

**THE WORK OF THE PIONEERING RESIDENTS
OF THE OVERBECK-DENT SYNDICATE
IN SABAH, 1878-1881**

by
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The story of how Sabah eventually came to be owned by the British North Borneo Company (BNBC) in 1882 is a long one and has been well documented by historians.¹ It begins in 1865 when the Sultan of Brunei, and the Temenggung, for political and financial considerations, leased a number of the Sultanate's dependencies in Sabah, stretching from the Sulaman river to the Mumiang, to the first United States Consul at Brunei, Claude Lee Moses for a ten-year period in return for a yearly payment of four thousand and five hundred Spanish dollars.² The Brunei government wished to involve the United States in the affairs of the Sultanate with the hope of establishing a new counterweight against Sarawak aggression. It was envisaged that the lease monies, would at the same time, supplement the dwindling Brunei revenue. Moses who was more interested in making quick profit rather than genuinely advancing American interests, initiated a process of transactions which in 1877 led to the acquisition of Sabah by the Overbeck-Dent syndicate from the Brunei government.³

¹See L. R. Wright, *The Origins of British Borneo*, Hong Kong University Press, Hong Kong, 1970, 126-172; and K.G. Tregonning, *A History of Modern Sabah (North Borneo, 1881-1963)*, University of Malaya Press, Singapore, 1965, 13-48.

²For the two grants to Moses dated 11 August 1865, see J. de V. Allen, A.J. Stockwell and L.R. Wright (eds.), *A Collection of Treaties and Other Documents Affecting The States of Malaysia 1761-1963*, Vol. 11, Oceana Publications Inc. London, 1981, 418-419.

³The two partners of the syndicate were Gustavus Baron Von Overbeck and Alfred Dent. Overbeck was the Consul-General for Austria-Hungary at Hong Kong, while Alfred Dent was partner of the firm of Dent Brothers of London. W.H. Treacher, Acting Consul-General for Borneo, to the Earl of Derby, 2 January 1878, letter 116, *Papers Relating to the Affairs of Sulu and Borneo (Spain No. 1, 1882)*, British North Borneo Company Treaties and Documents (BNBCTD) [Sabah State Archives], 182-193. For a

In the 1877 treaty between the syndicate and the Brunei government, Sultan Abdul Mumin and the Pangiran Temenggung leased the same area as represented in the lease to Moses. The sultan also transferred his sovereign rights over the whole of Sabah to the syndicate.⁴ All in all five documents were concluded, and though the Overbeck-Dent syndicate obtained the sultan's sovereign rights over Sabah, many Brunei dependencies on the west coast still remained as the private property of various Brunei overlords over which the syndicate held no jurisdiction until such time as they were bought over individually, a process which was completed only in 1902.⁵

Baron Von Overbeck and Alfred Dent also learnt, soon after, that the sultan of Sulu had rival claims over Sabah and that their concessions would become the focus of an international dispute if the issue was not settled immediately.⁶ Overbeck set off immediately for Jolo, this time accompanied by William Hood Treacher, the Acting Governor of Labuan and Acting Consul-General for Borneo, who was anxious to see that British interests were advanced. This he sought to do by overseeing the negotiations himself and by ensuring that relevant clauses were included in the treaty such that the undertaking in Sabah was one over which the British government had jurisdiction. Overbeck had come at an opportune moment. The Philippine Spanish authorities had launched one of their periodic campaigns aimed at subjugating the stubborn Sulu Kingdom.⁷ Under severe pressure and fearing that he would most likely be forced to capitulate to the Spanish, Sultan Muhamad Jamal was not unwilling to negotiate with Overbeck. The presence of an agent of the British govern-

good account of the various syndicates involved in trying to open up a settlement on the west coast of Sabah and how the lease changed hands from one party to another, see K.G. Tregonning, "American Activity in North Borneo 1865-1881", *Pacific Historical Review*, XXIII (November, 1954) 360-362.

⁴C.O.874/54, documents 1-5.

