

Byelaws, business and  
Government's orders  
in re. construction of  
committees.

For 6078  
53

(G 3)

From whom	S. F. G.
Place	P
Date	3. 12 53

By-laws for use in the Bot. Garden.

For approval or alteration

Former Papers.

MINUTES

Final Paper.

S. F. G.

app'd  
by: J. K. B.

Hon. Sec.

noted

H. F.  
7. 12 53



REGULATIONS FOR THE BOTANIC GARDENS

PENANG.

1. The Botanic Gardens shall be opened to the public from sunrise to sunset, and, on nights when the band plays to 11 p.m.
2. Carriages of all kinds are admitted but it is forbidden to feed the horses in the Gardens. A halt may only be made at the side of the roads and where sufficient room can be kept for other carriages to pass. No gharries or jinrikishas are allowed to ply for hire in the Gardens.
3. Driving or riding over the lawns is strictly prohibited.
4. Bicycles should not be ridden in the Gardens but the Rider should wheel his bicycle through the Gardens dismounted.
5. Motor-Cars must not pass through any part of the Gardens at a greater speed than five miles an hour.
6. Walking or playing over the flower beds is prohibited.
7. It is forbidden to touch the plants or flowers, and the cutting or removal from the Gardens of any plant flowers or seeds, or anything appertaining to the Gardens will render any person so doing liable to expulsion and prosecution.
8. Fishing or bathing in the Gardens is prohibited.
9. Dogs are not admitted, unless led by a short string or chain.
10. It is prohibited to enter or leave the Gardens except by the proper entrances exits.
11. All animals found straying in the Gardens will be impounded or destroyed.
12. Shooting in the Gardens is prohibited.
13. Advertising or selling articles in the Gardens without permission from the Superintendent is prohibited.

By Order

~~W. FOX.~~

~~Superintendent of Forests &  
Gardens.~~



Forests & Gardens Dept.  
Penang.  
3<sup>rd</sup> Dec: 1903.

Sir,

I have the honor to forward herewith for your approval or alteration a few simple rules I have drawn up in the shape of By-Laws for use in the Botanic Gardens here.

- 2:- They are based on those used in Singapore; & although I fear they have very little legal force. Still they are useful as a deterrent, & it is usual to have them.
- 3:- The present rules require repainting & alteration, and I thought this an opportune time to make the above slight alteration & addition.

I have the honor to be

Sir

your most Obedt. Servt  
(sg) Walter Fox.  
as Supdt.

The Hon

Resident Councillor

Penang



Botanical Gardens

Penang.

By Laws.

1. The Botanical Garden shall be opened to the Public daily from sun rise to sun set, and on nights when the band plays till 11 p.m.
2. Carriages of all kinds are admitted, but it is forbidden to feed the horses in the Gardens. No gharrys or jinrickshaws are allowed to ply for hire in the Gardens.
3. Driving or riding over the lawns is strictly prohibited.
4. It is forbidden to touch the plants or flowers, and the cutting or removal from the Gardens of any plant, flower or seed, or anything appertaining to the Gardens, will render those so doing liable to Expulsion and prosecution.
5. Bathing is not allowed except in the swimming bath.
6. Shooting in the Gardens is prohibited.

By order

(27) Walter Fox.

Superintendent of  
Forests & Gardens

No Minutes should be written on this page A separate half-sheet to

be used if required.

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8864/17

From Whom ....  
Place .....  
Date .....

Gandhi Committee :-  
Bye-laws for business of,

Former Papers.

MINUTES.

Final Paper.

- ① letter, Satd. 26 Nov. 407 from C.S. wanting to regulate the Committee
- ② by C's reply dated 29.11.07

a.c.s

In view of the criticisms in the *Tag* Council this paper together with the paper in which Mr. Fordney reported on the accounts had better be forwarded to the Committee for their consideration & report.

sd. to James J...

*50 70 100 150 200*

From Whom ....	Director of Gardens S.S.
Place .....	Singapore
Date .....	29-10-17

Resignation of Mr. E. B. Adamsen from the Gardens Committee.

*Former Papers.*

MINUTES.

*Final Paper.*

D of G

Have the Committee offered any suggestions,

Intd. E.C.H.W 15/11/17

C.S.

The Gardens Committee will meet about a fortnight hence: and after that meeting I will communicate with you.

sd. I.H. Burhill 19/11/17

C.S.

Please see

Intd. E.C.H.W 21/11/17

Speak with this

sd. F.S. James 22/11/17



A.C.S.

