

IN THE JUDICIAL COMMITTEE

No. 1 of 1971

OF THE PRIVY COUNCIL

ON APPEAL FROM

THE FEDERAL COURT OF MALAYSIA

B E T W E E N:

PEGANG MINING COMPANY LIMITED
(formerly known as PEGANG
PROSPECTING COMPANY LIMITED)

Appellants

- and -

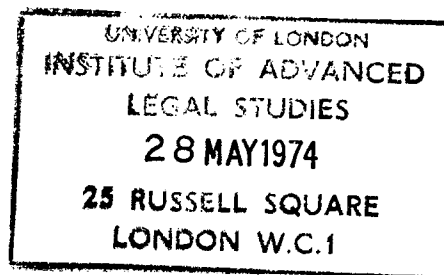
1. CHOONG SAM
2. LEE CHIM YEE AND CHAN HON
PENG (f) AS EXECUTORS OF
THE ESTATE OF CHAN PHOOI
HOONG DECEASED
3. TONG SWEE KING (f)
AS EXECUTRIX OF THE ESTATE
OF HO KOK YEW (DECEASED)

Respondents

RECORD OF PROCEEDINGS

(VOLUME 4)

Exhibits - pages 412 to 565



PARKER GARRETT & CO.,
St. Michael's Rectory,
Cornhill,
London EC3V 9DU

Solicitors for the
Appellants

GRAHAM PAGE & CO.,
51, Victoria Street,
London,
SW1H 0EE

Solicitors for the
Respondents

A.@ (p. 861) - LETTER FROM THOMAS & HORNIDGE TO
COLLECTOR OF LAND REVENUE, BATU
GAJAH.

Exhibits

A.4 (p.861)

HFCG/CKL:

12th November, 1957..

Collector of Land Revenue,
Land Office,
Batu Gajah.

Letter from
Thomas &
Hornidge to
Collector of
Land Revenue,
Batu Gajah.

Sir:

12th November,
1957.

Railway Reserve & Kinta Water Supply Pipe
Line, Papan.

10

The Pegang Prospecting Co. Ltd: have applied for a Mining Lease over the Railway Reserve adjacent to their land and shewn in red on attached plan in duplicate. Enquiries elicited the information that the application had been recommended for approval subject to revocation of the reserve and deviation of the pipe line.

20

2. The mine cannot resume operations until a mining title for the reserve is issued and the pipe line deviated. The matter is therefore of urgency to the Company who have been inactive for a long period and wish to resume operations at the earliest possible date.

3. The deviation of the pipe line as shown in plan has been discussed with, and provisionally approved by the Executive Engineer, Kinta. The method of deviation has not been finalised and we suggest the following course for consideration and approval.

30

(a) The approximate length of the existing pipe line is 3430 feet, and the length of the proposed deviation approximately 4480 feet, an increase in length of 1050 feet.

40

(b) To obviate the supply of costly cast iron piping, it is proposed that 3430 feet of 14" diameter mild steel slip joint pipe be laid on the line of the deviation to accommodate temporarily the water supply. The existing cast iron pipe line can then be lifted and laid with an addition of 1050 feet of new pipe. On completion of this line the water to be switched into it and the temporary

Exhibits

A.4 (p.861)

Letter from
Thomas &
Hornidge to
Collector of
Land Revenue,
Batu Gajah.

12th November,
1957

mild steel pipe lifted.

(c) It is doubtful if cast iron pipes can be acquired and we would enquire whether the 1050 feet additional length required for the deviation may be supplied by the Government.

As such pipes will remain Government property and are of no use for mining purposes, we would ask that the cost of supplying such pipes be for Government account.

(d) With the exception of supplying approximately 1050 feet of cast iron pipe the cost of the deviation including the supply of the mild steel pipe and all materials required will be for clients account.

10

(e) Clients are prepared to undertake the work of deviating the pipe line, under supervision or to the satisfaction of the Public Works Department, or such part of the work as may be considered appropriate by Government.

5. Early consideration of the above will be of great assistance to the Company and much appreciated.

20

We have the honour to be,
Sir,
Your obedient servants,

Thomas & Hornidge

Sd:
.....
Consulting Mining Eng.

Secretaries:
Pegang Prospecting Co.Ltd.,
Messrs. Evatt & Co.,
Ipoh.

30

Copied for your information and file.

Sd: ?

A.4 (p.863) - LETTER FROM KHONG HENG KONGSI TO
EVATT & CO.

Exhibits

A.4 (p.863)

KACHA & MENELAI MINING SCHEME,
PAPAN, PERAK, MALAYA.

Letter from
Khong Heng
Kongsi to
Evatt & Co.

KHONG HENG KONGSI,
PAPAN,
PERAK, MALAYA.

Town Office
2-4 Lau Ek Ching St.,
Ipoh, Malaya.

19th December,
1957

19th Dec. 1957.

10 Messrs. Evatt & Co.,
Secretaries,
Pegang Prospecting Co.Ltd.,
P.O. Box No. 136
Ipoh.

Dear Sirs,

subj: Sublease over M.L. 10217

Our mine is now working towards the Menelai
area M.L. 10217 and we expect to work into this
area in about two months' time.

20 To-day Mr. Cumming visited our mine and we
showed him the direction of our future scheme of
mining. He was in favour of it and asked us to
write to your goodselves for a sublease.

We hope you will grant us a sublease over the
Menelai area M.L. 10217 at the same rate of tribute
as the other two leases (M.Ls. 8899 and 11543).

We hope to be favoured with an early reply for
which we thank you in anticipation.

Yours faithfully,

KHONG HENG KONGSI,

30 Sd: Ho Win Shen
.....

Manager.

c.c. to Mr. C.E.Cumming
45, Gopeng Road,
Ipoh.

Exhibits

A.4 (p.866)

Memorandum of
Sublease No.
17/58 over M.L.
10217 Lot
24766 in
Blanja from
Pegang Pros-
pecting Co.Ltd.
to Lew Yan Sip
and Woong Fook
Hing

A.4 (p.866) - MEMORANDUM OF SUB-LEASE NO.17/58
over M.L.10217 LOT 24766 IN BLANJA
FROM PEGANG PROSPECTING CO.LTD. TO
LEW YAN SIP AND WOONG FOOK HING

VOLUME 172 FOLIO 52
.....

FEDERATION OF MALAYA

MEMORANDUM OF SUBLEASE

PRESENTATION NO. 5476 at 10 a.m. this 1.3.58

SCHEDULE X

27th February,
1958

(Section 36(i) of the Mining Enactment, Cap. 147)

10

District of Kinta Mukim of Blanja

No. 17/58

We, Pegang Prospecting Company Limited, a company
incorporated in the Federation of Malaya, having its
office at Ipoh hereinafter called the Sublessors
being registered lessees of a piece of mining land
described in Mining Lease No: 10217 Lot No: 24766 in
the Mukim of Blanja of date 1st day of April, 1950
and subject to such encumbrances, liens and interests
as are endorsed thereon:

20

In consideration of the sum of Dollars One
(\$1/=) only paid to us by Messrs Leow Yap Sip and
Wong Fook Hing of 11, Green Hill Drive, Ipoh, herein-
after called the Sublessees the receipt of which we
hereby acknowledge and of the payment of tribute as
hereunder set forth.

Do hereby sublet to the said sublessees that
portion of the said piece of mining land estimated to
contain approximately sixty-nine (69) acres as
outlined in red on attached plan, for the period of
one (1) year commencing on the 3rd of March, 1958
subject to the provisions of the Mining Enactment and
to the following conditions, restrictions and
exceptions:

30

1. That the sublessees shall pay to the
sublessors, or to their duly appointed agent, tribute
upon all ore removed from the said land at the rate

of thirteen percent (13%)

2(a) That the said tribute shall be paid immediately on each and every sale of ore of which sales the sublessors shall have full 48 hours' notice and the right to be present and to buy such ore at the price at which it is being offered for sale.

10 (b) All sales of tin-ore shall be made either to the Straits Trading Company Limited or the Eastern Smelting Company Limited at their Ipoh branches who shall deduct such tribute at the time of each such sale and pay the same to the sublessors direct and the receipt of the sublessors shall be a complete discharge to the Straits Trading Company Limited or the Eastern Smelting Company Limited as the case may be, and the sublessees in respect of such payment.

20 3. That the sublessees shall be liable upon suit before the Senior Inspector or any Court to pay to the sublessors the sum of \$500/= as a penalty for each and every breach of the conditions above set out which they may commit.

4. That the sublessees shall work the said land in an orderly skilful and workmanlike manner and subject to the provisions of the Mining Enactment and shall be liable to indemnify the sublessors for any expenses which they may incur, whether as fine inflicted on them or otherwise, on account of any breach of this condition by the sublessees.

30 5. That the sublessors or their duly appointed agent may at all reasonable times enter upon and view the land, and may inspect any books of account of ore produced from the land.

6. That the sublessors shall be liable to pay to the State the annual rent due upon the land.

7. That the sublessees shall not be entitled to transfer or assign this sublease or re-sublet the land without the written authority of the sublessors.

8. That this sublease shall be liable to cancellation at any time at the discretion of the Senior Inspector or the Court upon proof:

40 (i) That the sublessees have failed to pay to the sublessors the amount of any moneys

Exhibits

A.4 (p.866)

Memorandum of Sublease No.17/58 over M.L.10217 Lot 24766 in Blanjah from Pegang Prospecting Co. Ltd. to Leow Yap Sip and Wong Fook Hing

27th February, 1958

(continued)

ExhibitsA.4 (p.866)

Memorandum of
Sublease
No.17/58 over
M.L.10217 Lot
24766 in
Blanjah from
Pegang Pros-
pecting Co.
Ltd. to Leow
Yap Sip and
Wong Fook Hing

27th February,
1958

(continued)

which they are by the terms of this sublease bound to pay for a period of six months from the date at which such payment became due.

- (ii) That the sublessees have not worked the land in accordance with clause 4 of this sublease or have by their default rendered the land liable to forfeiture under the Mining Enactment.
- (iii) That the sublessees have not during a period of six months employed at least sixty-nine (69) labourers or labour-saving apparatus equivalent thereto as prescribed in section 16 (iii) (b) of the Mining Enactment for not less than one month in Mining the land. 10
- (iv) that the sublessees have committed a breach of clause 7 of this sublease.

9(a). All quotas that may be allotted to the said land under the Tin Control Ordinance, 1954 and any amendment thereof shall be utilised for the production of and/or sale of tin-ore removed from the said land. In the event of such quota being insufficient the sublessees shall acquire the excess quota necessary for the purpose at their own cost and expense but tribute shall be payable at the rate of 13% on the full value of tin-ore as hereinbefore provided and without any deduction of the value of excess quota so acquired. 20

(b) In the event of the sublessees ceasing mining operations and selling the quota allotted to the said land or in the event of the amount of tin-ore produced by them being less than the quota allotted to the said land the sublessees shall pay tribute at the rate of 13% on the full market value of such quota or excess quota as the case may be as they may sell. 30

10. The sublessees shall be entitled to a renewal of this sublease for further seven (7) successive years (each such renewal being for a period of one (1) year at a time) upon the same terms and conditions as herein contained 40

Provided Always

(a) that the sublessees shall have duly and punctually paid the tribute hereby reserved and performed the several stipulations herein contained and on their part to be observed and performed up to the respective dates of expiry of this sublease and any renewal thereof;

10 (b) that the sublessees shall have carried on active mining operations with at least one 8" gravel pump for the purpose of winning tin-ore from the said land for a period of not less than 200 days during the year immediately preceding the date they shall become entitled to a renewal of this sublease; and

20 (c) that the sublessors' mining advisers for the time being shall certify that the sublessees have, during the year immediately preceding the date on which they shall become entitled to such renewal, carried out mining operations on the said land in a satisfactory manner and the certificate of such mining advisers shall be conclusive between the parties.

Dated 27th day of February 1958.

Directors - { Sd ? }
{ Sd: F.N.Mugliston }

Sd: Evatt & Co.,
Secretaries

Sublessors.

30 We do hereby accept this sublease to be held by us as sublessees for the term and subject to the conditions, restrictions and exceptions above set forth.

Sd: Leow Yan Sip
.....
Leow Yan Sip

Sd: Wong Fook Hing
.....
Wong Fook Hing

Sublessees.

TRUE COPY

40 Sd:
.....
Collector of Land Revenue, Kinta.

Exhibits

A.4 (p.866)

Memorandum of Sublease No.17/58 over M.L.10217 Lot 24766 in Blanjah from Pegang Prospecting Co. Ltd. to Leow Yap Sip and Wong Fook Hing

27th February, 1958

(continued)

Exhibits

A.4 (p.866)

Memorial made in the Register Mining Leases
Volume 153 folio 17 this 1st day of March 1958.

Sd: Sulieman
.....
Collector.

Memorandum of
Sublease
No.17/58 over
M.L.10217 Lot
24766 in
Blanjah from
Pegang Pros-
pecting Co.
Ltd. to Leow
Yan Sip and
Wong Fook Hing

27th February,
1958

(continued)

SCHEDULE XXXVIII (b)
(Under section 178 of the Land Code, Cap.138)

I, Sudhir Kumar Das, an Advocate and Solicitor
of the Supreme Court of the Federation of Malaya,
practising at Ipoh, hereby certify that on this 27th
day of February, 1958, the common seal of Pegang Pros- 10
pecting Company Limited was duly affixed to the
abovewritten instrument in my presence in accordance
with the regulations of the said Company.

WITNESS MY HAND:

Sd: S.K. DAS
Advocate & Solicitor,
Ipoh.

SCHEDULE XXXVIII (a)
(Under Section 178 of the Land Code, Cap.138)

I hereby testify that the signatures of the
sublessees abovewritten in my presence on this 27th
day of February, 1958, are to my own personal
knowledge, the true signatures of Leow Yan Sip and
Wong Fook Hing who has acknowledged to me, Sudhir
Kumar Das, an Advocate and Solicitor of the Supreme
Court of the Federation of Malaya, practising at
Ipoh, that they are of full age and that they have
voluntarily executed this instrument. 20

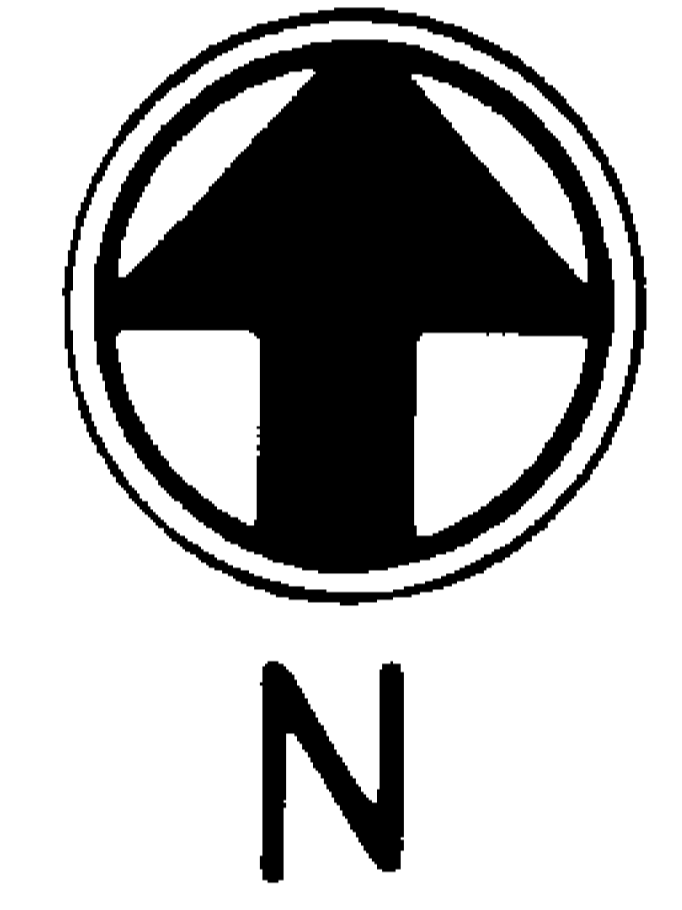
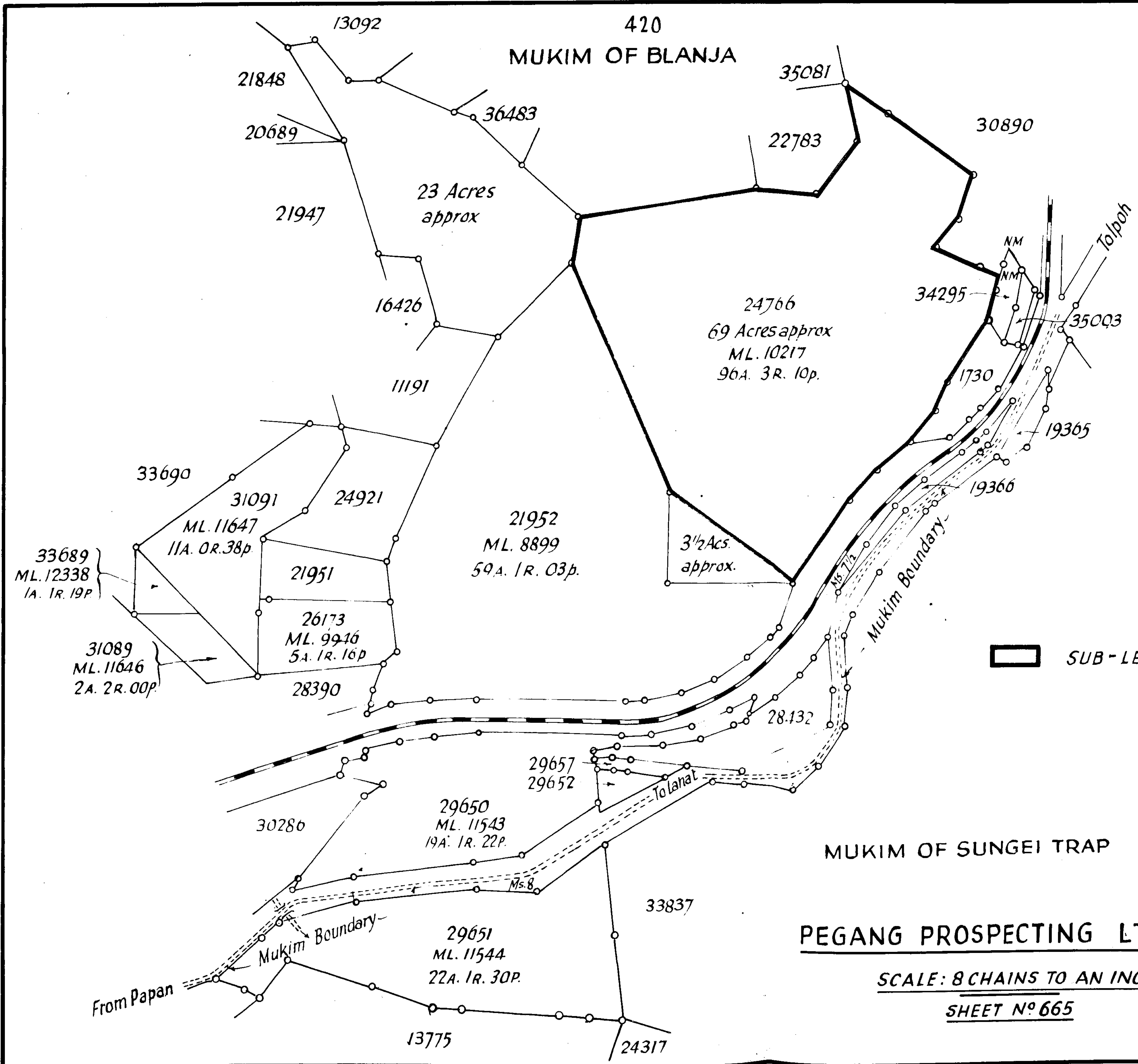
WITNESS my HAND:


Sd: S.K. DAS,
Advocate & Solicitor,
Ipoh. 30



EXHIBITS
A.4 (P.866)
MEMORANDUM OF
SUBLEASE
Nº 17/58 OVER
M.L 10217 LOT
24766 IN
BLANJA FROM
PEGANG PROSPECTING
CO. LTD. TO LEOW
YAN SIP AND WONG
FOOK HING.
27TH FEBRUARY 1958.
(CONTINUED)

420
MUKIM OF BLANJA



 SUB-LEASE AREA

MUKIM OF SUNGEI TRAP
PEGANG PROSPECTING LTD.

SCALE: 8 CHAINS TO AN INCH
SHEET Nº 665

A.@ (p.874) - MEMORANDUM OF SUBLEASE OVER M.L.10217
LOT 24766 IN BLANJA FROM PEGANG
PROSPECTING CO.LTD. TO TONG SWEE
KING

Exhibits

A.4 (p.874)

Memorandum of
Sublease over
M.L.10217 Lot
24766 in
Blanja from
Pegang Pros-
pecting Co.Ltd.
to Tong Swee
King.

27th February,
1958

FEDERATION OF MALAYA

MEMORANDUM OF SUBLEASE

SCHEDULE X

(Section 36 (i) of the Mining Enactment, Cap.147)

District of Kinta Mukim of Blanja

No.....