⁵I.D. Black, "The Ending of Brunei Rule in Sabah, 1878-1902", *JMBRAS*, XLI, ii. (1968) 176-192; also see D.S. Ranjit Singh "The Development of Indigenous Society and Administration in Sabah, 1865-1941", Unpublished Ph.D. thesis, University of Malaya, 1986, 161-166.

⁶The Sulu sultan's claims extended from Kinmanis, on the west coast, to Balik Papan on the east. Actual Sulu control was, however, only in the territory between Marudu Bay and the Sibuka River. Treacher to Earl of Derby, 22 January 1878, letter 118, *Papers Relating to The Affairs of Sulu and Borneo BNCTD*, 183-184.

⁷N. Tarling, *Britain, The Brookes and Brunet*, Oxford University Press, Kuala Lumpur, 1971, 237-246.

ment in the person of Treacher raised the sultan's hopes of obtaining British military or political support against Spain. In an agreement similar to the one with the sultan of Brunei, but including additional clauses which gave the British government the ultimate right over the future transfer of the concessions, the sultan of Sulu ceded his Borneo possessions for an annual sum of \$5,000.⁸

Having acquired the concessions in Sabah, Overbeck and Dent found themselves in a dilemma. Their original intention was to dispose of the leases at a profit to the highest bidder, but the restrictive clauses imposed by Treacher in the Sulu agreement precluded the possibility of selling them anywhere except in Britain. Dent decided that the best option open was to float a company in Britain and obtain a royal charter for it so as to give it credibility, legitimacy and protection as a governing body of such a vast territory.⁹

Having spent a considerable sum in obtaining the concessions, the syndicate was unable to finance the establishment of a centralised governmental structure immediately. To leave Sabah temporarily to its own fate without assuming some semblance of physical control over it would have aggravated the existing political situation in Sabah. Besides, the latter course would have weakened their attempts to float a company, as well as to obtain support from the British government. Overbeck had, to some extent, made preparations for such a contingency. He had brought with him three Englishmen who were to start a rudimentary administration at key settlements. At one of these, Kampung German on the east coast, he appointed William B. Pryer to take charge.¹⁰ Two other officers, William Pretyman and H.L.

⁸Treacher to the Earl of Derby, 22 January 1878, letter 118, *Papers Relating to the Affairs of Sulu and Borneo*, BNBCTD, 183; C.O.874/54, document 6.

⁹E. Dent to the Under-Secretary of State, Foreign Affairs, 16 May 1878, letter 120, *Papers Relating to the Affairs of Sulu and Borneo*, BNBCTD 120; Statement and Application addressed to the Marquis of Salisbury, Secretary of State for Foreign Affairs by Alfred Dent and Overbeck, 2 December 1878, enclosure, A. Dent to the Marquis of Salisbury, 2 December 1878, *Papers Relating of the Affairs Sulu and Borneo* BNBCTD, 194-200.

¹⁰Kampung German was a small village on Omaddal Island about 23 miles from present-day Sandakan. It was used in 1871-1872 by a Singapore firm, the Labuan Trading Company to run the Spanish blockade of Jolo to sell arms to the sultan. Its Borneo manager, a Scotsman by the name of William Clarke Cowie, who later became the Managing Director and Chairman of the BNBC, obtained the permission of the sultan of Sulu to establish a trading base at Omaddal Island in Sandakan Bay. From this small

Leicester were later landed on the west coast at Tempasuk and Papar respectively. The country was divided into the East Coast and West Coast Residencies.¹¹ Both Pryer and Pretzman were given the title of Resident and Leicester that of Assistant Resident.

These three pioneering officers, functioning as administrators in the midst of a strange country, almost entirely without military or bureaucratic support, were instructed by Overbeck to cultivate friendly relations with the natives. The general principles of the administration were outlined by Overbeck and the Residents instructed to respect native practices and customs scrupulously. Changes were not recommended, except gradually. In dispensing justice, the assistance and advice of local chiefs was to be sought. Petty offences were to be tried by the native chiefs themselves, and provisions were made for the right of appeal to the Resident. Land alienation was forbidden, except when fair and equitable indemnification was made.¹² Dictated by the necessity of scanty resources Overbeck had, in fact, laid the principles of a simple, informal, decentralised type of government. For more than three years, from early 1878 to 1881, the Residents tried to weave these instructions, almost single-handedly, into the existing administration.

