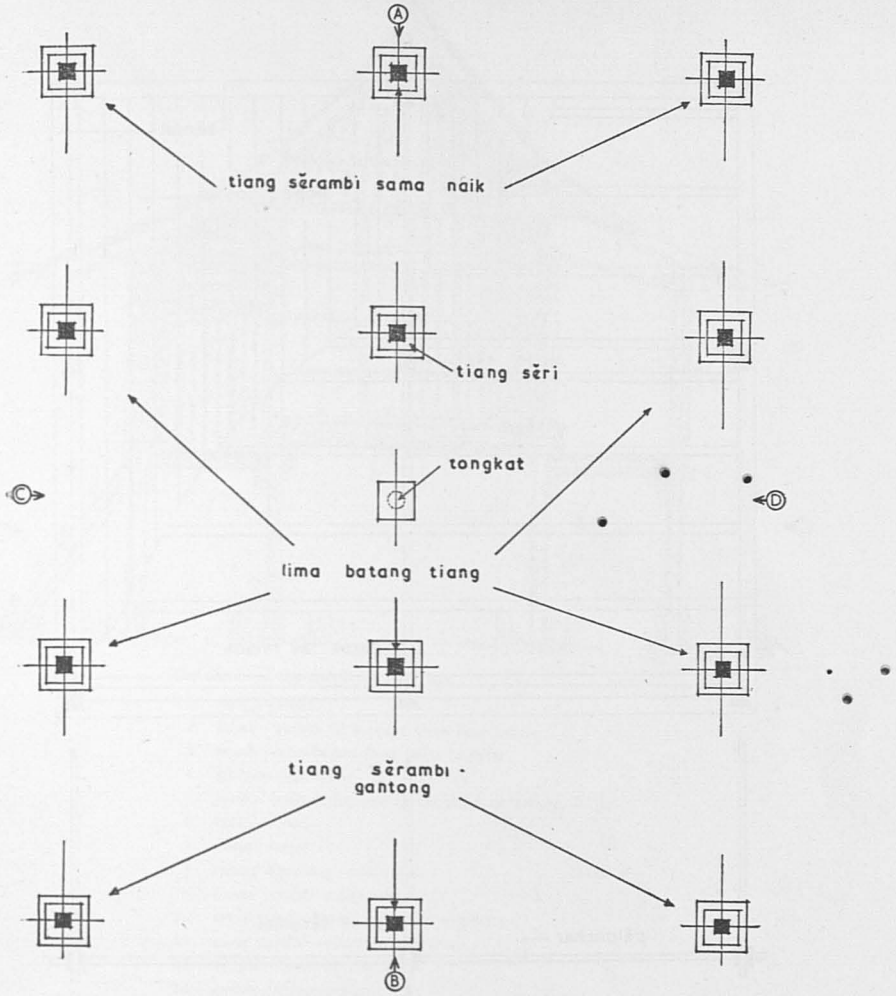


Figure **5**. The basic Malay house; ground plan, showing the distribution and names of the *tiang*. The letters (A) to (D) indicate the lines of the sections A-B and C-D shown in figures **2** & **4** above. The house is here placed facing towards the foot of the page, (B) being at the front, and (A) at the rear: cf figure **2**, above. Scale 1/64.

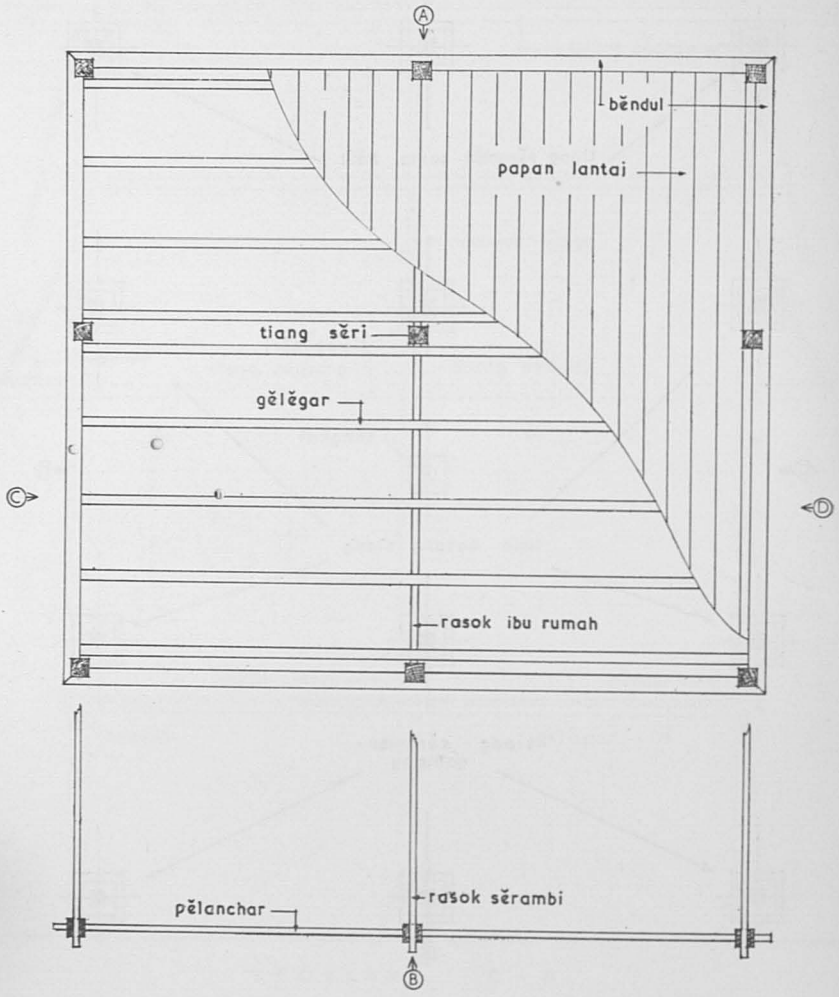
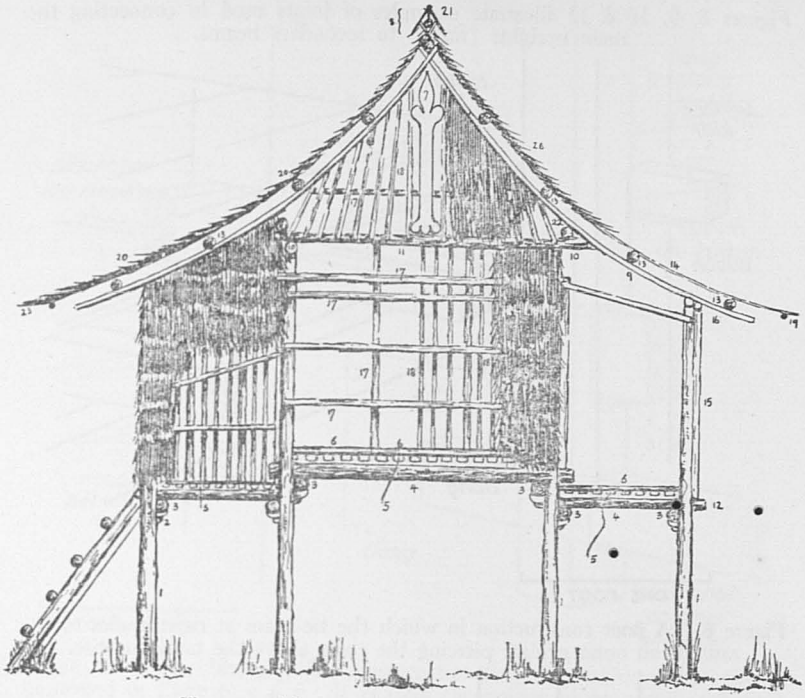


Figure **6**. The basic Malay house; floor plan [from (E) to (F) on figure **1**]. The house is here placed facing towards the foot of the page, (B) being at the front, and (A) at the rear; cf figure **2**, above. Scale 1/64.



The names of the numbered parts are:

1. *tiang*—pillars.
2. *susoh*—wedges to support cross floor-beams.
3. *rasok*—cross-beams from pillar to pillar.
4. *gĕlĕgar*—girders.
5. *jĕriau*—split laths, just below the floor proper.
6. *lantai*—floor.
7. *tunjok langit*.
8. *tulang bumbong*—roof-ridge.
9. *kasau jantan*—main rafters.
10. *tutup tiang*—beams across top of pillars.
11. *alang pandak*—short cross-beams.
12. *bĕndul*—beam at threshold.
13. *gulong-gulong*—rollers.
14. *kasau bĕtina*—subsidiary rafters.
15. *jĕnang*—uprights of door.
16. *tutop jĕnang*—lintel.
17. *bĕlĕbas*—main horizontal and vertical laths for fixing *atap* wall.
18. *jĕrĕjak*—thinner perpendicular laths for ditto.
19. *pĕkukian atap*—a lath holding down the lowest part of the *atap* roof.
20. *atap*—palm-leaf thatch.
21. *pĕrabong*—double row of atap protecting the roof-ridge.
22. *alang panjang*—long cross-beams.
23. *chuchoran atap*—lowest edge of palm-leaf roof.

Figure **7**. Details of a Perak Malay house built entirely without squared timber; after R. O. Winstedt, *JMBRAS*, **7**, (3), 1929, pl. 10 & p. 459.

Figures 8, 9, 10 & 11 illustrate examples of joints used in connecting the main uprights (*tiang*) to secondary beams.

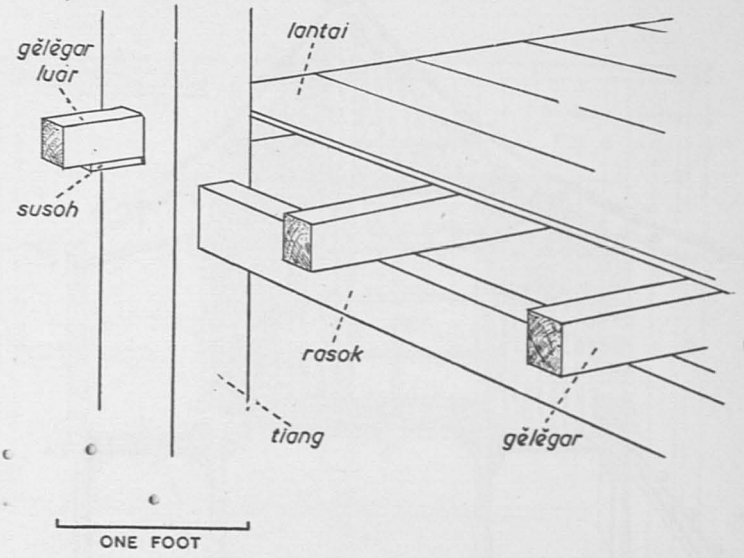


Figure 8. A floor construction in which the tie-beam at right angles to the *rasok* is an outer *gĕlĕgar* piercing the *tiang* above the *rasok* mortise.

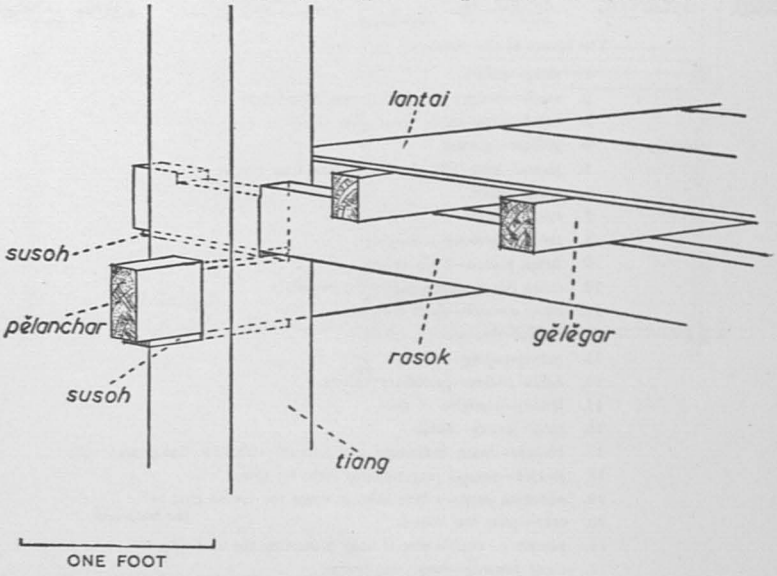


Figure 9. A floor construction in which the tie-beam at right angles to the *rasok* is an independent beam, the *pĕlanchar*, piercing the *tiang* below the *rasok* mortise. This is stronger than the system illustrated in figure 8, above, but uses more materials. Plate 6, c, shows the finished construction, complete with *bĕndul*.

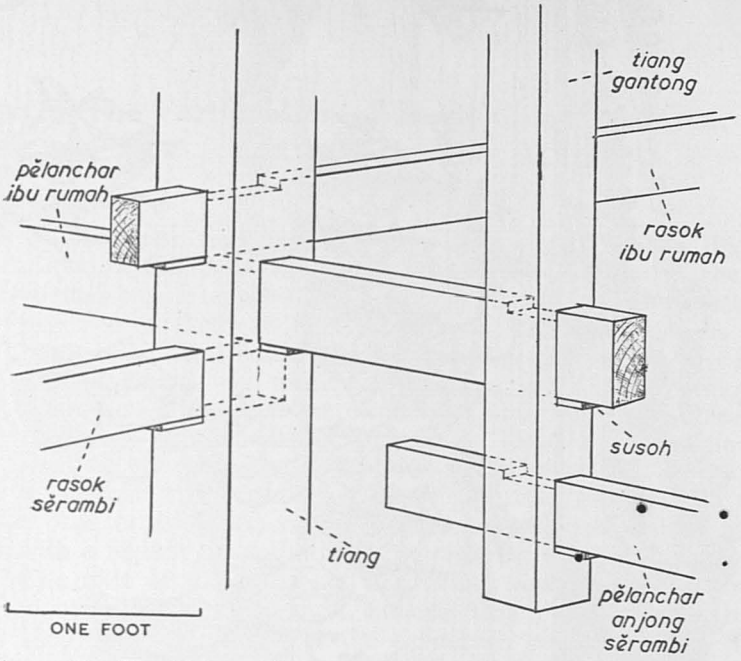


Figure **10**. The 'flying pillar' construction used in building the *anjong* illustrated in Plate 6, e & f. It enables the anjong to be added without a fourth, weakening, mortise in the main *tiang*, but avoids the extravagance and inelegance of another *tiang* reaching to the ground.

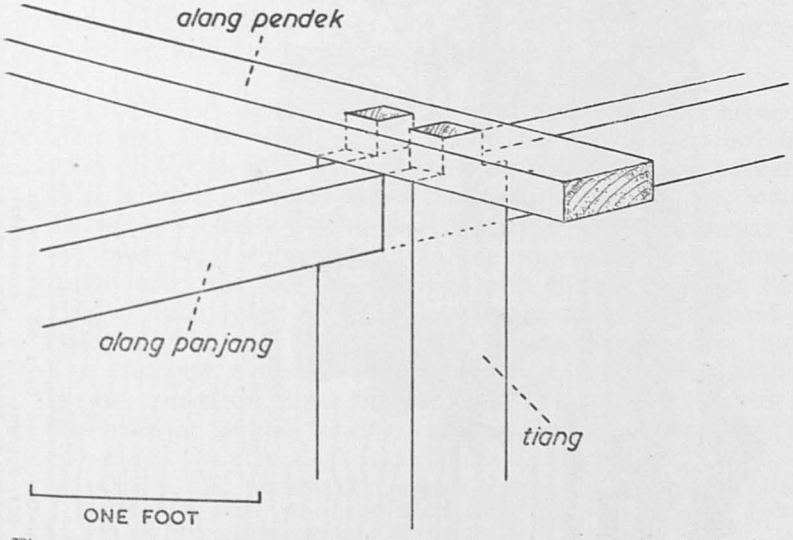


Figure **11**. A common method of joining the tie-beams to the head of a *tiang* as in Plate 5, d & e. The *alang panjang* is equivalent to the *tutup tiang* in this position.

Malacca

The Portuguese-Dutch sea fight off Malacca in 1606 (*Recueil des Voyages. . . .* , Amsterdam, 1707-7): the convent of *Madre de Dios* appears in the background, to the right of St. Paul's Hill.
See text p. 161 below.

The Fortification of Bukit China, Malacca.

by C. A. Gibson-Hill, M.A.

(*Received January 1955*)

The plan reproduced here on plate 7 was found in 1953 in a folio of old maps belonging to the Raffles Museum.[1] The decorated area is approximately 64.5 by 45 cm, and the sheet on which it is sketched 66.5 by 46 cm. The inscription in the bottom left-hand corner reads, *Geprojecteerd Fort op den berg Bouquit-China. 30 roeden in't zuyden vande thans geleegens Loopgraen* [Projected fort on Bukit China hill, thirty poles[2] to the south of the existing trenches]. There is no certain indication of where the sketch was made, or of how it reached its present resting place. It seems probable, however, that it is a plan, or duplicate copy of a plan, submitted to Batavia along with a request for authority to improve the defences of Malacca. The style of the work, and the nature and quality of the pigments and paper employed, indicate that it was executed in or about the second half of the eighteenth century. As we shall see below, it is clear that some form of fortifications existed on Bukit China at the close of this period and that at one point there was a scheme for extending them. What we still have to consider is whether the plan shown here represents a fort that was actually built, or one that was still only 'projected' when the British forces occupied Malacca in 1795.