I am inclined to think that the resignation of Mr. E. E. Adamson from the Gardens Committee is an appropriate time to consider the constitution and the duties expected from the Gardens Committee appointed under the Raffles Societies Ordinance of 1878.

2. It is laid down in Section 3 of that Ordinance that the Botanical Gardens shall be managed as a Government establishment by a Committee to be from time to time appointed by the Governor for that purpose, and in section 4 it is also provided that such sums as may from time to time be voted by the Legislative Council (to wit the estimates) together with any sums received from donations and subscriptions shall be administered by the said committee and subject to such rules and regulations as the Governor may from time to time prescribe for the conduct of the business of the Committee and for the duties of the officers employed.

3. As far as I can judge from the Ordinance the Gardens Committee has the management and the control of the expenditure of the Botanical Gardens, but from what I can gather, although Bye-laws have been passed by the Committee under Section 7, no rules and regulations for the guidance of the Committee have been made under Section 4.

4. Complaints have recently arisen as to the management of the Botanical Gardens in Singapore and it seems to me that these complaints if they are true not only reflect on the Director of Gardens but also on the Gardens Committee appointed under the Ordinance already quoted.



5. I shall be glad if you will let me know when the Committee was last appointed and also how many times a year the Committee sits, and whether the Committee so appointed has carried out at any time the duties appertained to it under the Ordinance.

sd. F.S. James 23/11/17

(seen C.S.)

Letter please, as above, excepting para 4 to D of G

It'd. E.C.H.W. 24/11/17

(2) Letter to D of G

(3) Letter from D of G

A.C.S.

In view of the criticisms in Legislative Council this paper together with the paper in which Mr. Bradney reported on the accounts had better be forwarded to the Committee for their consideration and report.

sd. F.S. James 2/12/17

D of G

Please lay before the Committee

It'd. E.C.H.W. 4/12/17

C.S.

Reference made and Committee has replied under this date

sd. I.H. Burkill 19/12/17

G.S.

In reply to the question in (2) (1) Para 2. duties of Committee and its constitution. The present Committee recommend Ex Officio appointment of Treasurer and Colonial Engineer see (5) For duties see para 3 of (3) and (4) The amount to general supervision, scrutiny of accounts, discussion of questions in connection with the gardens, preparation of a Budget, and visiting the gardens, 2 members each month.



(11) Para 3 By Laws are in 3835/C5. Committees regulations are quoted in para 3 of (3).  
The Governor has passed none under Section 4 of Ord. 7 of 1878.

(111) Para 4. The Committee met once in 1917 but papers are circulated. It is appointed from time to time i.e. individually members are added when vacancies occur. Mr. Elliot was the last to join.

2. (4) appears to be in reply to minute of 2/12/17.

3. With regard to (5), the Governor appoints the Committee under Ordinance VII of 1878. There is nothing I think to prevent Ex Officio appointments. The present Committee is shown at p. 40 C.S. List with the addition of Mr. Elliot vice Mr. Adamson. The Director of Gardens is not, so far as I can ascertain, Ex Officio a member.

ad. R. Crichton 24/12/17

Y.E.

I am afraid I must ask you to read this correspondence. There is little doubt I think that the Committee in the past has not taken its work in connection with the Gardens very seriously.

2. I think it would be a good time to appoint both the Colonial Treasurer and Colonial Engineer Ex Officio members of the Committee. I also welcome the suggested appointment of Dr. Lim Boon Keng.

(3) Enclosures (3) and 3835 there is nothing wrong with the bye laws as far as they go and I see no reason why the Economic gardens should not be considered as a portion of the Botanical gardens. If there is any difficulty this can be rectified - on this point I will speak to A.G.

ad. F. S. James 27/12/17



It is possible that the Executive Engineer or the Auditor General may take more interest in gardening than the C.E. or the Treasurer and I think it best not to appoint by title: ask Mr. Marriott if he will act.

- 2) Appoint Dr. Lim Boon Keng
- 3) Act as you propose in your para 3.

sd. A. Young 29/12/17

Mr. Marriott

Will you act?

sd. F. S. James 31/12/17

Ccl. Sec

I shall be pleased to act.

sd. H. Marriott 2/1/18

C.S.

Appoint Messrs. Marriott and Lim Boon Keng? para 1 (5) says the latter is willing to serve.

sd. R. Crichton 4/1/18

Yes

sd. F. S. James 4/1/18

D of G

Does the Committee regard the Economic Gardens as being included in the expression "Botanical Gardens"?

sd. R. Crichton 8/1/18

C.S.

Yes: the Economic Garden is part of the Botanic Gardens. There is no separate committee for it, up to 1913 it had a separate labour vote, which kept it in appearance distinct.