William Pryer landed at Kampung German on Omaddal Island on 11 February 1878 with two assistants an African named Abdul and a West Indian named Anderson.¹³ He was placed in a most precarious position in an area where Sulu authority was waning.

island in the bay, gun-running was carried on, the guns being sold at Iolo in defiance of a Spanish blockade. As many of the Company's adventurers were Germans the village came to be called Kampung German. Tregonning, *A History of Modern Sabah*, 10-11.

¹¹*Handbook of the State of North Borneo 1934* (issued by the British North Borneo Company, London, 1934) 27, Treacher, "British Borneo", *JBRAS*, XX (1889) 55, K G Tregonning, "William Pryer, The Founder of Sandakan", *JMBRAS*, XXVII, 1 (1954) 35-50.

¹²Tregonning, "William Pryer", 36.

¹³Pryer is best known as the founder of modern Sandakan. The settlement at Kampung German caught fire in June 1879 as a result of which he moved to a new site on the mainland. He called this new town 'Elopura' which subsequently acquired the name Sandakan. For a short account of his career see Tregonning, "William Pryer", 35-50. For an account of the development of Sandakan from 1879 to 1979, see Supriya Bhat, *Sandakan: One Hundred Years, 1879-1979* (Sandakan Town Board Centenary Celebration Committee, Sandakan, 1979) 1-23.

and many chiefs had, as a result, become semi-independent. The area was plagued by animosity between Sulu and Bajau, between trader and chief, and was open to the vicious attacks of slave-raiders. Pryer's first administrative act was to publish a customs notification imposing duties on vessels and cargo entering the harbour.¹⁴

This was immediately opposed by most traders and the local chiefs who argued that such payments were unprecedented. Pryer was obliged to withdraw his notification and to grant exemption to local crafts as well as goods imported from Cagayan, Palawan and Sulu. Realising that the support and cooperation of the local chiefs was vital for any administrative innovation, he went about cultivating their friendship. In the process he was able to win the confidence of some of the most influential and powerful chiefs in the region, including the chief of the Sandakan Bajau, Tuan Imam and his son Abdul Rahman as well as the Sulu chief, Datuk Haji Anseruddin.¹⁵ A wise policy was instituted whereby administrative and judicial powers were delegated to loyal local chiefs. Tuan Imam was appointed customs controller at his village of Upak, Pangeran Omar, an influential Sulu chief was appointed government representative at Malapi on the Kinabatangan, which until then was controlled by another local chief named Pangeran Samah, and Datuk Haji Anseruddin's son was made customs collector at Meningol, also on the Kinabatangan.¹⁷ Pryer also found it judicious to delegate the dispensing of justice to these chiefs. A Native Court was initiated at Kampung German and Tuan Imam and Mohamad Ashgari were appointed magistrates, though the loyalty of the latter, the former Sulu governor of Sandakan, was perhaps questionable.¹⁸

The first major crisis for the new government came when the sultan of Sulu, having capitulated to the Spaniards, sent a *cap* (seal) to the former governor, Mohamad Ashgari, ordering him to re-establish Sulu's authority as he was abrogating his treaty with the Overbeck-Dent syndicate. The Sulu inhabitants under Mohamad immediately armed themselves and indicated their intention to carry out the sultan's orders even if it meant

¹⁴Diary of W.B. Pryer, 12 February 1878, C.O.874/67, 3.

¹⁵Ibid., 2 March 1878, C.O.874/67, 15.

¹⁶Ibid., 23 April 1878, C.O.874/67, 61.

¹⁷Ibid., 19, 20 May 1878, C.O. 874/67, 75-77.