10

We, Pegang Prospecting Company Limited, a company incorporated in the Federation of Malaya, having its office at Ipoh hereinafter called the Sublessors being registered lessees of a piece of mining land described in Mining Lease NO: 10217 Lot NO: 24766 in the Mukim of Blanja of date 1st day of April, 1950 and subject to such encumbrances, liens and interests as are endorsed thereon:

20

In consideration of the sum of Dollar One (\$1/=) only paid to us by Tong Swee King (f) ; of No: 2, Lau Ek Ching Street, Ipoh, hereinafter called the Sublessee the receipt of which we hereby acknowledge and of the payment of tribute as hereunder set forth.

30

Do hereby sublease to the said Sublessee that portion of the said piece of mining land estimated to contain approximately twenty three (23) acres as outlined in red on attached plan (hereinafter referred to as the said land) for the period of one (1) year commencing on the 1st day of March 1958 subject to the provisions of the Mining Enactment and to the following conditions, restrictions and exceptions:

1. That the Sublessee shall pay to the Sublessors, or to their duly appointed agent, tribute upon all ore removed from the said land at the rate of seven percent (7%).

2. (a) That the said tribute shall be paid immediately on each and every sale of ore of which

ExhibitsA.4 (p.874)

Memorandum of
Sublease over
M.L.10217 Lot
24766 in
Blanja from
Pegang Pros-
pecting Co.Ltd.
to Tong Swee
King.

27th February,
1958

(continued)

sales the Sublessors shall have full 48 hours' notice and the right to be present and to buy such ore at the price at which it is being offered for sale.

(b) All sales of tin-ore shall be made either to the Straits Trading Company Limited or the Eastern Smelting Company Limited at their Ipoh branches who shall deduct such tribute at the time of each such sale and pay the same to the Sublessors direct and the receipt of the Sublessors shall be a complete discharge to the Straits Trading Company Limited or the Eastern Smelting Company Limited as the case may be, and the Sublessees in respect of such payment. 10

3. That the Sublessee shall be liable upon suit before the Senior Inspector or any Court to pay to the Sublessors the sum of \$500/= as a penalty for each and every branch of the conditions above set out which they may commit.

4. That the sublessee shall work the said land in an orderly skilful and workmanlike manner and subject to the provision of the Mining Enactment and shall be liable to indemnify the Sublessors for any expenses which they may incur, whether as fine inflicted on them or otherwise, on account of any breach of this condition by the Sublessee. 20

5. That the Sublessors or their duly appointed agent may at all reasonable times enter upon and view the land, and may inspect any books of account of ore produced from the land.

6. That the Sublessors shall be liable to pay to the State the annual rent due upon the land. 30

7. That the Sublessee shall not be entitled to transfer or assign this sublease or re-sublet the land or any part thereof without the written authority of the Sublessors.

8. That this sublease shall be liable to cancellation at any time at the discretion of the Senior Inspector or the Court upon proof:

(i) that the Sublessee has failed to pay to the Sublessors the amount of any moneys which she is by the terms of this sublease bound to pay for a period of six months 40

from the date at which such payment became due.

(ii) That the Sublessee has not worked the land in accordance with clause 4 of this sublease or has by her default rendered the land liable to forfeiture under the Mining Enactment.

10 (iii) That the Sublessee has not during a period of six months employed at least twenty-three (23) labourers or labour-saving apparatus equivalent thereto as prescribed in section 16 (iii) (b) of the Mining Enactment for not less than one month in mining the land.

(iv) That the Sublessee has committed a breach of clause 7 of this sublease.

20 9. (a) All quotas that may be allotted to the said land under the Tin Control Ordinance, 1954 and any amendment thereof shall be utilised for the production of and/or sale of tin-ore removed from the said land. In the event of such quota being insufficient the Sublessee shall acquire the excess quota necessary for the purpose at her own cost and expense but tribute shall be payable at the rate of 7% on the full value of tin-ore as hereinbefore provided and without any deduction of the value of excess quota so acquired.

30 (b) In the event of the Sublessee ceasing mining operations and selling the quota allotted to the said land or in the event of the amount of tin-ore produced by them being less than the quota allotted to the said land the Sublessee shall pay tribute at the rate of 7% on the full market value of such quota or excess quota as the case may be as she may sell.

Dated this 27th day of February 1958.

Sd: ?)
Sd: F.N.Mugliston) Directors

Sd: Evatt & Co. Secretaries

Sublessors.

Exhibits

A.4 (p.874)

Memorandum of Sublease over M.L.10217 Lot 24766 in Blanja from Pegang Prospecting Co.Ltd. to Tong Swee King.

27th February, 1958

(continued)

Exhibits

A.4 (p.874)

Memorandum of
Sublease over
M.L.10217 Lot
24766 in
Blanja from
Pegang Pros-
pecting Co.Ltd.
to Tong Swee
King

27th February,
1958

(continued)

I do hereby accept this sublease to be held by
me as Sublessee for the term and subject to the
conditions, restrictions and exceptions above set
forth.

Sd: Tong Swee King
.....
Sublessee.

Memorial made in the Register
Volume Folio this day of , 1958.
.....
Collector.

SCHEDULE XXXVIII (b)

10

(Under Section 178 of the Land Code, Cap; 138)

I, Sudhir Kumar Das, an Advocate and Solicitor
of the Supreme Court of the Federation of Malaya,
practising at Ipoh, hereby certify that on this
day of February, 1958, the common seal of Pegang
Prospecting Company Limited was duly affixed to the
abovewritten instrument in my presence in accordance
with the regulations of the said Company.

WITNESS MY HAND:

Sd: S.K.Das
Advocate & Solicitor, Ipoh.

20

SCHEDULE XXXVIII (a)

(Under Section 178 of the Land Code, Cap. 138)

I hereby testify that the signature of the
sublessee abovewritten in my presence on this 30th
day of January 1958, is to my own personal knowledge,
the true signature of Tong Swee King (f) who has
acknowledged to me, Bimal Kummer Das, an advocate
and solicitor of the Supreme Court of the Federation
of Malaya, practising at Ipoh, that she is of full
age and that she has voluntarily executed this
instrument.

30

WITNESS MY HAND:

Sd: B.K.Das,
Advocate & Solicitor, Ipoh.



A.4 (p.881) - MEMORANDUM OF SUBLEASE OVER M.L.
10217 LOT 24766 IN BLANJA FROM
PEGANG PROSPECTING CO.LTD. TO
LEOW YAN SIP.

Exhibits

A.4 (p.881)

Memorandum of
Sublease over
M.L.10217
Lot 24766 in
Blaja from
Pegang Pros-
pecting Co.Ltd.
to Leow Yan
Sip

27th February,
1958.

FEDERATION OF MALAYA

MEMORANDUM OF SUBLEASE

SCHEDULE X

(Section 36(i) of the Mining Enactment, Cap. 147)

District of Kinta Mukim of Blanja
No.....

10

We, Pegang Prospecting Company Limited, a company incorporated in the Federation of Malaya, having its office at Ipoh hereinafter called the Sublessors being registered lessees of a piece of mining land described in Mining Lease No: 10217 Lot No: 24766 in the Mukim of Blanja of date 1st day of April, 1950 and subject to such encumbrances, liens and interests as are endorsed thereon:

20

In consideration of the sum of Dollar One (\$1/=) only paid to us by Leow Yan Sip of No: 11, Green Hill Drive, Ipoh, hereinafter called the sublessee the receipt of which we hereby acknowledge and of the payment of tribute as hereunder set forth.

30

Do hereby sublease to the said sublessee that portion of the said piece of mining land estimated to contain approximately Three (3) acres Two (2) roods Nil (00) pole as outlined in red on the 1st day of March, 1958, subject to the provisions of the Mining Enactment and to the following conditions, restrictions and exceptions:

1. That the sublessee shall pay to the sublessors, or to their duly appointed agent, tribute upon all ore removed from the said land at the rate of ten percent (10%).

2(a) That the said tribute shall be paid immediately on each and every sale of ore of which sales the sublessors shall have full 48 hours' notice and the right to be present and to buy such ore at the price at which it is being offered for sale.

ExhibitsA.4 (p.881)

Memorandum of
Sublease over
M.L. 10217
Lot 24766 in
Blanja from
Pegang Pros-
pecting Co.Ltd.
to Leow Yan
Sip

27th February,
1958.

(continued)

(b) All sales of tin-ore shall be made either to the Straits Trading Company Limited or the Eastern Smelting Company Limited at their Ipoh branches who shall deduct such tribute at the time of each such sale and pay the same to the sublessors direct and the receipt of the sublessors shall be a complete discharge to the Straits Trading Company Limited or the Eastern Smelting Company Limited as the case may be, and the sublessee in respect of such payment.

3. That the sublessee shall be liable upon suit before the Senior Inspector or any Court to pay to the sublessors the sum of \$500/= as a penalty for each and every breach of the conditions above set out which he may commit. 10

4. That the sublessee shall work the said land in an orderly skilful and workmanlike manner and subject to the provisions of the Mining Enactment and shall be liable to indemnify the sublessors for any expenses which they may incur, whether as fine inflicted on them or otherwise, on account of any breach of this condition by the sublessee. 20

5. That the Sublessors or their duly appointed agent may at all reasonable times enter upon and view the land, and may inspect any books of account of ore produced from the land.

6. That the sublessors shall be liable to pay to the State the annual rent due upon the land.

7. That the sublessee shall not be entitled to transfer or assign this sublease or re-sublet the land without the written authority of the sublessors. 30

8. That this sublease shall be liable to cancellation at any time at the discretion of the Senior Inspector or the Court upon proof

(i) That the sublessee has failed to pay to the sublessors the amount of any moneys which he is by the terms of this sublease bound to pay for a period of six months from the date at which such payment became due.

(ii) That the sublessee has not worked the land in accordance with clause 4 of this sublease or has by his default rendered the land liable to forfeiture under the Mining Enactment. 40

- (iii) That the sublessee has not during a period of six months employed at least four (4) labourers or labour-saving apparatus equivalent thereto as prescribed in section 16 (iii) (b) of the Mining Enactment for not less than one month in mining the land.
- (iv) That the sublessee has committed a breach of clause 7 of this sublease.

Exhibits

A.4 (p.881)

Memorandum of Sublease over M.L. 10217 Lot 24766 in Blanja from Pegang Prospecting Co.Ltd. to Leow Yan Sip

27th February, 1958.

(continued)

10 9(a) All quotas that may be allotted to the said land under the Tin Control Ordinance, 1954 and any amendment thereof shall be utilised for the production of and/or sale of tin-ore removed from the said land. In the event of such quota being insufficient the sublessee shall acquire the excess quota necessary for the purpose at his own cost and expense but tribute shall be payable at the rate of 10% on the full value of tin-ore as hereinbefore provided and without any deduction of the value of excess quota so acquired.

20 (b) In the event of the sublessee ceasing mining operations and selling the quota allotted to the said land or in the event of the amount of tin-ore produced by him being less than the quota allotted to the said land the sublessee shall pay tribute at the rate of 10% on the full market value of such quota or excess quota as the case may be as he may sell.

Dated this 27th day of February, 1958.

30 Sd: F.N.Mugliston } Directors

Sd: Evatt & Co., Secretaries.
Sublessors.

I do hereby accept this sublease to be held by me as sublessee for the term and subject to the conditions, restrictions and exceptions above set forth.

Sd: Leow Yan Sip
.....
Leow Yan Sip
Sublessee.

Exhibits

Memorial made in the Register
folio this day of Volume
1958.

A.4 (p.881)

.....
Collector.

Memorandum of
Sublease over
M.L. 10217
Lot 24766 in
Blanja from
Pegang Pros-
pecting Co.Ltd.
to Leow Yan
Sip

SCHEDULE XXXVIII (b)
(Under Section 178 of the Land Code, Cap.138)

27th February,
1958

I, Sudhir Kumar Das, an Advocate and Solicitor
of the Supreme Court of the Federation of Malaya,
practising at Ipoh, hereby certify that on this 27th
day of February, 1958, the common seal of Pegang
Prospecting Company Limited was duly affixed to the
above-written instrument in my presence in accordance
with the regulations of the said Company.

WITNESS MY HAND:

Sd: S.K.Das.
Advocate & Solicitor,
Ipoh.

(continued)

SCHEDULE XXXVIII (a)
(Under Section 178 of the Land Code, Cap.138)

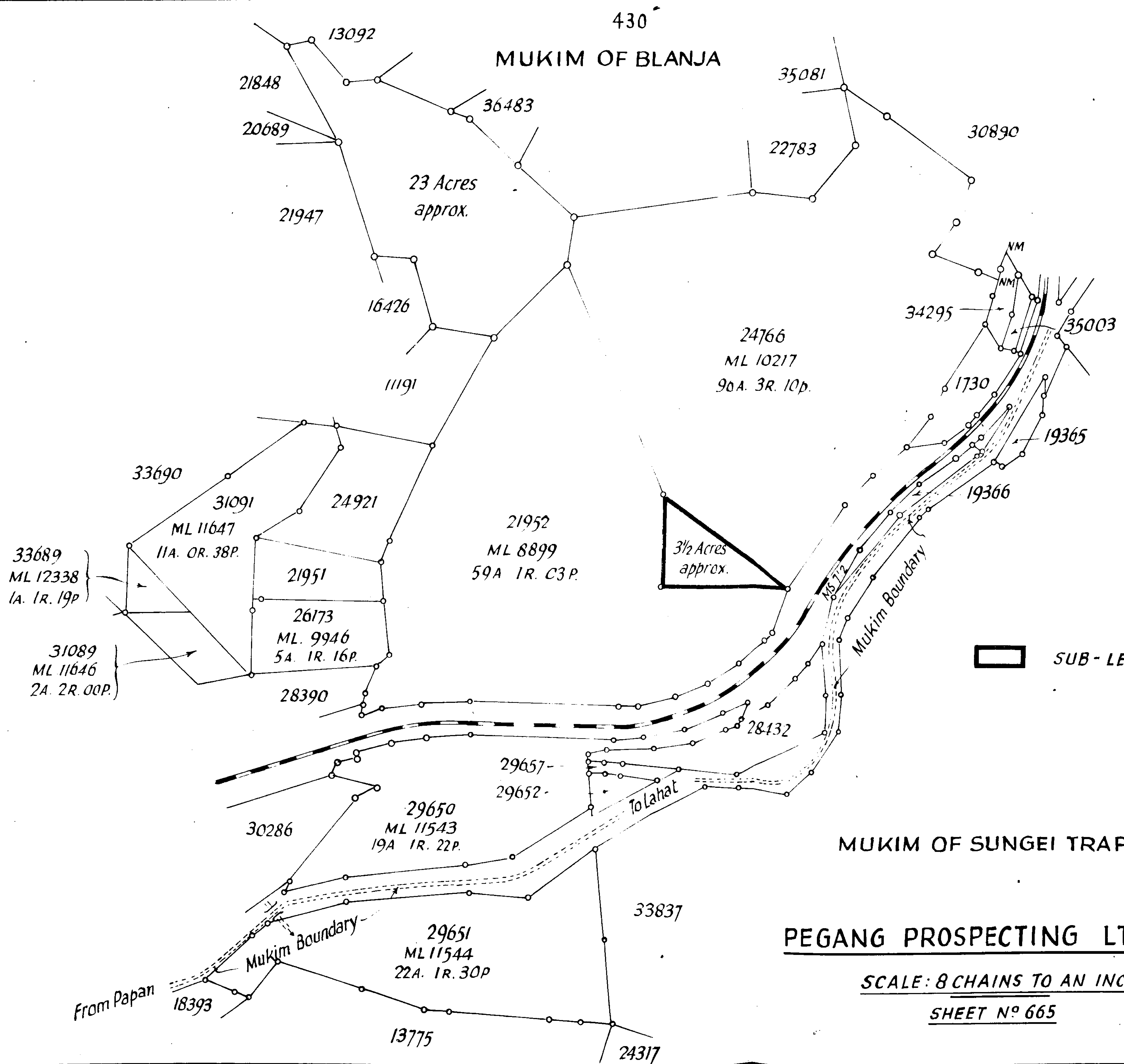
I hereby testify that the signature of the
sublessee abovementioned in my presence on this 27th
day of February, 1958, is to my own personal
knowledge, the true signature of Leow Yan Sip who
has acknowledged to me, Sudhir Kumar Das, an
Advocate and Solicitor of the Supreme Court of the
Federation of Malaya, practising at Ipoh, that he is
of full age and that he has voluntarily executed
this instrument.

WITNESS MY HAND:

Sd: S.K.Das,
Advocate & Solicitor,
Ipoh.



EXHIBITS
A.4 (P.881)
 MEMORANDUM OF
 SUBLEASE OVER
 M.L. 10217
 LOT 24766 IN
 BLANJA FROM
 PEGANG PROSPECTING
 CO. LTD. TO LEOW YAN
 SIP
 27TH FEBRUARY 1958
 (CONTINUED)



PEGANG PROSPECTING LTD.

SCALE: 8 CHAINS TO AN INCH
SHEET N° 665

A.4 (p.888) - LETTER FROM TONG SWEE KING TO
COLLECTOR OF LAND REVENUE, KINTA,
BATU GAJAH.

Exhibits

Collector of Land Revenue, 12th March 1958.
Kinta,
Kinta Land Office,
Batu Gajah.

Letter from
Tong Swee King
to Collector
of Land
Revenue, Kinta
Batu Gajah

Sir,

12th March,
1958.

10

Subj: Application by the late Ho Kok Yew
for a Mining Lease over approx. 10
acres of State Land in the Mukim of
Blanja.

20

I have the honour to inform you that the
attached letter (copy) dated the 11th December,
1956 on the above subject was despatched to you by
registered mail on the 11th Dec. 1956, for which you
have already acknowledged receipt on the 20th Dec.
1956 under your Ref. KLO 2128/56. and more than a
year has now elapsed since and we have not had the
honour of hearing from you on the subject.

I would be grateful if you could kindly advice
me as to whether any consideration had been taken
regarding this application.

Yours faithfully,

EST: HO KOK YEW (DEC'D).

sd: S.K.Tong.

Executrix.

Incl. 1 copy of letter dated 11.12.56.

Exhibits

A.4 (p.889) - LETTER FROM COLLECTOR OF LAND REVENUE, KINTA TO EXECUTRIX OF ESTATE OF HO KOK YEW.

A.4 (p.889)

Letter from
Collector of
Land Revenue
to Executrix
of Ho Kok Yew

15th March,
1958

No.(30) in KLO. 142/47.

Kinta Land Office,
Batu Gajah.

15th March, 1958.

To The Executrix,
Estate of Ho Kok Yew (decd)
2-4 Lau Ek Ching Street,
Ipoh.

10

Madam,

Application by the late Ho Kok Yew for
a Mining Lease over approx: 10 acres of
State Land in the Mukim of Blanja

I have the honour to acknowledge receipt of your
letter dated 12.3.58 and to inform you that the
application is under consideration by the Ruler in
Council.

2. Kindly note my reference number in future
correspondence.

20

I have the honour to be,
Madam,
Your obedient servant,

Sd: ?
.....
Collector of Land Revenue,
Kinta.

CCC/LPK.



A.4 (p.890) - AGGREGATION PERMIT NO. 12/58ExhibitsMines North 993/48/17
Pk. Sec. (L) 4362/48/5.

APPENDIX 111

Aggregation Permit No.12/58

THE MINING ENACTMENT
(F.M.S.CAP. 147)A.4 (p.890)Aggregation
Permit No.
12/58

11th June 1958

At a Meeting held on the 19th day, 1958 the Ruler-in-Council of the State of Perak pursuant to Sub-section (i) of Section 20 of the Mining Enactment, has granted to

10 TONG SWEE KING (f) as sub-sublessee of the Mining lands comprised in the Mining Leases specified in the Schedule hereto permission to keep at work any one or more of the said lands the number of labourers or labour-saving apparatus equivalent thereto required under Sub-section (iii) of Section 16 of the said Mining Enactment in respect of the aggregation area of such lands.

This Permit is valid until the 18th May, 1963.

SCHEDULE

<u>Title No.</u>	<u>Lot No.</u>	<u>Mukim</u>	<u>Area</u> <u>A. r. p.</u>
M.L. 8899	21952	Blanja	59. 1. 03
" 11543	29650	"	19. 1. 22
Total:			<u>78. 2. 25</u>

Dated at Ipoh this 11th day of June, 1958.

Signed: Abdul Rahman bin Pilus

Clerk in Council,
Perak.

30 CERTIFIED TRUE COPY.

Signed: Tan Kim Bee
b.p. Merinyu Kanan

Exhibits

A.4 (p.891) - LETTER, KHONG HENG KONGSI TO THE SECRETARIES, PEGANG PROSPECTING CO. LTD.

A.4 (p.891)

Letter, Khong Heng Kongsı to the Secretaries, Pegang Prospecting Co.Ltd.

11th July 1958

KACHA & MENELAI MINING SCHEME
PAPAN, PERAK, MALAYA

KHONG HENG KONGSI,
PAPAN,
PERAK, MALAYA

Town Office,
2-4 Lau Ek Ching St.,
Ipoh Malaya.