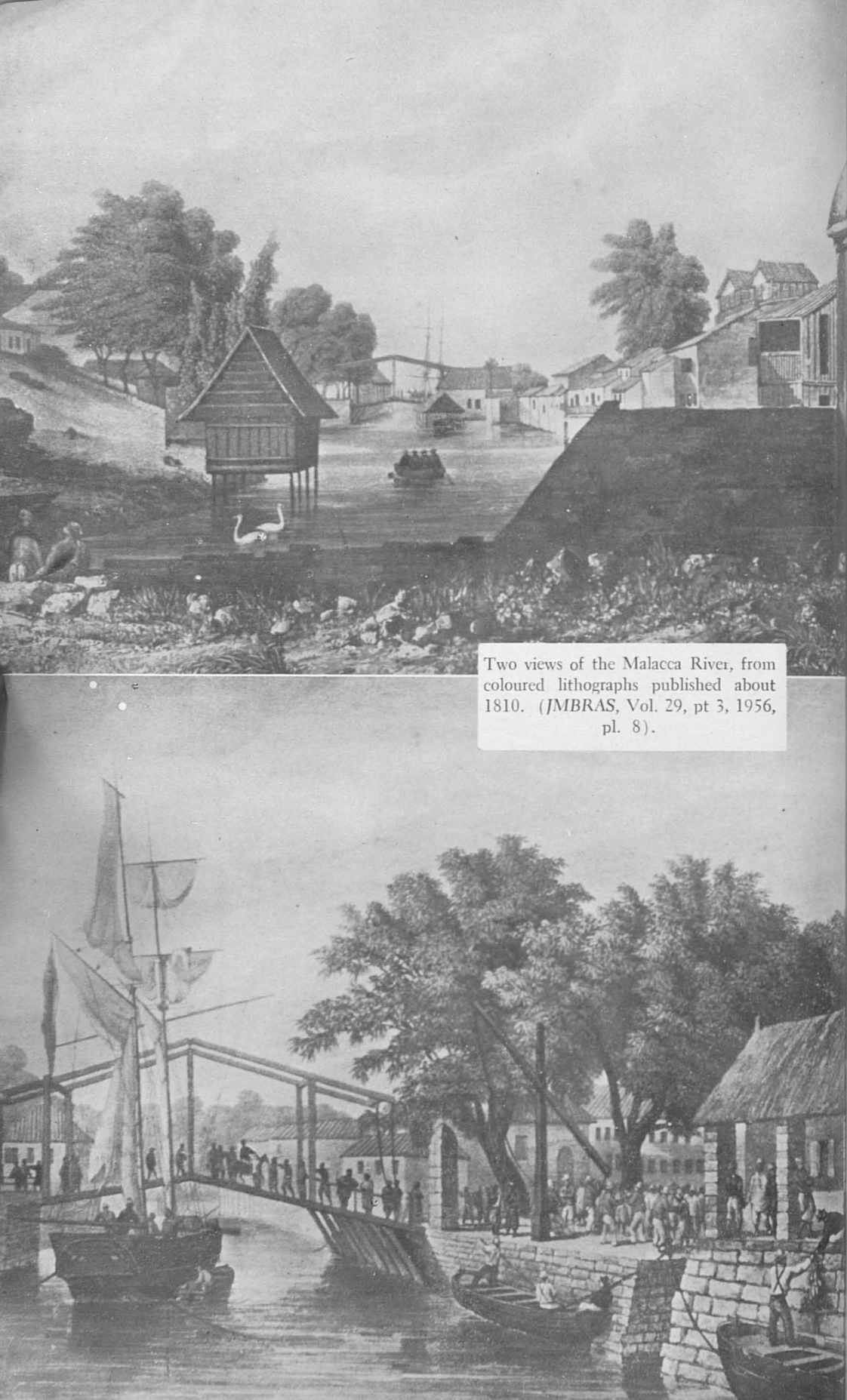
If the fort were built at all, it must have been built between 1784 and 1795. Dr. Graham Irwin[3] has kindly examined his notes on the records of the Dutch East India Company covering their activities in Malacca and the region of the Malacca Strait. These show clearly that measures to strengthen the defences of the town were contemplated in the seventeen-eighties, immediately after the close of the war with the Bugis leader Raja Haji of Riau (obiit 1784). There is, nevertheless, no positive statement from this source that the work was ever put in hand. The strongest evidence in support of at least some building having existed on Bukit China occurs in a paper published in this series of journals in 1934, wherein the author says that the

1. Opp. p. 158, overleaf. The original is at present on exhibition in the gallery of maps, prints and photographs illustrating the early history of the Straits Settlements.
2. Thirty poles = 165 yards, i.e. three-quarters of a furlong.
3. Dr Graham Irwin, *in epistola*, 10:12:'54.

The second day of the sea fight between the squadron led by Admiral Cornelis Matelief and the Portuguese fleet, off Malacca (18 August, 1606). In contrast to the custom pertaining in the majority of the early pictures of such contests, the wind is here shown standing in roughly the same quarter for both fleets, but to compensate for this the smoke from the burning vessels rises almost vertically upwards, the Straits of Malacca are very, very narrow (with the water towering above the Sumatran shore), and the portrait of Malacca itself is, to say the least, a little fanciful (cf the much homelier, and more convincing, view of the town in the plate on page 166, below). Nonetheless, it is of interest to notice that an attempt is made to depict the convent of Madre de Dios (in the top right-hand corner of the picture), though the style is on a par with that employed for the town, and it is placed a little too near to the sea.

Batavia archives then contained 'a good plan of the fort on Bukit China.....dated 1786'[4]: but we are of the opinion that if Macdonald saw a plan of a stone-built fort, he saw a copy of the plan which we reproduced here on plate 7, with a note to the effect that building was approved in 1786. If this were not so, then he must surely have seen a plan of the earthworks. As we shall see, there are ample references to a defensive position on Bukit China from 1784 to 1808, but no certain indication of the existence of a stone-built fort: and, of course, any public

Plan of a proposed fort on Bukit China, Malacca (*JMBRAS*, Vol. 29, pt 3, 1956, pl. 7).



Two views of the Malacca River, from coloured lithographs published about 1810. (*JMBRAS*, Vol. 29, pt 3, 1956, pl. 8).

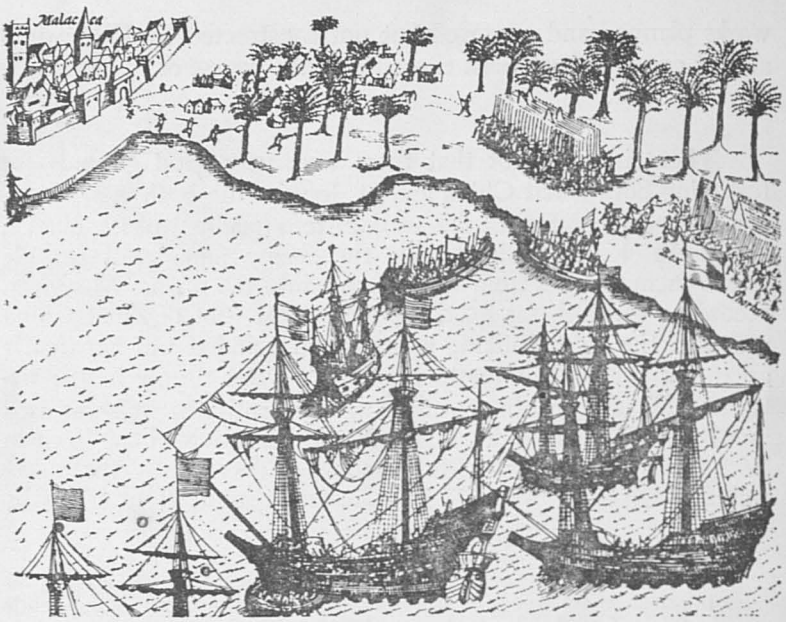
works planned and approved but not constructed by 1790 would almost certainly have been cancelled in the course of the economy drive of 1791.

There is no doubt that there were very good grounds for fortifying both Bukit China and St. John's Hill; both were necessary for full protection of the north-eastern quadrant of the citadel, and it was highly desirable that the enemy should not be able to use them as bases from which to fire into the town. Moreover, according to Balthasar Bort, the well at the foot of Bukit China provided the 'best drinking water found'[5]; and it was apparently an important contributor to the town's water supply in the sixteenth and seventeenth centuries; more recently the well was used as a bath. The Revd. Fr. R. Cardon in his review of the town in Portuguese times calls it 'the principal and certaintly the oldest well in Malacca'[6]. In 1677 Bort, in anticipation of an attack by

4. M. Macdonald, 'Malacca buildings', *JMBRAS*, **12**, (2), 1934: 27-37, see p. 36, St John's Fort. Macdonald, incidentally, was looking for information on the age of St. John's Fort; here, again, there is apparently nothing of much value in the extant Dutch records. It had obviously not been built in 1641, when Schouten wrote his report, as he recommended the erection of a redoubt to protect the hill. Nor can it have been standing in 1678, when Bort prepared his statement on Malacca, but it is clear that there was a fort on St. John's Hill by 1791. In the latter year, according to Macdonald, there is a reference to a fort on the *Vriesche Berg*, four hundred poles to the east of the castle, 'to oppose any landing on the southern beaches': it was armed with eight 6-pounders. Possibly the instructions were sent to Malacca between 1760 and 1778, the period over which the Malacca records are deficient. In which case the fort was built circa 1760-90: it was undoubtedly in existence in 1795, but not adequately manned (see p. 119, above). It is not mentioned directly in the official records of Raja Haji's attack on Malacca in 1783-4, though the hill was certainty defended (see Maxwell 1890: *passim*).

5. Balthasar Bort, Dutch governor of Malacca, 1667-78. It was customary for each governor to prepare a report for the guidance of his successor. Bort's report is extremely full, and it provides a most valuable account of Malacca in the latter part of the seventeenth century. An English translation by Miss M. J. Bremner appears in *JMBRAS*, **5**, (1), 1927: 1-205, with notes 205-232. The reference above is to p. 20. Later reports, translated by Prof. Brian Harrison appear in *JMBRAS*, **26**, (1), 1953: 56-62. *op. cit.*, **27**, (1), 1954: 24-34.

6. Revd Father R. Cardon, *Société de Missions Etrangeres*, 'Portuguese Malacca', *JMBRAS*, **12**, (2), 1934: 1-23, see p. 3 & 4, *pĕrigi raja*, the king's well. The Dutch admiral Cornelis Matelief the younger noted the well in his account of his voyage to the east (1605-8), and as late as 1828-29, Dr T. M. Ward wrote, 'There is a plentiful supply of water in the town [of Malacca]. Wells are attached to every house. . . Very pure and very excellent water, however, is obtained from the well at the foot of *bukit cheenee*, which is in common use among the inhabitants,



Admiral Cornelis Matelief's attack on Malacca: detail from the plate in Johannes Isacius Pontanus's *Rerum et urbis Amstelodamensium historia* (J. Hondius, Amsterdam, 1611: 213), showing the meeting ashore of the Dutch and Johore forces at the time of the initial landing in May, 1606. This apparently took place at Ujong Pasir, though the engraving reproduced here gives the impression that it was in the suburb of Banda Hilir, unless we take it that the latter is represented by the ten coconut palms between the walls of the citadel. See text pp. 161 and 163.

Menangkabau Malays, had eight brass pedreroes mounted on 'the plank palisade round the guard-house and the well provided with a breastwork': the following year the garrison there consisted of one sergeant, two corporals and ten soldiers[7]. Early in the eighteenth century the well at Bukit China was given stone defence-works, and a contiguous stone-built guard-house[8]: these are shown clearly

and the carriage and sale of which give employment to a number of Chinamen and others' ('Contributions to the Medical Topography of Malacca', Pinang, 1830:8).

7. Bort, *loc. cit.*: 20 & 31. He refers to it as 'the stone well . . . near the hill Bouquet China, called St. Francisco by the Portuguese'. Cardon (*loc. cit.* : 3) notes that even at the time when he was writing, Bukit China was still called *O monte do S. Francisco* (St Francis's Hill).
8. The nearby burial chapel, erected by *Capitan China* Chua Su Cheong, in 1795, appeared much later, being built in gratitude for the British capture of Malacca from the Dutch company. It is a dependent chapel of the Cheng Hoon Teng, in Temple Street, Malacca, the oldest Chinese temple in Malaya (*JMBRAS*, **28**, (1), 1955: 173-9). Two early pictures of the chapel are printed here on pl. 9; the middle one on the plate shows also the stone wall and guard house at the well (*Sam-po-cheng*); see plate 9, opp. p. 172.

in the water-colour painting of the nearby Chinese burial chapel, executed by Capt. James George, B.N.I., in May 1811.

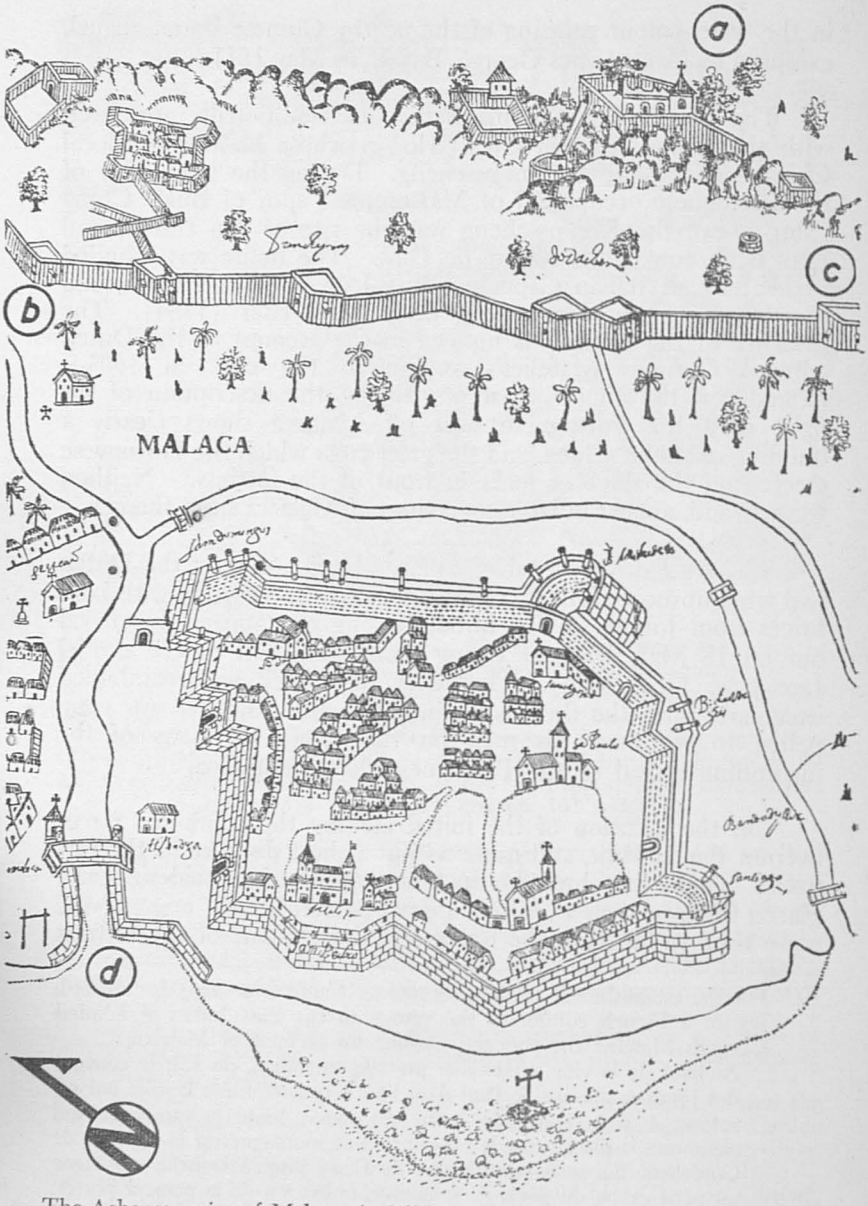
The well at Bukit China is the one traditionally associated with the Grand Eunuch Chêng-Ho, in whose honour the local Chinese refer to it as *Sam-po-cheng*. During the latter part of the Portuguese occupation of Malacca, the spur of Bukit China rising above the *Sam-po-cheng* was the site of the church and Franciscan convent of *Madre de Dios*. The house was founded in 1581 by an Italian Capuchin, Frei João Baptista Pizzaro, and transferred to the Franciscans three years later (1584). The presence of the convent is noticed in the account of the Dutch admiral Cornelis Matelief's voyage to the east, in 1605-8; in addition the engraving accompanying the description of his fight with the Portuguese fleet off Malacca shows clearly a building on Bukit China, and the great cross which the Portuguese erected on the ridge of rocks in front of the fortress.[9] Neither, we may add, appear in later engravings of Malacca from the sea.

The sea fight occurred in August, 1606. Earlier the Dutch had tried unsuccessfully to capture the city, in company with land forces from Johore. The initial landing was apparently carried out on 18 May, 1606, at Ujong Pasir, south-east of the citadel (see page 138, above). Thereafter the attack was maintained irregularly until the third week in July, when Matelief was compelled to withdraw his men on the receipt of news of the impending arrival of the Portuguese fleet from Goa.

On the occasion of the initial landing the combined forces overran Banda Hilir, and came within a short distance of the fort itself. Then 'they brought up four mortars of normal size, and placed them in such a position that they were able at one and the same time to hit both the tower and the rampart of the fortress

9. For the establishment of the convent, see Cardon, *loc. cit.*: 2. According to a French edition of the voyage to the East Indies of admiral Cornelis Matelief the younger, quoting his account of Malacca,

> Au-haut de la ville, c'est-à-dire presque au milieu, on voit le convent des Jésuites, nommé S. Paul d'où l'on découvrer toute la ville qui est autour, & d'ou l'on peut battre du canon toute la campagne qui environne la place. Sur la plus prochaine montagne est le convent de Cordeliers, qui se nomme Madre de Deos, jusqu'à laquelle montagne un petit canon du poids de quinze-cents livres a de la peine à porter. Les autres sont fort éloignées (From 'Recueil des Voyages qui ont servi à l'établishment et aux progres de la Compagnie des Indes Orientales, formée dans les Provinces unies des Païs-bas', translated by R. A. de Constantin de Renneville, 7 vols, Amsterdam, 1702-07; see **3**: 307-8, and plate opp. p. 277, reproduced here on p. 156, above, from a copy in the possession of the Survey Dept., Malacca).



The Achenese seige of Malacca in 1628-9: detail redrawn from a water-colour sketch (British Museum, Sloane MS. 197, folio 382), which in turn was probably prepared by Pierre Berthelot to accompany the *India Oriental* of Barretto do Resende (ca. 1635-8). The damaged building of the convent of *Madre de Dios* can be seen in the top right-hand corner of the section reproduced here (*a*). In front lies the line of the Achenese stockades (*b*) to (*c*) encompassing the town on the landward side, with the cannon pointing inwards. [See text and footnote 11, on page 165].

in Malacca. But they realized that these methods were achieving inadequate result. . .' Thereon, according to Pontanus (trans J. V. Mills, 1938: 145-6),

> . . . at a later date these men took a bridge up a stream and laid the way open for themselves to reach a monastery situated in the neighbourhood there. From this point they laid down a path through the marshes which lay between the shore and the monastery; then a hundred and fifty of our men with four hundred Aethiopians [Malays] advanced further towards the south, and, before the Lusitanians [Portuguese] were able to observe them, they set out an encampment in the part of the town which was held most weakly; they also prepared and erected defences as well as a sufficiently broad rampart midway between the shore and the city; here they even set up some mortars at a later date. . .

from which we can see that the Dutch & Malay forces advanced inland to the convent of Madre de Dios, and thence turned south-west and occupied the proximal part of the suburb of Saba (later called *Banda Malacca*, the modern *Bunga Raya*), in the neighbourhood of the church of St Lawrence. Thus this is the first notice of an attack on Malacca from the direction of Bukit China; but there is no certain indication that any use was made of the hill itself, or of the buildings of the convent.