¹⁸Ibid., 25 April 1878, C.O. 874/67, 61.

bloodshed in confronting Pryer. The government was only saved from certain disaster by the Bajau who, under Abdul Rahman, rallied to the Resident's assistance and were determined to uphold his authority under all circumstances.¹⁹ The vulnerability of the new administration was exposed when, in September 1878, two Spanish warships arrived in Sandakan and threatened to hoist the Spanish flag.²⁰ Pryer promptly convened an emergency meeting of the local chiefs, mainly Bajau, who agreed to resist the Spaniards. The local leaders, however, were disappointed at having to guarantee their own personal safety as well as that of the government. They indicated that most of them had welcomed the establishment of the syndicate's government hoping it would bring an end to anarchy in the region. This had not materialised and they were most disappointed. According to Pryer;²¹

At the meeting at Hadji Dato's, [Datuk Haji Anseruddin] Haji Dato said in the most direct way that the people of the country looked to the Government to protect them, that up to the present time it was they who had been protecting [Pryer].

Further trouble and scares arose with the imminent threat of a large invasion by a joint fleet of slave-raiders under Datuk Kurunding, Maharaja Alam, and Imam Janjowi who had descended on the east coast.²² Pryer, sensing the imminent danger, expressed his dilemma:²³

I expect I shall again have to fall back on him [Datuk Haji Anseruddin] and the Badjau for the fourth or fifth time.

After repeated appeals, he was finally provided six policemen in December.²⁴ An occasional visit by the ships of the British Navy, such as that by the HMS *Kestrel* in August 1879, also helped to boost his authority.²⁵ It was under these precarious circumstances that Pryer established a rudimentary govern-

¹⁹Ibid., 20 April 1878, C.O.874/67, 63-66.

²⁰Acting Consul-General Treacher to the Marquis of Salisbury, 24 September 1878. *Papers Relating to the Affairs of Sulu and Borneo BNBCTD*, 188.

²¹Diary of W.B. Pryer, 5 September 1878, C.O.874/68, 15-16.

²²Ibid., 17 October 1878, C.O.874/68, 41-43.

²³Ibid., 24 November 1878, C.O.874/68, 55.

²⁴Ibid., 9 December 1878, C.O.874/68, 60.

²⁵Ibid., 29, 30, 31 August; 1 September 1879, C.O.874/69, 18, 19.

ment through the support and cooperation of some of the local chiefs who were anxious for the restoration of stable conditions. His success in this matter was due to his diplomacy, which involved balancing rival forces, and his wisdom in delegating authority to the local chiefs. Pryer continued to serve the British North Borneo Company till 1887 when he retired to take up private agricultural enterprise around Sandakan.²⁶

On the west coast, William Pretyman landed at Tempasuk on 22 April 1878 with two assistants, J. Peltzer and Hochstadt. He found himself in the midst of a turbulent country which constituted the heartland of the Bajau and Illanun communities who were unfamiliar with any organised systematic government.²⁷ Pretyman was obliged to seek the protection of the former Brunei appointed *jajahan* (dependency) chief, Datuk Rumbangang, who had relinquished the post after a futile attempt to bring law and order amongst the unruly Bajau. He and the head chief of the Illanun, Pengiran Sri Raja Muda of Pandasan, in fact, gladly welcomed the new government, and expected the Maharaja (Overbeck) to come in force to end the anarchy that prevailed. The establishment of the Residency, without any accompanying force not only disappointed them, but threw them into uncertainty, especially when there were strong rumours, hardly three weeks after Pretyman's arrival, of a general uprising by the Bajau to outst the Europeans.

Pengiran Sri Raja Muda and his Illanun followers pledged their lives in support of the Resident but the Pengiran took pains to point out that he and his people were taking great risks in the event of the syndicate giving up the country.²⁸ Datuk Rumbangang similarly complained that the unstable conditions had forced him recently to relinquish his post of *jajahan* chief, but with Overbeck's promise of a new government and new laws he agreed to reaccept the position. He complained bitterly that Overbeck had not kept his promise: "Why does the Maharaja not complete his promise and send proper force to complete

²⁶Tregonning, "William Pryer", 48.