11th July, 1958.

Secretaries,
Pegang Prospecting Co., Ltd.,
Ipoh.

10

Dear Sirs,

DUMPING

Re our telephone conversation this morning, I request the Company that a letter be given to us for permission to dump on the Company's land comprising of M.L.11647 Lot 31091 M.L. 11646 Lot 31089, M.L. 9946 Lot 26173.

The Khong Heng Kongsı has been dumping on these areas for many number of years. We are working on the Company's lands, and we feel the Company should allow us permission to make use of these areas again as our dump.

20

In view of the hardship incurred by the Tin Restriction and contribution towards the Buffer Pool, I hope the Company will give us a favourable reply as soon as possible.

Thanking you in anticipation.

Yours faithfully,
KHONG HENG KONGSI,

30

Sd: Ho Win Shen
.....
Manager.

A.4 (p.892) - LETTER, KHONG HENG KONGSI TO THE SECRETARIES, PEGANG PROSPECTING CO. LTD.

Exhibits

A.4 (p.892)

KACHA & MENELAI MINING SCHEME,
PAPAN, PERAK, MALAYA.

Letter, Khong Heng Kongsi to the Secretaries Pegang Prospecting Co. Ltd.

KHONG HENG KONGSI,
PAPAN,
PERAK, MALAYA.

Town Office,
2-4 Lau Ek Ching St.,
Ipoh Malaya.

29th September,
1958

29th Sept., 1958.

10 The Secretaries,
Messrs. Pegang Prospecting Co.Ltd.,
P.O. Box No.136
Ipoh.

Dear Sirs,

Re M.L. 8899 Lot 21952 Khong Heng Kongsi

20 We beg to inform you that we are going to stop our mine on the 1st of October, 1958 until the completion of our bund over the condemned dump. The Inspector of Mines, Batu Gajah, will not allow us to use the condemned dump until a bund is built around it. In the meantime, we have grouped our mine with Messrs. Toh-Allang Chinese Tin Ltd., Ipoh.

We shall be grateful if the Company will renew our dumping rights over the Company's lots, which expire at the end of this year.

Thanking you,

Yours faithfully,
KHONG HENG KONGSI,

SD: Ho Win Shen
.....
Manager.

30

c.c. Mr. C.E.Cumming,
45 Gopeng Road,
Ipoh.

Exhibits

A.4 (p.893) - LETTER, EVATT & CO. TO KHONG HENG KONGSI.

A.4 (p.893)

Letter, Evatt
& Co. to Khong
Heng Kongsi.

PPCL/FNM/V

5th December, 1958.

5th December,
1958

The Manager,
Khong Heng Kongsi,
2, Lau Ek Ching Street,
Ipoh.

Dear Sir,

Application to dump on Lots 31091,
26173 and 31089

10

We refer to your letter dated 29th September and we would inform you that the Company is pleased to extend the permission to dump tailings on Lots 31091, 26173 and 31089, as outlined in red on the plan attached to our letter dated 23rd July, 1958, until 31st December, 1960.

Yours faithfully,

Sd: Evatt & Co.,

Secretaries.

A.4 (p.894) - LETTER FROM COLLECTOR OF LAND REVENUE, KINTA, TO EVATT & CO. ENCLOSING A PLAN AND LETTER OF INDEMNITY.

Exhibits

A.4 (p.894)

No.(24) in KLO. 9/7/51. KINTA LAND OFFICE
BATU GAJAH 31st March 1959

Letter from Collector of Land Revenue, Kinta, to Evatt & Co. enclosing a plan and letter of indemnity

To: M/S Evatt & Co.,
P.O. Box 136,
I P O H.

31st March, 1959.

Pegang Prospecting Company Limited

Gentlemen,

With reference to your application for a Mining Lease over _____ acres of State Land in the Mukim of Blanja and Sungei Trap, I have the honour to inform you that the Ruler in Council has approved -

I. the issue of three (3) Mining Leases to Pegang Prospecting Company Limited over the area outlined in red on the attached tracing on the following terms and conditions -----

(A) One Mining Lease over Lots 28358 and 28399

- (i) Period : 10 years
- (ii) Premium : \$50/- per acre
- (iii) Rent : \$2/- per acre per annum
- (iv) Survey fees : Actual cost
- (v) Restriction in Interest :

The land hereby leased shall not be transferred except to such person or persons as may be approved by the Mentri Besar.

- (vi) E/Condition ::levelling agreement in respect of the area within three (3) chains of the Papan Road.made the..... day of.....195..... between the Government of

10

20

30

40

ExhibitsA.4 (p.894)

Letter from
Collector of
Land Revenue,
Kinta, to
Evatt & Co.
enclosing a
plan and
letter of
indemnity

31st March,
1959

(continued)

2. Perak of the one part and the lessees of the other part, a copy of which is annexed hereto

The lessee for the time being shall permit duly authorised officers of the Kinta Town Board to enter upon the land herein comprised for the purpose of carrying out such anti-malarial measures as may be considered necessary by the said Board, and shall pay, on demand to the Chairman of the said Board the cost of such antimalarial measures as assessed by such Chairman.

10

and subject to -

(vii) payment of the cost of the removal of the telephone line and re-erection to the satisfaction of the Collector of Land Revenue, Kinta.

(viii) provision of suitable alternative cart track if and when the track is required for mining, to the satisfaction of the Collector of Land Revenue, Kinta. 20

(B) One Mining Lease over the former Railway Reserve:

- | | |
|-----------------------------|----------------------------|
| (i) Period | : 10 years |
| (ii) Premium | : \$50/- per acre |
| (iii) Rent | : \$2/- per acre per annum |
| (iv) Survey fees | : Actual cost |
| (v) Restriction in Interest | |

The land hereby leased shall not be transferred except to such person or persons as may be approved by the Mentri Besar. 30

- (vi) E/Condition
- The land hereby leased is subject to a filling and levelling agreement in respect of the area within Three (3) chains of the Papan Road made the day of 196 between the Government of Perak of the one part and the lessees of the other part, a copy of which is annexed hereto. 40

The lessee for the time being shall permit duly authorised officers of the Kinta Town Board to enter upon the land herein comprised for the purpose of carrying out such anti-malarial measures as may be considered necessary by the said Board and shall pay on demand, to the Chairman of the said Board the cost of such antimalarial measures as assessed by such Chairman.

Exhibits

A.4 (p.894)

Letter from Collector of Land Revenue, Kinta, to Evatt & Co. enclosing a plan and letter of indemnity.

31st March, 1959.

(continued)

10 and subject to -

- (vii) payment of the cost of any necessary deviation of the pipe line.
- (viii) payment of a contribution of \$5/- per picul based on the estimated tin concentration content of the area under application such content to be assessed by the State Financial Officer and Senior Inspector of Mines and if so required by the Applicant-Company and at its expense, an independent Consulting Engineer mutually acceptable. The contribution should be paid into the State Treasury, Perak, under a separate account.
- (ix) execution of an agreement for the deviation of the pipe line.
- (x) execution of a Letter of Indemnity in favour of Government against claims by T.O.L. holders and the temple committee.

20

(C) One Mining Lease over Lot 30286:

- 30 (i) Period - 10 years
- (ii) Premium - \$50/- per acre
- (iii) Special Premium - \$625/- for agricultural improvements
- (iv) Rent - \$2/- per acre per annum
- (v) Survey fees - Actual cost
- (vi) Restriction in Interest - The land hereby leased shall not be transferred except to such person or persons as may be approved by the Mentri Besar.
- 40 (vii) E/Condition

- (i) The land hereby leased is subject to a filling and levelling agreement in respect of the area within three (3) chains of the Papan Road made between

ExhibitsA.4 (p.894)

Letter from
Collector of
Land Revenue,
Kinta, to
Evatt & Co.
enclosing a
plan and
letter of
indemnity.

31st March,
1959.

(continued)

the Government of the
one part and the lessees
of the other part, a
copy of which is annexed
hereto.

- (ii) The land hereby leased
is subject to a filling
and levelling agreement
in respect of the area
within five 10
(5) chains of the Ipoh/
Pusing Road made the
day of 195
between the Government
of the one part and
the lessees of the other
part a copy of which is
annexed hereto.
- (iii) No mining operations
or deposit of tailings 20
shall take place within
1½ chains on either
Sungei
Johan unless a
approved by Government
of the Sungei Johan
and removed before
commencement of such 30
mining operations or
deposit of tailings.

(vii) E/Condition

and subject to -
 (viii) execution of a Letter of Indemnity in favour
 of Government against claims by T.O.L. holders.

ExhibitsA.4 (p.894)

If the terms are acceptable please -

(a) forward the following fees:

(i) Compensation for agricultural improvements	\$ 625.00
(ii) Svy. fees (est.)	<u>1,170.00</u>
Total	<u><u>Ø1,795.00</u></u>

Letter from
Collector of
Land Revenue,
Kinta, to
Evatt & Co.
enclosing a
plan and
letter of
indemnity

31st March,
1959.

(continued)

(b) return the enclosed letters of Indemnity duly
signed and stamped.

on or before the 30th day of April 1959, failing
which the application will be considered as
withdrawn and will be cancelled.

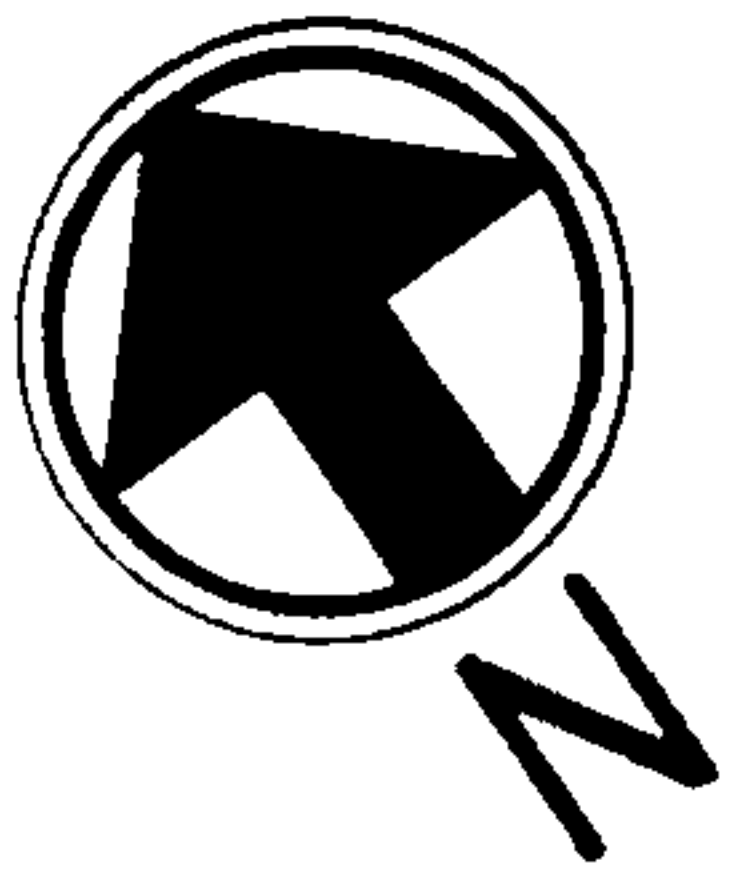
I have the honour to be,
Gentlemen,
Your obedient servant,

Sgd.:

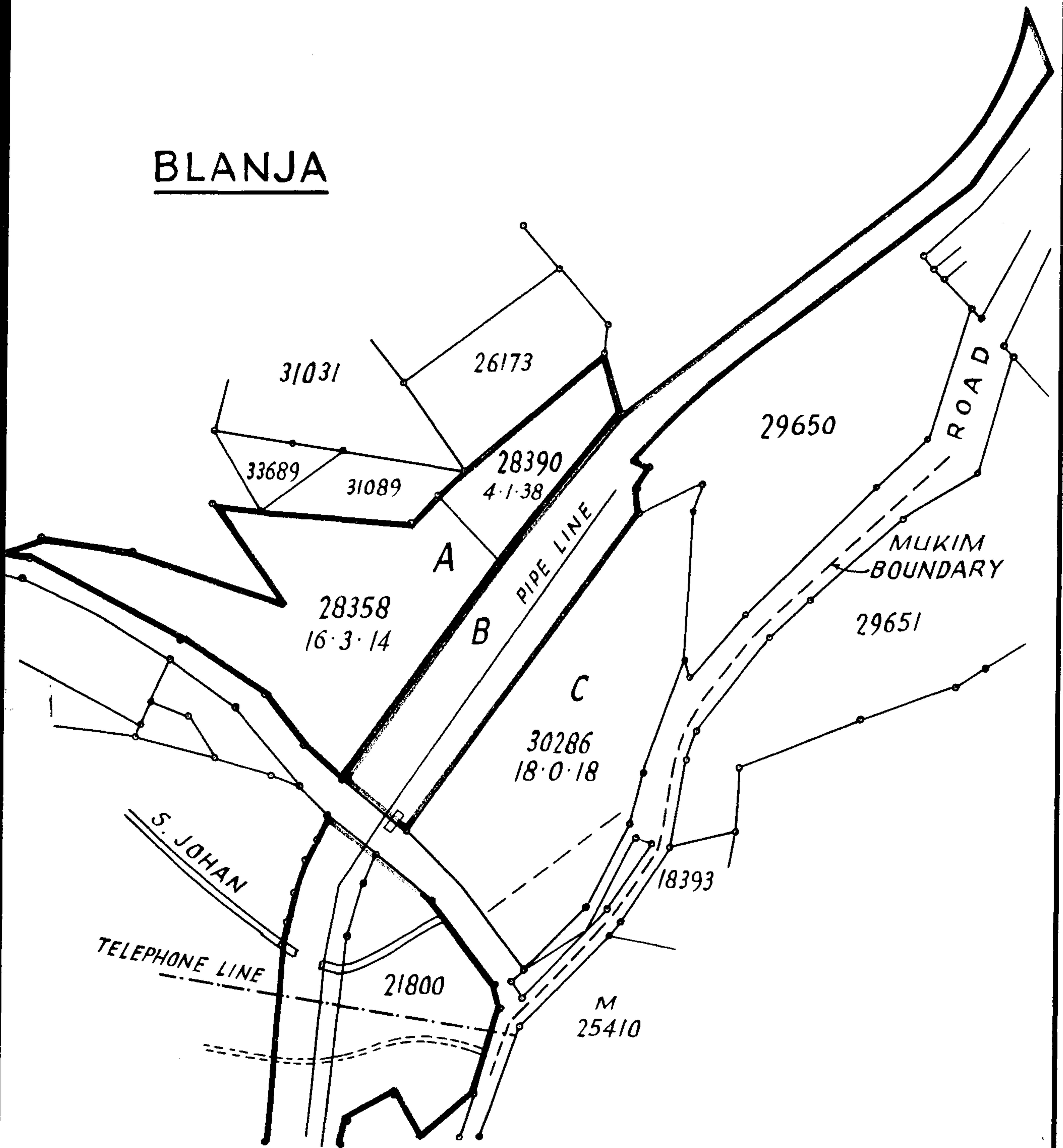
COLLECTOR OF LAND REVENUE,
KINTA.

(Ahmad Khairi bin Saidin)

LETTER FROM COLLECTOR
OF LAND REVENUE,
KINTA, TO EVATT & CO.
ENCLOSING A PLAN
AND LETTER OF
INDEMNITY.
31ST MARCH 1959



BLANJA



K.L.O.917/51

Area "B" & Area "C"

Exhibits

LETTER OF INDEMNITY

A.4 (p.894)

Place:
Date:

Letter from
Collector of
Land Revenue,
Kinta, to
Evatt & Co.
enclosing a
plan and
letter of
indemnity.

To the State Secretary, Perak.

In consideration of the Grant of a Mining
Lease under Section 5 of Chapter 147 of the Laws of
the Federated Malay States, we the undersigned

Pegang Prospecting Company Limited
of Ipoh

31st March,
1959.

10

hereby agree to indemnify the Government of the
State of Perak against all claims made by any
persons adversely affected by any action of our-
selves, our agents or employees pursuant to such
permit or licence whether such action be negligent
or otherwise and such indemnity shall extend to
cover any costs awarded against the said Government
or any costs incurred by the said Government in
defending any such claim.

(continued)

20

Signed by the abovenamed)
Pegang Prospecting Company)
Limited in the presence of:) Signature.

Magistrate.

I hereby certify that the above Letter of
Indemnity was read, translated and explained in
my presence to the abovenamed Pegang Prospecting
Company Limited who seemed perfectly to understand
it, declared to me that they did understand it and
made their signature in my presence.

30

Magistrate.

Explained by me

Interpreter.

(If signatory is an Attorney, a Declaration of non-
revocation is in attached form should be completed.)



ExhibitsA.4 (p.900)

A.4 (p.900) - LETTER FROM EVATT & CO.
TO COLLECTOR OF LAND REVENUE,
BATU GAJAH.

Letter from
 Evatt & Co. to
 Collector of
 Land Revenue,
 Batu Gajah.

27th April,
 1959

PPCL/FNM/V

27th April, 1959.

The Collector of Land Revenue,
 Kinta,
Batu Gajah.

Sir,

Your Ref. No. (24) in KLO.917/51

We thank you for your letter dated 31st March, 1959, and we are pleased to accept the terms and conditions for the issue of the three Mining Leases. 10

2. We enclose a cheque for \$1,795 being:-

(i) Compensation for agricultural improvements	\$ 625.00
and (ii) Survey Fees	<u>1,170.00</u>
	<u>\$1,795.00</u>

3. We are making arrangements for the two letters of indemnity to be executed on behalf of the Company in the very near future. In the meantime will you please confirm that, as the letters of indemnity will be executed on behalf of the Company by means of its common seal being impressed upon the documents in the presence of two Directors and the Secretaries who will all sign accordingly, an attestation by a Magistrate is not required. 20

We are, Sir,
 Your obedient servants,
 Sd: Evatt & Co.,
 Secretaries.

30

Encl:-

A.4 (p.901) - MEMORANDUM OF SUBLEASE M.L.10217
LOT 24766 FROM PEGANG PROSPECTING
CO. LTD. TO TONG SWEET KING.

Exhibits

A.4 (p.901)

FEDERATION OF MALAYA

MEMORANDUM OF SUBLEASE

SCHEDULE X

(Section 36(i) of the Mining Enactment, Cap. 147)

District of Kinta Mukim of Blanja

No.....

Memorandum of
Sublease
M.L. 10217
Lot 24766 from
Pegang Pros-
pecting Co.Ltd.
to Tong Sweet
King.

31st July,
1959

10 We, PEGANG PROSPECTING COMPANY LIMITED, a company incorporated in the Federation of Malaya, having its office at Ipoh hereinafter called the sublessors being registered lessees of a piece of mining land described in Mining Lease No: 10217 Lot No. 24766 in the Mukim of Blanja of date 1st day of April, 1950 and subject to such encumbrances, liens and interests as are endorsed thereon:

20 In consideration of the sum of Dollars One (\$1/=) only paid to us by Tong Sweet King (f) of No. 2, Iau Ek Ching Street, Ipoh, hereinafter called the Sublessee, the receipt of which we hereby acknowledge and of the payment of tribute as hereunder set forth.

30 Do hereby sublease to the said sublessee that portion of the said piece of mining land estimated to contain approximately four decimal seven (4.7) acres as outlined in green on the attached plan (hereinafter referred to as the said land) for the period of one (1) year commencing on the 1st day of August, 1959 subject to the provisions of the Mining Enactment and to the following conditions, restrictions and exceptions:

1. That the Sublessee shall pay to the Sublessors, or to their duly appointed agent, tribute upon all ore removed from the said land at the rate of seven percent (7%).
2. (a) That the said tribute shall be paid immediately on each and every sale of ore of which sales the Sublessors shall have full 48 hours' notice

ExhibitsA.4 (p.901)

Memorandum of
Sublease
M.L. 10217
Lot 24766 from
Pegang Pros-
pecting Co.Ltd.
to Tong Swee
King.

31st July,
1959

(continued)

and the right to be present and to buy such ore at the price at which it is being offered for sale.

(b) All sales of tin-ore shall be made either to the Straits Trading Company Limited or the Eastern Smelting Company Limited at their Ipoh and Pusing branches who shall deduct such tribute at the time of each such sale and pay the same to the Sublessors direct and the receipt of the Sublessors shall be a complete discharge to the Straits Trading Company Limited or the Eastern Smelting Company Limited as the case may be, and the Sublessee in respect of such payment.

10

3. That the Sublessee shall be liable upon suit before the Senior Inspector or any Court to pay to the Sublessors the sum of \$500/= as a penalty for each and every breach of the conditions above set out which she may commit.

4. That the Sublessee shall work the said land in an orderly skilful and workmanlike manner and subject to the provision of the Mining Enactment and shall be liable to indemnify the Sublessors for any expenses which they may incur, whether as fine inflicted on them or otherwise, on account of any breach of this condition by the Sub-lessee.