Occupation of part of the area now known as Bunga Raya is confirmed by Valentijn (see *JSBRAS*, **16**, 1885: 290), who says that on the seige being raised the attacking forces withdrew their artillery from *Campo Klin*. For some quite inexplicable reason, J. V. Mills — who seemingly also overlooks the fact that St Paul's Hill is south-west (not west) of Bukit China — equates *Campo Klin* with *Kampong Chelin*, the region of the present Heeren and Jonker Streets, to which he then transfers the name *Kg Kling*. For the Dutch & Malay forces to have reached this neighbourhood there would have had to have been a second unrecorded landing to the north-west of the town. Even then, while Pontanus's description of the advance agrees neatly with an encircling movement in the area east of the river, it cannot possibly be applied to one west of it. The mistake, presumably, arises from the failure to localize *Kampong Kling* correctly. As we have implied above, *Kg Kling* was not the same as *Kg Chelin*; it lay inland in the suburb of Saba (Banda Malacca) and not on the waterfront, where the elite lived. Thus Commissary Justus Schouten, in his report on Portuguese Malacca prepared in 1641 (*JMBRAS*, **14**, 1, 1936: 88),

> The city was enclosed by two large suburbs on the north and south and again surrounded by extensive pleasure grounds, about three times the area of the city. . . The northern suburb was usually called *Bandar Malakka*, with its well-known street *Kampong Kling*. It was

Malacca, circa 1665, from the plate published by Wouter Schouten, *Oost-Indische Voyage. . . [1658-65]*, Amsterdam, 1676. Heights are exaggerated, and much of the shipping is imaginery, or at the least not Malayan (faults common to other of Schouten's plates), but we can nonetheless note that the

> enclosed by a stout wall about 2½ fathoms high and fully one fathom thick, with a stone gate at the extreme north. The southern suburb was not enclosed and was called *Bandar Ilhir*. Here most of the mestics, the blacks and some Portuguese citizens lived happily under the shade of the coconut trees and surrounded by beautiful gardens and pleasure grounds.

The former was the terminal point reached by admiral Cornelis Matelief — the 'well-known street' in Banda Malacca (due north of the citadel), and not the shoreward section of the town proper (which at this period was restricted to the citadel area and the region immediately across the river, to the west of the fortress).

During the Achenese attack on Malacca in 1628/29 the Portuguese defenders were again driven back from Ujong Pasir. Ultimately the Achenese occupied St. John's Hill, where they mounted a battery with which they bombarded the town, and immediately came under fire from the garrison stationed in the convent on the Bukit China ridge. The building, which by this time constituted an important unit in the defences of the town, had been

> . . . entrusted to the defence of Diogo Lopez de Fonseca who, after having held it against the enemy for fifty days, made a sally with 200 men and succeeded in driving back 2,000 of the enemy. After this Fonseca fell sick and was succeeded by Francisco Carvalho de Maya who continued to hold it against the Achenese forces, but ultimately it was bombarded with such severity that the place became untenable; whereupon the building was levelled with the ground and then abandoned. The enemy at once rushed in and took possession of the position where they erected fortifications out of the materials of the ruined buildings and the laksamana [the leader of the Achenese forces] established his headquarters there with a force of 3,000 men. Meanwhile a fleet arrived from Pahang to assist the Portuguese, and shortly afterwards Miguel Pereira Botelho came with five sail from S. Tomé [on the Coromandel coast]. The laksamana, after losing his position, retook it to lose it again, and finally fled to the woods where he was captured by the king of Pahang.[10]

The Achenese seige of Malacca in 1628/29 forms the subject of a watercolour sketch of the 'Town & Fort of Malacca' (British

10. F. C. Danvers, 'The Portuguese in India', London, 1894 (**2**): 231. The laksamana of Acheh, being brought before the governor of Malacca 'said to him with undaunted countenance: "Behold here the Laksamana for the first time overcome." He was treated with respect but kept a prisoner, and sent on his famous galley (the *Terror of the World*) to Goa, in order to be from thence conveyed to Portugal; but death deprived his enemies of their triumph' (Wm Marsden, 'History of Sumatra', London, 3rd edn, 1811: 444—quoted in Cardon, *loc. cit.*: 2).

Malacca at the beginning of the eighteenth century: detail from the plate published by Francis Valentijn, *Oud en Nieuw Oost-Indien*, **5**, 1726. The shipping at least is a distinct improvement on Schouten's plate, and the town has a homely air which carries conviction; again there is no indication of any significant structure on the

Museum, Sloane MS.197, folio 382)[11], part of which is reproduced here as a line drawing on page 162. This portion shows the Achenese stockades running from the line of Bukit China to the river (*a-b*), with their guns pointing in towards the walls of the town; at (c) can be seen the Convent of *Madre de Dios*, already badly damaged by gunfire.

The convent on Bukit China was rebuilt after the Achenese had retired,[12] but they had demonstrated the strategic value of the hill, and fighting again took place in this area during the successful Dutch attack on Malacca in 1640-41. The Dutch forces collected off the town in June of the former year, but it was not until 3 August that they effected a landing 'on the north of the city in a large field outside the range of the enemy guns'[13]. On 27 October, the governor-general in council, at

11. Probably prepared by Pierre Berthelot, circumnavigator of Borneo, to accompany the '*LIVRO do Estado da India Oriental*' of Barretto do Resende, circa 1635-8. The latter's account of Malacca, &c, has been translated by [Sir] George Maxwell (see *JMBRAS*, **60**, 1911: 1-24). The line drawing reproduced here was prepared for the Hakluyt Society's edition of d'Albuquerque's Commentaries (**62**, 1880); it also appears, without acknowledgement of source, in the Historical Guide to Malacca, 1924; in both cases the drawing is erroneously captioned, and no indication is given of the significance of the breastwork round the town from which guns point in towards it.

12. Commissary Schouten gives a description of the convent, which presumably refers to the period shortly before the Dutch attack on Malacca,

> *Madre de Dios Church and the Capuchin Monastery.* — This is a noble structure on the top of the hill called Bukit China within a cannon shot from the city. It has a beautiful garden (at the back and on one side) which is enclosed by an earthern wall. It is the healthiest and the most beautiful spot in Malacca. The monks here were of the order of St Francisco. The church had three altars. The high altar and the chapel were dedicated to the Mother of God, while the other two were in the names of Nossa Signora da Conceicao and Bon Jezus. They were very elaborately decorated. There were usually seven friars in this monastery, namely, the Guardian, the Procurador, the Sacristan and two preachers, who were all priests and two lay brothers who served as Administrator and Porter. These friars had neither rents nor income but lived on the voluntary alms of the dead [sic] and the citizens of the place. They had a secular layman as administrator who had the title of Syndicus. These monks were outwardly very poor-looking, but in fact they were the richest of all denominations. (in *JMBRAS*, **14**, (1), 1936: 91-2).

The Capuchins were a reformed order of Franciscans, established in 1528.

13. Andriaen Anthonisz and Pieter van der Brooke to the Commander Dominicus Bouwens at Goa, written in front of Malacca, 15 October, 1640. Cited from 'The Siege & Capture of Malacca from the Portuguese in 1640-41', being extracts from the archives of the Dutch East India Company, collected by P. A. Leupe, translated by Mac. Hacobian (from *Berigten van het Historisch Genootschap te Utrecht*, 1859: 128-428), *JMBRAS*, **14**, (1) 1936: 1-178, see pp. 13-4.

Batavia, wrote to Adriaen Anthonisz, the commander-in-chief in front of Malacca,[14]

> We were immensely pleased to learn that you had consolidated your position so well for defence, and that you were almost in possession of the convent Madre de Dios, otherwise known as Bukit China. We hope that with the new reinforcements and the assistance of the *Johorites* you will have approached the convent and will be able to bombard the city from that important position causing much damage. Herewith a sketch of Malacca city done by Commander Cornelis Symmonz some time ago, together with his description of the citadel and fortifications. According to the sketch, two of the city's bulwarks can be bombarded from the convent and by this means a blockade of the city can be affected. . . . .
>
> . . . . The *Johorites*, the *Manicabers*[15] and the people from *Rambou*, should be well rewarded and praised so that they may remain faithful to us, and help you to carry up the guns to *Madre de Dios* in spite of the morass and the steep road.

Thereafter we hear nothing more of Bukit China and the Franciscan convent until after the fall of Malacca early in 1641.

At this point Commissary Justus Schouten arrived from Batavia to survey the condition of the town. In his report he says, "The beautiful monastery of St. Francisco and the great chapel of *Madre de Dios* are roofless and half ruined. The wall around the garden is practically intact, but the garden has become a jungle"[16]. Schouten recommended that "The best portion of this convent could be repaired and made into a residence and let out with its beautiful Court Yards as a pleasure ground, for which it is exceptionally well adapted"[17], but the Dutch authorities found themselves short of effective manpower, and according to Casimiro Christovão de Nazareth the ruins were ultimately razed to the ground.[18] Certainly we hear nothing more of occupation of this area, and it is from this time on that the Chinese burials begin to spread over the hill. Schouten also

14. Leupe, trans Hacobian, *loc. cit.*: 28.

15. The Menangkabau settlers; seemingly (as they are distinguished from the people of Rembau) this refers to the groups in the Ulu Muar, who gave the Dutch much trouble in the time of Governor Balthasar Bort, and later. Then an appeal to the sultan of Johore on the matter produced the reply that they were the subjects of the bĕndahara of Johore, and he, the sultan, could not be held responsible for their acts.

16. Schouten, quoted in Leupe, trans Hacobian, *JMBRAS*, **14**, (1), 1936: 112.

17. Commissary Schouten, *op. cit*: 132.

18. Casimiro Christovão de Nazareth, 'Mitras Lusitanas no Oriente', Nova Goa, 1924, 2 vols: (**2**) 236. Quoted in Cardon, 1934: 3.

recommended that 'Red island should be strengthened by a redoubt as well as the hills of *Tjina* [Bukit China] and *St. Juan* [St. John's Hill], not only for the purpose of keeping observation on the fields and gardens, but for preventing the enemy from getting hold of these vantage points, of which the chapel *Madre de Dios* on the *Bukit Tjina* hill is very important, while the materials of the convent of *St. Francisco* are very handy'[19]. Little, however, had been done in this direction by the time that governor Balthasar Bort wrote his report prior to handing Malacca over to his successor, in 1678. As we have seen, he had a guard-house surrounded by a plank palisade protecting the *Sam-po-cheng*, the precious well at the foot of the hill, with a defending force of three non-commissioned officers and ten men[20], but he makes no mention of any defensive position on the hill itself.

Nor does the Danish botanist Dr J. G. Koenig, who visited Malacca in 1779, just over a hundred years later, though admittedly he was apparently deeply absorbed in collecting specimens of the local flora. He examined Bukit China on 20 September, and subsequently recorded in his journal,

> [Sept.] 20. — I botanized on the high hill, which lies a cannon-shot from the town in the south east, and which is generally called Bukit-China by the Malays, because the Chinese bury their dead there. It is higher than [St Paul's Hill] inside the fortress, is long stretched, and slopes off towards the south. It consists of red mountain mould and various red tufaceous stones. The mountain is quite bare now; formerly it was covered with shrubs specially with *Melastoma listus Malaccensis, Suffa-Radja Rumphii, Cassia alata*, etc.; now there were only small plants, among them a beautiful *Polygala* with red or white blossoms, a new *Stedyotis Leonurus tartarica Teylonica, Cassia, Thora*, etc. On the opposite side is a large swamp; in it I found many things interesting for botany. . .

Five weeks later Dr Koenig visited the hill again: of this occasion he says,

> [Oct.] 24. — In the afternoon, after divine service, I went out with an Englishman, a Mr Hay, who is here on account of his health. We went out to see the tombs of the Chinese, especially that of the present chief of the Chinese living here. The tomb is being built on a mountain in front of the fortress on the southern side. The different partitions of the tomb were only as yet indicated by ditches; when finished it will occupy a large space.
>
> My botanical treasure I found was an Indigo, which grew on that mountain and spread several feet wide. It resembled the *Enneaphylla*, although there are many differences to be found. . .

19. Schouten, *op. cit.*: 129.

Malacca suffered two attacks by Bugis leaders from Selangor and Riau during the second half of the eighteenth century. The first, in 1756, was led by Daeng Kemboja of Riau, later joined by his kinsman, Raja Sayid of Selangor. On this occasion the men clearly landed to the north-west of the town, and failed to penetrate as far as the Malacca River.

The second attack, led by Raja Haji of Riau, in 1783/4, was much more formidable. Bugis from Selangor, who this time were the first in the field, again landed to the west of the town, but did not make much headway. Subsequently Raja Haji landed his men at Telok Katapang, and attacked via Pungor. In the later stages of the assault there was frequent fighting in the vicinity of a stockade or battery at the foot of the south end of Bukit China, and apparently several attacks were made on a fortified position, or positions, on the summit of the hill. The account of the war of 1784 entered in the official Malacca diary was transcribed and published by Netscher in the 1860's; and subsequently translated into English by Mrs Isemonger (see Maxwell, W. E. 1890: 188-210). The greatest activity in the Bukit China area occurred during the third week in May (1784),

> May 16 — In the evening, at about 9-30 o'clock, the enemy first attacked St John's Hill and the outer batteries in the Bandaihera [Banda Hilir], and soon after the stockade at the foot of Boekit Tjina [Bukit China] and our fortification on this hill, stretching towards Boenga Raja [Bunga Raya] and Pangkalanrama; the fierceness of their attack made everyone believe that they meant to venture on a general storm, for in spite of the shot and grape poured on them from our side they still held their ground and kept up a continual fire with their blunderbusses and rantakas till about eleven o'clock, when they again withdrew. . .

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20. Balthasar Bort, trans Miss M. J. Bremmer, *JMBRAS*, **5**, (1), 1927: 31.
21. Daeng Kemboja, third Bugis underking of Riau, 1745-77. For the Dutch record of his attack on Malacca, see E. Netscher, 'Twee Belegeringen van Malaka': and English translation of the Malacca diary for the year 1756, edited by D. F. A. Hervey, appears in *JSBRAS*, **12**, 1883: 261-8.
22. Raja Haji, nephew of Daeng Kemboja and his successor as fourth Bugis underking of Riau. For the original Dutch version of the Malacca diary for 1783-4, see E. Netscher, 'Twee Belegeringen van Malaka' (Two seiges of Malacca). English translation by Mrs Isemonger in W. E. Maxwell, *JSBRAS*, **22**, 1890: 188-210. See also Begbie (1834: 65-69), and the '*Tuhfat-el-Nafis*'. Raja Haji was killed at Telok Katapang, five miles south-east of Malacca, on 18 June, 1784.

    Abraham Couperus was a merchant and fiscal at Malacca in 1784. By 1795, when the British forces from Madras occupied Malacca he had risen to the position of governor. For the number of men stationed on Bukit China in 1784, see page 121 above. It is clear that Couperus (possibly with the experiences of 1784 in mind) regarded Bukit China as an important point, and would undoubtedly have defended it in 1795, if he had had sufficient men to do so (cf also pp. 120-1, above).

> May 18 — At ten o'clock at night, the enemy again attacked St. John's Hill, and the outer batteries in the Bandailhera, besides those at Boekit Tjina, and as it was noticed from the hill [Bukit China] that a strong force was marching towards Boenga Raja, the alarm was sounded in the town, and everyone was kept under arms till about twelve o'clock, but nothing more was heard of the enemy.
>
> May 23 — At nine o'clock at night the enemy renewed the frequent but unsuccessful attacks on our batteries in the Bandailhera and at the foot of Boekit Tjina, and firing on both sides lasted until about ten o'clock. . .

According to Abraham Couperus, who took part in the defence of Malacca against Raja Haji, 240 men were stationed on Bukit China, at this time. Some, clearly, were in the stockade at the south end of the hill; but the great majority must have been in the fortification 'stretching towards Bunga Raya and Penkalen Rama', i.e., 'the existing earthworks' cited in the plan of the proposed fort.

After the death of Raja Haji, Malacca was left in peace until 1795, when the British East India Company sent a force from India to relieve the depleted Dutch garrison of the burden of defending it. On this occasion they could only afford ten men to hold the fort on St. John's Hill, and whatever defensive position there may have been on Bukit China was left unmanned. An old map of the town and environs of Malacca, said to have been drawn about 1830, and formerly in the possession of the Malacca Historical Society, shows what must be the traces of the earthworks surviving at the period. Presumably again it is these earthworks which are shown by crenellations and a ditch on the plan accompanying a land grant of 1804.[23]

In December, 1795, and January, 1796, Capt. W. C. Lennon spent six weeks in Malacca, arriving less than five months after the Dutch garrison had capitulated to the British troops.[24] In

23. A tracing of the relevant part of the map of circa 1830, from a photograph made in 1938, is printed here on p. 175. The original map is said to have disappeared during the Japanese occupation. The map accompanying the land grant of 1804 is reproduced here on plate 10 from a photostat copy, kindly supplied by the Malacca Survey Department; a tracing of this section, prepared from an earlier photograph of the grant appears on p. 173. According to the Malacca Survey Department the original grant is no longer extant. The land itself is part of the estates administered by the trustees of the Cheng Hoon Teng, the temple of Temple Street, Malacca.

24. Captain Walter Caulfield Lennon, 'Journal of a voyage through the Straits of Malacca, on an expedition to the Molucca Islands under the command of Admiral Rainier . . .', *JSBRAS*, **7**, 1881: 51-74.

his journal, Capt. Lennon makes two significant comments on the fortifications of Malacca. Nine days after his arrival he noted,

> [Dec.] 9th — Visited Bocca [Bukit] China and was much surprised at the attempt to fortify such an extensive line as is here intended, and partly executed, and which the whole garrison is not more than equal to defend, in case of an attack; and it seemed to me that this work might have been laid out, to much more advantage and effect, in the Fort and round the Town.