²⁷See Ranjit Singh, "The Development of Indigenous Society", 78-93. The narrative concerning Pretyman's work at Tempasuk is based on the following documents: T.Harrison (ed.), "The Diary of Mr. W. Pretyman, First Resident of Tempasuk, North Borneo 1878-1880," *Sarawak Museum Journal*, VII (1956), 2 May to 18 November 1878, 335-404; and

Diary of W. Pretyman, 2 May 1878 to 5 February 1880, C.O.874/70-72

²⁸Harrison, "The Diary of Mr. W. Pretyman", 8, 9, September 1878, 384-385.

his wishes?²⁹ The Bajau, with a natural disposition for independence and, irritated by certain administrative restrictions imposed upon them by Pretyman, were quite suspicious of the syndicate and wanted a trial of strength not only to test its real objectives, but also its power. Many Bajau believed that the Europeans did not have the welfare of the country at heart and had come not to stay but to plunder and exploit. One aggressive chief, Datuk Linte, told the Resident that the people had heard they were American pirates. He declared that, "If the white men meant plunder, let there be a fight, if peace let there be peace; and if the white men are just we will all follow them".³⁰ In addition to the Bajau's suspicions of the European's intentions, they were opposed to the new taxes imposed by Pretyman. According to Datuk Rumbangang, "they were not used to them and did not intend to pay them".³¹

Pretyman, seeing the seriousness of the situation, contemplated leaving the post but, on further reflection, decided on a new line of action. He now resolved to use the inter-tribal rivalry to bolster his position. He called for Pengiran Sri Raja Muda of the Illanun for assistance, upon which the latter promptly arrived from Pandasan with a host of chiefs and armed men, determined to stay by the Resident's side until such time as the pending uprising was scotched.³² With this vital force behind him, Pretyman took his next step. He called together a meeting of all the chiefs and warned them of possible reprisals from the British in the event of an uprising. He reminded them that if trouble arose they would be held responsible and the disloyal chiefs excluded from the government.³³

The determination of Pretyman, who had the staunch support of the Illanun, and the threat of reprisals drove home the point. Henceforth, one Bajau chief after another came declaring his loyalty. Having temporarily mastered the situation, Pretyman directed his energies towards consolidating his authority and

²⁹Ibid., 4 May 1878, 341

³⁰Ibid., 12 May 1878, 347

³¹Ibid., 4 May 1878, 341. Pretyman introduced the imposition of a poll-tax of \$2 per annum on each adult male.

³²Ibid., 6 May, 14 May - 22 May 1878, 349-353.

³³Ibid., 8 May 1878, 345.

laying the foundations of a rudimentary administration. His immediate priority was to end intertribal and intra-chieftain feuds so that settled and peaceful conditions conducive to trade and prosperity could be established. This was related to his second objective which was to extend the authority and influence of his government over new areas which hitherto had not acknowledged such authority. His third objective was to instil in the people the principle of the rule of law as well as to institute a system of a simple judiciary. All this would contribute, he believed, towards revival of trade in the area.

Pretyman used various means towards the realization of his first objective. One was a tactic already employed earlier: the punitive deterrent. The Bajau chiefs were warned, on pain of punishment, not to attack the hill Dusun. The Dusun and Bajau subsequently accepted Pretyman's arbitration and the long standing Bajau-Dusun conflict was peacefully settled through a meeting of the leading chiefs presided over by Pretyman.³⁴ To maintain a watchful eye on the activities of the chiefs and gradually gain their participation and cooperation, Pretyman instituted an informal weekly meeting of chiefs. By this arrangement the chiefs visited the Residency on Sundays to discuss matters and seek the Resident's advice. Chiefs who resided far away from the Residency reported less frequently at fortnightly intervals. To ensure that the hill Dusun derived greater benefits from the administration, Pretyman established a government station at Ginambour which he visited once a week to settle matters.³⁵

The issue that demanded the Resident's time and attention most was the administration of justice. It was his duty, employing firmness and tact, to persuade the natives to accept the principle that they could not take the law into their own hands and that all cases had to be either referred or reported to him. At first most of the chiefs meted out their own justice but, in due course, more chiefs began to bring cases for the Resident's arbitration. The Resident established a regular court at his Residency and, at times, instituted *ad hoc* courts when he visited outstation. Pretyman acted as chief judge, but he closely adhered to Overbeck's instructions by always having one or more natives with him as assistant

³⁴Ibid., 14 May 1878, 348.