20

5. That the Sublessors or their duly appointed agent may at all reasonable times enter upon and view the land, and may inspect any books of account of ore produced from the land.

6. That the Sublessors shall be liable to pay to the State the annual rent due upon the land.

30

7. That the Sublessee shall not be entitled to transfer or assign this sublease or re-sublet the land or any part thereof without the written authority of the Sublessors.

8. That this sublease shall be liable to cancellation at any time at the discretion of the Senior Inspector or the Court upon proof:

(i) That the Sublessee has failed to pay to the Sublessors the amount of any moneys which she is by the terms of this sublease bound to pay for a period of six months from the date at which such

40

payment became due.

Exhibits

A.4 (p.901)

Memorandum of
Sublease
M.L. 10217
Lot 24766 from
Pegang Pros-
pecting Co.Ltd.
to Tong Swee
King.

31st July,
1959.

(continued)

- (ii) That the Sublessee has not worked the land in accordance with clause 4 of this sublease or has by her default rendered the land liable to forfeiture under the Mining Enactment.
- (iii) That the Sublessee has not during a period of six months employed at least five (5) labourers or labour-saving apparatus equivalent thereto as prescribed in section 16 (iii) (b) of the Mining Enactment for not less than one month in mining the land.
- (iv) That the Sublessee has committed a breach of clause 7 of this sublease.

10

20

30

40

9. (a) All quotas that may be allotted to the said land under the Tin Control Ordinance, 1954 and any amendment thereof shall be utilised for the production of and/or sale of tin-ore removed from the said land. In the event of such quota being insufficient the Sublessee shall acquire the excess quota necessary for the purpose at her own cost and expense but tribute shall be payable at the rate of 7% on the full value of tin-ore as hereinbefore provided and without any deduction of the value of excess quota so acquired.

(b) In the event of the Sublessee ceasing mining operations and selling the quota allotted to the said land or in the event of the amount of tin-ore produced by her being less than the quota allotted to the said land the Sublessee shall pay tribute at the rate of 7% on the full market value of such quota or excess quota as the case may be as she may sell.

Dated this 31st day of July, 1959.

Sd: F.N.Mugliston)
) DIRECTORS.
 Sd:)
 Sd: Evatt & Co.,) SECRETARIES
)
 Sublessors.

I do hereby accept this sublease to be held by me as Sublessee for the term and subject to the conditions, restrictions and exceptions above set forth.

Sd: Tong Swee King

 Tong Swee King. Sublessee.

A.4 (p.910) - LETTER FROM TONG SWEE KING TO
CHAN HON PENG AND LEE CHIN YEE,
EXECUTORS AND TRUSTEES OF ESTATE
OF CHAN PHOOI HOONG.

Exhibits

A.4 (p.910)

TONG SWEE KING,
2-4, Lau Ek Ching St.,
Ipoh, Malaya.

12th October, 1959.

Letter from
Tong Swee King
to Chan Hon
Peng and Lee
Chim Yee,
Executors and
Trustees of
Estate of
Chan Phooi
Hoong.

12th October,
1959.

Dear Sirs,

10

Sublease No. 89/56 of
Sublease No. 78/56

I intend to turn Khong Heng Kongsii into a private limited company and I shall therefor be much obliged if you will at your earliest convenience confirm that you will give your consent to me to transfer the above Sublease to the Company when it is formed.

Yours faithfully,

Sd: Tong Swee King.

20 To: M/s Chan Hon Peng
and Lee Chin Yee,
Executors & Trustees of the Estate of
Chan Phooi Hoong, deceased.
146, High Street,
Kuala Lumpur.

c.c. to M/s Pegang Prospecting Co. Ltd.
Ipoh.

ExhibitsA.4 (p.911) - LETTER FROM MAXWELL KENION COWDRY
AND JONES TO C.E.CUMMING.A.4 (p.911)

Letter from
Maxwell Kenion
Cowdry and
Jones to C.E.
Cumming

20th October, 1959.

C.E.Cumming Esq.,
45, Gopeng Road,
Ipoh.

And

508-A Tanjong Bungah,
Penang.

20th October,
1959

Dear Sir,

Pegang Prospecting Co. Ltd.

10

We have been instructed by clients, who control more than 45% of the issued share capital of the above Company, to write and request you not to stand for re-election to its Board at the forthcoming Annual General Meeting when you are due to retire by rotation.

If you are unable to see your way to acceding to this request, our clients wish you to know that they intend to oppose your re-election by every legitimate and proper means that is open to them.

20

Our clients, while fully appreciate all that you have done for the Company during the long period of your connection with it, feel that the time has come for the management of its affairs to pass into the hands of younger persons.

Yours faithfully,

c.c. Messrs Evatt & Co.,
Secretaries: Pegang Prospecting
Co. Ltd.,
Chartered Bank Chambers,
Ipoh.

30

A.4 (p.913) - LETTER FROM EVATT & CO. TO
MAXWELL KENION COWDRY AND
JONES, IPOH.

Exhibits

A.4 (p.913)

PEGANG PROSPECTING COMPANY LIMITED

Chartered Bank Chambers,
Ipoh.

26th October, 1959.

Messrs. Maxwell Kenion Cowdy & Jones,
Ipoh.

Letter from
Evatt & Co. to
Maxwell Kenion
Cowdry and
Jones, Ipoh.

26th October,
1959

10 Dear Sirs,

Directorate

We refer to your letter dated 20th October addressed to Mr. C.E. Cumming, a copy of which you sent to us. We would inform you that our Chairman, Mr. C.E. Cumming, does not propose to stand for re-election to the Board at the forthcoming Annual General Meeting.

20 2. Mr. Cumming has asked us to inform you that he entirely agrees that, in view of his age, the time has come for him to retire from the Board and the management of the Company's affairs be left in the hands of younger persons.

30 3. We assume from the context of your letter that your client intends to submit a resolution at the Annual General Meeting regarding the appointment of a Director. If this is the case you will no doubt be serving upon us a notice in writing signed by your client, containing the resolution(s) which he proposes to submit at the Annual General Meeting; as required by Article 62 of the Company's Articles of Association.

4. Will you please let us have such notice, if any, at an early date in order that it may be included in the Notice of the Annual General Meeting as required by Article 63. We shall defer submitting the draft Annual Report of the Directors for the approval of the Board, until we hear from you in this matter.

40 Yours faithfully,
Sd: Evatt & Co.,
Secretaries.

c.c. C.E. Cumming Esq.,
c.c. W.T. Dunne Esq.

ExhibitsA.4 (p.920)

Report of
Directors of
Pegang Pros-
pecting Co.Ltd.
for year
ended 30.9.1959

A.4 (p.920) - REPORT OF DIRECTORS OF PEGANG
PROSPECTING CO. LTD. FOR YEAR
ENDED 30.9.1959.

PEGANG PROSPECTING COMPANY LIMITED
(INCORPORATED IN THE FEDERATION OF MALAYA)

--- o00o ---

REPORT OF THE DIRECTORS.
FOR THE YEAR ENDED 30TH SEPTEMBER,
1959.

The Directors have pleasure in submitting their 10
Annual Report and Audited Statement of Accounts for
the year ended 30th September, 1959.

ACCOUNTS:

The profit for the year before charging Income Tax was		\$58,897	
Income Tax based on the Profit for the year under review amounts to		\$25,000	
but due to the increase in the rate of tax, from 30% to 40% it has been necessary to make an additional provision of		<u>7,856</u>	20
in respect of current taxation		32,856	
thus leaving a profit, after taxation, of	26,041
which together with the balance brought forward of	<u>30,114</u>
gives a total at credit of Profit and Loss Account of		56,155	30
From this total an Interim Dividend of 30 cents per share less tax @ 40% has been paid absorbing		<u>13,320</u>	
leaving available for distribution a balance of	42,835
From this balance your Directors recommend that a Final Dividend of 30 cents per share, less tax @ 40%, be paid, absorbing		<u>\$13,320</u>	40
which leaves a balance of		<u>29,515</u>	

to be carried forward to next year's account.

Exhibits

A.4 (p.920)

MINING AREA AND OUTPUT:

(i) The areas held by the Company and mining results for the year are as follows:-

	Area a. r. p	Output Piculs
Mukim of Blanja and Sungri Trap	218 1 18	3,046
10 Mukim of Ulu Kinta	<u>215 2 20</u>	<u>-</u>
	<u>433 3 28</u>	<u>3,046</u>

Report of
Directors of
Pegang Pros-
pecting Co.
Ltd. for year
ended 30.9.1959

(continued)

(ii) In addition the issue of Mining Leases to the Company over an area of approximately 55 acres in the Mukim of Blanja has been approved.

(iii) With the exception of the new area of approximately 55 acres, the Company's land is now very nearly worked out. Consequently it is expected that the income of the Company will be very low until such time as the new area is brought into production. Your Directors expect to make arrangements for the working of the new area in the near future but this will involve the Company in substantial initial commitments in the form of a pipe-line deviation and the payment of a Government cess. In the circumstances your Directors have considered it advisable to restrict the final dividend to 30 cents per share, less tax, and they advise shareholders that the distribution, if any, in respect of the current financial year will probably be very small.

DIRECTORATE:

(i) The Chairman of the Board of Directors, Mr. C.E.Cumming, who was a founder member of the Company and who has been a Director of the Company since its incorporation in 1920, retires under the provisions of Article 95 and has decided not to stand for re-election. Mr. Cumming's co-Directors wish to record, on behalf of the Board and shareholders, appreciation of the valuable services rendered to the Company by Mr.Cumming

Exhibits

during the past 39 years.

A.4 (p.920)

Report of
Directors of
Pegang Pros-
pecting Co.
Ltd. for year
ended 30.9.1959

(ii) Mr. Lee Wan Seng and Mr. Ho Win Shen were appointed additional Directors on 5th November, 1959. In accordance with the provisions of the Company's Articles of Association, Mr. Lee Wan Seng and Mr. Ho Win Shen retire and, being eligible, offer themselves for re-election.

AUDITORS:

(continued)

Messrs. Brown, Phillips & Stewart retire and, being eligible, offer themselves for re-appointment.

10

By Order of the Board,

Evatt & Co.,

Secretaries.

A.5 (p.924) - LETTER, TONG SWEE KING TO
SECRETARIES, PEGANG PROSPECTING
CO. LTD.

Exhibits

A.5 (p.924)

Nos. 2-4 Lau Ek Ching,
Street, Ipoh,
Malaya.

Letter, Tong
Swee King to
Secretaries
Pegang Pros-
pecting Co.Ltd.

9th February 1960

9th February,
1960

Secretaries,
Messrs. Pegang Prospecting Co.Ltd.
P.O. Box 136,
Ipoh.

10

Dear Sirs,

Subj: Sublease over M.Ls. 11646
11647, 12338 and 9946

Permit to Dump on M.Ls. 11646
11647 and 9946

I am writing to ask if you would kindly bring to the notice of your Board of Directors for the grant to me of a sub-lease over Mining Leases 11646, 11647, 12338 and 9946,

20

In the meantime, I would be grateful if a Permit to Dump be issued to me for the purpose of enabling me to have the Hydraulic Licence renewed for the current year by the Mines Department, Batu Gajah, to which an application has been submitted.

The Permit to Dump is being required by the Mines Department before the renewal could be granted.

I shall be thankful if you will please give the matter an early attention.

30

Yours faithfully,

Sd: S.K.Tong.

Exhibits

A.5 (p.925) - LETTER, EVATT & CO. TO MADAM
TONG SWEE KING.

A.5 (p.925)

Letter, Evatt
& Co. to Madam
Tong Swee King

PPCL/FNM/V

12th February 1960

12th February,
1960

Madam Tong Swee King,
2, Lau Ek Ching Street,
I P O H.

Dear Madam,

M.Ls. 11646, 11647, 9946
and 12338

We refer to your letter dated 9th February
and we would inform you that:-

10

- (i) M.L.12338, Lot 33689 is subleased to
the Estate of Ho Kok Yew, Deceased.
- and (ii) Your permit to dump on M.L.11646 Lot
31091; M.L. 11647, Lot 31089; and
M.L. 9946, Lot 26173 does not expire
until 31st December, 1960.

Please refer our letter dated 5th December,
1958, a copy of which we attach.

Yours faithfully,

20

Sd: Evatt & Co.,

Secretaries.

Encl:-

A.5 (p.927) - LETTER FROM VALLENTINE DUNNE &
ASSOCIATES LTD. TO SENIOR INSPECTOR
OF MINES, PERAK, IPOH.

Exhibits

A.5 (p.927)

VALLENTINE DUNNE & ASSOCIATES LTD.

Our Ref: No. 1 Post Office Rd.,
Your Ref: P.O.Box 119. Ipoh.
2nd April 1960

Letter from
Vallentine
Dunne & Asso-
ciates Ltd.to
Senior Inspec-
tor of Mines,
Perak, Ipoh.

The Senior Inspector of Mines, Perak,
Department of Mines,
Ipoh.

2nd April,
1960

10 Dear Sirs,

On behalf of Pegang Prospecting Co., Ltd., we
advise that we intend to carry out test boring on
approx. 16 acres of former railway reserve near
Papan, in the Mukim of Blanja, as per plan attached
hereto.

The reserve has been approved for Mining by the
Perak State Government (24 KLO. 917/51) and the
terms for issue of a mining title have been
accepted in principle by the Company.

20 We would be grateful to know whether you have
any objection.

Yours faithfully,

VALLENTINE DUNNE & ASSOCIATES LTD.

SD:

c.c. Evatt & Co.,
Ipoh.

GPH/LYC

Exhibits

A.5 (p.928) - LETTER FROM TONG SWEE KING TO SECRETARIES, PEGANG PROSPECTING CO. LTD.

A.5 (p.928)

Letter from
Tong Swee King
to Secretaries
Pegang Pros-
pecting Co.Ltd.

28th April,
1960

KACHA & MENELAI MINING SCHEME
PAPAN, PERAK, MALAYA

KHONG HENG KONGSI,
PAPAN,
PERAK, MALAYA.

Town Office:
2-4 Lau Ek Ching St.,
Ipoh, Malaya.

28th April, 1960.

Secretaries,
Messrs. Pegang Prospecting Co.Ltd.,
P.O. Box No.136
Ipoh.

10

Dear Sirs,

Subj: application for approx 3
acres of Company land
M.L.10217

As mining operations are being pursued very
near your Company's land, namely M.L.10217 I beg
to apply for approximately 3 acres of the Company's
land on M.L.10217, marked red on the plan
herewith attached.

20

I shall be most grateful if you will please
place my application for your Board of Directors'
consideration and kind approval.

Trusting this matter will receive your early
attention and thanking you,

Yours faithfullly,

Sd: Tong Swee King
.....
Tong Swee King.

30

Incl. 1 plan attached.

A.5 (p.929) - LETTER FROM SECRETARIES, PEGANG
PROSPECTING CO. LTD. TO TONG
SWEE KING.

Exhibits

A.5 (p.929)

PPCL/FNM/V

29th April, 1960.

Madam Tong Swee King,
2, Lau Ek Ching Street,
Ipoh.

Letter from
Secretaries,
Pegang Pros-
pecting Co.
Ltd. to Tong
Swee King.

29th April,
1960

Dear Madam,

10

M.L. 10217 Lot 24766

We refer to your letter dated 28th April and we would inform you that the area outlined in red, on the plan attached to your letter, forms part of the area of 69 acres over which Mr. Leow Yan Sip has a permit to mine.

Yours faithfully,

Sd: Evatt & Co.

Secretaries.

Exhibits

A.5 (p.935) - LETTER, TONG SWEE KING TO PEGANG PROSPECTING CO. LTD.

A.5 (p.935)

Letter, Tong Swee King to Pegang Prospecting Co.Ltd.

Messrs. Pegang Prospecting Co.Ltd.,
P.O. Box No. 136
Ipoh.

7th December, 1960

7th Dec. 1960.

Dear Sirs,

Khong Heng Kongs
re Dumping on M.Ls.11646, 11647,
9946 and 12338

10

I write to ask if you will be good enough to issue me with a letter permitting me to dump on the following M.Ls. for a period of two years:-

M.L. 11646, Lot 3109

M.L. 11647, Lot 31089

M.L. 9946, Lot 26173

The present permit from you is expiring on 31st December, 1960.

Thanking you,

Yours faithfully,

20

Sd: S.K.Tong.
.....
Tong Swee King.

A.5 (p.936) - LETTER, EVATT & CO. TO KHONG
HENG KONGSI.

Exhibits

A.5 (p.936)

PPCL/FNM/V

14th December 1960.

The Manager,
Khong Heng Kongsi,
2, Lau Ek Ching,
Ipoh.

Letter, Evatt
& Co. to Khong
Heng Kongsi.

14th December,
1960.

Dear Sir,

10

Application to dump on Lots 31091,
26173 and 31089

We refer to your letter dated 7th December and we would inform you that the Company is pleased to extend the permission to dump tailings on Lots 31091, 26173 and 31089, as outlined in red on the plan attached to our letter dated 23rd July, 1958, until 31st December, 1962.

Yours faithfully,

Sd: Evatt & Co.,

20

Secretaries.

Exhibits

A.5 (p.939)

Proxy from
Tong Swee King
to Lee Wan
Song for Extra-
ordinary
General Meeting
of 23rd October
1961

20th October,
1961

A.5 (p.939) - PROXY FROM TONG SWEE KING TO
LEE WAN SENG FOR EXTRAORDINARY
GENERAL MEETING OF 23rd OCTOBER
1961.

PEGANG PROSPECTING COMPANY LIMITED.
(Incorporated in the Federation of Malaya)

I, TONG SWEE KING 2, LAU EK CHING STREET, IPOH
being a Member of Pegang Prospecting Company, Limited
and entitled to 8996 vote(s) hereby appoint Lee
Wan Seng, or failing him, Francis Neale Mugliston 10
(Directors of the Company) or failing him
.....as my Proxy to vote for me and on
my behalf at the Extraordinary General Meeting of
the Company to be held on Monday, 23rd October, 1961,
and at any adjournment thereof and any poll
demanded, respectively:-

Sd: Tong Swee King.

* For
Against the Resolution.

As Witness my hand this 20th day of October,
1961. 20

Signed by the said MADAM TONG SWEE KING in the
presence of Mr. NG CHEW SHEE

* Please delete either "For" or "Against"

This proxy to be valid must be lodged at the
Registered Office of the Company, Chartered Bank
Chambers, Ipoh, Federation of Malaya, at least 48
hours before the time appointed for holding the
Meeting.

In the case of a Corporation, the Proxy must
be executed under its Common Seal. 30

If neither "For" nor "Against" is struck out
above, the Proxy will vote as he thinks fit.

A.5 (p.940) - MINUTES OF EXTRAORDINARY GENERAL
MEETING OF PEGANG PROSPECTING
CO.LTD.

Exhibits

A.5 (p.940)

PEGANG PROSPECTING COMPANY LIMITED.

Minutes of an Extraordinary General Meeting of the Members of Pegang Prospecting Company Limited held at the Registered Office of the Company, Chartered Bank Chambers, Ipoh, in the Federation of Malaya, on Monday, 23rd October, 1961 at 11 a.m.

Minutes of
Extraordinary
General Meet-
ing of Pegang
Prospecting
Co.Ltd.

23rd October,
1961

10 Present: Messrs. Lee Wan Seng (Chairman),
Ho Win Shen, G.P. Hutton and
F.N. Mugliston (Also representing the
Secretaries, Messrs. Evatt & Co.)

The representative of the Secretaries read the Notice convening the Meeting and reported that valid proxy forms, in favour of Mr. Lee Wan Seng, had been received from six members who together held 10,080 shares.

20 The Chairman proposed that the following
resolution, a copy of which had been sent to all
Members on 28th September 1961, be passed as a
SPECIAL RESOLUTION:-

"That the name of the Company be changed to
Pegang Mining Company, Limited."

The proposal was seconded by Mr. Ho Win Shen
and was passed unanimously upon a show of hands.

30 The Chairman and his three co-Directors there-
upon submitted a written demand for a poll under
the provisions of Article 71 of the Company's
Articles of Association and the Chairman directed
that the poll be taken forthwith. The Secretaries
of the Company, Messrs. Evatt & Co., were appointed
scrutineers and reported that the result of the
poll was:-

In favour of the motion	...	56,047 votes
Against the motion	...	<u>nil</u>
Majority in favour of the motion	...	<u>56,047 votes</u>

40 The Chairman declared the Special Resolution
duly passed and the Meeting thereupon terminated.

Exhibits

A.5 (p.943) - RESOLUTION OF BOARD OF DIRECTORS OF PEGANG MINING CO.LTD.

A.5 (p.943)

PEGANG MINING COMPANY LIMITED

Resolution of Board of Directors, Pegang Mining Co.Ltd.

RESOLUTION OF THE BOARD OF DIRECTORS OF PEGANG MINING COMPANY LIMITED PASSED THIS 21 DAY OF NOVEMBER, 1961 IN ACCORDANCE WITH THE PROVISIONS OF ARTICLE 107 OF THE COMPANY'S ARTICLES OF ASSOCIATION

21st November, 1961

Resolved that Mining Lease No.11544, Lot No. 29651 in the Mukim of Sungei Trap (22a.l.r.30p) be sold to Foong Seong Mines Ltd. for the sum of \$15,000 (Dollars Fifteen thousand) and that the Common Seal of the Company be affixed to the relevant transfer deed.