Then later, in the course of a long, general note on Malacca, written about three weeks later, Capt. Lennon says,[25]

> Concerning the works of the fort of the town of Malacca, according to the plan they are built upon, they are in tolerably good repair, and capable of considerable defence; though should it remain eventually in our possession, which is not unlikely, and a strong garrison be established in it, I think it would be absolutely necessary to modernize the whole river face of the fort, and enlarge the two adjoining bastions; to open the streets of the town to the enfilading fire of the fort; to deepen the ditch and complete the lines round the town; to erect an outwork before the salient angle next the sea; to open a communication with Bocca [Bukit] China, and to erect two small regular redoubts[26] thereon connected by a strong stockade well scarped on the outside; and lastly to clear the ground to at least the distance of four hundred yards, for an esplanade. . .[27]

seemingly Capt. Lennon makes two points in regard to the fortifications on Bukit China in 1795/96. One is that they were too extended (strung out), though still incomplete. His other contention, that in his opinion the correct treatment for the hill was was two small, regular redoubts, connected by a strong, well-scarped stockade, suggests strongly that such fortifications as there were

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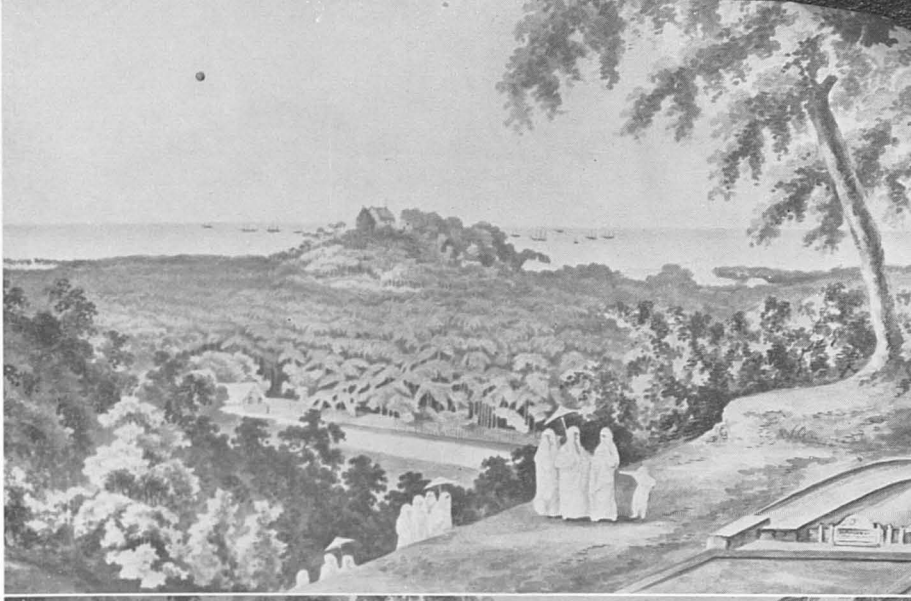
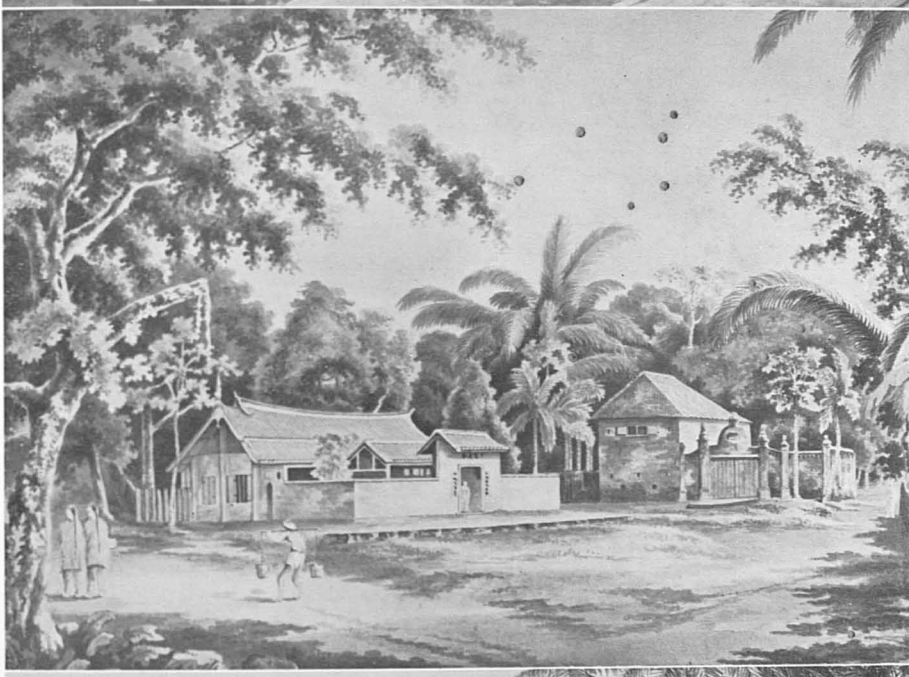
25. The two passages quoted are from Lennon, *loc. cit.*: 60 & 68. In an earlier note on page 60, under the heading of 8 December, Capt. Lennon says that he found the works of the town and fort 'in better order and more capable of defence' than he could have supposed 'from the facility with which it was gained by so small a force', an idea which seems to have gained some ground, but it overlooks the fact that the small force inside the fort would only have got smaller, while that outside would have been augmented if necessary.

26. Redoubt: an outwork, or fieldwork, usually square or polygonal and without flanking defences: cf the fort on St. John's Hill.

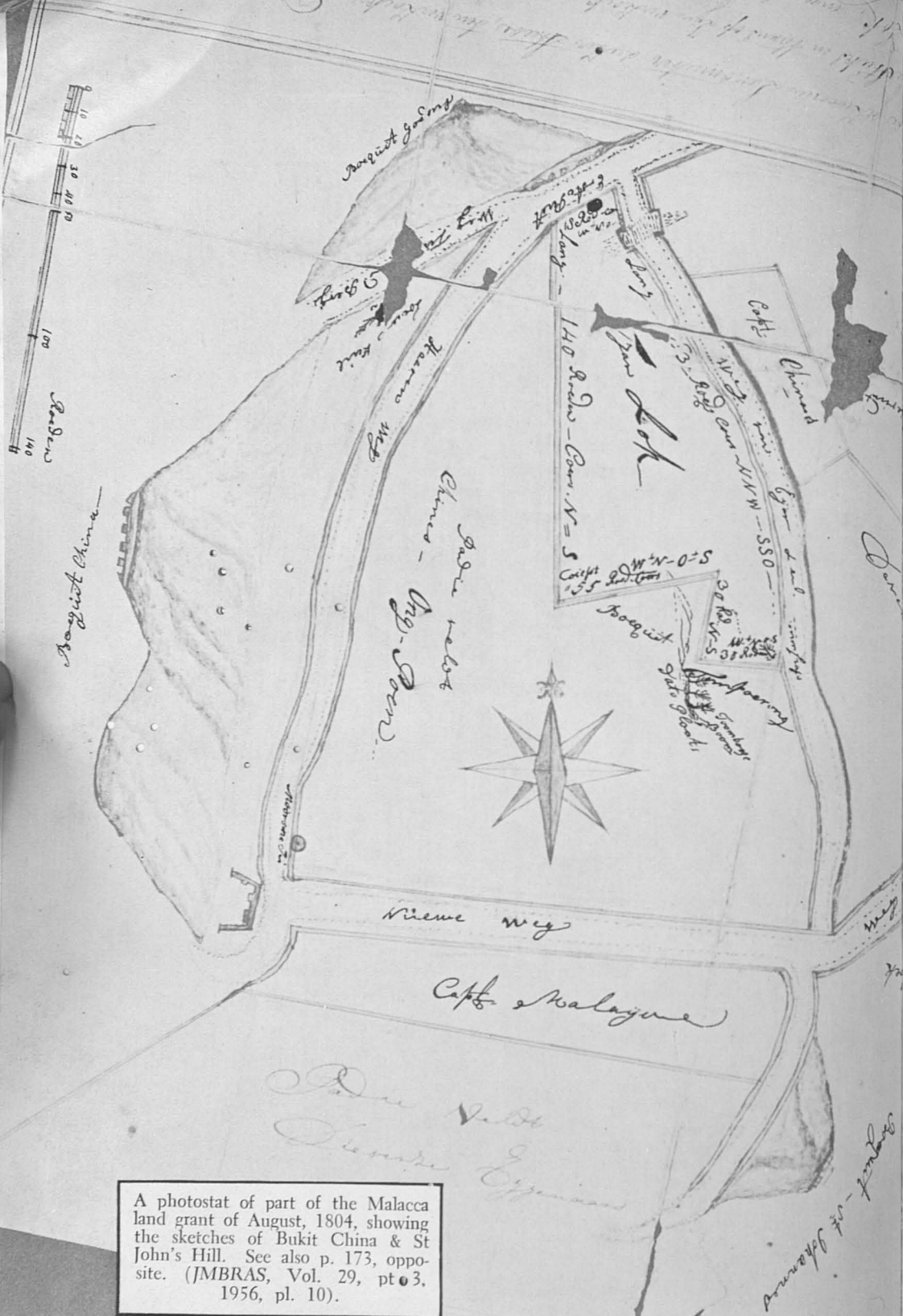
27. Esplanade: a level space between a citadel and the first houses of the town. This is the original use of the word. The meaning changed only when esplanades became more important as level places for riding, driving and walking, than as belts to prevent the enemy approaching a fort under cover of the surrounding houses.

JMBRAS,
Vol. 29, pt 3,
1956, pl. 9.

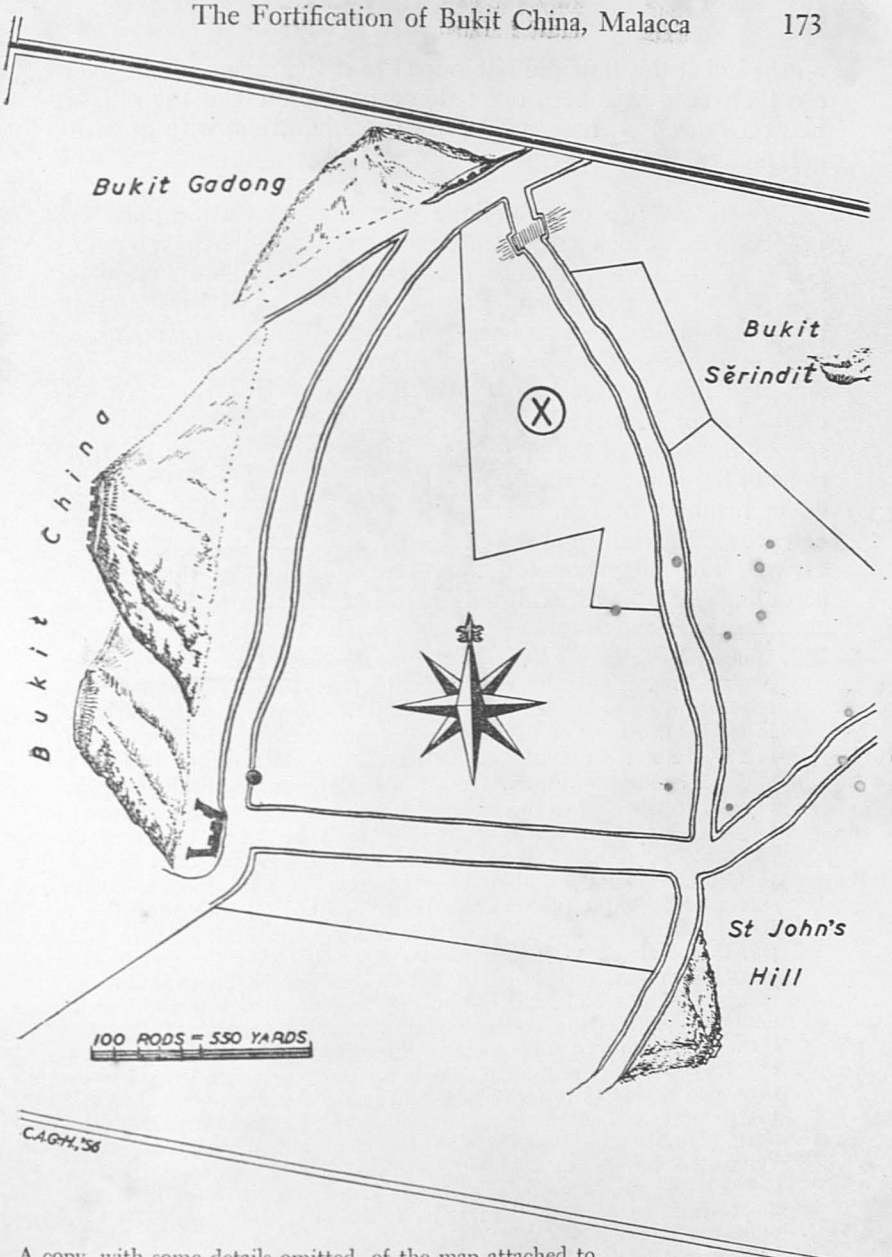




Above & centre, two views of Malacca in 1811, from watercolour paintings by Capt. James George: see text, p. 178. Below, interior of the Chinese burial chapel at *Sam-po-cheng*, about 1828.



A photostat of part of the Malacca land grant of August, 1804, showing the sketches of Bukit China & St John's Hill. See also p. 173, opposite. (*JMBRAS*, Vol. 29, pt 3, 1956, pl. 10).



A copy, with some details omitted, of the map attached to a Malacca land grant of August, 1804: [the grant is the area of land marked (X)]. It will be seen that the map shows fortified positions on both St John's Hill and Bukit China (see text, page 171). Presumably the structure shown in plan at the foot of the south end of Bukit China is the stockade or battery 'at the foot of *Boekit Tjina*' which figures prominently in the Dutch account of Raja Haji's attack on Malacca in 1784 (Maxwell, 1890 passim).

on the hill at this time did not answer to such a description. Nor can there even have been one redoubt on the crest of the hill, or he would obviously have suggested its reduplication, with or without modification.

There are two other oblique references to fortifications on Bukit China, which are of interest here. The first reference occurs in the correspondence between Capt. William Farquhar, M.E.,[28] and the governor of Penang, in 1807, when the fort was being demolished. Farquhar, who was then commandant & resident at Malacca, was instructed to collect all the military stores and ship them to Georgetown, in preparation for the eventual evacuation of Malacca by the military and civil authorities. He sent an inventory of the material available; but recommended that some of the iron guns should be retained temporarily and employed in manning St John's Hill, and possibly Bukit China, as a defence against sudden attack before the troops were actually withdrawn. The suggestion was approved, and he was told to act accordingly, pending Macalister's arrival at Malacca to inspect the

28. William Farquhar was born in 1770. He became an ensign in the Madras Engineers, under Cornwallis, in June 1791. He was at the seige of Seringapatam the next year, and at the taking of Pondicherry in 1793. In August of the latter year he was promoted lieutenant, and in 1795 he served with the British Expedition which captured Malacca as officer in charge of the engineers. In 1797 he was recalled to Madras, in order to take part in the proposed expedition against the Philippines, but when the latter project was abandoned he asked to return to Malacca. He arrived back in Malacca in May, 1798, as chief of staff to Col. Taylor, the British military governor. On 12 July, 1803, he succeeded Taylor as the senior authority in Malacca, with the title of Resident and Commandant. He left Malacca again in 1811 to take part in the attack on Java, but again returned before the end of the year. Thereafter, apart from a holiday in Europe about 1814, he remained in charge of Malacca until it was handed back to the Dutch, under the terms of the Treaty of Vienna, on 21 September, 1818. He then planned to visit Calcutta, and subsequently take the long arrears of leave due to him in Europe. At Penang, in December 1818, he was persuaded by Raffles to accompany him in his attempt to found a new British settlement at the southern end of the Malacca Strait. Thereafter he served as Resident and Commandant at Singapore from February, 1819, to May, 1823. He finally left Singapore at the end of the latter year, and after marrying in London settled near Inverness, in Scotland, where he died in 1839, in his sixty-ninth year. He was promoted to the rank of Captain in January, 1803, Major in 1811, Lt-Col. in 1821, full Col. in 1826, and at the time of his death had reached the rank of Major-General. During his first eight years or so in Malacca Farquhar cohabited with an unidentified woman, by whom he had four surviving children; the eldest, a girl (Esther) was born in September, 1796, and the youngest, a boy (Andrew) about 1801/02: in between were two more girls.

The south-eastern environs of Malacca, including Bukit China: detail (re-drawn) from an old manuscript map formerly in the possession of the Malacca Historical Society, and believed to have been prepared about 1825-30, shortly after the settlement was incorporated in the Straits Settlements. There is little labelling on the original map (which may have been the rough copy of a map prepared for submission to Bengal). The only words that can be read with certainty in the area shown here are '*New Hospital*', at Bunga Raya. Nonetheless the identity of Bukit China is beyond doubt, and the *Sam Po Cheng* is shown clearly. It seems likely that the lines on the summit of Bukit China represent the earth-works referred to in the present paper (see pp. 171 et seq.); and that the southern summit (almost due east of *Sam Po Cheng*) is the site proposed for the 'projected fort' (cf plate 7).

results of the demolition of the main fortifications.[29] The small fort on St John's Hill was then in a reasonable state of repair, and presumably it could have been held for a short time at least.[30] We know from the account of the Achenese attack of 1628/9 that guns on Bukit China could be used to bombard the town:[31] they could also have been employed with some effect against the post on St. John's Hill. From this it follows that at that time there must have been adequate defence-works on at least one of the summits of Bukit China, or Capt. Farquhar would not have suggested it as a possible site for some of his few iron guns.[32]

We get a further reference to defence-works on Bukit China, mentioned alongside those on St John's Hill, in Raffles's report on Malacca. The latter was written between August and October, 1808, while Raffles was resting in the settlement on three months' sick leave from Penang.[33] In part, of course, he must have obtained his information from Farquhar, with whom he was

29. Penang Consultations, Tuesday 8 December, 1807 (*EIC Rec.*, A. 3:75). The governor, Col. Macalister, in council: 'Under the circumstances stated in Captain Farquhar's letter, the precautionary measures adopted by him are in my opinion entitled to the approbation of the Hon'ble Board. I therefore recommend that until I have an opportunity of visiting Malaca, or the Board find it necessary to give him further instructions, he may be authorised to retain such a number of iron guns and a proportion of the ammunition as appears to him to be expedient. And should Captain Farquhar deem it advisable to reoccupy the works on Bouquet China, a few of the iron guns may be mounted on that post, and any temporary repairing necessary undertaken, to which if it is necessary [? it is hoped?] the inhabitants will readily subscribe, without subjecting government to any additional expense': the council concurred.

30. See p 177, below. It was employed as a signalling station in 1811, during the preparations for the attack on Java, and for the months immediately ensuing.

31. See pp. 165-6, above. When the Achenese occupied St. John's Hill, they found themselves under fire from the Portuguese in the convent of *Madre de Dios*, on Bukit China. After they had driven the Portuguese defenders from the ruins of the convent, they used the site to bombard the town. The Dutch occupied Bukit China for the same purpose in 1641 (see pp. 167-9, above).

32. Farquhar's list of the guns captured is not extant in the Singapore records, but it seems that the Dutch had relative few serviceable iron guns in 1795, and the spoils in this respect did not amount to much. Couperus (p. 116, above) gives a total of 111 guns, but apparently a number were in poor condition or of low calibre.

33. Raffles first went to Malacca on sick leave about 20 November, 1807, but at the end of the year he was recalled to Penang, arriving by the *Scourge* on 23 January 1808, Olivia following a week later in the Portuguese ship *Theresa*. He was, however, ill again in July, 1808, when he developed a severe attack of jaundice, and at the end of the of the month he returned to Malacca. On this occasion he remained in Malacca for nearly three months, arriving back in Penang by the *Wyndham* on 29 October. (C. E. Wurtzburg, 'Raffles of the Eastern Isles', London, 1954: 56, 61 & 67).

staying, but from subsequent statements it is clear that Raffles did not discuss the report with his host, and Farquhar only learnt of it afterwards.[34] This rather implies that there was no very great intimacy between the two men — a matter which we have noted elsewhere. It also suggests that Farquhar cannot have been the sole source of Raffles's information, nor can the former's views have influenced Raffles to any great extent. It seems extremely likely that the latter obtained his insight into commercial matters relating to Malacca from Alexander Hare (who had not then begun the public cultivation of a harem, which later made him notorious).[35] On the question of the fortifications of Malacca, we must conclude that Raffles at least noted Farquhar's comments, as it was the latter's professional field. At the same time, with nearly three months in the settlement, and a natural desire to see things for himself where possible, Raffles must certainly have paid one or more visits to such defences as still existed. Accordingly, his brief reference to the [defence] works at Bukit China in the following extract from his report, clearly stands as an independent testimonial,[36]

> The garrison and establishment at Malacca appear to have been reduced to the very lowest state consistent with the honour of the British Flag and the internal safety of the place; and no further reduction can, I think, with safety, be attempted. It may, however, be deemed sufficient; and if the Commandant is authorized to lay out a very small sum in repairing the works at Bukit China and on the hill of St John's, and in erecting some temporary works near the town, the Settlement may be considered as secure against any predatory force of the enemy, being defended by nature from any attack by shipping. . .