³⁵Ibid., 29 June, 11 August 1878, 371, 377.

judges. The following example of court procedure is recorded in his diary:³⁶

The Sultan of Ilanun brought a complaint against Datu Mir Rajah Dinda for detention of a slave which had run away. At a court composed of the Pangerans [Sri] Rajah Muda, Padoukan and Datu Mudau, I advised the Datu to return the slave after payment by the Sultan of \$13 for expenses incurred in catching the slave. It was so settled.

The Resident followed the traditional procedure of granting ninety per cent of the fine as compensation to the injured party. Out of the remaining ten per cent, half was paid to the Syndicate and the remainder divided amongst the native representatives who formed the court.³⁷

In his endeavours to revive commerce, Pretyman started a weekly periodic market in front of the Residency. Its success led the Resident to institute monthly *tamu* (periodic market) at Ginambour in the midst of Dusun country, to revive upland-lowland trade.³⁹

While the Resident was busy establishing settled conditions, Datuk Linte, who had from the beginning expressed hostility towards the syndicate, showed cause for anxiety. Bearing a wide reputation for fearlessness and believed to be *kebal* (invulnerable), he tried to fan the flames of revolt by declaring that the country belonged by, right not to the syndicate but the Bajau. Upon his defiance of the Resident's orders to leave the area, Pretyman was forced to personally arrest him at the risk of losing his life. His courage, however, impressed the local populace and earned him their respect and cooperation, though there were always small groups of disaffected Bajau who intermittently plotted against him.³⁹

Despite suffering severe bouts of fever, Pretyman proved an energetic man. In 1879 he succeeded in extending the syndicate's jurisdiction in the Marudu region by persuading the powerful Syarif of the area, Syarif Shih and Syarif Yassin, to

³⁶Ibid., 17 May 1878, 350.

³⁷Ibid., 16 August 1878, 378.

³⁸Ibid., 29 July 1878, 371. The *tamu* was a system of local periodic markets which had become popular on the west coast of Sabah in the nineteenth century.

³⁹Ibid., 5 September-5 October 1878, 382-395; Diary of W. Pretyman, 10 January 1879, C.O. 874/72, 61.

⁴⁰Diary of W. Pretyman, 14 May, 30 June 1879, C.O. 874/72, 77-79.

accept its authority.⁴⁰ He had, meanwhile, also strengthened his position by creating a small police force composed of local men who were placed under the command of Captain F. Wittl, an Austrian.⁴¹ Pretyman had managed to establish the authority of the syndicate by boosting the power and influence of loyal local chiefs, but the loyalty of these chiefs was personal to Pretyman rather than to the syndicate itself. The Resident, who was forced to leave on account of ill health, was touched by the respect and friendship shown to him by the leading chiefs and noted the importance of individual personal relations between an European officer and the native chiefs for effective government. He wrote:⁴²

After Court Datu Roumbangang stopped to gossip, he was good enough to pour out his fears and thoughts on my intended departure. I led him to talk of poll-tax, he said he did not think I should have any trouble in imposing this tax. He begged it might not be done by anyone else. I mention these flattering remarks not because they touch me, but I should wish to show what a part personal government has in the east....

On 24 January 1880, Pretyman departed, leaving Tempasuk under the direct charge of Captain Wittl and the overall authority of A.H. Everett, the newly installed Resident at Papar.⁴³

Papar, the second station opened by the Overbeck-Dent syndicate on the West Coast Residency, was placed under the charge of an Assistant Resident, H.L. Leicester.⁴⁴ He took up his post in January 1879 but apparently was considered unsuited for the job by the syndicate which replaced him on 5 September 1879 with A.H. Everett, formerly of the Sarawak service.⁴⁵ During his short stint, Leicester was faced by two major problems, namely, local opposition to the imposition of poll-tax and the alarming rate of crime and feuds. The local

⁴¹Ibid., 13 December 1878, 6 September 1879, C.O.874/72, 56

⁴²Ibid., 9 January 1880, C.O.874/72.