10

Lee Wan Seng
Ho Win Shen
G.P. Hutton
F.N. Mugliston

A.5 (p.944)

A.5 (p.944) - LETTER, KHONG HENG KONGSI TO INSPECTOR OF MINES, BATU GAJAH

20

Letter, Khong Heng Kongsi to Inspector of Mines, Batu Gajah

KACHA & MENELAID MINING SCHEME
PAPAN, PERAK, MALAYA

KHONG HENG KONGSI,
PAPAN,
PERAK, MALAYA

TOWN OFFICE:
2-4 Lau Ek Ching Street,
Ipoh.

12th May 1962

12th May, 1962.

Inspector of Mines,
Mines Office,
Batu Gajah.

Dear Sir,

30

I wish to inform you that we have resumed Mining Operation with effect from 9th June, 1962.

Thanking you.

Yours faithfully,
KHONG HENG KONGSI
SD:.....
Manager.

A.5 (p.946) - CERTIFIED TRUE EXTRACT OF
MINUTES OF MEETING OF DIRECTORS,
PEGANG MINING CO. LTD.

Exhibits

A.5 (p.946)

PEGANG MINING COMPANY LIMITED

Certified true extract from the Minutes of a Meeting of the Directors of Pegang Mining Company Ltd. held at the Secretaries' Office, Chartered Bank Chambers, Ipoh, on Thursday, 29th November, 1962, at 11.45 a.m.

Certified true extract of Minutes of Meeting of Directors, Pegang Mining Co.Ltd.

29th November, 1962.

10 PRESENT: Messrs. Lee Wan Seng (Chairman)
Ho Win Shen G.P.Hutton and F.N.
Mugliston (also representing the
Secretaries, Messrs. Evatt & Co.)

LOT NOS: It was agreed that negligible benefit
21952 AND was being, and would continue to be,
29650 derived by the Company from the mining
operations being carried out on Lot Nos.
21952 and 29650 and that continuance of
such operations would cause a serious
impediment to the Company's imminent
implementation of its future mining scheme.
It was further agreed that, in the circum-
stances, the mining of Lot Nos: 21952 and
29650 must cease at an early date. Mr.
Ho Win Shen, who is the Sub-sublessee's
Manager, informed the Meeting that he was
authorised to act on behalf of the
Sublessee regarding negotiations for the
surrender of the Sublease over Lot Nos:
21952 and 29650. After some discussion
Mr. Ho Win Shen was given an offer, to
be held open for three weeks only (i.e.
until Thursday, 20th December) of
\$30,000 for the immediate surrender of
the sublease and the sub-sub-lease over Lot
Nos: 21952 and 29650.

Sd:
.....
CHAIRMAN.

PEGANG MINING CO LTD.,

40 SD: EVATT & CO.,
SECRETARIES.

Exhibits

A.5 (p.948) - LETTER FROM COLLECTOR OF LAND
REVENUE, KINTA TO PEGANG MINING
CO. LTD.

A.5 (p.948)

Letter from
Collector of
Land Revenue
Kinta to
Pegang Mining
Co. Ltd.

BATU GAJAH 301
BIL (40) DLM P.T.K. 917/51.
SURAT TUAN PMCL/FNM/V

PEJABAT TANAH KINTA
BATU GAJAH.

11th December,
1962

11th December, 1962.

10

Messrs. Pegang Mining Company Ltd.,
P.O. Box No. 136
Ipoh.

Gentlemen,

Deviation of Tronoh P.W.D.
Water Pipeline.

I have the honour to refer to the above
matter and to inform you that the cost of the
above deviation has now been apportioned between
the 3 Companies and that the amount to be paid
by your Company is \$147,100/=.

20

2. Will you please pay up this amount before
15th January, 1963.

I have the honour to be,

Gentlemen,

Your obedient servant,

Sd: ?
.....
PEMUNGUT KHAZANAH TANAH
KINTA.

WNY/TL.

A.5 (p.950) - LETTER FROM TONG SWEE KING,
MANAGING PARTNER, KHONG HENG
KONGSI TO SECRETARY, PEGANG
MINING CO. LTD.

Exhibits

A.5 (p.950)

KACHA & MENELAI MINING SCHEME
PAPAN, PERAK, MALAYA

Letter from
Tong Swee King
Managing Part-
ner Khong Heng
Kongsi to
Secretary,
Pegang Mining
Co. Ltd.

KHONG HENG KONGSI,
PAPAN,
PERAK, MALAYA.

11th January, 1963.

11th January,
1963.

10 The Secretary,
Pegang Mining Co. Ltd.,
P.O. Box No. 136,
Ipoh.

Dear Sir,

Surrender of Sublease and Sub-Sublease
including all materials listed below:
Dollars Seventy Thousand only.

20 I wish to make an offer to you for the
surrender of my Sublease, and Sub-Sublease including
all the materials listed below for the sum of
Dollars Seventy Thousand (\$70,000.00) only.

One (i) pc. Deutz Engine 250 H.P. with Radiator
attached.

One (i) pc. Water Pump 10" x 12" with Bronz
Runner.

One (i) pc. Belting 12" width about 60 feet long.
(in use now)

One (i) pc. Paxman Engine 202 H.P.

One (i) pc. 8" Gravel Pump.

30 One (i) pc. 12" Belting about 60 feet (in use now)

One (i) pc. 5 H.P. Motor and Pump for ore Dressing
(in use now).

One (i) Tin-ore Dressing Shed with Tin Ore Drier,
Zinc Roof.

Exhibits

A.5 (p.950)

Letter from
Tong Swee King
Managing Part-
ner Khong Heng
Kongsi to
Secretary,
Pegang Mining
Co. Ltd.

11th January,
1963

(continued)

- One (i) Kitchen Shed with Zinc Roof.
- One (i) Palong and Launder with rail support
for level.
- Two (2) pcs. 12" Sluice Valve (in use now)
- One (i) pc. 10" Sluice Valve (in use now)
- Five (5) pcs. 8" " " (- do -)
- 300 ft. 8" and 9" Solid Drawn Pipes (in use now)
- 340 ft. 8" rivetted Pipes (in use now)
- 150 ft. 12" rivetted Pipes (in use now)

I shall be much obliged if you will give us a reply at your earliest convenience. 10

Thanking you,

Yours faithfully,

KHONG HENG KONGSI

Sd: Tong Swee King.
.....



A.5 (p.952) - LETTER FROM SECRETARIES, PEGANG
MINING CO. LTD. TO COLLECTOR OF
LAND REVENUE, KINTA.

Exhibits

A.5 (p.952)

PMCL/FNM/V

11th January, 1963.

The Collector of Land Revenue,
Kinta,
BATU GAJAH.

Letter from
Secretaries,
Pegang Mining
Co. Ltd. to
Collector of
Land Revenue,
Kinta.

Dear Sir,

11th January,
1963

10

Your Ref. Bil (40) dlm P.T.K. 917/51
Deviation of Tronoh P.W.D. Water Pipeline

We thank you for your letter of 11th December
and we now enclose a cheque for \$147,100 in payment
of this Company's share of the cost of the pipeline
deviation.

20

2. We understand that temporary occupation licences
over part of the former railway reserve and part of
Lot No. 30286 have been granted to certain cattle
owners. We are instructed to request that these
licences be not renewed upon their expiration, as
they will interfere with the deviation of the pipe-
line and the mining operations, which we expect to
commence at a very early date, on Lot No. 30286.

Yours faithfully,

Sd: Evatt & Co.,

Secretaries.

c.c. Merinyu Kanan Galian,
Perak,
Ipoh.

Exhibits

A.5 (p.953) - LETTER FROM SECRETARIES, PEGANG MINING CO. LTD. TO TONG SWEE KING

A.5 (p.953)

Letter from Secretaries, Pegang Mining Co.Ltd. to Tong Swee King

18th January, 1963.

PMCL/FNM/V

18th January 1963.

Madam Tong Swee King,
4, Lau Ek Ching Street,
IPOH.

Dear Madam,

Proposed surrender of sublease and sub-
sublease and sale of certain mining
equipment.

10

We are instructed to inform you that this Company does not wish to accept the offer contained in your letter of 11th January, 1963.

Yours faithfully,

Sd: Evatt & Co.

Secretaries.

A.5 (p.954)

A.5 (p954) - LETTER FROM SECRETARIES, PEGANG MINING CO.LTD. TO HANNAY & STEEDMAN.

Letter from Secretaries, Pegang Mining Co. Ltd. to Hannay & Steedman.

18th February, 1963

PEGANG MINING COMPANY LIMITED

20

Secretaries:
EVATT & CO
Chartered Accountants

P.O. Box 136
Chartered Bank Chambers,
Ipoh, Malaya.

PMCL/FNM/V

18th February, 1963.

Messrs.Hannay & Steedman,
I P O H

Dear Sirs,

Khong Heng Kongsi

We regret that delay in replying to your letter of 31st December but as the Khong Heng Kongsi ceased mining operations on 15th January the question of an extension of the dumping permit, which expired on 31st December 1962, presumably no longer arises.

30

Yours faithfully,
Sd: Evatt & Co.
Secretaries.

A.5 (p.955) :- LETTER FROM SECRETARIES, PEGANG
MINING CO. LTD. TO EXECUTORS OF
ESTATE OF CHAN PHOOI HOONG.

Exhibits

A.5 (p.955)

PMCL/FNM/V

23rd March 1963.

The Executors of
the Estate of Chan Phooi Hoong,
164 High Street,
KUALA LUMPUR.

Letter from
Secretaries,
Pegang Mining
Co. Ltd. to
Executors of
Estate of
Chan Phooi
Hoong.

23rd March,
1963

Dear Sirs,

10

Sublease - Lot Nos: 21952 and 29650

In view of the fact that mining operations on the areas subleased to you ceased on 16th January, 1963, we are instructed to make you an offer of \$4,000/= (Dollars four thousand) for an assignment of Sublease No. 78/56.

This offer is made subject to acceptance within two weeks from today's date.

Yours faithfully,

Sd: Evatt & Co.

20

Secretaries.

ExhibitsA.5 (p.956) - LETTER FROM SECRETARIES, PEGANG
MINING CO.LTD. TO COLLECTOR OF
LAND REVENUE, KINTA, BATU GAJAHA.5 (p.956)

Letter from
Secretaries,
Pegang Mining
Co. Ltd. to
Collector of
Land Revenue,
Kinta, Batu
Gajah

27th March,
1963.

PMCL/FNM/V

27th March 1963.

The Collector of Land Revenue,
Kinta,
BATU GAJAH.

Dear Sir,

Your Ref. Bil (49) dlm P.T.K.917/51
in respect of Lot Nos: 44408 and
30286 in the Mukim of Blanja, Papan.

10

The above Lot Nos: 44408 and 30286, being ex
mining leases and contiguous to our mining
interests in the Papan area, have been alienated
to us under Ref. P.T.K.1917/51 and the premiums,
survey fees, mining certificates fees etc. were
paid by us on 19th March.

Bearing in mind the normal period for the
release of a mining certificate by Government to
enable a miner to enter upon and work the land, we
have carried out the necessary preliminary work on
the above lots with the view to commencing mining
operations in June next.

20

Nevertheless, we are given to understand that,
instead of issuing us early with two mining
certificates, we will receive, at a later date, two
mining leases upon completion of the process
pertaining to the issue of a mining lease.

In the circumstances, we apply for your
consideration to issuing us with Mining Certificates
covering Lots 44408 and 30286 respectively to
enable us to commence mining operations at an early
date.

30

Yours faithfully,

Sd: Evatt & Co.,

Secretaries.

c.c. The Chief Surveyor,
Perak,
Taiping.

A.5 (p.959) - LETTER FROM EXECUTORS OF ESTATE OF
CHAN PHOOI HOONG TO SECRETARIES,
PEGANG PROSPECTING CO.LTD.

Exhibits

A.5 (p.959)

CHOP CHAN THYE LEE
TIN MINERS

No. 146 High Street, Kuala Lumpur

BRANCH OFFICE,
No. 2, Leong Sin Nam St.,
Ipoh, Perak.

30th March, 1963.

Letter from
Executors of
Estate of
Chan Phooi
Hoong to
Secretaries,
Pegang Pros-
pecting Co.
Ltd.

30th March,
1963

10

Your Ref. PMCL/FNM/V

M/S Evatt & Co.,
Secretaries,
M/s Pegang Prospecting Co.Ltd.,
P.O. Box No.136
Chartered Bank Chambers,
Ipoh, Perak.

Dear Sirs,

Sublease - Lot Nos. 21952 & 29650

20

In reply to your letter dated 23rd March, 1963,
we are to inform that a copy of your letter was
forwarded to Madam Tong Swee King, sub-sub-lessee,
for her attention.

She, however, advanced the following reasons
that your offer cannot be entertained and that we
therefore, should not accept it.

30

- (1) Mining operations ceased on 16-1-63 were
temporary measure in order to resite
machineries.
- (2) Alterations and improvements to the
existing scheme are to be carried out to
achieve greater output of tin ore and,
therefore, to make mining profitable.
- (3) Mining operations would be resumed very
shortly.

In the above circumstances, we consider Madam
Tong as being reasonable.

Yours faithfully,
Sd: Lee Chim Yee
Sd: Chan Hon Peng

40

.....
Executors & Trustees of the Estate of Chan Phooi Hoong (Decd.)

ExhibitsA.5 (p.963)A.5 (p.963) - COPY OF AGREEMENT BETWEEN
EXECUTORS OF ESTATE OF CHAN
PHOOI HOONG AND TONG SWEET KING.

Copy of Agree-
ment between
Executors of
Estate of Chan
Phooi Hoong
and Tong Sweet
King.

31st May 1963

AN AGREEMENT made at Kuala Lumpur this 31st day of May 1963 Between Lee Chim Yee and Chan Hon Peng (f) as executors and Trustees of the Estate of Chan Phooi Hoong, deceased of No. 146, High Street, Kuala Lumpur (hereinafter called the First Party) of the one part and Tong Sweet King (f) of No. 2, Lau Ek Ching Street, Ipoh (hereinafter called the Second Party) of the other part

10

WHEREAS:-

(a) The late Chan Phooi Hoong was granted a sublease over those two pieces of mining lands comprised and held under Mining Lease Nos. 8899 and 11543 for Lot No. 21952 and 29650 respectively in the Mukim of Blanja in the District of Kinta (hereinafter referred to as the said "Lands") by Pegang Prospecting Co. Ltd., Ipoh (hereinafter referred to as the said "Company") and which sublease was duly registered as Sublease No. 78/56 (hereinafter referred to as the said "Sublease") at the rate of seven (7%) percent tribute to the said Company.

20

(b) By a Memorandum of Sublease dated the 29th day of October, 1956 and duly registered as Sub-sublease No. 89/56 of Sublease No. 78/56 the late Chan Phooi Hoong had sub-subleased the said lands to Tong Sweet King (f) at the rate of nine (9%) percent tribute (hereinafter referred to as the said "Sub-sublease")

30

(c) Previous to the said sub-sublease as agreement was entered on the 23rd day of September 1953 between the late Chan Phooi Hoong and the said Tong Sweet King (f) (hereinafter referred to as the said "Previous Agreement") bearing certain reference to the said lands and others adjacent thereto.

(d) The parties hereto have now arrived upon certain arrangements and understanding concerning the rights benefits share and interest in the said Sublease No. 78/56 from the said Company to the late Chan Phooi Hoong which they desire to reduce into writing.

40

NOW IT IS HEREBY MUTUALLY AGREED between the parties hereto as follows:-

Exhibits

A.5 (p.963)

1. In consideration of the premises and of the sum of dollars five thousand (S\$5,000/=) only now paid by the Second Party to the First Party (the receipt whereof the First Party hereby acknowledges) to be dealt with and applied for as hereafter provided, the First Party hereby confirms and agrees to relinquish and forego the two (2%) per cent tribute over and above the seven (7%) percent tribute payable by the First Party to the Company under the said Sublease No.78/56, that is to say, notwithstanding the rate of nine (9%) percent tribute payable by the Second Party to the First Party under the said Sub-sublease No. 89/56 of sublease No. 78/56 the First Party shall as from hence-forth and hereafter be paid the reduced rate of tribute at seven (7%) percent only instead of at the rate of nine (9%) percent as have had been so done prior to the execution of this agreement hereof.

Copy of Agreement between Executors of Estate of Chan Phooi Hoong and Tong Swee King.

31st May 1963

(continued)

2. That though the First Party shall as from now be receiving and paid the reduced rate of seven (7%) percent tribute from all ore won and removed from the said lands the First Party hereby re-affirms that it shall conscientiously use its best endeavours to obtain a renewal and renewals of the said Sublease No. 78/56 from the said Company and immediately thereafter granting to the Second Party a renewal and renewals of the said Sub-sublease No. 89/56 of Sublease No. 78/56 for the term of its renewal or renewals and upon similar terms and conditions excepting that the rate of tribute to be paid to and received by the First Party from the Second Party shall be seven (7%) per cent only and no more or at such rate of tribute as the Company may insist upon on renewal or renewals of Sublease No. 78/56.

3. The sum of dollars five thousand (S\$5,000/=) paid herein under Clause 1 above by the Second Party to the First Party shall be treated as payment in one lump sum for the share or difference of tribute under the said Sub-sublease No. 89/56 of Sublease No. 78/56 which the First Party would normally be paid and receiving during the term of the said sub-sublease No.89/56 of Sublease No. 78/56 were this agreement hereof not been made.

ExhibitsA.5 (p.963)

Copy of Agreement between Executors of Estate of Chan Phooi Hoong and Tong Swee King.

31st May 1963

(continued)

4. In the event that at such time when it shall be required of the First Party to attend to or to obtain a renewal or renewals of the said Sublease No. 78/56 from the said Company upon its expiry should the First Party be indisposed or otherwise to attend to and to obtain a renewal or renewals of the same at such time for one reason or another, the First Party shall agree to delegate such specific powers and authorities to the Second Party to act attend and obtain such renewal or renewals of the said Sublease for and on behalf of the First Party. 10
5. If need be or the necessity arises the Second Party shall be at liberty to resort to or submit in the event that the said Company shall not agree or refuse to grant a renewal or renewals of the said Sublease No. 78/56 the issue for a renewal or renewals of the said Sublease No. 78/56 to the High Court or such other Courts for adjudication for and on behalf of the First Party provided always that all cost expense fees or legal charges shall be met with and settled entirely by the Second Party who shall indemnify and keep indemnified the First Party against the same. 20
6. The First Party shall not be held responsible for the refusal to renew the said Sublease No. 78/56 by the said Company and the Second Party shall have no right to claim whatsoever compensation for such non-renewals or renewals from the First Party. 30
7. The First Party shall however whenever require to agree to zealously support and assist the Second Party in the matter of such renewal or renewals of the said Sub-sublease and/or such application or applications to the Company for the working rights over such adjoining land or lands belonging to or alienated by the said Company, the cost and expense so involved to be entirely borne and paid by the Second Party. 40
8. This Agreement hereof shall in no way prejudice affect or adverse such obligations as are contained in the said Previous Agreement referred to under this agreement.

IN WITNESS WHEREOF the parties hereto have

hereunto set their hands the day and year first above written.

Exhibits

A.5 (p.963)

10	Signed by the said Lee) Chim Yee and Chan Hon) Peng (f) as Executors) and Trustees of the) Estate of Chan Phooi) Hoong, deceased in) the presence of:-)	Sd: Lee Chim Yee Sd: Chan Hon Peng Executors and Trustees of the Estate of Chan Phooi Hoong, dec'd	Copy of Agree- ment between Executors of Estate of Chan Phooi Hoong and Tong Swee King. 31st May 1963
----	--	--	--

Sd: Yong Kung Lim.
ADVOCATE & SOLICITOR,
KUALA LUMPUR.

Probate NO: 19/62
High Court, Kuala Lumpur.

(continued)

20	Signed by the said Tong) Swee King (f) in the) presence of:)	Sd: Tong Swee King.
	Sd: Yong Kung Lim, Advocate & Solicitor, Kuala Lumpur.	



Exhibits

A.5 (p.974) - LETTER, INSPECTOR OF MINES, BATU GAJAH TO HANNAY & STEEDMAN.

A.5 (p.974)

Letter,
Inspector of
Mines, Batu
Gajah to
Hannay &
Steedman.

Pejabat Galian,
Batu Gajah.

Bil (43) Dlm. Galian Batu Gajah.
23/60

24th June, 1963.

24th June 1963

Messrs.Hannay & Steedman,
Mercantile Bank Building,
P.O. Box No.41,
Ipoh.

10

Gentlemen,

Khong Heng Kongsi

I have the honour to refer to paragraph 4 of
your letter dated 10th June, 1963 re: Khong Heng
Kongsi. We visited the site on 12th June, 1963.