We have no direct indication of the formal replies to these proposals that the defence-works on St John's Hill and Bukit China should be put in order and manned. It seems, however, that action was taken in regard to the former, but not the latter. Certainly the little fort on St John's Hill was in order and in full use in 1811. James Wathen, who visited the town at the end of October began by climbing St Paul's Hill, to examine the ruins of

34. C. A. Gibson-Hill, *JMBRAS*, **28**, (1), 1955: 189-90. Col. W. Farquhar, *Asiatic Journal & Monthly Register*, 1830, quoted in Wurtzburg, *op. cit.*: 80.

35. On the friendship between Raffles and Alexander Hare, see Gibson-Hill *JMBRAS*, **28**, (1), 1955: 184-91.

36. Raffles's report on Malacca is printed by D. C. Boulger, 'Life of Sir Stamford Raffles', London, 1897: 63-75, see p. 74. Again in Wurtzburg, *op. cit.*: 68-79, see p. 78. Both authors print *Bookis China*, but this must be an error in transcription or copying. Raffles would have known the word *Bookit* (as it was then romanised) — he was at the time Malay translator to the Penang Council — and *Bookis China* does not exist.

the Portuguese church, and then struck out into the country to St. John's Hill,[37]

> On gaining the top of the hill, by a winding path, we found that it was a small military station in the care of a few Sepoys. Some cannon were mounted, and a flag-staff erected here for communicating signals.
>
> Our prospects here were more extensive than from the former hill [St Paul's Hill], and included almost every object we could command from thence. It was certainly a most beautiful view of Indian scenery, and contained every feature desirable in a picture, contrasted, however, with buildings of European architecture. Plantations of rice, Malay cottages, groves of cocoa and palm trees, stretching to the sea, which is studded with green islets to a great distance, composed one side of the prospect; while the other, with similar subjects, embraced also the town and the shipping. After staying about two hours on this pleasing eminence we descended, and soon reached the town. We hastened towards a very good tavern kept by an European,[38] near the landing place for the purpose of meeting our friends. . .

In addition we have an interesting water-colour painting of St John's Hill from the summit of Bukit China,[39] by Capt. George, of the Bengal Native Infantry.[40] The artist was a member of the

37. James Wathen, 'Journal of a voyage in 1811 and 1812, to Madras and China; returning by the Cape of Good Hope and St Helena; in the H.C.S. the *Hope*, Captn James Pendergrass', London, 1814: see pp. 162-63. The *Hope* came to anchor off the town on the morning of 28 October, 1811, and sailed for Macao, via the Singapore Main Strait, on the afternoon of the 31st. She had put in for a cargo consisting chiefly of tin, and rattans, both very marketable commodities at Canton'. Wathen publishes two plates of Malacca; one a somewhat fanciful view from the sea, with the *Hope* at anchor in the foreground, showing the town strangely neat and white along the shore, with high, bare hills rising cloud-cut behind it; and the other a view of an 'Ancient Gateway leading to the Water at Malacca', that is the old Dutch gateway of 1670, towards Bander Hilir — apparently even in Wathen's day it was the only appreciable surviving remnant of the former fortifications.

38. If it was still the same man there seven years later, his name was Brooks. In July, 1818, Col. James Welsh embarked on the East Indiaman *London* at Madras, on a voyage to China for his health. They reached Malacca during the afternoon of 27 August; '. . . A party of us landed in the evening and took up our abode at a tavern, kept by Mr. Brooke, an Englishman, in the only good street of the town. Some others lodged at a Dutchman's in the same street, all the back windows of which looked into the sea. . .' (Col. James Welsh, 'Military reminiscences. . .', London, 1830; see **2**: 120). Col. Welsh offers no comments on the fortifications of Malacca, or on the nearby hills.

39. The original 21½" x 13¾" is in the Raffles Museum collection, together with two others of the same size (one of which, showing the Chinese burial chapel at *Sam-po-chêng*, and the wall and guard-house protecting the well, is also reproduced here on plate 9), and three smaller sketches of middle-class houses on the outskirts of the town. Engraved copies of two of the latter were subsequently published in Crawfurd's 'History of Java', 3 vols, Edinburgh, 1820, with the caption 'Malay Houses' (see **1**, pl. 5); Crawfurd also reproduces a view from Buitenzorg by the same artist (**1**, frontespiece).

40. James George (1782-1828), arrived in India as a cadet in the 7th Bengal Native Infantry, October 1799, ensign December 1799; lieutenent May 1800. Transferred to the newly raised 25th N.I. in 1804. Present at

expedition which occupied Java in 1811. It seems that this and several other paintings of the environs of the town were executed while the British forces were assembling at Malacca in May of that year.[41] The painting of St John's Hill shows a small, fortified post on the summit, much as Wathen describes it. While on Bukit China, in the foreground, we see only a Chinese grave, two trees and the white-robed members of a funeral party. Negative evidence is never wholly convincing, but we cannot completely ignore the fact that both Wathen and Capt. George indicate a fortified post on St John's Hill at this time, and neither gives any indication of a similar position on Bukit China.

This, it seems, is as far as we can go. No additional references to fortifications on Bukit China have come to light, and we can only conclude that any surviving defence-works on the hill were left to disintegrate slowly from 1808 onwards. If there were a stone structure, then the stones must have found their final resting-places in the succeeding Chinese graves. Presumably men had quarried them laboriously from the ground, and it accords well with the sum of human endeavour if others laboured in their time to bury them again. But on the whole, though the latter conception has a natural appeal for us, we feel that there never was a stone-built structure on Bukit China. Termites and the rain, without human assistance, would be sufficient to dispose of wooden palisades and ditches.

Principal Sources

Begbie, Capt P. F. 1834. The Malayan Peninsula. . . Madras, India.

Bort, Governor Balthasar. 1678. Report of . . . on Malacca, 1678. *Translated by* Miss M. J. Bremner, JMBRAS, **5**, (1), 1927: 9-232.

Boulger, Demetrius C. 1897. The Life of Sir Stamford Raffles. London.

Boxer, C. R. 1929. The affair of the *Madre de Deus*. London.

Bremner, Miss M. J. 1927. Translation of governor Balthasar Bort's report on Malacca, 1678. See above, under Bort, Governor Balthasar.

Cardon, Rev. Fr R. E. 1934. Portuguese Malacca. *JMBRAS*, **12**, (2): 1-23.

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the capture of Gohad 1806. And at the capture of Java 1811, returning to Bengal the following year (1812). Captain August 1812; major June 1822; lieutenent-colonel May 1824; died at Shahjahanpur, U.P., 30 July, 1828. (data from Hodson, Officers of the Bengal Army, 1758-1834). George is known to have executed several water-colour drawings of Java, Malacca and Penang, in addition to the views of Malacca in the Raffles Museum collection.

41. The first division of transports reached Malacca at the end of April, and the second on 5 May (Wurtzburg, 1954: 136); the dispatch of the expedition from Malacca began on 11 June (ibid: 157). Capt. George was, therefore, in Malacca for six to seven weeks.

Carter, W. L. [editor]. 1924. The town & fort of Malacca. Singapore.

Couperus, Abraham. 1805. Report on the Surrender of Malacca to the British forces in 1795. Transcribed by Dr Graham Irwin. See this journal, pp. 133, above.

Crawfurd, John. 1828. Journal of an embassy. . . to the courts of Siam & Cochin China. . . London.

Danvers, F. C. 1894. The Portuguese in India. 2 vols, London.

Farquhar, Capt. William. 1808. Abstract statement of the fortifications and public buildings demolished at Malacca, under the superintendence of Captain Wm Farquhar, of the Madras Engineers, from 10th August 1807 to the 30th November 1808. Enclosed in Governor in Council, Prince of Wales's Island to Court of Directors, the Hon'ble East India Company, 4 February, 1809.

Francois, J. P. [editor]. 1936. Historical guide of Malacca: (= The town & fort of Malacca, 2nd edn). Singapore.

Gibson-Hill, C. A. 1954. MS note on the children of Wm Farquhar, Madras Engineers.

Gibson-Hill, C. A. 1955. Six wooden images in the Cheng Hoon Teng, Malacca. *JMBRAS*, **28**, (1): 173-79.

Gibson-Hill, C. A. 1955. Raffles, Alexander Hare & Johanna van Hare. *tom. cit.*: 183-90.

Hacobian, Mac. 1936. Translation of the seige & capture of Malacca from the Portuguese in 1640-41, by P. A. Leupe. See below, under Leupe, P.A.

Harrison, Brian. 1952. South-East Asia. London.

Harrison, Brian. 1953-4. [Reports of eighteenth century Dutch governors of Malacca]. *JMBRAS*, **26**, (1): 56-62. **27**, (1): 24-34.

Hervey, D. F. A. 1883. Malacca in the eighteenth century [a translation of the Malacca diary for the year 1756, edited by D. F. A. Hervey] *JSBRAS*, **12**: 261-7.

Hill, A. H. 1950. Munshi 'Abdullah's account of the Malacca fort. *JMBRAS*, **23**, (1): 84-99.

Hill, A. H. 1955. The *Hikayat Abdullah*, an annotated translation. *JMBRAS*, **28**, (3): 1-354.

Irwin, Graham. 1956. See Couperus, Abraham.

Isemonger, Mrs. 1890. A translation of the official Dutch diary for Malacca for the year 1784, as published by E. Netscher. See Maxwell, W. E. 1890: 188-210.

Jukes, J. Beetes. 1847. Narrative of the surveying voyage of H.M.S. *Fly*, commanded by Captn F. P. Blackwood, R.N..... 2 vols., London. See **2**: 215-21.

Koenig, Dr J. G. 1894. Journal of a voyage from India to Siam & Malacca in 1779. Translated by Miss Overbeck from the unique MS in the British Museum (Sir Joseph Banks's coll.). *JSBRAS*, **26**: 58-201. **27**: 57-133.

Lennon, Capt. W. C. 1796. Journal of a voyage through the Straits of Malacca on an expedition to the Molucca Islands under the command of Admiral Rainier....by Captain Walter Caulfield Lennon. MS, India Office Library. Passages transcribed by W. E. Maxwell, in *JSBRAS*, **7**, 1881: 51-74.

Leupe, P. A. 1936. The Seige & Capture of Malacca from the Portuguese, 1640-41. Translated by Mac Hacobian, from the original Dutch version (*Berigten van het Historisch Genootschap te Utrecht*, 1859: 128-429), *JMBRAS*, **14**, (1), 1936: 1-178.

Macdonald, M. 1934. Malacca buildings. *JMBRAS*, **12**, (2): 25-6. 27-37.

Matelief, admiral Cornelis (the younger). 1702-07. Relation du voyage de Corneille Matelief le jeune, Amiral Hollandois, aux Indes Orientales, pendant les Années 1605, 1606, 1607 & 1608, in Recueil des Voyages . . . etc., traduction de R. A. de Constantin de Renneville. 7 vols, Amsterdam. See **3**: 205-603.

Maxwell, [Sir] W. E. 1881. See Lennon, Capt W. C.

Maxwell, [Sir] W. E. 1890. Raja Haji. *JSBRAS*, **22**: 172-224.

Maxwell, [Sir] W. G. 1911. See Resende, Barretto de.

Mills, J. V. 1938. Two Dutch-Portuguese sea fights. *JMBRAS*, **16**, (1): 139-49.

Muller. 1884-6 & 1890. Translation of Francois Valentyn's Description of Malacca. *JSBRAS*, **13**: 49-74B. **15**: 119-30. **16**: 289-301. **17**: 117-49. **22**: 225-46 (with map of the Malay Peninsula). Matelief's attack on Malacca occurs in *JSBRAS*, **16**: 1885.

Netscher, E. 1867. Twee belegeringen van Malaka. [A transcription of the Malacca diary for the years 1756 & 1783-4; not seen. For English translations, see Hervey, D. F. A., 1883; Isemonger, Mrs, in Maxwell, W. E., 1890].

Overbeck, Miss. 1894. Translation of Dr J. G. Koenig's journal of a voyage from India to Siam & Malacca in 1779. See above, under Koenig, Dr J. G.

Papendrecht, P. C. H. van. 1924. Some old private letters from the Cape, Batavia & Malacca (1778-88). *JMBRAS*, **2**, (1): 9-24.

Pontanus, J. I. 1611. Rerum et urbis Amstelodamensium historia. Amsterdam, Netherlands. [not seen; passages translated in Mills, J. V., 1938, *passim*].

Prinsep, Mrs. A. 1833. The journal of a voyage from Calcutta to Van Diemen's Land. . . from original letters selected by Mrs. A. Prinsep. London.

Raffles, [Sir] T. S. 1808. Report on Malacca. See Boulger, D. C., 1897: 63-75. And Wurtzburg, C. E., 1954: 68-79.

Resende, Barretto de. 1911. Barretto de Resende's account of Malacca, translated, with notes, by W. G. Maxwell. *JSBRAS*, **60**: 1-24.

Schouten, commissary Justus. 1641. Report on Malacca. Quoted in Leupe, P. A., 1936.

Schouten, Wouter. 1676. Oost-Indische Voyage. . . 1658-65. Amsterdam, Netherlands. [French translation, with the plates redrawn to a smaller format, 1725, 2 vols, Rouen, France].

Sykes, G. R. 1924. Chinese in Malacca: in The Town & Fort of Malacca. MPH, Singapore. see pp. 44-8.

Valentijn, Francois. 1724-26. Oud en Nieuw Oost-Indien. . . 5 vols, Dordrecht & Amsterdam. see **5**, pt 1, 1726.

Ward, Dr. T. M. 1830. Contributions to the medical topography of Malacca. Pinang [Penang, F.M.].

Wathen, James. 1814. Journal of a voyage in 1811 and 1812, to Madras and China . . . in the H.C.S. the *Hope*, Captn James Pendergrass. London.

Welsh, Col. James. 1830. Military reminiscences. . . 2 vols, London.

Wurtzburg, C. E. 1954. Raffles of the Eastern Isles. London.

Yeh Hua Fen. 1936. The Chinese of Malacca: in Historical Guide of Malacca (2nd edn). Singapore. see p. 71-83. Reprinted in the *Annual of the China Society of Singapore*, 1956, pp. 16-26.

Pre-Islamic Arabia and South-East Asia

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It is well-known that for centuries the Arabs have exercised a great influence on the islands of the Malay Archipelago, both in commercial and religious matters, and for a considerable time Arabs have come here to spend a greater part of their lives. But when did the Arab first reach this area? It is certain that the Arab merchants ventured to the islands a long time before Islam was established in any Malay kingdom. The earliest Arab geographers of the ninth century mention the Archipelago and their accounts show a well-known and frequented sea route in existence. This puts forward the questions, 'How long before the ninth century had Arab merchants been coming to Malaya?' and 'Did they come before the advent of Islam? Several attempts[1] have been made to show that the Arabs arrived as traders in South-East Asia in the days of the South Arabian kingdoms. Some scholars have just accepted the fact that the South Arabians (often termed Sabaeans) did come as far as South-East Asia, without enquiring far into the matter. It would seem valuable therefore to examine the various sources dealing with trade relations in the Indian Ocean in the Pre-Islamic period, and draw conclusions as to the extent of South Arabian commercial activity, or of Arabian maritime activity in general.

Accounts of early trading in the Indian Ocean have been left by the Indians, Chinese, Greeks and Romans, and appear in the Bible. Although only the Greeks and the Romans mention the Arabs specifically, there are passages in the literature of the other races which may refer to them and have to be taken into account. But first it would seem relevant to examine the conditions needed for trade between the opposite ends of the Indian Ocean, and to see if they were in existence at such an early period, and to examine the question of the earliest existence of a sea route from the Persian Gulf or the mouth of the Red Sea, to the islands of South-East Asia.

1. Braddell, T.: In *Journal of the Indian Archipelago and Eastern Asia*, 1858.; Edkins, Rev. J.: Ancient navigation in the Indian Ocean; Hermann, A.: in *Veroff. d. Forschungsinstitut f. vergl. Religionsgeschichte*, Leipzig, 1922; and Forke's strange attempt in *Mitt. d. Seminars f. orient. Sprachen*, Berlin, 1904, entitled Mu Wang und die Königin von Saba.

I have therefore divided the following paper into three divisions. The first attempts to discover a point in time whence it would be possible for the South Arabians to reach South-East Asia; the second gives a brief summary of the history of Southern Arabia up to the coming of Islam; and the third tries to show the part the South Arabians played in the eastern trade, and deals with the possibility of their having reached South-East Asia in Pre-Islamic times.

1. The rise of the sea route from Arabia to South-East Asia.

Geographical conditions greatly favoured the passage of sea transport from South-West Asia to and from ports further east. The monsoon winds, blowing steadily across the Indian Ocean, and then blowing in the reverse direction for several months at a time, were a great assistance to the establishment of trade. However, until the proper use of the monsoons was discovered, trade would have been restricted to coastal traffic, and the coasts of Arabia and Persia could hardly be more inhospitable. The question as to when the monsoons were first used by traders has been dealt with by many writers before,[2] and most scholars would agree that they were used by the countries of the East centuries before the Greeks entered into competition with them; and that if Hippalus was an historical personage, he was probably the first Greek to discover the secret kept until then so covetously by the Indian Ocean sailors.

The products of the East were essentially luxury goods (spices and woods) and a market for these requires a fairly high form of organised society living in a condition of peaceful prosperity. History shows an almost continuous period of such civilizations existing in the Middle East or southern Europe from the time of the Sumerians onwards, which would lead us to believe that there was an almost permanent demand for these eastern products, although varying in intensity with the degree of civilization at the time.

Indian wood has been found in early Sumerian cities, and the importation of timber is mentioned in Sumerian inscriptions from Magan[3] (Oman) and a mention of the 'shipwrights of

2. Hourani, G. F.: Arab seafaring, p. 24-27; in a note on p. 27 he gives a list of other sources. Hennig, R.: *Terrae incognitae*, **1**, pp. 278-81 also gives bibliographical notes. Article on Hippalus in the Oxford Classical Dictionary gives further works. See also Cary and Warmington p. 73ff. and Thomson, J.: History of ancient geography, Cambridge, 1948, p. 176.
3. On the identification of Magan with Oman, see H. Peake, The copper mountain of Magan, *Antiquity* **2**, 1928. p. 452, and Wilson, The Persian Gulf, p. 27.