⁴³Ibid., 1-8, 24 January 1880, C.O.874/72, 106, 109.

⁴⁴Leicester's work at papar is recorded in his diary: *The Diary of H.L. Leicester*, 24 January to 5 August 1879, C.O.874/73, 1-32.

⁴⁵Diary of W. Pretyman, 5 September 1879, C.O.874/72, 79. Everett's work at Papar is recorded in his diary: *The Diary of A.H. Everett*, 6 August 1879 to 30 August 1880, C.O.874/73, 32-150.

population of Papar, Kimanis and Benoni, the three districts placed under his charge, initially refused to pay the tax of two dollars per annum imposed on all adult males by Leicester. They felt there was no justification in Leicester's order, as traditionally only heads of families had paid the said tax to the Brunei government.⁴⁶ Their dissatisfaction was voiced through their chiefs who refused to collect the tax. Despite Leicester's threat to fine the chiefs, only some complied reluctantly, while the majority persisted in disobeying his orders.⁴⁷

The second major task was bringing a semblance of order and justice into an area which was rife with the problem of cattle stealing, litigation involving slaves, and feuds amongst the local chiefs.⁴⁸ Leicester succeeded to some extent in solving the problem by instituting native law courts based on local *adat* (customary) law. He himself acted as the magistrate. Two local Malay chiefs, Bandari and Penurat were appointed to sit with him on the bench as advisers. All judgements were passed after consultation with these chiefs, each of whom was paid ten per cent of the fines collected as commissions.⁴⁹

On the whole, however, Leicester's influence amongst the local chiefs remained weak and it was left to Everett to consolidate the influence of the Resident. One of his first tasks was to draw up a list of the duties, powers and obligations of chiefs who were brought under the new administration. Everett subsequently held meetings with local chiefs who wished to serve the government and at these gatherings he issued proclamations appointing them in the new service, and defining their duties. All commissions held from the sultan of Brunei, known variously as *titah* (proclamations) and *cap*, were also withdrawn.⁵⁰ The Resident, however, realised that the mere incorporation of a mass of traditional chiefs into the establishment without an attempt to cultivate the influence of the more powerful amongst them would hardly contribute to effective government.

Everett was to have a difficult time in getting the powerful chiefs on to his side. At Kimanis he was fortunate in finding in

⁴⁶Diary of H.L. Leicester, 2 February, 8, 9 March 1878, C.O.874/73, 1, 3

⁴⁷Ibid., 27 March, 1 May, 16 June 1879, C.O.874/73, 10, 16, 26.

⁴⁸Ibid., 21, 27 May, 4 June, 5 July 187, C.O.874/73, 21, 25, 28.

⁴⁹Ibid., 3 May, 28 June 1879, C.O.874/73, 17, 28

⁵⁰Ibid., 24 September, 4 October 1879, C.O.874/73, 41, 46

⁵¹Ibid., 13 October, C.O.874/73, 52.

Datuk Bahar, the former *jajahan* head chief, a most cooperative and loyal man in whom, Everett felt, the administration of that district could be wholly entrusted.⁵¹ At Papar, however, both the head *jajahan* chief Datuk Amir Bahar and the principal Dusun chief, Orang Kaya Dugassa, were opposed to Company rule. Dugassa was a powerful chief, "both by wealth and by the force of character" and was feared equally, by both Dusun and Malay chiefs. In the absence of effective Brunei control, he had acquired arms from Labuan and had been acting in an independent manner. He also tried to build up local resistance in the form of increased Dusun solidarity and prevented the Brunei authorities from interfering with Dusun custom. On the same principle, he refused to accept the judgement of Everett in a court case concerning a claim of his against another local chief for seizing his lands.⁵² Finally, when the latter started building a fort to oppose the new government, Everett was forced to take positive measures against Dugassa. The Resident threatened to bring the fierce Tempusuk Bajau down on him, whereupon Dugassa capitulated.⁵³