2. The revised mining scheme as shown on plan
No. 51-63 is approved provided that the ditchline
which your clients propose to cut from the exit
of the north dump to an old mine hole on M.L.11543
for Lot 29650 is of such depth and condition so
as to ensure that no slime or water is deposited
on land held by or approved to Pegang Mining Co.,
Ltd. The concrete spillway on the boundary of
M.C. 3255 and the railway reserve should be
repaired. Should this ditch interfere in any way
with Pegang Mining Co's. operations on the adjoin-
ing lease your clients will have to find alterna-
tive passage for their effluent.

20

I have the honour to be
Gentlemen,

30

Your obedient servant,

Sd: ?
.....
Merinyu Galian,
Batu Gajah.

c.c. The Manager,
Khong Heng Kongsi,
No.21 Lau Ek Ching Street,
Ipoh.

Pegang Mining Co Ltd.,
P.O. Box 136
Chartered Bank Chambers, Ipoh.
Choong Sam, Ipoh.

40

A.5 (p.976) . LETTER FROM SECRETARIES, PEGANG
MINING CO. LTD. TO INSPECTOR OF
MINES, BATU GAJAH.

Exhibits

A.5 (p.976)

PMCL/NNM/V

28th June, 1963.

Letter from
Secretaries,
Pegang Mining
Co. Ltd. to
Inspector of
Mines, Batu
Gajah.

Marinyu Galian,
Pejabat Galian,
Batu Gajah.

28th June,
1963

Dear Sir,

Your Ref. Bil(43) dlm Galian Batu
Gajah 23/60 Khong Heng Kongsi

10

We acknowledge receipt of a copy of your letter of 24th June addressed to Messrs. Hannay & Steedman. We are instructed to advise you that our Directors most strongly object to the peremptory manner in which you have apparently given to the Khong Heng Kongsi permission to construct a water-course on this Company's land.

20

2. We have not been given any information regarding the mining scheme of the Khong Heng Kongsi neither have we a sight of Plan No. 51-63.

30

3. We assume that permission for the construction of the water-course has been given in accordance with the provisions of Section 16 (xiii) of the Mining Enactment. We are however at a complete loss to understand how the Senior Inspector could possibly satisfy himself that the construction of such water-course would not interfere with this Company's rights when we have not been consulted in any way whatsoever and when we have absolutely no information regarding the matter.

4. It appears to us to be quite extraordinary that the Khong Heng Kongsi has not afforded us even the common courtesy of advising us that they wish to utilise part of the Company's lands for the purpose of constructing a water-course or ditchline.

5. Furthermore, this Company is at present commencing to open up a mine in the area.

Exhibits

A.5 (p.976)

Letter from
Secretaries,
Pegang Mining
Co.Ltd. to
Inspector of
Mines, Batu
Gajah.

28th June,
1963

6. In view of all the circumstances, this Company strongly objects to the proposed construction of a ditchline on any part of the Company's lands. We now request you to withdraw the permission which you have granted pending the decision of the Senior Inspector of Mines after an enquiry in accordance with the provisions of section 97(i) of the Mining Enactment. We also request that we be given full details of the proposed scheme in order that we may be in a position to present to the Senior Inspector of Mines our views on the matter.

10

Yours faithfully,

Secretaries.

c.c. Senior Inspector of Mines

Vallentine Dunne & Associates Ltd.

A.5 (p.978) - LETTER FROM MANAGER, KHONG HENG KONGSI TO PEGANG MINING CO.LTD.

Exhibits

A.5 (p.978)

KACHA & MENELAI MINING SCHEME
PAPAN, PERAK, MALAYA.

Letter from
Khong Heng
Kongsi to
Pegang Mining
Co. Ltd.

2nd July 1963

KHONG HENG KONGSI,
PAPAN,
PERAK, MALAYA

TOWN OFFICE:
2-4 Lau Ek Ching Street,
Ipoh, Perak.

2nd July 1963.

10 M/s Pegang Mining Co., Ltd.
P.O. Box No.136
Ipoh.

Dear Sir,

Khong Heng Kongsi, Papan
M.L.Nos. 8899 & 11543 Blanja

We have pleasure to inform you that mining operations have been resumed since the 26th June '63 and that we will be delivering ore to Straits Trading Co. Ltd., Pusing for sale on the 4th July 1963.

20 Please acknowledge.

Yours faithfully,
KHONG HENG KONGSI,

Sd: Ho Win Shen
.....
Manager.

c.c. Executors & Trustees,
Estate of Chan Phooi Hoong (Decd)
146 High Street,
Kuala Lumpur.

ExhibitsA.5 (p.980) - LETTER FROM INSPECTOR OF MINES,
BATU GAJAH TO HANNAY & STEEDMAN.A.5 (p.980)

Letter from
Inspector of
Mines, Batu
Gajah to
Hannay &
Steedman.

3rd July 1963

TALIPON: BATU GAJAH 239
BIL (52) DLM GALIAN BATU GAJAH 23/60

PEJABAT GALIAN,
BATU GAJAH.

3rd July 1963.

Messrs. Hannay & Steedman,
Mercantile Bank Building,
P.O. Box No.41
Ipoh.

10

Gentlemen,

Khong Heng Kongsi - Papan

I have the honour to refer to our joint visit to the above-mentioned mine together with the Timbalan Merinyu Kanan Galian, North on the morning of the 2nd July, 1963. Also present were Messrs. W.S. Ho and Choong Sam. This letter confirms what was said at that time.

2. The water level of the mine hole reservoir on M.L. 8899 is far above that of the mine floor level situated on the same lease. This is not satisfactory and the water level should be reduced as the mine floor is deepened.

20

3. The ditchline across Pegang Mining Co's property was in a very unsatisfactory condition. Certain conditions stipulated have not been complied with in that seepage had occurred and parts Pegang Mining Co's property was flooded. Hence permission to construct and use this ditchline was withdrawn previously. We all agreed that this ditchline should be taken out of use. Since your clients insist on using this course as passage for the mine effluent, the Timbalan Merinyu Kanan Galian suggested that a pipe line be installed over sections of the proposed passage. In this event written permission should first be obtained from Pegang Mining Co.Ltd.

30

4. Meanwhile, Khong Heng Kongsi may operate under the old scheme whereby dumping is confined to the area north of the mine hole. Effluent under 800 grains per gallon should be directed to the old mine hole reservoir on M.L.8899 on Lot 21952.

40

I have the honour to be, Gentlemen,

Your obedient servant, Sd: Lim Keng Kay
(Lim Keng Kay) Merinyu Galian, Batu
Gajah

c.c. Merinyu Kanan Galian, Ipoh
Khong Heng Kongsi, Ipoh.

A.5 (p.982) - LETTER FROM SECRETARIES, PEGANG
MINING CO.LTD. TO INSPECTOR OF
MINES, BATU GAJAH.

Exhibits

A.5 (p.982)

PMCL/FNM/V

3rd July, 1963.

Merinyu Galian,
Pegabat Galian,
Batu Gajah.

Letter from
Secretaries,
Pegang Mining
Co.Ltd. to
Inspector of
Mines, Batu
Gajah.

Dear Sir,

Your Ref. Bil (43) dlm Galian Batu
Gajah 23/60 Khong Heng Kongsi.

3rd July 1963

10

Our Directors have re-considered the matters raised in our letter of 20th June and we are now instructed to request you to totally disregard the contents of that letter.

We are further instructed to advise you that this Company objects to the construction of the proposed ditchline for the following reasons:-

20

(i) Part of the old dump comprised in lots 26173 & 4407 is to be mined in conjunction with the mining of the Railway Reserve by this Company probably in 1964. Measures are being taken to dry up the old dump; the concrete sill of the spillway, which serves as an outlet for the surface water in the dump, was lowered. Three drains at different points of the perimeter bund were cut to help draw away stagnant water.

30

and (ii) If a watercourse is permitted to drain continuously across the dump, a certain amount of water will percolate through the old slime which would turn wet and endanger mining.

Yours faithfully,

Secretaries.

c.c. Senior Inspector of Mines
Vallentine Dunne & Associates Ltd.

Exhibits

A.5 (p.983) - LETTER FROM INSPECTOR OF MINES,
BATU GAJAH TO SECRETARIES, PEGANG
MINING CO.LTD.

A.5 (p.983)

Letter from
Inspector of
Mines, Batu
Gajah to
Secretaries,
Pegang Mining
Co.Ltd.

TALIPON: BATU GAJAH 239
BIL (53) DLM GALIAN BATU GAJAH 23/60
PEJABAT GALIAN,
BATU GAJAH.
4th July, 1963.

4th July 1963

Messrs Evatt & Co.,
Pegang Mining Co Ltd.,
P.O. Box No.136
Ipoh.

10

Gentlemen,

Khong Heng Kongs

I have the honour to acknowledge receipt of
your letters FMCL/FNM/V dated 28th June, 1963 and
3rd July, 1963. As requested by the latter, the
contents of the former have been totally
disregarded.

2. The objections raised by Pegang Mining Co.
to the construction of the proposed ditchline
have been noted. Permission granted to Khong
Heng Kongs to utilise part of Pegang Mining
Company's property for the construction of a
ditchline have been withdrawn previously, vide
my Bil.(47) dlm. Galian B.G. 23/60 dated 2nd July,
1963, a copy of which has been forwarded to you.
Any inconvenience to or anxiety created among
your Directors is deeply regretted.

20

I have the honour to be,
Gentlemen,

30

Your obedient servant,

Sd: Lim Keng Kay
.....
(Lim Keng Kay)
Merinyu Galian,
Batu Gajah.

c.c. Merinyu Kanan Galian,
Ipoh.

Vallentine & Dunne,
Ipoh.

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A.5 (p.984) - LETTER FROM COLLECTOR OF LAND
REVENUE TO PEGANG PROSPECTING
CO.LTD.

Exhibits

A.5 (p.984)

BIL (57) DLM P.T.K. 917/51.

PEJABAT JAJAHAN
DAN TANAH.

5th July, 1963.

Letter from
Collector of
Land Revenue
to Pegang
Prospecting
Co.Ltd.

5th July 1963

Messrs Pegang Prospecting Co., Ltd.,
P.O. Box 136,
Ipoh.

10

Gentlemen,

Mining application over portions
of the former Ipoh/Tronoh Railway
Reserve.

Reference above, please call over at this
office as early as possible for the purpose of
signing Mining Leases for Lots 44407, 44408 and
30286 in the Mukim of Blanja.

20 2. Your letter PMCL/FNM/V dated 25th April,
1963 may have reference.

I am, Gentlemen,
Your obedient servant,

Sd: (Ibrahim bin Ismail)
.....
f. Pemungut Khazanah Tanah
I P O H
(Ibrahim bin Ismail)

JA/LSL

Exhibits

A.5 (p.985) - LETTER FROM TONG SWEE KING TO
PEGANG MINING CO. LTD.

A.5 (p.985)

Letter from
Tong Swee King
to Pegang
Mining Co.Ltd.

8th July 1963

KACHA & MENELAI MINING SCHEME,
PAPAN, PERAK, MALAYA.

KHONG HENG KONGSI,
PAPAN,
PERAK, MALAYA

TOWN OFFICE:
2-4 Lau Ek Ching Street,
Ipoh, Perak.

REGISTERED

8th July, 1963.

Messrs Pegang Mining Co Ltd.,
P.O. Box No.136,
Ipoh.

10

Dear Sirs,

Khong Heng Kongsi - Papan

I write to notify you that Khong Heng Kongsi
will require for dumping purposes Lots No.30286,
28358 & 28390 as shewn on the sketch plan attached
hereto.

These lots were our old dump areas before
and they will be required in the very near
future for disposal of our tailings when our
present mine expands or is being worked deeper.

20

Yours faithfully,

KHONG HENG KONGSI,

SD: Tong Swee King
.....
Managing Partner.

c.c. Executors & Trustees,
Est. of Chan Phooi Hoong, (Deceased)
146 High Street,
Kuala Lumpur.

30

A.5 (p.987) - LETTER FROM TONG SWEE KING,
MANAGING PARTNER, KHONG HENG
KONGSI TO EXECUTORS OF ESTATE OF
CHAN PHOOI HOONG.

Exhibits

A.5 (p.987)

KACHA & MENELAI MINING SCHEME
PAPAN, PERAK, MALAYA

KHONG HENG KONGSI,
PAPAN,
PERAK, MALAYA

TOWN OFFICE:
2-4 Lau Ek Ching Street,
Ipoh, Malaya.

9th July, 1963.

Letter from
Tong Swee King
Managing Part-
ner Khong Heng
Kongsi to
Executors of
Estate of
Chan Phooi
Hoong.

9th July 1963

Mr. Lee Chim Yee and Madam Chan Hon Peng,
Executors and Trustees of the
Estate of Chan Phooi Hoong deceased,
146, High Street,
Kuala Lumpur.

Dear Sir/Madam,

I, Tong Swee King, of Khong Heng Kongsi
understand that the lands formerly known as Tronoh
Railway Reserve (hereinafter called the "Railway
Reserve") situate north of Mining Lease No.11543
and former Mining Lease No.11447 (Lot 30286) and
south of Mining Lease No. 8899, and former Mining
Lease Nos. 10527 and 10526 (Lots 28390 and 28358)
have been approved to Pegang Prospecting Company
Ltd., (now known as Pegang Mining Company Ltd.)
and that Mining Certificates thereto are being
issued.

Under the circumstances, will you now please
take the necessary steps so that my mine (Khong
Heng Kongsi) could extend its working to the said
Railway Reserve.

Yours faithfully,

Sd: Tong Swee King

Managing Partner
Khong Heng Kongsi

c.c. Pegang Mining Co.Ltd.,
P.O. Box No.136
Ipoh.

Exhibits

A.5 (p.990)

A.5 (p.990) - LETTER FROM SECRETARIES, PEGANG
MINING CO.LTD. TO KHONG HENG
KONGSI.

Letter from
Secretaries,
Pegang Mining
Co.Ltd. to
Khong Heng
Kongsi.

PEGANG MINING COMPANY, LIMITED

Secretaries:
Evatt & Co.,
Chartered Accountants

P.O. Box No. 136
Chartered Bank Chambers,
Ipoh, Malaya.

16th July 1963

REGISTERED

PMCL/TSCM/V

16th July, 1963

Khong Heng Kongsi,
2 & 4, Lau Ek Ching Street,
Ipoh.

10

Dear Sirs,

We are in receipt of your letter of 8th July
1963 and presume that this is intended as an
application for permission to use our Lot Nos.
30286, 28358 and 28390 for dumping purposes.

The matter has been considered by our Board
of Directors and we are instructed to inform you
that Lot Nos. 30286, 28358 and 28390 are not
available to you for the purpose mentioned. In
no circumstances therefore may any of these lots
be used by you for dumping purposes.

20

Please acknowledge receipt of this letter.

Yours faithfully,

Sd: Evatt & Co.

Secretaries.

A.5 (p.991) - LETTER FROM EXECUTORS OF ESTATE
OF CHAN PHOOI HOONG TO PEGANG
MINING CO.LTD.

Exhibits

A.5 (p.991)

CHOP CHAN THYE LEE
TIN MINERS
No. 146 Jalan Bandar (High Street)
Kuala Lumpur.

Letter from
Executors of
Estate of
Chan Phooi
Hoong to
Pegang Mining
Co.Ltd.

BRANCH OFFICE:

2, Leong Sin Nam Street,
Ipoh, Perak.

18th July 1963

18th July, 1963.

10

M/s Pegang Mining Co. Ltd.,
P.O. Box No. 136,
Ipoh, Perak.

Dear Sirs,

Re: Khong Heng Kongsi

We refer you to Madam Tong Swee King's letter
to us dated the 9th instant a copy of which has
been forwarded to you.

20

Will you please do or cause to be done
whatever is necessary to enable her Kongsi to
extend its workings into the portion of the former
Tronoh Railway Reserve which has been approved to
you.

Yours faithfully,

Sd: Chan Hon Peng
.....
Executors & Trustees of
the Estate of Chan Phooi Hoong (Decd.)

30

c.c. Madam Tong Swee King,
2-4 Lau Ek Ching Street,
Ipoh, PERAK.



ExhibitsA.5 (p.992) - LETTER FROM SECRETARIES, PEGANG
MINING CO.LTD. TO EXECUTORS OF
ESTATE OF CHAN PHOOI HOONG.A.5 (p.992)

Letter from
Secretaries,
Pegang Mining
Co.Ltd. to
Executors of
Estate of Chan
Phooi Hoong.

PEGANG MINING COMPANY LIMITED

Secretaries: P.O. Box No.136
Evatt & Co., Chartered Bank Chambers,
Chartered Accountants. Ipoh, Malaya.

PMCL/FNM/V

27th July, 1963.

27th July 1963

The Executors & Trustees of the
Estate of Chan Phooi Hoong Deceased
146, High Street,
KUALA LUMPUR.

10

Dear Sirs,

Your letter of 18th July and Madam Tong Swee King's letter of 9th July have been brought to the notice of our Board of Directors. We are instructed to request you to ensure that, in no circumstances whatsoever, does your sub-sublessee extend the working of the Khong Heng Kongsii Mine into any portion of land which has been approved to, or is owned by, this Company.

20

2. We are further instructed to advise you that it is not, and never has been, the intention of our Board to make available for mining by the Kong Heng Kongsii any portion of the former railway reserve. The portion of the railway reserve in respect of which this Company has an approved application for a mining title will be incorporated in this Company's own mining scheme.

Yours faithfully,

30

Sd: Evatt & Co.,

Secretaries.

c.c. Madam Tong Swee King,
2-4 Lau Ek Ching Street,
Ipoh.

A.5 (p.993) - LETTER FROM EXECUTORS OF ESTATE
OF CHAN PHOOI HOONG TO TONG SWEE
KING.

Exhibits

A.5 (p.993)

CHOP CHAN THYE LEE
TIN MINERS.

No. 146, Jalan Bandar (High Street)
Kuala Lumpur.

Letter from
Executors of
Estate of
Chan Phooi
Hoong to Tong
Swee King.

29th July 1963

BRANCH OFFICE:
No. 2, Leong Sin Nam St.,
Ipoh, Perak.

29th July, 1963.

10

Madam Tong Swee King,
2-4 Lau Ek Ching Street,
Ipoh, Perak.

Dear Madam,

A reply to our letter of 18th instant from the
Secretaries of Pegang Prospecting Mining Company
Limited dated 27th July 1963 has this morning
reached our hands and a copy of which has been
sent to you.

20

In view of the express conditions of this
letter we would request you to adhere strictly to
their requirements.

Yours faithfully,

Sd: Lee Chim Yee
Sd: Chan Hon Peng
.....
Executors & Trustees of
the Estate of Chan Phooi Hoong
(Decd.)

ExhibitsA.5 (p.995) - LETTER FROM TONG SWEE KING TO SECRETARIES, PEGANG MINING CO. LTD.A.5 (p.995)

Letter from
Tong Swee King
to Secretaries
Pegang Mining
Co.Ltd.

KACHA & MENELAI MINING SCHEME
PAPAN, PERAK, MALAYA

13th August,
1963

KHONG HENG KONGSI,
PAPAN,
PERAK, MALAYA

Town Office:-
2-4 Lau Ek Ching Street,
Ipoh Malaya.

13th August, 1963.

Messrs. Evatt & Co.,
Secretaries,
Pegang Mining Company Ltd.,
Chartered Bank Chambers,
Ipoh.

10

Dear Sirs,

(1) I am in receipt of your letter of the 16th of July 1963 and regret to note that you have misconstrued my letter to you dated the 8th of July 1963. My letter is not an application to you for permission but to request you to fulfill your obligation under the agreement dated the 17th day of December, 1928, and made between Pegang Prospecting Ltd., Ho Man, Ho Kok Yew and others in respect of dumping rights in connection with Mining Operations in this area.

20

(2) As my Kongsis is working Lot 21952 which under the aforesaid agreement is included in the hill areas, my Kongsis is entitled to dump on the worked out portions of the upper and lower flats which include the above lots 30286, 28358, 28390 and also lot 26173 (M.L.9946).

30

(3) I am reminding you that under the aforesaid agreement dated 17th December, 1928, my Kongsis is entitled to this right in connection with its mining operations in this area.

(4) If you do not agree with my aforesaid

contention that my Kongsı (Khong Heng Kongsı) is so entitled will you please let me know whether you prefer to refer this dispute to arbitration in accordance with Clause 10 of the said agreement, or by mutual consent waive the said arbitration clause and proceed to Court, so that the Court may decide this dispute.

Yours faithfully,

Sd: Tong Swee King,

Managing Partner
Khong Heng Kongsı.

Exhibits

A.5 (p.995)

Letter from
Tong Swee King
to Secretaries
Pegang Mining
Co.Ltd.

13th August,
1963

(continued)

10

c.c.

To:-

Mr.Lee Chim Yee and
Madam Chan Hon Peng,
Executors & Trustees of the
Estate of Chan Phooi Hoong, dec'd.,
146, High Street,
Kuala Lumpur .

ExhibitsA.5 (p.997)

Letter from
Tong Swee King
to Secretaries
Pegang Mining
Co.Ltd. and to
Executors of
Estate of Chan
Phooi Hoong.