Magan',[4] shows that the manufacture of sea-going vessels had most certainly begun by Sumerian times. Thus we have evidence of trading from the Persian Gulf as early as 2000 B.C., and of ships being built on Arabian soil at the same time. The shipwrights of Magan were most certainly sailors too, and probably traders monopolizing the trade between the Persian Gulf and India; a very early example of Arabian (geographically, if not racially) aptitude for this sort of livelihood.

That trade at this early period flourished between the Sumerians and the Indus valley civilization is obvious from the number of seals of Indian workmanship found in the early Sumerian cities, and it is probable that the sea route was extensively used.[5] Also the discovery in the ruins of Ur, Kish and Lagash of shell artifacts[6] formed from a kind of shell found only in the Indian peninsula, shows an even further range for this early period.

It is difficult to tell exactly when trading started between the Persian Gulf and Ceylon, but Ceylon, as Taprobane, first occurs in classical literature about 330 B.C., when it is described by Onesicritus and Megasthenes.[7] Herodotus (484-404 B.C.) is said to have heard of Ceylon.[8]

Passages from the Chinese annals relating to these very early times have been thought to contain mention of Middle Eastern nations.[9] In the reign of Yao (2353 B.C.), envoys were stated to have come to China from a race known as 'Yue-shang-shi', i.e. 'a people with long training robes.' They presented the Emperor with 'a divine tortoise, one thousand years old' which had the history of the world written on its back in characters resembling tadpoles. These were transcribed by the order of the Emperor and known as the *Annals of the Tortoise*. Pauthier[10] has conjectured that these envoys came from Chaldea on the basis that the characters resembling tadpoles are the cuneiform script, and that the 'long-training robes' resemble those which appear on Assyrian monuments. The commentators add that the journey took a year and the land was reached after passing by Funan and Lim (Siam). It seems likely, therefore, that a sea voyage, or a partial sea voyage, is implied by the commentators, but this does not necessarily mean that the envoys travelled by sea.

4. Hornell; Sea trade in early times. p. 239.
5. Mackay, E.: Early Indus civilizations. London, 1948. p. 151.
6. Hornell, J.: Sea trade in early times. p. 239.
7. Oxford classical dictionary. Article on Taprobane.
8. Cook, E. K.: Ceylon. Madras, 1931. p. 20.
9. Yule; Cathay and the way thither, **1**, pp. 7-8.
10. Pauthier, J. P. G.: Histoire des relations politiques de la Chine. Paris 1859. pp. 5-7.

Edkins and Kennedy in the nineteenth century both tried to show, through cultural comparisons, that trade existed between China and Babylonia, and both emphasised the sea route. Edkins[11] may be dismissed, as he started from two false surmises, the first being that the clepsydra must have been carried into China before the 5th century B.C., since Greek authors state that it was invented by the Babylonians, and it was found in China by that date. The second was that the Indian alphabet was derived from the Sabaean,[12] which seems to prove in his opinion that Arabs (and Phoenicians according to him) had settled on the Indian coast by the 6th century B.C. and therefore makes it easy for the Arabs to have carried the clepsydra to China at this early date. Kennedy, in a more scholarly paper,[13] shows that no trade existed between India and the countries to the West before 700 B.C. To prove this, he accepts the theory that Magan was in the Sinai Peninsula and hence loses the point about Indian timber Of course, since his time archaeological evidence has shown that Indian timber was used. He then goes on to show that trade sprang up between the empires of Mesapotamia and China during the seventh century B.C., and he puts the trading as due to the Phoenicians imported from Syria by Sennacherib.[14]

The sending of ships to India from the mouth of the Red Sea must have begun early in the first millenium B.C. The passages in 1 Kings 9-10, concerning Solomon's formation of a Red Sea fleet (ca. 950 B.C.) is probably the earliest direct notice excluding the Chinese accounts above, of Indian Ocean trade. Solomon hired Phoenician seamen to man a fleet of ships for a trading venture to Ophir[15] Although scholars differ as to the correct location of Ophir, most of them agree that the ships brought back Indian products. If, as some scholars would have it, Ophir is in India, this would mean that direct sailing between the north end of the Red Sea and Indian ports flourished as early as the tenth century B.C. for the Hebrew trade with Ophir began

11. Edkins, Rev. J.: Ancient navigation in the Indian Ocean. Offprint from an unknown journal in Raffles Library, Singapore.
12. A suggestion from the Congress of Orientalists which met in Leiden in 1883.
13. Kennedy, J.: The early commerce of Babylon with India. p. 241.
14. Sennacherib introduced the Phoenicians to clear the Persian Gulf of pirates. The presence of pirates indicates an established sea trade which presumably increased when the pirates disappeared. cf. O'Leary. How Greek science passed to the Arabs. London, 1948. p. 97.
15. Full discussion with bibliographies in Hastings Dictionary of the Bible, article on Ophir. Also, Hennig, R.: *Terrae incognitae*, **1**, p. 28.

in the reign of David[16] and lasted to the time of Isaiah,[17] although only Solomon managed to open direct communications. Even if Ophir was in South Arabia, the merchandise which was brought has an Indian ring about it,[18] and this may show that Indian goods were to be had in South Arabian ports at the time. This trade between India and the South Arabian coast may have been carried out in Indian ships, although a later verse (v. 22) mentioning 'Ships of Tarshish' and again giving lists of Indian products, states that the voyage was undertaken once every three years. This suggests that Solomon's ships sailed further than the mouth of the Red Sea, and if this was in the direction of India, it indicates a participation of western ships in the maritime activity of the Indian Ocean at this time.

Some scholars would have us believe that Solomon's vessels went the whole way to Malaya or Sumatara, as this was a gold exporting country and the Indian peninsula was not. Three years would have been sufficient for such a voyage if they had a knowledge of the monsoons.[19] This theory is weakly supported by the fact that Josephus, when commentating on this passage equates Ophir with Chryse.

After 700 B.C. Kennedy admits of trade between the Near East and India. Besides the vague connection between Babylon and China mentioned above he gives examples of Babylonian cultural contacts with India itself, and mentions direct evidence of trade. The cultural contacts are Indian timber in temples of the date of Nebuchadnessar, etymological evidence for names of products in Greek and Hebrew, including those of Solomon's Ophir expedition,[20] the derivation of the Indian *puranas* coinage from the Babylonian *shekel* and the story in the Baveru Jataka.

16. 1 Chronicles, xxix. 4.

17. Isaiah, xiii, 12 and 1 Kings, xxii, 48.

18. The philological comparison between the Hebrew names of these products and various Sanskrit and Tamil words has been dealt with in many places. See under individual products in Hastings Dictionary of the Bible. Also in Kennedy: The early commerce of Babylon with India, and Diringer, D.: The alphabet. London. 1948. p. 333.

19. Hennig, R.: *Terrae incognitae*, 1, p. 31.

20. In an effort to prove that 700 BC. was the limit for trade with India, Kennedy states that these products were probably not from India and that the terms used for them date from the time of the composition of 1 Kings (6th century B.C.) but the fact that several of these words are unique may mean that they come from sources contemporary with the event e.g. The acts of Soloman (cf. Manson, T.W.: A companion to the Bible, Edinburgh, 1947. p.49). Kennedy also favours the Arabian location of Ophir but this does not exclude the possibility of trade with India.

The latter tells of Indian merchants making voyages periodically to Baveru (Babylon) showing with little doubt that a regular sea trade was being carried on between the Persian Gulf and India.[21]

There are a few other definite indications of a very early date of the maritime activity of the Indians themselves, from their own records. Passages in the *Mahabharata* and the *Ramayana* which date back before the Christian era show that sea trade was vigorously carried on.[22] The Buddhist legends are more definite. The *Suttapitaka*, attribbuted by Rhys Davids to the fifth century B.C.,[23] mentions that 'long ago' merchants carried with them shore sighting birds when sailing on overseas voyages and out of sight of land;[24] a custom related by Pliny about the seamen of Ceylon in his time. Also in the *Suttapitaka*, voyages lasting six months are mentioned. The *Jatakas*, dating from 400 B.C., but containing much earlier folk-tales, are even more explicit.

Evidence for the crossing or circumnavigating of the Bay of Bengal at an early period is much less satisfactory than for the crossing of the Arabian Sea. The earliest Indian settlements in South-East Asia date from the first century A.D. but references to the islands of the south east appear in Indian literature as early as the sixth century B.C.,[25] though it is unlikely that Indian merchants travelled there at this date. The *Jatakas* also mention voyages to far distant lands like Suvarṇabhūmi. According to one story Prince Mahajanaka sailed with some merchants bound for Suvarṇabhūmi in order to get riches, and according to another a sea voyage is mentioned from Bharakaccha (Broach) to Suvarṇabhūmi.[26] Here we have an example of a voyage from Western India to the Far East, perhaps showing that it was possible, for goods if not for persons, to reach from the Persian Gulf to South-East Asia. Stories from the lost *Brhatkathā* and the *Kathāsaritsāgara* often mention trading voyages to Suvarnadvipa and one tells of a princess of Kaṭāha being shipwrecked near Suvarnadvīpa on her way to India. Kautiliya in his *Arthaśāstra* and the *Milindapañha* also talk of places where ships congregate and mention Takkola, Cīna and Suvarṇabhūmi, and there are

21. Jataka iii, no. 339 in the Cambridge edition.
22. Hornell: Sea trade in early times, p. 247.
23. *JRAS*, 1899. p. 482. (correspondence no. 8.)
24. Digha nikaya (1. 222), Sanyutta nikaya (3. p. 115, 5. 51) and Anguttara 4.127) from Mookerji, R.: Indian shipping. Bombay, 1912. p. 73.
25. Harrison, B: Southeast Asia, a short history. London, 1954. p. 10.
26. Majumdar, R. C.: Suvarnadvipa. Calcutta, 1937. 1, p. 37, also Mookerji, R.: Indian shipping. pp. 77.

many other later references.[27] The text of Kautiliya's *Arthaśāstra* was edited by Herman Jacobi in 1911.[28] The reference to the land of Cīna mentions that 'Bänder' are obtained there. Kautiliya was the minister of Chandragupta and lived before 300 B.C. Hennig uses this text to show that there was a silk trade between India and China at this time, and suggests the Malays as middlemen.[29] This reference lends support to the theory that the name, China, was used at this early period and that Isaiah's Sīnīm[30] is a correct form and that China was really known in Babylon at the time of the Exile, or a little later.

The Chinese had another interest in India besides trade; that of religion. As soon as the Chinese became Buddhists they began to send emissaries to India and Ceylon to learn more of the purer form of Buddhism, but there are no dated records of such an emissary until 65 A.D.,[31] and he travelled by the land route.

We see from the foregoing that commercial sea routes may have been opened up along the whole coast from the Red Sea to Eastern India, perhaps by the sixth century B.C., although it is most unlikely that anyone made the complete trip for quite some time after this. Merchandise would be carried from one centre to another and sold to other traders who would take it on the next stage of its journey. The discovery of the monsoons shortened the route considerably and must have lessened the number of stages. By using the monsoon properly, boats could sail direct to the Indian peninsula from the Gulf of Aden, and then passing down the coast of India, could sail straight from Ceylon to the Malayan or Sumatran coast. This made it much more likely that a merchant from the West would reach the East in person, if not in his own ship.

On the other hand, movement of merchants over large distances could be limited by trading monopolies of certain groups or nations. Very little is known about the system of monopolizing of certain routes by certain races. We know definitely that the Arabs had the monopoly of the Red Sea and resisted the attempts of the Greeks and Romans to supplant them. For years they had kept secret the true origin of certain Indian pro-

27. See Majumdar, R. C.: Suvarnadvipa. **1**.
28. Hennig: Terrae incognitae, **1**, p. 218-9.
29. Hennig: *op. cit.*, **1**, p. 221.
30. Isaiah, 49, 12.
31. Cook, E. K.: Ceylon. p. 20.

ducts in an effort to retain the trade in these goods. We do not know, however, how far this system was in use in the Indian Ocean. It is possible that while the Arabs held the monopoly of the Red Sea, the Indians of Gujarat or Malabar held a similar monopoly of the Arabian Sea. Agatharchides[32] talks of Indian ships arriving at Sabaean ports but does mention Sabaean ships in India. It is also possible that the routes from India to points further east were held exclusively at some period by the natives of the Coromandel coast, while at other times peoples of the East held the monopoly. All this would obviously depend on the relative strengths of the supporting kingdoms and dynasties, while in times of general upheaval two-way traffic may have taken place. Perhaps a proof of such one-way trade can be found in the cultural invasions which took place. The establishment of Indian cultures in Java and Sumatra shows the supremacy of the fleets (mainly trading) of the Coromandel coast in the Eastern Indian Ocean, and Indian cultural influences are vaguely evident in Southern Arabia; for instance the Indian monkey god Hanumān in Oman[33] and the Veddic connection of the substratum of South Arabian society.

2. Summary of South Arabian history before the rise of Islam.

The South Arabians were divided into five main groups, Ma'in, Saba, Qatabān, Awsān and the Hadramaut. Each of these groups comprised a separate kingdom with its own capital at certain periods in its history. At times other kingdoms appeared and disappeared. The Mineans (Ma'in) were situated to the north of the others around the modern Jauf in north Yemen. Their trading was done mainly, if not entirely on land. The Sabaeans, (Saba) who sprang into prominence slightly later, had their capital at Marib and were in early times caravan traders rather than seafarers. Under Karib'il-Watar in the latter part of the fourth century B.C.[34] the Sabaeans overcame the coastal areas of the Red Sea around Muza, which at the time of the Periplus was the port from which they controlled the Red Sea trade. The south coast of Arabia seems to have been controlled before 500 B.C. by Qatabān, and further west by the Hadramaut. If the reference in Ezekiel 27, 22 does refer to Aden and Qana (Huṣn al-Ghurāb) then we have reason to believe that these ports were flourishing as early as the sixth century B.C. About 500 B.C. the kingdom of Awsān appears between Qatabān and

32. See below p. 12.
33. Schoff, W. H.: The Periplus of the Erythraean Sea, p. 230.
34. Beeston, A. F. L.: Problems of Sabaean chronology. *Bull. of Oriental and African studies* 1954, p. 42. He mentions other estimates. See also Hoefner and Wissmann: Beiträge p. 8 and 9.

the sea, occupying the area of the modern Western Division of the Aden Protectorate. During the time of the above-mentioned Karib'il-Watar, the whole length of the south coast was subjugated but probably became independent again soon after. During the first century A.D. the tribe of Himyar rose among the ruins of Awsān and finally about A.D. 100 Himyar overcame the Sabaeans, and established a new dynasty with its capital at Zafār, south of the modern San'ā. This new 'Sabaean' empire would have been the overlords of the whole coast with the exception Qana, which still belonged to Hadramaut. By A.D. 300 the Hadrami kingdom also fell leaving the whole of south western Arabia under the control of Zafār. The period from A.D. 100, when most of the country was under united rule, and a complete through route could be maintained from Aden to the north by one government, was probably the most prosperous in the history of South Arabia. The fall came when in 525 the Abyssinians attacked and destroyed the local dynasty and annexed the whole of South Arabia.[35] From then on much of the trade must have been diverted to Abyssinian ports on the African coast. Finally in A.D. 570 the coast was conquered by the Persians and it remained in their hands until the last Persian governor accepted Islam in A.D. 628.

The history of the south eastern corner of Arabia, i.e. Oman, is much more obscure, but situated at the mouth of the Persian Gulf, it was probably used as a base by the dominant political power of the Gulf. In Muhammad's time there was a considerable Persian population[36] and the Periplus hints that at the end of the first century A.D. it was a dependency of Persia. During periods when no power was strong enough to exercise control there would be periods of anarchy, and the sea trade would probably continue at such times although not to such an extent.

The south coast of Arabia throughout most of its length is barren and dry, partly sandy and partly rocky, with very few places where good drinking water can be found. The centres of South Arabian civilization were all in the interior where the hill country provided support for a fairly numerous population. From the main centres there were several well defined routes to the sea, which were guarded and fortified in parts by the main governments against the maraudering tribes in the vicinity. There are four main areas of ruins on the sea coast, each at the end of

35. Beeston, A. F. L.: *op. cit.*, p. 37 gives an alternative estimate of this date.
36. Hadi Hasan: A history of Persian navigation, p. 77.

a route from the interior. These were Aden, Abyān, Ḥuṣn al-Ghurāb and in the neighbourhood of Dhufar. But among these ruins there is a dearth of inscriptions. This may be partly due to the humidity of these coastal regions, which would probably destroy graffiti and rock inscriptions. The only safe harbours for vessels during both monsoons were the volcanic areas of Aden and Bīr 'Ali (i.e. Ḥuṣn al-Ghurāb). Smaller and less useful places were Khor Rūri and Inqitāt in Dhufar, Makalla and Jazīrat Dā Khmodish at Ra's Darya.[37] But no early remains have been found in the more modern ports of Makalla and esh-Shihr. Aden seems to have remained in existence, except for short periods, from the time of its mention in Ezekiel[38] until the Muslim conquest, but it is only mentioned once by name in inscriptions,[39] although it often appears in the works of classical authors. Abyān is an oasis near the sea between Aden and Shuqra. It was a port in early Muslim times[40] (10th century) and although not mentioned specifically as a port in South Arabian times, South Arabian remains and relics of early Chinese pottery have been found there. The city of Tafiḍ, in that neighbourhood was burnt by Karib'il-Watar in the fourth century B.C.[41] Qana (the Kane of Ptolemy) and the modern Ḥuṣn al-Ghurāb near Bīr 'Ali, was the port of the Ḥaḍrami kingdom, and from it went the important route north to the Ḥaḍrami capital. Qana is also mentioned in the passage in Ezekiel and seems to have been used as a port almost until Muslim times.

Further along the coast in the Dhufar area are one or two ruined sites which were used as ports for vessels collecting incense, but this area was off the main route to India, which left the Arabian coast at Ra's al-Fartaq.

The early geography of the harbours in Oman is extremely obscure. There have always been ports along that coast, disguised under various names. Pliny and the Periplus both mention Oman as a port but we have no clues as to its location for none of the Muslim place names seem to have been used in those times. Of modern ports, Suḥār seems to be the most ancient, but Kalhat was important in the Middle ages, and was perhaps Pliny's Acila.

Inside the Persian Gulf there were the ports of Gerrha, Charax and Apologus. Gerrha was on the Arabian Coast near

37. Hoefner and Wissmann: Beiträge, p. 88.
38. Ezekiel, xxvii, 22. see p. 7.
39. Hoefner and Wissmann: Beiträge. p. 88. The inscription is CIH. 550
40. Lane, A. and Sergeant, R.B.: *JRAS*, 1948, p. 112.
41. Hoefner and Wissmann: Beiträge, p. 87.