It proved even more difficult effecting a reconciliation with Datuk Amir Bahar, who had virtually become an independent *de facto* ruler of Papar. Leicester's Malay writer, Abang Drahim, explained the Datuk's opposition to the syndicate's rule as follows:⁵⁴

Previous to the [Syndicate's] advent he was in an almost independent position at Papar, and settled cases and collected revenue on his own account, remitting to the Sultan what he chose. Now his income is gone without compensation and at the same time he feels his dignity and position in the eyes of the people have been degraded.

Initially, the Datuk followed a policy of passive non-cooperation in the subtle manner of recalcitrant Malay chiefs by not paying homage either to Leicester or Everett, on the pretext that he was severely ill. He wished the new government to come to grief by employing the less influential chiefs and hoped the syn

⁵² Ibid., 7 October 1879, C.O.874/73, 48.

⁵³ I.D. Black, *A Gambling Style of Government: The Establishment of Chartered Company Rule In Sabah, 1878-1915*, Oxford University Press, Kuala Lumpur, 1983, 9.

⁵⁴ Diary of A.H. Everett, 7 September 1879, 32.

⁵⁵ Ibid., 2 October 1879, C.O.874/73, 45.

⁵⁶ Ibid., 6 October 1879, C.O.874/73, 47.

syndicate would eventually turn to him, and thereby restore his self-esteem.⁵⁵ Everett realised the importance of winning over Datuk Amir Bahar and wrote, "With a little further manipulation I hope to bring this chief over to our side"⁵⁶

The Datuk's patience broke, however, when he realised that the new government meant business in implementing its policies, especially those pertaining to the collection of poll-tax and customs duties. In April 1880 he decided to resist the new government's rule by force of arms; but fearing that Everett would receive military aid from Labuan, soon abandoned his plan and fled to the neighbouring district of Pangalat Damit which still belonged to the Sultan of Brunei.⁵⁷ Everett, meanwhile, had been waiting for reinforcements to arrive from Labuan, but when those failed to arrive at the most crucial moment, expressed his disappointment through describing the syndicate's rule as nothing more than a "gambling style of government" which left its officers unprotected and devoid of any policy directions.⁵⁸ Everett continued his work at Papar till he was appointed Resident at the BNBC's new headquarters at Kudat in 1881. From here he supervised the affairs of Papar and, eventually, in 1883 succeeded in winning over Datuk Amir Bahar.⁵⁹

Thus, the early Residents who began from positions of insignificance soon rose to positions of power and authority. Initially, they were obliged to take indigenous chiefs into their confidence by treating them as equals, advisers and even protectors. By adopting the principles of consultation and alliance, it was not long before the Residents acquired influence and authority whereby they themselves assumed a role analogous to that of the traditional head chief functioning with a hierarchy of subordinate chiefs. To a large extent the Residents maintained the basic traditional administrative structure but with appropriate modifications. For one thing, the Residents were not absentee overlords, for another, they injected efficiency and justice into the old system. The pillars of the traditional system, comprising the institution of native chiefs and native courts,

⁵⁵W.H. Treacher, Governor North Borneo, to Sir Renclosures, 10 September 1882. C.O.874/232, Governor's despatch 265/1882.

⁵⁶Black, *A Gambling Style of Government*, 11-12. The title of Black's book is derived from Everett's comment.

⁵⁹See Ranjit Singh, "The Development of Indigenous Society", 172-173.

were strengthened though in a manner the syndicate saw fit. At the same time some bureaucratisation was introduced, mainly in the form of more formal rules of law and court procedure, the formation of a small police force and the beginnings of the institution of paid chiefs. The system was, above all, highly personalised with little coordination or centralization. With the coming of William Hood Treacher in 1881 as the first Governor of Sabah and the establishment of a centralised government under his care, Sabah entered a new phase of administrative history, which, marked the end of the personal, independent rule of the pioneering Residents, though the administrative structure they created continued to remain.