13th August,
1963

A.5 (p.997) - LETTER FROM TONG SWEE KING TO
SECRETARIES, PEGANG MINING CO.
LTD., AND TO EXECUTORS OF ESTATE
OF CHAN PHOOI HOONG.

KACHA & MENELAI MINING SCHEME
PAPAN, PERAK, MALAYA.

KHONG HENG KONGSI,
PAPAN,
PERAK, MALAYA.

Town Office:-
2-4 Lau Ek Ching Street,
Ipoh, Malaya.

13th August, 1963.

10

(i) Messrs. Evatt & Co.,
Secretaries,
Pegang Mining Company Ltd.,
Chartered Bank Chambers,
Ipoh.

(ii) Mr. Lee Chim Yee and
Madam Chan Hon Peng,
Executors and Trustees of the Estate of
Chan Phooi Hoong deceased,
No. 146 High Street,
Kuala Lumpur.

20

Dear Sirs/Madam,

I refer you to the agreement dated the 22nd
day of October, 1931 made between Pegang Prospecting
Company Limited, Ho Man and Ho Kok Yew.

2. I am the widow of the late Ho Kok Yew and sole
beneficiary and Executrix of his Estate. As such,
I claim that under the said agreement:-

(i) I am entitled to sub-sub-leases over
the following areas, namely:-

30

(a) that portion of the former Tronoh
Railway Reserve which has been
approved to Pegang Prospecting
Company, Limited (now Pegang Mining
Company Limited).

(b) M.C. 3256 (formerly M.L.11447 Lot
3C286 Mukim Blanja).

(c) M.C. 3255 (formerly M.L.10526 and 10527 for lots Nos.28358 and 28390 Mukim Blanja).

(d) M.L.9946 Lot 26173 Mukim Blanja.

(e) M.L.11647 Lot 31091 Mukim Blanja.

(f) M.L.11646 Lot 31089 Mukim Blanja.

10 (ii) that Pegang Mining Company Limited is obliged to execute sub-leases over the aforesaid lands in favour of the Executors and Trustees of the Estate of Chan Phooi Hoong deceased who in turn will have to execute sub-leases there-
over in my favour;

20 (iii) Pegang Mining Company Limited is obliged to apply for extension or renewal of Mining Leases Nos. 8899 and 11543 for Lots Nos. 21952 and 29650 Mukim Blanja and when the same are renewed or extended to execute fresh sub-leases thereover in favour of the Executors and Trustees of the Estate of Chan Phooi Hoong deceased, and following on that;

(iv) I am entitled to a sub-sublease over the said Mining Leases Nos. 8899 and 11543 for Lots Nos. 21952 and 29650 when the sub-subleases I hold over the said areas expire in 1965.

30 (3) If you dispute my claims aforesaid, will you please let me know whether you prefer to refer this dispute to arbitration in accordance with Clause 6 of the said agreement or by mutual consent waive the said arbitration clause and proceed to Court so that the Court may decide this dispute.

Yours faithfully,

Sd: Khong Heng Kongs

Tong Swee King.

Managing Partner.

Exhibits

A.5 (p.997)

Letter from
Tong Swee King
to Secretaries
Pegang Mining
Co.Ltd.and to
Executors of
Estate of Chan
Phooi Hoong.

13th August,
1963.

Exhibits

A.5 (p.1000) - LETTER FROM EXECUTORS OF
ESTATE OF CHAN PHOOI HOONG TO
TONG SWEE KING.

A.5 (p. 1000)

Letter from
Executors of
Estate of Chan
Phooi Hoong to
Tong Swee King

CHOP CHAN THYE LEE
TIN MINERS

No. 146, Jalan Bandar (High Street)
Kuala Lumpur.

16th August,
1963

BRANCH OFFICE:
2, Leong Sin Nam Street,
Ipoh, Perak.

10

16th August, 1963.

Madam Tong Swee King,
2-4 Lau Ek Ching Street,
Ipoh, Perak.

Dear Madam,

We are in receipt of your letter dated 13th
August 1963 with plan attached.

In view of the fact that Khong Heng Kongsu
has worked the areas as mentioned in your letter
for a good number of years, it is hoped that
Pegang Mining Company Limited will give due
consideration to your reasonable claims.

20

Yours faithfully,

Sd: Lee Chim Yee

Chan Hon Peng
.....
Executors & Trustees of
the Estate of Chan Phooi
Hoong (Decd).

c.c. M/s Evatt & Co.,
Secretaries,
M/s Pegang Mining Co.Ltd.,
Chartered Bank Chambers,
Ipoh, Perak.

30



A.5 (p.1007) - LETTER FROM BRADDELL & RAMANI
TO SECRETARIES, PEGANG MINING
CO.LTD. AND EXECUTORS OF ESTATE
OF CHAN PHOOI HOONG.

Exhibits

A.5 (p.1007)

BRADDELL & RAMANI
ADVOCATES AND SOLICITORS

HONGKONG BANK CHAMBERS
POST BOX 372
KUALA LUMPUR.

Letter from
Braddell &
Ramani to
Secretaries,
Pegang Mining
Co.Ltd. and
Executors of
Estate of Chan
Phooi Hoong.

Our Ref: 4919/63/NET/SK

Your Ref:

10th December, 1963.

10th December,
1963.

10 Messrs Evatt & Co.,
Secretaries,
Pegang Mining Co.Ltd.
Chartered Bank Chambers,
Ipoh.

Mr. Lee Chim Yee and
Madam Chan Hon Peng,
Executors and Trustees of the Estate
of Chan Phooi Hoong Deceased,
146, High Street,
20 Kuala Lumpur.

Dear Sirs/Madam,

We have been consulted by Madam Tong Swee King
with reference to her letter to you of the 13th
August last for which no reply whatever has been
received.

We assume that it is therefore not your
intention to have this claim either settled or
arbitrated to settlement.

30 We are therefore issuing a Writ against you
for the appropriate declarations and other reliefs.
If you have any Solicitors who will accept service
on your behalf, you might want to advise us
thereof.

Yours faithfully,

Sd: Braddell & Ramani
.....



Exhibits

A.5 (p.1020) - LETTER FROM INSPECTOR OF MINES,
BATU GAJAH TO MANAGER, KHONG
HENG KONGSI.

A.5 (p.1020)

Letter from
Inspector of
Mines, Batu
Gajah, to
Manager,
Khong Heng
Kongsi.

TALIPON: BATU GAJAH 239
23/60/II
Bil. (3) DLM. BATU GAJAH.

PEJABAT GALIAN,
BATU GAJAH.

13th January,
1964.

13th Jan., 1964.

The Manager,
Khong Heng Kongsi,
No. 2, Lau Ek Ching Street,
Ipo.

10

Sir,

Renewal of Licence to Work Underground

I have the honour to acknowledge receipt of
your letter dated 4th January, 1964 applying for
the renewal of Licence No. 9/63.

2. Our record shows that you have not carried
out any underground workings since the issue of
Licence No. 9/63 in September, 1963. Renewal of
this Licence is therefore deferred until such
time when you are about ready to start under-
ground workings.

20

I have the honour to be,
Sir,

Your obedient servant,

Sd: (Lim Keng Kay)

Merinyu Galian,
Batu Gajah.

30



A.5 (p.1025) - LETTER FROM SENIOR INSPECTOR
OF MINES, PERAK, IPOH, TO
SECRETARIES, PEGANG MINING CO.
LTD.

Exhibits

A.5 (p.1025)

Ipoh 15hb Mai, 1964

Letter from
Senior Inspec-
tor of Mines,
Perak, Ipoh,
to Secretaries
Pegang Mining
Co.Ltd.

10 Messrs Evatt & Co.,
Secretaries,
Pegang Mining Co., Ltd.,
P.O. Box No. 136,
Chartered Bank Chambers,
Ipoh.

15th May 1964

Tuan,

Khong Heng Kongs

I have the honour to acknowledge receipt of your letter dated 14th May, 1964 and to confirm that "no returns were filed in this Office for the months of February, March, April, May, October, November and December, 1963 as no production was recorded for the said months".

20 2. April was inadvertantly omitted in my Bil. (42) dlm Galian Pk.65/49/II/3 and error is regretted.

3. Receipt M.No.324263 for \$22/- is forwarded herewith for your retention.

Saya yang menurut perintah,

Sd:

(Tan Kim Bee)

p.p. MERINYU KANAN GALLIAN,
PERAK.

Exhibits

A.5 (p.1026) - LETTER FROM HANNAY & STEEDMAN
TO DIRECTORS, KHONG HENG KONGSI

A.5 (p.1026)

Letter from
Hannay &
Steedman to
Directors,
Khong Heng
Kongsi.

HANNAY & STEEDMAN
Consulting Engineers, Surveyors

Mercantile Bank Building,
P.O. Box No.41,
Ipoh, Perak.

23rd June 1964

23rd June, 1964.

The Directors,
Khong Heng Kongsi,
60 Belfield Street,
Ipoh.

10

Dear Sirs,

Re: Report re. Khong Heng Kongsi
Papan, Perak.

The area of the mining property comprising
lots 21952 and 29650 were inspected by the under-
signed a.m. 22nd June, 1964, to further assess
whether it would be economical to mine any lands
be it virgin land or tailings to obtain
economical extraction of tin ore.

20

During the past two years it has been known
that the monthly recovered of tin ore has been
such, that the mine has been operated at considera-
ble loss, in our opinion, for the following
reasons,

- (a) that the area of land comprising the
sublease has now been exhausted.
- (b) the area of land comprising a section of
the old railway reserve, that you have
applied for, has not been sub-leased to
you, by Messrs. Pegang Mining Co.Ltd.

30

The Mining installations at Khong Heng Kongsi
to date are as follows, 1 No. 8" x 6" Water Pump
75 H.P. Electrically driven, 1 No. 7" Dia Gravel
Pump 100 H.P. Electrically driven, 3 Nos.
12'-0" x 4'-0" jigs 10 H.P. Electrically driven,
2 Nos. Cyclones, and during mining operations an

average of 15 labourers have been employed on the mine in various capacities.

Exhibits

A.5 (p.1026)

Letter from
Hannay &
Steedman to
Directors,
Khong Heng
Kongsi.

23rd June 1964

10 Prior to mining operations being carried out on the higher ground to the north east of the lot No. 21952 check prospecting was carried out by means of pitting and from the results, although considered marginal, mining operations were carried out, as all the low lands have previously been mined, but actual production on the high ground proved that recoveries of tin was the wrong side of the margin.

It is considered every effort has been made by your goodselves to instal mining equipment and work the land in a workmanlike manner, to recover maximum tin but the little tin recovered was a surface deposit 0' to 8'-0" in depth.

20 Enclosed is a certified true copy of the tin sales, that, over a period of six months has only totalled piculs 43.17, hence it may be seen that the mining operations have been most uneconomical.

The conditions under the sub-lease call for a labour force, or labour saving apparatus, equalling 79 labourers the miner has a total of 200 H.P. and 15 labourers to operate the present mine and conforms with the sub-lease conditions.

30 To conclude this report it is considered that unless the mining land within the railway reserve is subleased to the miner, mining operations must be terminated, as there are no more areas to work and further financial losses will be made.

Yours faithfully,

Sd: Hannay & Steedman

???

Consulting Engineers

W.R. Hussey M.B.E.

WRH/R.Y.

ExhibitsA.5 (p.1039)

Statement of
Tin Ore sales
and Tribute
received for
period 1st
January 1963
to 30th April
1964 from
Pegang Mining
Co.Ltd. to
Khong Heng
Kongsi.

17th July 1964

A.5 (p.1039) - STATEMENT OF TIN ORE SALES AND
TRIBUTE RECEIVED FOR PERIOD
1ST JANUARY 1963 TO 30TH APRIL
1964 FROM PEGANG MINING CO.LTD.
TO KHONG HENG KONGSI.

PEGANG MINING COMPANY LIMITED

Secretaries:
Evatt & Co.,

P.O. BOX 136,
Chartered Bank Chambers,
Ipoh, Perak,
Malaya.

17th July, 1964.

10

KHONG HENG KONGSI (M.L.8899 Lot No. 21952)

STATEMENT OF TIN ORE SALES AND TRIBUTE RECEIVED
FOR PERIOD 1ST JANUARY 1963 to 30TH APRIL,
1964.

<u>Month of Sale.</u>	<u>Tribute Received</u>	<u>Ore Piculs</u>
January 1963	₹ 408.34	22.33
February "	163.84	9.51
March "	Nil	Nil
April "	Nil	Nil
May "	Nil	Nil
June "	Nil	Nil
July "	405.09	21.12
August "	752.43	39.18
September "	523.96	26.87
October "	Nil	Nil
November "	Nil	Nil
December "	Nil	Nil
January 1964	173.55	8.04
February "	115.37	5.32
March "	49.76	2.29
April "	318.61	15.05
	<u>₹2,910.95</u>	<u>149.71</u>

20

30

Pegang Mining Co Ltd.

Sd: Evatt & Co.,

Secretaries

A.5 (p.1040) - LETTER FROM INSPECTOR OF MINES,
BATU GAJAH TO MAXWELL KENION
COWDY & JONES.

Exhibits

A.5 (p.1040)

TALIPON: BATU GAJAH 239

PEJABAT GALIAN,
Batu Gajah.

22nd Sept. 1964.

Letter from
Inspector of
Mines, Batu
Gajah to
Maxwell Kenion
Cowdy & Jones.

22nd September,
1964

BIL (20) DLM GALIAN BATU GAJAH 23/80/II

10 Messrs Maxwell Kenion Cowdy & Jones,
P.O. Box No. 42
Mercantile Bank Building,
Ipoh.

Gentlemen,

Khong Heng Kongsi

I have the honour to refer to your letter
N. T. R./LKC/10768 dated September, 1964. The
same has been forwarded to me with instructions
to reply direct to you. The mine ceased operations
on 9.6.1964 and has not resumed operations.

20

I have the honour to be,
Gentlemen,
Your obedient servant,

Sd: Lim Keng Kay
.....
(Lim Keng Kay)
Merinyu Galian
Batu Gajah.

c.c. Merinyu Kanan Galian,
Wilayah Utara.

Your Gal.Fk. 65/49/II/3 refers.

Exhibits

A.5 (p.1041) - LETTER FROM INSPECTOR OF MINES
TO MAXWELL KENION COWDY & JONES

A.5 (p.1041)

Letter from
Inspector of
Mines to
Maxwell Kenion
Cowdy & Jones.

TAILIPON: BATU GAJAH 239 PEJABAT GALIAN,
BIL () DLM GALIAN BATU GAJAH 23/60/II
SURAT TUAN BATU GAJAH 25-11-1964

25th November,
1964.

Messrs Maxwell Kenion Cowdy & Jones,
P.O. Box 42,
Mercantile Bank Building,
Ipoh.

Gentlemen,

10

Khong Heng Kongsi

I have the honour to refer to your letter
NTR/CPL/10768 dated 23.11.1964 and to inform that
the above unit resumed operations on 16th October,
1964. Details of output since the last
resumption are not available at the moment.

I have the honour to be,

Gentlemen,

Your obedient servant,

Sd: Lim Keng Kay
Lim Keng Kay

20

Merinyu Galian,
Batu Gajah.



A.5 (p.1042) - LETTER FROM INSPECTOR OF MINES
TO MAXWELL KENION COWDY & JONES.

Exhibits

A.5 (p.1042)

TALIFON: BATU GAJAH 239

PEJABAT GALIAN
BATU GAJAH.

BIL (34) DLM GALIAN BATU GAJAH 23/60 Pt.II

SURAT TUAN NTR/CPL/10768.

2hb. Disembar, 1964.

Letter from
Inspector of
Mines to
Maxwell Kenion
Cowdy & Jones

2nd December,
1964.

M/s Maxwell Kenion Cowdy & Jones,
P.O. Box No.42,
Ipoh.

10

Tuan 2,

Khong Heng Kongs

Further to my letter dated 30 h.b. November,
1964, I have the honour to inform you that the
above mentioned mine reported nil output for the
months of September and October, 1964.

Saya yang menurut perintah,

Sd: (Lim Keng Kay)

Merinyu Galian,

Batu Gajah.

20

Exhibits

A.6 (p.1088) - CERTIFIED COPY OF MINING LEASE
10527 (SPECIMEN)

A.6 (p.1088)

Certified copy
of Mining
Lease 10527
(Specimen)

31st January,
1925.

S.R. 2772 - 24
Federated Malay States.
State of Perak.
Schedule D.

Section 9 (i) of The Mining Enactment 1911.
Lease for Mining Land.

District of Kinta.

No. 10527.

10

This lease is issued by the Resident of Perak on behalf of His Highness the Sultan of Perak to Ho Man and those claiming under him to occupy for the term of thirteen (13) years from the date hereof that portion of land in the Mukim of Blanja Lot 28390 estimated to contain four (4) acres one (1) rood thirty-eight (38) poles more or less which said portion of land with the dimensions abuttals and boundaries thereof is delineated on the plan drawn on these presents and more particularly on revenue survey plan number 27552 deposited in the Office of the Deputy Superintendent of Revenue Surveys, Kinta, subject to the payment therefor of the annual rent of five (5/=) dollars nil cents and to the employment thereon of not less than five (5) coolies and to the provisions covenants and conditions set out in the Mining enactment 1911 and to the other covenants and conditions expressly set forth hereunder:

20

Provided always and it is hereby expressly agreed and declared that

30

In witness whereof the said Resident has hereto set his hand and caused the public seal of the State to be affixed at Kuala Kangsar this 31st day of January, 1925 in the presence of:

Sgd. ?

) Sealed and signed
) by: ?

) British Resident,
) Perak.

Exhibits

A.6 (p.1088)

Certified copy
of Mining
Lease 10527
(Specimen)

31st January,
1925.

(continued)

10 Signed by the said Ho Man by his attorney Ho Kok Yew this 14th day of January, 1925 in the presence of: Sgd. ?

) Ho Man by his
) attorney.
) Sgd. Ho Kok Yew
) P/A. 9/24.

C.C.L.O. Kinta.

Registered at the Kinta Land Office this 6th day of February, 1925.

Journal No. 147/25.
No. of former title: M.A.1/24.

Sgd. ?
Collector of Land Revenue,
Kinta.

20

Presentation No. 4745 Miscellaneous No. 30/37.

The term of this lease is hereby extended from the 6th day of February, 1938 to the 31st day of December, 1950 by order of the Resident under Section 24 (ii) (a) of the Mining Enactment (Cap. 147) at 10 a.m. this 20th day of March, 1937. (Vide K.L.O.1190/36)

Sgd. ?
Collector of Land Revenue,
Kinta.

30

ExhibitsA.6 (p.1088)

Certified copy
of Mining
Lease 10527
(Specimen)

31st January,
1925

(continued)

Cancelled - Expired on 31st December, 1950
this 9th day of January, 1951.

Issue copy not delivered.

Sgd. ?
Collector of Land Revenue,
Kinta.

Sublease 5/26. Sublet to Ho Oi Chee for the
term of the lease and any renewal thereof
by the abovenamed Ho Man, this 5 January, 1926.

10

Sgd. ?
Collector of Land Revenue,
Kinta.

Transfer 166/28) Transferred to Ho Kok Yew by
of } the abovenamed Ho Oi Chee,
Sublease 5/26 } this 26th September, 1928.

Sgd. ?
Collector of Land Revenue,
Kinta.

Charge 19/29. Charge to Lee Kam Choon by the
abovenamed Ho Man, subject to Sublease 5/26.

20

Produced and entered at Batu Gajah, this 12th
day of September, 1929 at 12.50 o'clock in the
after-noon.

Sgd. ?
Collector of Land Revenue,
Kinta.

Charged 28/29. To Chan Chee Hoong and Chan Yew
Ching by the abovenamed Ho Man subject to Sub-
lease 5/26 and Charge 19/29. Produced and
entered at Batu Gajah, this 14th day of December,
1929, at 11 o'clock in the fore-noon.

30

Sgd. ?
Collector of Land Revenue,
Kinta.

Transfer 97/30)
of)
Charge 19/29) Transferred to The Bank of Malaya
Limited by the above-named Lee Kam
Choon. Produced and entered at
Batu Gajah, this 27th day of June,
1930 at 10.07 o'clock in the fore-
noon.

Sgd. ?
Collector of Land Revenue,
Kinta.

Exhibits

A.6 (p.1088)

Certified copy
of Mining
Lease 10527
(Specimen)

31st January,
1925

10 Presentation No.3190)
Transmission No.21/34)
of)
Charge No.19/29) to Saravanamuthu Seenivasagam,
William Joseph Kilner, Lee
Say Kee, Lim Seng Chew and
Cheah Siew Cheong as Repres-
entatives of The Bank of
Malaya Limited in voluntary
liquidation by extraordinary
resolutions passed on the 6th
May 1932 at 10 a.m. this 5th
day of October, 1924 subject
to sublease 5/26.

20

Sgd. ?
Collector of Land Revenue,
Kinta.