Bahrain Island and was the centre of an Arabian trading community, and traded extensively across the Arabian Peninsula and with Seleucia. It originated probably in Babylonian times, reached the period of its greatest prosperity in the beginning of the 2nd century B.C. but seems to have lost its importance by the time of the Periplus. Charax was a port near the mouth of the Euphrates, which also prospered under the Seleucids. Apologus (*Arabic Ubullah*) was actually at the mouth of the Euphrates and first appears as an important port in the time of the Periplus replacing the earlier Teredon (or Diridotis), which had been built by Nebuchadnezzar as a port to protect shipping in the mouth of the river. Charax had died in favour of Apologus, which was refounded by the Sassanids and lasted till the coming of Islam.

3. Trade between the South Arabians and South-East Asia.

The claims of the various races of the Indian Ocean to be sailors and therefore carriers of trade have been the object of much discussion among scholars. The majority of nineteenth century scholars gave all the credit to the Arabs, and were quite definite that the Indians were not sailors. Kennedy was almost alone when he claimed that the Arabs were not sailors at all. His reasons were three; firstly he showed that, from Strabo and the Periplus, trade was carried on from Kane only in rafts and hide-bound boats. It is of course in the very same hide-bound boats that the Arabs in later times monopolized the whole of the Indian Ocean trade and sailed to China, and are still sailing to East Africa. His second reason was rather absurd, that there were no harbours down the entire coast between Leuke Come and Musa. Of course not: all the harbours used by the Arabs with the exception of Musa were on the south coast of the peninsula. His third reason was that the Periplus says that the ships of Musa had only Arab shipmasters and 'common crews'. This presumably comes from McCrindle's translation for I cannot find it in that of Schoff. In any case the fact that slaves were used for crews does not stop the Arabs from being merchants and trafficking by sea, as he stated in the quotation above.[42]

The South Arabians themselves do not mention their maritime activity at all. Numerous inscriptions have been found mentioning the agricultural side of their life and the inland trading, but none concerning the sea trade. It is mainly from the Greek and Roman sources that we learn anything of their maritime prowess, of the active overseas trade which was carried on and of the colonies which they formed abroad.

42. Kennedy, J.: The early commerce of Babylon with India, p. 248.

The earliest Greek from whom we can gain information is Herodotus living in the fifth century. Herodotus has only a very vague notion of India as the most far distant country of the world, but when he mentions the products of South Arabia, he mentions several Indian products. Cinnamon[43] is one of these, and shows that the Arab monopoly of the supply of Indian articles to the Mediterranean world had already begun. But just how the cinnamon reached Arabia was still a mystery to him. We have seen how the trading of Oman had been carried on for centuries, but that of south west Arabia seems certainly to have begun about the fifth century B.C. Kennedy states[44] that the Arabs really came into their own at the time of Darius Hystaspes (ca 500 B.C.) and Wilson[45] in *The Persian Gulf* agrees that from the rise of the Persians, the Persian Gulf lost much of its trade in favour of the Red sea ports, until the time of Alexander. The rise of South Arabian trade in the fifth and fourth centuries was probably a natural outcome resulting from the organization and the development of the southerly coastal area which took place about this time. The earliest Ḥaḍrami inscriptions also date from about this time.[46] The decline in the Persian Gulf trade, if it is a fact, may have aided the South Arabians in the establishment of their trade but it is doubtful if this was the direct cause. Other sources however plead the cause of the Persians. Hadi Hasan[47] in his *History of Persian Navigation* shows that it was at this time that the Persians learnt the art of navigation. Herodotus also gives the story of Skylax voyage from the Indus to the Red Sea, and states that from this time, Darius subdued the Indians and made use of this sea. Darius recut the canal from the Nile to the Red Sea to facilitate naval connections between Egypt and Persia.

The Greeks did not appear themselves in the Indian Ocean until the time of Alexander. The voyage of Nearchus and the accounts of Megasthenes and Onesicritus gave the Greeks their first detailed knowledge of India and the Ocean but they tell us nothing of the Arabian trade. After the time of Alexander, the trade of the Arabs must have continued to grow. Not only were the former centres of civilization in the Mediterranean re-

43. This word has an Indian etymology but the earliest Greek notice of it is in Ctesias's Indika (400 BC). He uses the word karpion which represents the Tamil-Malayalam *karuppa* or *karppa*; see Caldwell: Grammar of the Dravidian languages. p. 105.
44. *op. cit.*, p. 242.
45. 1954 edition, p. 34-5.
46. Hoefner and Wissmann: Beiträge, p. 109.
47. Hadi Hasan: A history of Persian navigation, p. 17 *ff.*

quiring the goods of the East, but a new empire had arisen in the Egypt of the Ptolemies. Trading relations between the Sabaeans and the Ptolemies began under Ptolemy Philadelphus (285-246 B.C.)[48] and Greeks from Egypt began to meet the merchants of the East in Arabian ports. Later the Ptolemies built ports down the coast of Africa, and the Greeks began to find their own way to India and beyond.

Agatharchides who lived about 110 B.C. says[49] "The Sabêan people are robust, warlike and able mariners; they sail in very large vessels to the country where the odiferous commodities are produced and plant colonies there, and import from thence the *larimna*, an odour nowhere else to be found; in fact there is no nation upon earth so wealthy as the Gerrhêans and Sabêans, from their situation in the centre of the commerce which passes between Asia and Europe." Agatharchides also relates how he saw large Indian ships arriving at a Sabaean port from Patala on the Indus.

Another author who shows light on this subject is Strabo who writes in the first few years of the Christian era, partly from his own observations but mainly by compiling extracts from earlier authors. Even if he does not tell us much about the Arab trade, he gives us a picture of flourishing Greek-Egyptian trade, which had grown up by this time. This trade was probably running in competition with that of the Sabaeans (or South Arabians) who were entering on the most prosperous period of their existence. Strabo states that in his time, "about one hundred and twenty ships sail from Myos-hormos to India although in the time of the Ptolemies scarcely anyone would venture on this voyage and the commerce with the Indies".[50] Myos-hormos was the Red Sea port built by Ptolemy Philadelphus (274 B.C.)[51] in an attempt to obtain commercial advantage over the South Arabian monopoly. From here and from later ports Greek-Egyptian trade and the later Roman trade continued to increase, but especially later when South Arabian importance began to decrease. Strabo also tells us the story of the Indian who was picked up on the African shore of the Red Sea, in the reign of Euergetes II (Ptolemy VII, 182/1-116 B.C.) and who later pointed out the route to India to the Greeks.[52] This story

48. Cary and Warmington: The ancient explorers, p. 68.
49. Vincent, W.: The commerce and navigation of the ancients, v.2, p. 33. quoting from Photius.
50. Strabo, II, v, 12.
51. Oxford classical dictionary.
52. Strabo, II, iii, 4.

shows direct Indian trade, but perhaps only as far as South Arabia, for an Indian was a very strange sight in the Egyptian kingdom.

Further, Strabo puts an Eastern limit on direct trade by stating; "very few of the merchants who now sail from Egypt by the Nile and the Arabian Gulf to India have proceeded as far as the Ganges, and being ignorant persons, were not qualified to give an account of the places they have visited".[53] In dealing with the products of Arabia he mentions myrrh, frankincense, cinnamon (still an Arabian monopoly) and cassia but he adds "some writers say, that the greater part (of the cassia) is brought from India and the best frankincense is that from Persia".[54]

By the beginning of the Christian era, trade was really flourishing, and the products of India and perhaps also of the Far East were pouring into the centres of western civilization. The Arabs were playing an important part, and the wealth of the Arabs had become proverbial. So far there seems to have been no direct route to the Far East and hence little change since the fifth century B.C. Strabo shows that few western merchants had reached as far as the Ganges. Presumably if the Greeks did this the Arabs could perform a similar feat. It is also possible that from the time of Chandragupta (300 B.C.) Indians from the Ganges had reached Lower Burma by sea, though we have no evidence of their crossing overland to the South China Sea before the beginning of the first millenium A.D. By the end of the first century A.D. the Romans had entered into this competition and Steiger claims that it was the coming of the Romans which caused the Arabs to seek their trade further afield.

Strangely enough Pliny, whose *Natural History* contains such detailed accounts of the countries of the world, says very little about South Arabia. He mentions the frankincense trade of the Sabaeans, and notes the importance of the trade between Egypt and India. In outlining the trade route, he states,[55] "Travelling by sea (from Berenice) . . . it takes about thirty days to reach the Arabian port of Ocelis, or Cane in the Frankincense country. There is a third port named Muza, which is not called at on the voyage to India, and is only used by merchants trading in frankincense and Arabian perfumes"; and later,[56] "the most advantageous way of sailing to India is to set out from Ocelis".

53. Strabo, XV, i, 4.
54. Strabo, XVI, iv, 25.
55. Pliny, VI, xxvi, 104.
56. Pliny, VI, xxvi, 104.

It seems that the Roman traders of the first century A.D. gave the Sabaean ports a wide berth. Mokha (Muza) was only used to collect local products and Cane does not seem to have been the most advantageous place for the Romans to set out from, although it seems to have been used. Ocelis, 'the most advantageous place', was on a small bay at the entrance to the Red Sea, where fresh water could be found. There are no signs of South Arabian occupation there at all.

Pliny also gives a long list of the harbours on the Persian Gulf side of the peninsula. They are, Batrasavave, the town of Omani, the town of Omana, Homna and Attana the most frequented ports in the Persian Gulf, Mocharba, Coboea, Mt. Orsa, Laupas and Acila, the port of embarkation for India.[57]

When speaking of Ceylon, Pliny mentions that the customs, or religion, of the king were those of Father Liber (Bacchus) while those of the people were the same as those of the Arabs. This was explained by Vincent,[58] as if the Arabs had settled on the coast and had established there their own customs, or religion while king held to the ways of his ancestors "above the Chauts". This passage is mentioned by Sir Roland Braddell,[59] as proving that the Arabs were "in such numbers in Ceylon that he (Pliny) represents them as masters of the coast" and this is also used by Quaritch-Wales[60] to support his view that trading did exist between the Sabaeans and Java. But Pliny may mean that the ways of the people of Ceylon were similar to those of Arabia, which would probably be better known to his readers, and the fact that this vague passage proves the existence of Arab colonies in Ceylon is out of the question.

The Periplus of the Erythraean Sea, which dates from the end of the first century A.D.[61] is probably the most detailed of all the sources showing the early trade of the Indian Ocean. It gives a clear picture of the part played by the Arabs in this trade. The political set-up of Arabia is clearly shown:[62]

> Three days inland from the port of Muza there is a city called Saua in the midst of the region called Mapharitis, and there is a vassal-chief named Cholaebus who lives in that city. And after nine days more there is Saphar (Zafār) the metropolis, in which lives Charibael the

57. Pliny, V, xxxii, 149-151.
58. Vincent: The commerce and navigation of the ancients. v.2, p. 283.
59. Braddell, Sir R.: *JMBRAS*, **24**, (1), p. 32.
60. Quaritch Wales: The making of Greater India, p. 68.
61. Periplus, 22. (Schoff's edition).
62. *ibid*, 25-27, 31.

> lawful king of two tribes, the Homerites and those living next to them, called the Sabaites; through continual embassies and gifts, he is the friend of the Emperors:

and later,[63]

> by the shore there is a village of the Arabs, subject to the same chief, called Ocelis, which is not so much a market town as an anchorage and a watering place and the first landing for those sailing into the Gulf. Beyond Ocelis . . . after about twelve hundred stadia is Eudaimon Arabia (Aden), a village by the shore also of the kingdom of Charibael . . . but not long before our own time Charibael destroyed the place. After Eudaimon Arabia there is a continuous length of coast, and a bay extending two thousand stadia or more, . . . just beyond the cape projecting from this bay there is another market town by the shore, Cana of the kingdom of Eleazos, the frankincense country . . . . Inland from this place lies the metropolis, Sabbatha, in which the king lives.

Along the African coast by Zanzibar, which the Periplus calls the Ausanitic coast is the town of Rhapta;[64]

> The Mapharitic chief governs it under some ancient right that subjects it to the sovereignity of the state that is first in Arabia. And the people of Muza now hold it under his authority, and send thither many ships. It happens that just as Azania (African coast) is subject to Charibael and the chief of the Mapharites, this island Dioscurida (Socotra) is subject to the king of the frankincense country.

Here we see the South of Arabia in the hands of two kings, the Himyaritic king, Charibael and the Ḥaḍrami king, Eleazos. The ports to the west, Muza and Aden (ruined) belong to Himyar, and Cane to the Ḥaḍramaut. Furthermore, we are given the colonies of both; Socotra, being in Ḥaḍrami hands, and the East coast of Africa, formerly the colony of the now extinct Awsān, now controlled from Muza by the underking of Maphar (Ma'āfir).

Now as to the trading which was carried out in the ports at that time. Of Muza the author says,[65] "The whole place is crowded with Arab ship owners and seafaring men, and is busy with the affairs of commerce; for they carry on a trade with the far-side coast [Somaliland] and with Barygaza [Broach in India], sending their own ships there" and later,[66]

> There are exported from the same place the things produced in the country; selected myrrh, and Gebanite-Minean *stacte*, alabaster and all the things already mentioned from the Avalites and the far side coast (i.e. Spices, a little ivory, tortoiseshell and a very little myrrh . . . the harder cinnamon, *duaca*, Indian copal and *macir*. which are imported into Arabia, etc.)[69].

63. *ibid*, 16.
64. *ibid*, 31.
65. *ibid*, 21.
66. *ibid*, 24.
67. *ibid*, 7.

This shows that not only did the ships of the Arabs make regular voyages to North India, but that the trade was nearly all in their hands. The author does not make it clear who ran the trade in the far-side (Somali) ports, but it was probably the Arabs, although the Indians themselves seem to have used this route, while the direct route to the Arabian ports being only in the hands of the Arabs. The entrance to the Red Sea may also have been prevented to the Indians. But the *Periplus* states that,[68] "ship are also customarily fitted out from the places across the sea, from Ariaca (Northern India) and Barygaza, bringing to these far-side market towns the products of their own places. These places were not politically under the Arab kings, but each ruled by its separate chief". From one of these harbours, Mosyllum, there was shipped[69] "a great quantity of cinnamon, so that this market town requires ships of larger size", showing that still the Greeks did not realize, in spite of their trade to India, that cinnamon was an Indian product, and that ships used for its transport had to be ocean-going vessels.

Eudaimon Arabia seems to have ceased to be an important port, since its destruction by Charibael; but[70] "In the early days of the city when the voyage was not made from India to Egypt, and when they did not dare to sail from Egypt across this ocean, but all came together at this place, it received the cargoes from both countries, just as Alexandria now receives the things brought both from abroad and from Egypt". Trade from Cana was of two types, firstly it was the local market for the frankincense countries and secondly,[71] "had a trade also with the far-side ports with Barygaza and Scythia (Persian coast) and Ommana and the neighbouring coast of Persia". The Muza trade with India is again mentioned under the section which deals with Socotra.[72] "Trade is also carried on there by some people from Muza and by those who call there on the voyage from Damirica and Barygaza". This shows that the direct route was used between South west Arabia and the south Indian coast (Damirica) using Socotra as an intermediate port of call. The harbour of Moscha in the Dhufar region was a small port for the frankincense trade. Ships coming from India called there to winter if the season was late, and then exchanged things for frankincense, if they had permission from the king (of Hadramaut).

68. *ibid*, 14.
69. *ibid*, 10.
70. *ibid*, 26.
71. *ibid*, 27.
72. *ibid*, 31.

The Periplus has less to say about the South Eastern corner of Arabia, but it makes it clear that a flourishing trade was carried out with India from here also. Politically;[73] "There is a barbarous region, which is no longer of the same kingdom but now belongs to Persia". The ports mentioned are Apologus at the northern end of the Persian Gulf, and Ommana. The latter is presumably a town in Oman; the author makes it appear as if it were on the Persian coast, but if we imagine that we are coming from Apologus and that Persia controlled Oman as mentioned above, this passage becomes clear. It runs as follows:[74]

> Sailing through the mouth of the Gulf, after a six days course there is another market town of Persia called Ommana. To both of the market towns [Apologus and Ommana] large vessels are regularly sent from Barygaza, loaded with copper and sandalwood and timbers of teakwood, and logs of blackwood and ebony. To Ommana, frankincense is also brought from Cana, and from Ommana to Arabia boats sewed together after the fashion of the place; these are known as *madarata*.[75]

Although it does not state in whose hands this Persian Gulf trade was, it is probable that the people of Oman played their part, as they were still boat builders as in the early Sumerian days, and as such they must have been used to the conditions to which their boats were subjected and must have used some of their own boats, as well as making them for export. Finally the Periplus mentions the Eastern end of the trade routes. Under Barygaza, the author makes no mention of the Arabs, except that Arabian wine was an import; but under Muziris (Cranganore)[76] in the region of Damirica, and in the kingdom of Cerabottira, he says that it[77] "abounds in ships sent there with cargoes from Arabia, and by the Greeks" and from here and Nelcynda (near Cochin)[78] "is[79] exported pepper .... great quantities of fine pearls, ivory, silk cloth, spikenard from the Ganges, malabathrum from the places of the Interior, transparent stones of all kinds, diamonds and sapphires, and tortoiseshell, that from Chryse Island and that taken among the islands off the coast of Damirica". Here we have Arab ships at a place to which tortoiseshell is brought; hence a journey with one intermediary stage between Arabia and the East. But in most cases one other station on the East coast of India was called at before the ships reached Muziris from the East. This was Colchi and the adjacent

73. *ibid*, 33.
74. *ibid*, 36.
75. Glazer derives this term directly from the Arabic *mudarra'at* meaning 'fastened with palm fibre'. Hornell: Sea trade in early times. p. 250.
76. Schoff's edition of the Periplus, p. 205.
77. Periplus, 54.
78. Schoff's edition of the Periplus, p. 208.
79. Periplus, 56.

coast, in the harbours of which[80] "the ships put in from Damirica and the north, and there are ships of the country coasting along the shore as far as Damirica and other very large vessels made of single logs bound together, called *sangara*; but those which make the journey to Chryse and to the Ganges are called *colandia*, and are very large". Chryse was[81] "the last part of the inhabited world under the rising sun itself; .. and it has the best tortoiseshell of all the places on the Erythraean Sea".

The Periplus shows us how prosperous was the trade at the end of the first century A.D. The Greeks and the Romans had by this time a clearer idea of the Arabs and their ports; we get a detailed account of each and their relative importance has been correctly observed. The subtility of the Arabs still enabled them to make a trade in Indian products such as cinnamon in spite of the fact that the Greeks and the Romans were well acquainted with India. We are also shown the trade which comes from the Far East and China, but the author of the Periplus knows these places only by hearsay, and it is doubtful if any Greeks went farther than the east coast of South India. The Arab shipping too collected in the ports of South India, and there bargained for the goods from further East, which arrived there directly or in two stages, first to the Coromandel coast and thence round the cape to Malabar. Still there seems to be no direct trade in spite of Steiger's comment that the Romans caused the Arabs to seek further afield.

The Tamil poems[82] mentioning the ships of the Yavanas coming to South India are contemporary with the Periplus and show there perhaps a decline in Indian sailing to the West, but at the same time they mention frequent sailings to the East.