It was originally called "Military Reserve" then in 1876, about, it was used as a Forest Nursery, Mr. Cantly being in charge of both Gardens and Forests, gradually



from this it became more and more an integral part of the gardens.

But in a Court of Law it could be claimed that the Gasetted Bye-Laws do not apply to it as no declaration has been made that it is part of the gardens although every difference has been removed in practice.

The last difference to be removed was the separate labour vote and when it was removed, the money was by my request put under the gardens Committee.

The Director of Gardens is not only Ex Officio member of the Gardens Committee, but its Chairman Ex Officio and acts as its Secretary also.

There was a great deal of trouble leading up to the decision that the D of G should be Chairman of the Committee chiefly I believe because Chairmen with insufficient knowledge of gardening would insist on wild experiments which they ~~MMMMM~~ did not visit the gardens to see fail.

After that the D of G was put into such a position that the Committee should control the funds under the Act without trying to gather authority over the gardening.

you will find that the authority of the Committee over spending money is very scrupulously respected.

sd.I.H.Burkill 8/1/18

P.S.

My Clerk thinks that you have papers relating to the Military control of the old Military Reserve, and that the control may never have been annulled.

If not annulled, it is quite time to do something as the value of the land is less in its area than in the trees on it, and the garden buildings. sd.I.H.Burkill 8/1/18

We will assume that the Economic Gardens are part and parcel of the Botanical Gardens.

sd. F.S. James 15/1/18

D of G

to note

It'd. S.C. 15/1/18

C.S.

Noted

sd. I.H. Burkill 17/1/18



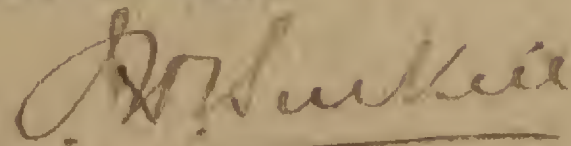
18th. December, 1917

Sir,

I am directed by the Gardens Committee to submit to you respectfully to minute below with <sup>reference</sup> ~~reference~~ to your reference to that of your file Gardens 2264/17. The rules to which the minute refers are those communicated to you in para 3 of my letter 2264 dated 29th. November, 1917.

I have the honour to be, Sir,

Your obedient servant



Chairman, Gardens Committee  
and Director of Gardens.

NOTE. The Committee has no wish to amend the By-Laws passed at the meeting of February 3rd., 1914, and would ask for attention to them should His Excellency the Governor wish to formulate any order section 4 of Act VII of 1878.

They decide to appoint two of their members, together with the Director of Gardens, to be a Board of Visitors for each month, the first named in each case to fix the day and hour for visiting the Gardens.

The Hon. the Colonial Secretary,

Singapore.





Botanic Gardens, Singapore,  
STRAITS SETTLEMENTS.

26th. November, 1917 191

Sir,

I have the honor to acknowledge the receipt of your letter no. 8864 dated 26th. November, 1917, on the subject of the constitution and duties of the Gardens Committee.

2. Apparently - adequate bye-laws exist for the regulation of matters between the Public and the Gardens, and these have been gazetted as required by section 7 of the Act VII of 1878. But in a Court of Law it would now be difficult to insist that the Gardens are closed after sunset (byelaw no. 1 of Notification 618, Gazette of June 19, 1908): and the provisions for applying the byelaws as a whole to the Economic Garden are deficient, because it appears never to have been publicly declared that the Economic Garden is part of the Botanic Gardens for the purposes of the Act.

3. As to the rules and regulations which the Governor is from time to time to prescribe, for the conduct of the business of the Committee, ~~under section 4. of the Act~~ ~~appear to have been~~ ~~His Excellency has~~ ~~left~~ ~~and the Committee has~~ these to the Committee; which framed its own as follows:-

The Gardens Committee will met at a time to be fixed by consent, within the first month of



each quarter and at other times on the action of two members. At the meeting the order of business shall be:-

1. the reading of the Minutes of the last meeting, and their confirmation or correction
2. The submission of a precis of the expenditure of the previous quarter, or in January of the previous year.
3. the confirmation of the decisions arrived at in circulation since the date of the previous meeting.
4. the discussion of all questions referred to the meeting by the Committee either in circulation or from the previous meeting
5. At the meeting in January a budget shall be presented.

These rules enable the Committee to go into every matter ~~connected with the Gardens except the~~ connected with the open vote which is their responsibility.

4. In the current year the Committee has been asked to meet thrice. Twice the Committee elected to decide all the questions before it in circulation. It has therefore met but once, but has never been out of touch with the Director of Gardens.