Also contemporary with the Periplus is the story from the *Ch'ien-han shu*,[83] (the history of the former Han dynasty which was compiled about 90 A.D.) This story was thought at one time to be a direct reference to Sabaeans in China in the first century.[84].

80. Periplus, 60.
81. Periplus, 63.
82. Kanakasabhai, V.: The Tamils eighteen hundred years ago. Madras, 1904; extracts in Majumdar's Suvarnadvipa and in Hadi Hasan's A history of Persian navigation.
83. See Hirth, F.: China and the Roman Orient Leipzig. 1885 and Hennig, R.: Terrae incognitae, **1**, p. 323.
84. Hermann, A.: Die Verkehiswege zwischen China, Indien, und Rom. in *Veröffentlichung der Forschungsinstitut fur vergleichende Religionsgeschichte a.d. U. Lepzig*, **7**, 1922.

It mentions an embassy sent via the land route to Parthia (An-hsi) by Emperor Wu-ti (140-86 B.C.). During the reign of the same Emperor a sea voyage was made from Jih-nan (North Annam), Hsü-wen and Ho-p'u (places in Kwangtung) for nine months and twenty days to the kingdom of Schen-li, somewhere in the Gulf of Siam according to Hening[85] (quoting from Ferrand and Pelliot); from here a land route was taken to the kingdom of Fukantulu (Pegu, according to the same sources) and then a sea voyage of two months to the kingdom of Huang-chih. Later, the same annals mention that in the time of the emperor P'ing (A.D. 1-6), the king of Huang-chih sent a living rhinocerors as tribute. Hermann[86] has identified the kingdom of Huang-chih with Axum and asserts that the Sabaeans visited the court of the Chinese Emperor, bringing with them an African rhinoceros. He also identifies the intervening places with convenient stages on the route between China and Ethiopia, and bases his argument on the distance given in the same annals between Huang-chih and China. That distance is 30,000 li (15,000 km.), but Hennig thinks that the voyage could never have been covered in the time stated, and shows the Chinese have a habit of overestimating these distances, and quotes the example in Chau Ju-kua[87] where the distance of the Coromandel coast from Fukien is estimated at 411,400 li. Laufer[88] places Huang-chih in the Malayan peninsula and Ferrand in South India, both of which are more suitable, although rhinoceroses do not now appear in South India. But what matters from our point of view is that Huang-chih and its people are certainly not Sabaeans.

Among the other Greek authors of the first century A.D. Statius[89] shows the two main trade routes of China and compares the riches of the Arabs and the Seres and also mentions the Indians as traders. Very few others add new information to that of their predecessors. The geographer Ptolemy mentions the names of the ports of South Arabia, gives much detail on South-East Asia and mentions[90] "the emporium of Alosygni, where they sail for the Golden Chersonese," but gives nothing else of use to us.

85. Hennig: Terrae incognitae, **1**, p. 323.
86. Hermann, A.: *op. cit.*, p. 8.
87. Hennig: **1**, p. 327.
88. Laufer, B.: Chinese clay figures 1, Prolegomena on the history of defensive armor, in *Field Museum of Natural History*, publ. **177**, Chicago, 1914, p. 80.
89. Coedes, G.: Textes d'auteurs grecs et. latins, p. 20.
90. Renou, L.: La geographie de Ptolemée; l'Inde (VII, 1-4, Paris, 1925, p. 9.

From the Annals of the later Han dynasty (*Hou-han-shu*)[91] which was compiled in the fifth century and covers the period from 25 A.D. to 220, we have a little more information. The first arrival of Romans by the sea route (i.e. the people of Ta-ts'in) according to Hirth appears "during the first year of Yung-ming (120 A.D.) when the king of Shan sent an embassy with musicians and jugglers who said 'We are men from the west of the sea which is the same as Ta-ts'in.' In the south west of the country of Shan one passes through to Ta-ts'in."[92] This was under the reign of An-ti (A.D. 107-126). Slightly earlier in the reign of Ho-ti (A.D. 97) the ambassador Kan-ying was sent by the general Pan Ch'ao to Ta-ts'in. He arrived on the coast of the sea, from which Ta-ts'in was reached southwards by sea. Scholars mostly agree in asserting that this sea was the Persian Gulf and that Ta-ts'in, as the Syrian part of the Roman empire, was reached by sea round the Arabian peninsula. If so, this is a reference to Persian Gulf and Red Sea trade; and what is more "they [Ta-ts'in] traffic by sea with An-hsi Parthia] and Tien-chu [India], the profit of which trade is tenfold." Thus showing a flourishing trade between Roman Egypt and India and Persia. The Parthians were at this time interposed between Rome and China and monopolised the caravans trading in Chinese silks, but in 165 A.D. Marcus Aurelius captured Seleucia and Ctesiphon and opened the way to the Persian Gulf, and the sea route to China. From the *Hou-han-shu* we hear that in the ninth year of the Yen-hsi period during the reign of Huan-ti (i.e. A.D. 166) the king of Ta-ts'in, An-tun (Antoninus for M. Aurelius), sent an embassy which reached China from the frontier of Jih-nan (N. Annam).[93] As this is not mentioned in Roman annals, it is not likely that this was an official embassy, but it does show the opening of a new Roman trade route to the Far East. Still there is nothing to prove whether the sea route through the East Indies was used or the land route from Burma to Annam. Hennig[94] prefers the latter. During the next three hundred years the Chinese annals continue to mention the sea trading of the people of Ta-ts'in with the countries of Indo-China and Siam.

Besides the information given in the Annals, we have the records of several Chinese travellers, usually Buddhist monks making a tour of other Buddhist countries for the benefit of their studies. The earliest of these was Fa hien, who travelled

91. Hirth, F.: China and the Roman orient. Leipzig, 1885, p. 36 ff. also Hennig: Terrae incognitae, 1, p. 419.
92. Hirth, F.: *op. cit.*, p. 36-7.
93. Hirth, F.: *op. cit.*, p. 85, and Hennig: 1, p. 434.
94. Hennig: 1, p. 438.

to India, Ceylon and Java between the years 399 and 414. He makes it obvious that Ceylon was a great centre of trade at the time and according to Beale's translation, in the chief city (Anuradhapura)[95] "there are many Vaisya elders and Sabaean merchants whose houses are stately and beautiful". The word Sabean is a mistranslation of the Chinese Sa-po which has been proved[96] to be equivalent to sārthavāha, or chief merchants; a term which often appears in Buddhist texts.

By the fourth century A.D. the South Arabian kingdoms were on the decline. The campaign of Shammar Yuharis of the western kingdom, about 300 A.D., which resulted in the fall of the Ḥaḍramaut probably saw the end of Ḥaḍrami trading, which was probably already on the decline. The unification of South Arabia under one king did not herald a glorious empire, for soon after, the Lakhmids were attacking the northern border and within fifty years most of South Arabia had been conquered by the Abyssinian, Ela-Amidu. Admittedly, this was an occupation of only thirty years duration but it is doubtful if Arabian trade ever revived enough to compete with the greater power on the African coast. Oman was under the control of the Sassanids, and had possibly been under Persian control since the time of the Periplus. The Latin author, Palladius[97] writing at the end of the fourth century and quoting Scholasticus of Thebes says that the Axumites, Ethiopians and Persians go to the Islands (Ceylon) to buy and sell. There is no mention of Arabs and it is possible that the days of Arab controlled shipping were over. The control of Indian trade had now become a bone of contention between the Sassanids, on one hand and the Abyssinians, supported by the Byzantines and including their South Arabian satellites on the other. That Fa-hien's Sa-po should have been Sabaeans at this time is therefore most unlikely, even if there had been no other definition of the word to turn to. Still less likely that Arabs at this time should be termed Sabaeans since the ruling dynasty was from Himyar and even the Periplus had termed them Homeritae and Arabes. Arabs could, and no doubt did, form part of the crews of the Persian and Abyssinian ships, and probably the same ships sailed from the same Arabian ports under the command of their new masters. But of course we have no record of this. That the combined trading fleets of the Abyssinians and their Himyarite satellites were not so very numerous is shown by Procopius.[98]

95. Beale, S.: Travels of Fah-Hien and Sung-Yun. London, 1869.
96. Pelliot, P.: T'oung Pao, (2) **13**, 1912, p. 456.
97. Coedes, G,: Textes d'auteurs grecs et latins, p. 101.
98. Procopius: I, xx, 9-12.

He states that the Emperor Justinian sent an ambassador to Axum to ask the Abyssinians to make war on the Persians and attempt to wrest the Indian trade from them. This was impossible because the Persians had the monopoly of the Indian trade and were too firmly established in India f r the Abyssinians to attempt anything.

The Abyssinians finally occup ed South Arabia in 525 A.D. when the last native king was ki ed in battle, and it is from this time that we have the last pre islamic record of Indian Ocean trade. This is the tes imony of Cosmas Indicopleustes, the Egyptian monk who had been a trader in the Indian Ocean. Of Ceylon Sieledība he says.

> It is a great mart for the people in th parts The Island had also a church of Persian Christians w have sett ed down, and a Presbyter wh is appointed from Persia and a Deacon and a complete ecclesiastical ritual . . . It is m ch frequented by ships from all parts of India and fr m Persia and Ethi pia an it likewise sen out many of its own. And fr m the remotest countries, I mean Tzinista and other trading places, it receives silk, aloes, cloves he mentions th love country later as being next t China in that irection sandalwood and ther products and these again are passed n to marts on this side, such as . . . Persia and the H merite co ntry, and t Adulē. And the Island receives imports fr m all these marts whi h we have mentioned and passes them on to the rem ter ports. while at the same time exporting its own produce in both directions.

Cosmas makes much of Ceylon as an interchange station, he gives no example of ships going the whole way across the ocean and one feels that even at this time d rect trade was not the usual me hod of obtaining the riches of the East. so that it is only at the height of the Roman empire that the Romans themselves reached the Far East by sea, and this fact itself is doubtful.

On summing up, we find that throughout the long period which the South Arabians held sway over the entrance to the Red Sea and impressed the Greeks and Romans with their wealth and their trading ability, we have no direct evidence of them sailing further than the west coast of the Indian peninsula. For nearly a thou and years, from 500 B.C, to nearly A.D. 500 South Arabian ships mu t have gone East and for most of that time the Arabs held a monopoly, not so mu h of the shipping across the Arabian Sea as of the control of the goods which entered the Red Sea from the direction of the former. That they sailed past Ceylon cannot be definitely stated. or that they

99. McCrindle, J. W.: Th Christian topography of Cosmas, an Egyptian monk. Hakluyt Soc., London, 1897, pp 365-6

formed colonies anywhere, other than in Africa. The ports of India and Ceylon probably had a semi-permanent Arab population connected with commerce and shipping but it is most doubtful if they ever formed a large enough community to influence the customs of the land of their domicile, as some would interpret the passage in Pliny with regard to Ceylon. That they ever formed colonies in South-East Asia or even gave their names to places there is even more doubtful.

The Arabs of course may have preceded or arrived contemporarily with the Romans and the Greeks in the Far East during the first or second centuries A.D. They may have formed part of the crews of the vessels of these latter races, but that is unlikely, as they were never conquered by Rome as they were later by the Abyssinians and the Persians. If they did come during the first two centuries of the Christian Era, for not only was this the heigh day of the South Arabian civilization, but also of the Indian Ocean trade in general, then their numbers must have been extremely few. Too few to make their mark on the eastern islands, or even to leave a record in their own land.

The claim made recently by Braddell,[100] that the Sabaeans were the carriers of the early beads which have been discovered in various parts of South-East Asia together with that of Quaritch Wales[101] that the Egyptian influence seen by him in Javanese culture was due to them, is based first of all on a statement made by Hitti[102] that the South Arabians monopolised the trade of the Indian Ocean during the last millenium and a quarter before our era.[103] This statement is certainly exaggerated as there is nothing to show that the south western part of the Arabian coast was used at all for ocean sailing before the sixth or the fifth centuries B.C. To take this as meaning the whole of the Indian Ocean is stretching Hitti's meaning slightly, as Hitti was dealing with the Arabian peninsula and was probably only refering to the seas bordering it.

The reason for Braddell's excursion into South Arabian matters is to discover how four very ancient beads arrived in Johore. These four beads were found in Johore Lama and Kota Tinggi by A. B. Gardner[104] amongst 600 or so later beads.

100. *JMBRAS*, **20**, (2), 1947, p. 1.
101. *JMBRAS*, **23**, (3), 1950, p. 36 ff.
102. Hitti, P. K.: History of the Arabs. London, 5th. ed. 1951. p. 49.
103. Hitti first wrote this as a millenium and a half before our era, but revised it to this more conservative figure in the 4th. ed. (1949).
104 Braddell, Sir R.: *JMBRAS*, **20**, (2), 1947, p. 1.

Basing himself on Hitti's statement, Braddell attempts to prove that the Sabaeans could have brought these early beads before the Christian era. As we have stated above, if the Sabaeans ever reached South-East Asia it would have been during the first or second centuries A.D. which is contemporary with the 600 other beads, and so eliminates the need for Braddell's excursion.

Braddell's other reasons for accepting the existence of South Arabians in South-East Asia can also be discounted. They are the prevalence of names beginning with Sab- or Zab- in Ptolemy's map of the area,[105] and the appearance of Dhu'l-Qarnain and Bilqis, the queen of Sheba in Malay legends.[106] Both names are of course Islamic. The resemblance of the latter to the name Bugis was a wonderful opportunity too good to miss for the newly converted peoples of Celebes to connect their origin with someone mentioned in the sacred text.

Quaritch Wales[107] picks on Braddell's theory of Sabaean trade as a possible means whereby Egyptian influence could have reached Java. Stutterheim[108] had first noticed connections between Egyptian and Javanese culture and he suggested the Sabaeans as possible carriers of certain cultural elements across the Indian Ocean without touching the Indian peninsula. To further his hypothesis he pointed out the connections between the Sabaean script and certain signs found on Borobudur, Sewu and other Javanese temples.[109] On examination the signs seem to be based on simple geometric forms of a sort which could be found in any monumental alphabetic script. The ten or so which resemble South Arabian characters, are the simplest in design, and some of them could be Phoenician or Greek. The remaining characters could not possibly fit into a Semitic context at all. Similar comparisons could be made between these characters and those of the Cypriotic syllabary, Runes or any other system.

One can agree with Quaritch Wales when he says[110] that the Sabaeans were equipped to introduce some elements of Egyptian culture into Indonesia provided that they did reach as far as this. But that they did so is extremely improbable, and the possibility that they should have exerted a cultural influence on a Hindu civilization in Java and not in India, where

105. Braddell, Sir R.: *op. cit*, p. 7.
106. Braddell, Sir R.: *op. cit.*, p. 15.
107. Quaritch Wales: The making of Greater India. p. 68.
108. Quaritch Wales: *JMBRAS*, **23**, (3 , 1950, p. 36.
109. Stutterheim, W. F.: The meaning of the Kala Makara ornament. *Indian art and letters*, **3**, 1929, p. 51.
110. Quaritch Wales: The making of Greater India, p. 68.

they are known to have been active is very remote. The possibility of direct sailing to Indonesia from South Arabia is even more remote, for the South Arabians were above all traders and the opportunity of adding to their trade by calling at the ports of India would most likely have prevailed over a decision to sail straight by if that were possible. Even in the ninth century Muslim Arab traders made a point of calling at Southern Indian ports, if only for water, and the need for drinking water, of course, is a most important consideration which we must take into account in postulating any long sea voyage at an early date.

When did the traders of the Middle East first trade in Far Eastern ports? In the eighth and ninth centuries the accounts of the Muslim Arab merchants exist which point out a very definite shipping route via the ports of South-East Asia, extending as far as China, and a Muslim historian[111] states that the earliest inter-course between the Chinese and the Arab was in the fifth century. Hourani[112] sums up the evidence for direct sailing between the Persian Gulf and China in the pre-islamic times and quotes Tabari and Baladhuri that at the time of the Muslim conquest al-Ubullah (Apologus) was the port for ships from China, India etc. Probably South-East Asia was first successfully reached only a little earlier than China, i.e. about the time of the overthrow of the South Arabian kingdoms. The route must have become a regular trading route between then and the end of the seventh century, used by the sailors of the Persian Gulf under Sassanid domination and perhaps, although not very likely, by those of the Red Sea including South Arabia under the power of Axum.

Bibliography.

Braddell, Sir R. 1 47. Notes on ancient times in Malaya. *JMBRAS*, 20 (1 & 2).

Braddell, T. 1858. The ancient trade of the Indian Archipelago. *Journal of the Indian Archipelago and Eastern Asia*, N.S. **2**, p. 237.

Cary, M. and Warmington, E. H. 1929. The ancient explorers. London

Clemesha, W. W. 1 43. The early Arab thalassocracy. *Journal of the Polynesian Society*, **52**, p. 110.

Coedes, G. 1910. Textes d'auteurs grecs at latins relatif a l'Extreme Orient. Paris.

Hadi Hasan. 1929. A history of Persian navigation. London.

Hennig, R. 1944 53. Terrae incognitae. Leiden. 2d. ed.

111. Hamza Ispahani according to Danvers, F. C.: Report on the India House records relating to Persia and the Persian Gulf, 1891, p. 6.

112. Hourani, G. F.: Arab seafaring, pp. 46-50.

Hirth, F. 1885. China and the Roman Orient. Leipsic.

Höfner, M., and Wissmann, H. von. 1952. Berträge zur historischen Geographie des vorislamischen Sudarabien. Abhandlungen der geistes- und sozialwissenchaftlichen Klasse, Nr 4. Akademie der Wissenchaften- und der Literatur in Mainz.

Hornell, J. 1941. Sea trade in early times. *Antiquity* **15**, p. 233.

Hourani, G. F. 1951. Arab seafaring in the Indian Ocean in ancient and early medieval times. Princeton.

Kennedy, J. 1898. The early commerce of Babylon with India. *JRAS.* p. 241.

Lane, A. and Sergeant, R. B. 1948. Pottery and glass fragments from the Aden littoral, with historical notes. JRAS. p. 108.

Pliny. 1947. Natural history, with an English translation by H. Rackham. Loeb classical library. London.

Quaritch Wales. H. G. 1950. The Sabaeans and possible Egyptian influence in Indonesia. *JMBRAS*, **23**, (3), pp. 36-42.

Quaritch Wales, H.G. 1951. The making of Greater India. London

Rawlinson, H.G. 1916. Intercourse between India and the Western world. Cambridge.

Schoff, H. 1912. The Periplus of the Erythraean Sea, translated from the Greek and annotated. London.

Steiger, G. 1926. A history of the Orient. Boston.

Strabo. 1912. The geography of Strabo, literally translated with notes by H. C. Hamilton and W. Falconer. London.

Vincent, W. 1807. The commerce and navigation of the ancients in the Indian Ocean. London.

Warmington, F. H. 1928. The commerce between the Roman Empire and India. Cambridge.

Wilson, Sir A. 1928. The Persian Gulf. London.

Yule, Sir H. 1913-16. Cathay and the way thither. 4 vols. Hakluyt Society, London.