*Handwritten signature*  
*J. M.*



O.A.B.



Telegraphic Address:—

"SECRETARY, SINGAPORE."

It is requested that the following number be quoted in the reply to this letter.

Colonial Secretary's Office,

Singapore, 26<sup>th</sup> November, 1917.

No. 8864/17.

Sir,

I am directed to acknowledge the receipt of your letter of the 19<sup>th</sup> October, announcing the retirement of Mr. Adamson from the Gardens Committee.

2. I am to say that this is thought to be an appropriate time for considering the constitution of the Committee and the duties it may be expected to perform.

3. It is believed that although By-laws have been passed by the Committee under section 7 of Raffles Societies Ordinance, 1878, no rules or regulations for the guidance of the Committee have been made under section 4.

4. I am to request you to state when the Committee was last appointed, how many times a year it ordinarily meets, and has met during the current year, and whether it has carried out at any time the duties apportioned to it under the Ordinance.

I have the honour to be,

Sir,

Your obedient servant,

Colonial Secretary,  
Straits Settlements.

The Director of Gardens,  
Straits Settlements,  
SINGAPORE.

B 3.11/17



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to be used if required.

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to be used if required.



Gardens Committee  
29/1/20

From Whom ....  
Place .....  
Date .....

Regulations for the meetings of the  
GARDENS' COMMITTEE

Former Papers.

MINUTES.

Final Paper.

I suggest the following simple rules for the meetings of the Gardens' Committee. They seem to me to cover all that is necessary to put the financial control of the Gardens onto the basis intended. They give the committee a quarterly introspection into the accounts ensured: they do not make unnecessary work: and they insure the inclusion in the minutes of all matters decided by the Committee. In the past matters decided in circulation have not found a record in one place - the minutes.

W. H. B. ...

RULES.

The Gardens Committee will meet at a time to be fixed by consent, within the first month of each quarter, and at other times on the motion of the members.









Botanic Gardens, Singapore,  
STRAITS SETTLEMENTS.

27th. November, 1913 191

GARDENS COMMITTEE.

H.E. Major-General T.E. Stephenson has suggested that the accompanying letter should be circulated for comments. In a correspondence which I have had with him, I expressed my intention of bringing up the matter informally at the next meeting. I further stated my opinion to be that a quarterly meeting of the Gardens Committee should be a fixed engagement, extra meetings being called if necessary: that after the ~~minutes~~ minutes of the last meeting had been confirmed, the accounts should always come up for confirmation, then other business, this other business including the confirmation of all matters settled in circulation during the interval since the last meeting.

A meeting will be necessary soon to pass accounts and to make a budget estimate for 1914.

*Henry Perkin*

*I quite agree.*

*Jul*

*27. 11. 13,*

*S. A. W. 11/27/13*

*I fully approve of his suggestion*

*SM 27/11/13*

*Entirely approve*

*W. E. D. 28/11*



Received 26.11.13

Carroll

Answered.....

24-11-13

Dear Mr. Burkill

Thanks for your letter & for forwarding the Minutes book of the Gardens Committee, wh. I return herewith. - I notice that in the

last 4 years only 3 meetings have been held; - 2 of them, as you point out, - during my absence on leave. Per-



usually, I think, if the Finance  
Committee is to act as an  
advisory board to the Chairman,  
wh. I presumed to be the in-  
tention, when I consented to  
act on it - there, sh<sup>d</sup> certainly  
be full opportunity of dis-  
cussing questions connected  
with the general management.  
I agree with you that there sh<sup>d</sup>  
be at least one quarterly meet-  
ing of y<sup>r</sup> Committee, & previously  
to this meeting a paper sh<sup>d</sup>  
be sent round to members, ask-  
ing for suggestions, wh. w<sup>d</sup>

assist you in drawing up the  
Agenda. I am perfectly sure  
the other members w<sup>d</sup> concur  
with me in recognizing that  
all we c<sup>d</sup> offer w<sup>d</sup> be advice,  
that the responsibility w<sup>d</sup>  
always remain with you; - &  
that we must bow to y<sup>r</sup> ex-  
pert decision. - If you think  
it worth while, you might  
send this note round to the  
other members, & ask for their  
opinions. - The results might  
be useful.

Yours sincerely  
H. Stephenson

B 3.11/23



4.12.13

3<sup>rd</sup> Dec<sup>r</sup>

Dear Mr. Burkill

I return herewith  
the Correspondence, & Minutes  
of the Jordan's Committee, & am  
glad to note that they concur with  
my suggestions.

Yours sincerely

H. Stephenson



B 3.11/25



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to be used if required.