Presentation No.3191)
Transfer No.151/34)
of)
Charge No.19/29) From Saravanamuthu Seenivasagam,
William Joseph Kilner, Lim
Seng Chew, Lam Say Kee and
Cheah Siew Cheong as
Representatives to the Perak
Trust and Investment Company
Limited at 10 a.m. this 5th day
of October, 1934 subject to
Sublease 5/26.

30

Sgd. ?
Collector of Land Revenue,
Kinta

(continued)

Exhibits
A.6 (p.1088)
 Certified copy
 of Mining
 Lease 10527
 (Specimen)

31st January,
 1925.

(continued)

Presentation No.3348) From Chan Chee Hoong his
 Transfer No.9/35) undivided one-half ($\frac{1}{2}$)
 of) interest to Ho Kok Yew
 Charge No. 28/29) subject to Sublease 5/26 and
 Charge 19/29 at 9.40 a.m.
 this 19th day of January,
 1935, the undivided one-half
 ($\frac{1}{2}$) interest of Chan Yew
 Ching remaining unaffected.

Sgd. ?
 Collector of Land Revenue,
 Kinta.

10

Presentation No.6613 Discharge of Charge No.2/40.
 Charge No.28/29 satisfied and discharged at 11.30
 a.m. this 29th day of January, 1940.

Sgd. ?
 Collector of Land Revenue, Kinta.

Presentation No.6773 Discharge of Charge No.11/40
 Charge No.19/29 satisfied and discharged at 11
 a.m. this 2nd day of May, 1940.

Sgd. ?
 Collector of Land Revenue,
 Kinta.

20

Presentation No.7157 Transmission No.18/40. To
 Walter John Piachaud Grenier as Representative of
 the Estate of Ho Man (deceased on the 16th June,
 1936) by Grant of Letters of Administration
 Kuala Lumpur Supreme Court No.172/36 dated the
 3rd July, 1939, subject to Sublease 5/26 at 10.30
 a.m. this 20th day of November, 1940.

Sgd. ?
 Collector of Land Revenue,
 Kinta.

30

Presentation No. 7158 Transfer No. 83/40. From
 Walter John Piachaud Grenier as Representative to
 Chan Phooi Hoong subject to Sublease 5/26 at
 10.30 a.m. this 20th day of November, 1940.

This certified copy of Mining Lease No.10527
 is issued under Section 76 of the Evidence Ordinance
 in connection with Ipoh High Court Suit No.304/64.

40

Checked:
 Regn. Clerk,
 Sgd. ?

CERTIFIED TRUE COPY,
 Sgd. ?
 Collector of Land Revenue,
 Kinta. Batu Gajah.

A.6 (p.1140) - CERTIFIED COPY OF MINING CERTIFICATE 3255.ExhibitsA.6 (p.1140)

Volume 55 Folio 55
 Alienation K.L.O. 917-51; Pk Sec.5539-57.
 Federation of Malaya
 Presentation No. 7716
 MINING CERTIFICATE 3255.

Certified copy
 of Mining
 Certificate
 3255.

Schedule III

6th April 1963

10 (Section 11 (i) of the Mining Enactment of the
 Federated Malay States (Cap. 147)

This is to certify that permission has this day
 been granted to Pegang Mining Company Limited of
 Ipoh to enter upon, occupy and mine the land here-
 inafter described, subject to the provisions of the
 Mining Enactment of the Federated Malay States and
 to the employment thereon of not less than Twenty-
 two (22) labourers and pending the issue of a mining
 lease under the said Enactment.

DESCRIPTION OF THE LAND.

20 Express Condition
 Please see reverse.

District: Kinta.
 Mukim: Blanja.
 Locality: Papan
 Position Lot 44407
 Approximate area 21a. 1r. 15p.

Dated at Batu Gajah this 6th day of April, 1963.

Application No.

Certificate No.3255

30 Rent: ~~43~~.00

Former Title: Nil.

Note "Mining Lease when issued will be for a period
 of Ten (10) years from date of registration.

Checked: Sd: Azizul Rahman.

Initialed: Nasaruddin.

Collector of Land Revenue
 District of Kinta,
 State of Perak.

40 PREMIUM \$1075.00) T.O. 5/63
 M.C.FEE 3.00) 937330
 P. & R. OF M.C. 4.00)
 22.3.63
 \$1082.00

Exhibits

Restriction In Interest.

A.6 (p.1140)

Certified copy
of Mining
Certificate
3255.

6th April 1963

(continued)

The land hereby leased shall not be transferred except to such person or persons as may be approved by the Mentri Besar.

Express Conditions.

The land hereby leased is subject to a filling and levelling agreement and guarantee in respect of the area mined within three (3) chains of the Papan Road made the 22nd day of March, 1963 between the Government of Perak of the one part and the lessees of the other part a copy of which is annexed hereto.

10

Express Condition (continued)

The Lessee for the time being shall permit duly authorised Officers of the Town Board, Kinta Barat to enter upon the land herein comprised for the purpose of carrying out such anti-malarial measures as may be considered necessary by the said Board, and shall pay, on demand to the Chairman of the said Board the cost of such anti-malarial measures as assessed by such Chairman.

20

This certified true copy of Mining Certificate No. 3255 is issued under Section 76 of the Evidence Ordinance in connection with Ipoh High Court Civil Suit No. 304/64.

Checked:

Regn. Clerk.

Sgd. ?

CERTIFIED TRUE COPY

Sgd. ?

Collector of Land Revenue,
Kinta,
Batu Gajah.

30



KHONG HENG KONGSI
SUMMARY OF MINES RETURNS

Year	Month	T.C. No.	Lands Worked	Production	Labour Force	Power
1959	January	232	M.L.8899 Lot No.21952	Palong No.1 grouped with Palong No.2 and ceased mining operations as from 1st May, 1958.	Nil	202 H.P. Paxman
"	"	264	"	15.50 pkls	8	293 H.P.
"	February	232	"	Palong No.1 grouped with Palong No.2 and ceased mining operations as from 1st May, 1958	Nil	202 H.P. Paxman Engine
"	"	264	"	44.18 pkls	12	293 H.P.
"	March	232	"	Palong No.1 grouped with Palong No.2 and ceased mining operations as from 1st May, 1958	Nil	202 H.P. Paxman Engine
"	"	264	"	21.96 pkls	14	293 H.P.
"	April	264	"	35.58 pkls	14	293 H.P.
"	May	232	"	Palong No.1 grouped with Palong No.2 and ceased mining operations as from 1st May, 1958		202 H.P. Paxman Engine
"	"	264	"	56.89 pkls	16	293 H.P.

A.6 (p.1152) - SUMMARY OF MINES RETURNS -
KHONG HENG KONGSI 1959/65

Exhibits

A.6 (p.1152)

Summary of
Mines Returns
- Khong Heng
Kongsi,
1959/65

Exhibits

A.6 (p.1152)

Summary of
Mines Returns
- Khong Heng
Kongsi,
1959/65.

Year	Month	T.C. No.	Lands Worked	Production	Labour Force	Power
1959	June	232	M.L.8899 Lot No.21952	Palong No.1 grouped with Palong No.2 and ceased mining operations as from 1st May, 1958.	Nil	202 H.P.Paxman Engine.
"	"	264	"	20-25 pkls	16	293 H.P.
"	July	232	"	Palong No.1 grouped with Palong No.2 and ceased mining operations from 1st May, 1958.	Nil	202 H.P.Paxman Engine
"	"	264	"	62.65	21	293 H.P.
"	August	232	"	Palong No.1 grouped with Palong No.2 and ceased mining operations as from 1st May, 1958.	Nil	202 H.P.Paxman Engine
"	"	264	"	5.34 Pkls	8	293 H.P.
"	September	232	"	Palong No.1 grouped with Palong No.2 and ceased mining operations as from 1st May, 1958.	Nil	202 H.P.Paxman Engine
"	"	264	"	Mine stopped due to shortage of water.	8	293 H.P.

Year	Month	T.C. No.	Land Worked	Production	Labour Force	Power
1959	October	232	M.L.8899 Lot No.21952	Palong No.1 grouped with Palong No.2 and ceased mining operations as from 1st May, 1958		202 H.P.Paxman Engine.
"	"	264	"	33.74	16	293 H.P.
"	November	232	"	Palong No.1 grouped with Palong No.2 and ceased operations as from 1st May, 1958		202 H.P.Paxman Engine.
"	"	264	"	33.05	16	293 H.P.
"	December	232	"	Palong No.1 grouped with Palong No.2 and ceased operations as from 1st May, 1958.	Nil	202 H.P.Paxman Engine.
"	"	264	"	25.87 pkls.	16	293 H.P.

ExhibitsA.6 (p.1152)

Summary of
Mines Returns
- Khong Heng
Kongsi
1959/65.

(continued)

Exhibits

A.6 (p.1152)

Summary of
Mines Returns
- Khong Heng
Kongsi
1959/65

(continued)

Year Month	T.C. No.	Land Worked	Production	Labour Force	Power
1960 January	232	M.L.8899 Lot No.21952	Palong No.1 grouped with Palong No. 2 and ceased opera- tions as from 1st May, 1958.	Nil	202 H.P.Paxman Engine
"	264	"	44.33 pkls	16	293 H.P.
" February	232	"	Palong No.1 grouped with Palong No.2 and ceased opera- tions as from 1st May, 1958.	Nil	202 H.P.Paxman Engine.
"	264	"	33.76 pkls	16	293 H.P. Paxman Engine
" March	232	"	Palong No.1 grouped with Palong No.2 and ceased opera- tions as from 1st May, 1958.	Nil	202 H.P.Paxman Engine
"	264	"	55.85 pkls	16	293 H.P.
" April	232	"	Palong No.1 grouped with Palong No.2 and ceased opera- tions as from 1st May, 1958.	Nil	202 H.P.Paxman Engine
"	264	"	27.85 pkls	16	293 H.P.
" May	232	"	Palong No.1 grouped with Palong No.2 and ceased operations as from 1st May, 1958	Nil	202 H.P.Paxman Engine

Year Month	T.C. No.	Land Worked	Production	Labour Force	Power
1960 May	264	M.L.£899 Lot No.21952	29.40 pkls	16	293.H.P.
" "	232	" "	Palong No.1 grouped with Palong No.2 and ceased operations as from 1st May, 1958	Nil	202 H.P.Paxman Engine.
" "	264	" "	33.43	16	255 H.P.
" July	232	" "	Palong No.1 grouped with Palong No.2 and ceased operations as from 1st May, 1958	Nil	202 H.P.Paxman Engine
" "	264	" "	25.37 pkls	17	255 H.P.
" August	232	" "	Palong No.1 grouped with Palong No.2 and ceased operations as from 1st May, 1958	Nil	202 H.P.Paxman Engine
" "	264	" "	22.91 pkls	17	255 H.P.
" September	232	" "	Palong No.1 grouped with Palong No.2 and ceased operations as from 1st May, 1958.	Nil	202 H.P.Paxman Engine
" "	264	" "	20.12 pkls	17	255 H.P.

Exhibits

A.6 (p.1152)

Summary of
Mines Returns
- Khong Heng
Kongsi,
1959/65

(continued)

Exhibits

A.6 (p.1152)

Summary of
Mines Returns
- Khong Heng
Kongsi,
1959/65

(continued)

Year Month	T.C. No.	Land Worked	Production	Labour Force	Power
1960 October	232	M.I.8899 Lot No.21952	Palong No.1 grouped with Palong No.2 and ceased opera- tions as from 1st May, 1958.	Nil	202 H.P.Paxman Engine.
"	264	"	18.33 pkls	16	255 H.P.
" November	232	"	Palong No.1 grouped with Palong No.2 and ceased opera- tions as from 1st May, 1958.	Nil	202 H.P.Paxman Engine.
"	264	"	16.85 pkls	16	255 H.P.
" December	232	"	Palong No.1 grouped with Palong No.2 and ceased opera- tions as from 1st May, 1958.	Nil	202 H.P.Paxman Engine.
"	-	"	38.30 pkls	16	255 H.P.

Year	Month	T.C.No.	Lands Worked	Production	Labour Force	Power
1961	January	264	M.L.8899 Lot No.21952	9.29 pkls.	16	255 H.P.
"	February	264	"	24.77 pkls.	15	"
"	March	264	"	14.51 pkls.	17	299 H.P.
"	April	264	"	22.80 pkls.	17	"
"	May	264	"	27.85 pkls.	17	"
"	June	264	"	26.11 pkls.	17	"
"	July	264	"	17.92 pkls.	17	"
"	August	264	"	19.22 pkls.	17	255 H.P.
"	September	264	"	16.52 pkls.	17	"
"	October	264	"	15.72 pkls.	17	"
"	November	264	"	22.67 pkls.	17	"
"	December	264	"	21.01 pkls.	17	"

519.

Exhibits
A.6 (p.1152)
Summary of
Mines Returns
- Khong Heng
Kongsi,
1959/65
(continued)

Exhibits

A.6 (p.1152)

Summary of
Mines Returns
- Khong Heng
Kongsi,
1959/65

(continued)

Year	Month	T.C.No.	Lands Worked	Lot No.	Production	Labour Force	Power
1962	January	264	M.L.8899	21952	21.90 pkls.	16	255 H.P.
"	February	264	"	"	19.27 pkls.	16	"
"	March	264	"	"	15.06 pkls.	16	295 H.P.
"	April	264	"	"	17.74 pkls.	16	"
"	May	264	"	"	12.90 pkls.	16	"
"	June	262	"	"	7.97 pkls.	16	497 H.P.
"	July	262	"	"	17.58 pkls.	16	"
"	August	262	"	"	32.38 pkls.	17	"
"	September	262	"	"	42.53	17	"
"	October	262	"	"	37.26 pkls.	17	"
"	November	262	"	"	35.50 pkls.	17	"
"	December	262	"	"	46.99 pkls.	17	495 H.P.

Year	Month	T.C.No.	Lands Worked	Production	Labour Force	Power
1963	January	262	M.L.8899 Lot No.21952	22.33 pkls.	17	497 H.P.
"	February					
"	March					
"	April					
"	May					
"	June	264	"	Nil	15	384 H.P.
"	July	264	"	21.12.pkls	18	389 H.P.
"	August	264	"	39.18 "	24	389.H.P.
"	September	264	"	26.87 "	24	389 H.P.
"	October	264	"	Nil	3	185 H.P.
"	November	264	"	Nil	3	185 h.P.
"	December	264	"	Nil	14	185 H.P.

ExhibitsA.6 (p.1152)

Summary of
Mines Returns
- Khong Heng
Kongsi,
1959/65

(continued)

Exhibits

A.6 (p.1152)

Summary of
Mines Returns
- Khong Heng
Kongsi,
1959/65

(continued)

Year	Month	T.C.No.	Land Worked	Production	Labour Force	Power
1964	January	264	M.L.8899 Lot No.21952	8.04 pkls	8	
"	February	264	"	5.32 pkls	4	188 H.P.
"	March	264	"	2.29 pkls.	14	"
"	"		"	Underground working temporarily stopped	Nil	Nil
"	April	264	"	15.05 pkls	12	188 H.P.
"	May	264	"	12.47 pkls	14	"
"	June	264	"	3.19	Temporary stoppage on the 15th June 1964.	
"	July					
"	August					
"	September					
"	October					
"	November					
"	December	264	"	1.95 "	8	30 H.P.

Year	Month	T.C.No.	Land Worked	Production	Labour Force	Power
1965	January	264	M.L.8899 Lot No.21952	2.81 pkls	8	30 H.P.
"	February	264	"	1.40	8	30 H.P.
"	March	264	"	1.77	8	30 H.P.
"	April	264	"	2.23	8	30 H.P.
"	May	264	"	2.12	8	30 H.P.
"	June	264	"	2.15	7	30 H.P.
"	July	264	"	2.54	8	30 H.P.
"	August	264	"	Nil	7	30 h.p.
"	September	264	"	6.47	7	30 H.P.
"	October	264	"	3.29	7	30 H.P.
"	November	264	"	3.09	7	30 H.P.

ExhibitsA.6 (p.1152)

Summary of
Mines Returns
Khong Heng
Kongsi,
1959/65

(continued)

ExhibitsA.6 (p.1167) - KHONG HENG KONGSI (TRIBUTE ACCOUNT 1946/63).A.6 (p.1167)

Khong Heng
Kongsi (Tribute
Account
1946/63)

The amount of tribute paid to Pegang Prospecting or to Pegang Mining and to the Chan Phooi Hoong or his Estate is as follows:-

<u>Year</u>	<u>Pegang Prospecting</u>		<u>Chan Phooi Hoong</u>		
	₹	Cts	₹	Cts.	
1946	187.61		26.81		
1947	4,567.16		625.45		
1948	824.23		299.63		10
1949	1,952.40		278.91		
1950	17,330.47		2,476.44		
1951	18,998.61		2,629.57		
1952	26,055.97		3,727.24		
1953	21,082.45		3,010.96		
1954	23,145.80		3,299.15		
1955	11,137.90		1,591.14		
1956	10,553.05		1,614.60		
1957	19,471.81		5,605.20		
1958	6,089.76		2,055.77		20
1959	6,027.13		1,722.14		
1960	6,210.72		1,774.48		
1961	4,741.71		1,231.13		
1962	4,912.16		1,403.48		
<u>1963</u>					
January	408.34				
					15th Jan. Temporary stoppage of operations.
February	163.84				
March	-				
April	-				
May	-				30
June	-				
July	405.09				
August	752.43				

NOTE:

- (1) All accounts re prewar payments lost.
- (2) By Agreement made between the Estate of Chan Phooi Hoong and the Estate of Ho Kok Yew, a lump sum of \$5,000.00 was paid to and accepted by the Estate of Chan Phooi Hoong as tribute for the period 1963 to December, 1965 on sub-lease 79/56 of Sublease 78/56 over M.L.8899 and 11543. 40

A.6 (p.1169) - KHONG HENG KONGSI YEARLY PROFIT
AND LOSS ACCOUNT FROM 1948 to
1962

Exhibits

A.6 (p.1169)

	1948	Loss	₪ 2,401.98	Khong Heng Kongsi - yearly Profit and Loss Account 1948 to 1962.
	1949	Loss	₪ 18,354.13	
	1950	Profit	₪ 51,578.46	
	1951	Loss	₪ 11,648.89	
	1952	Profit	₪ 23,162.35	
	1953	Loss	₪ 30,093.49	
10	1954	Profit	₪ 29,188.04	
	1955	Loss	₪ 91,483.57	
	1956	"	₪ 60,154.09	
	1957	"	₪ 10,210.75	
	1958	"	₪ 13,085.08	
	1959	"	₪ 3,944.31	
	1960	"	₪ 15,113.95	
	1961	"	₪ 35,168.40	
	1962	"	₪ 20,795.94	

ExhibitsA.8 (p.1202)

Letter from
Secretary,
Chinese Tin
Mines Rehabil-
itation Loans
Board to
Executrix of
Estate of Ho
Kok Yew,
deceased.

7th October,
1947.

A.8 (p.1202) - LETTER FROM SECRETARY, CHINESE
TIN MINES REHABILITATION LOANS
BOARD TO EXECUTRIX OF ESTATE
OF HO KOK YEW DECEASED.

Ref.No.(14) in CTLC/P/328 Chinese Tin Mines
P.O.Box 1031 Rehabilitation Loans Board,
Phone 4471 Department of Industry & Commerce,
Malayan Union, Kuala Lumpur.
Date 7th October, 1947.

The Executrix,
Estate of Ho Kok Yew (Deceased),
2-4, Lau Ek Ching Street,
IPOH.

Madam,

10

KACHA & MENELAI MINING SCHEME.

I have the honour to request you for an acknow-
ledgment to my letter of 14th June 1947, and to
inform you to prepare the following documents to
provide security against the loan of \$58,600/-.

- (a) a Charge on 20 lots of shop houses and 20
vacant lots in Papan Township.
- (b) a Bill of Sale on Mining Equipment which
should include the Manufacturers numbers
when engines are included.

2. I am to emphasize that these documents must
under Section 14 of the Chinese Tin Mines
(Rehabilitation Loans) (Amendment) Ordinance No.
30 of 1947, be prepared by a practising Advocate
and Solicitor. They should not, however, at this
stage be executed, attested or stamped. An 30
instruction on these matters will be sent to you at
a later date.

3. In order that such instructions may be sent
to you will you kindly let me know, at your
earliest convenience, the name and address of the
Solicitor.

I have the honour to be,

Madam,

Your obedient servant,

Sgd. N.A.J.KENNEDY
SECRETARY.

40

A.8 (p.1204) - LETTER FROM THOMAS & NORNIDGE
TO SECRETARY, CHINESE TIN MINES
REHABILITATION LOANS BOARD.

Exhibits

A.8 (p.1204)

THOMAS & HORNIDGE,
CONSULTING MINING
ENGINEERS.

P.O.Box 119
No.1 Brewster Road,
Ipoh, Malaya.

HFCG/CKL.

8th June 1948.

Letter from
Thomas &
Hornidge to
Chinese Tin
Mines Rehabil-
itation Loans
Board.

10 Secretary,
Chinese Tin Mines Rehabilitation Loans Board,
1, Clarke Street,
Kuala Lumpur.

8th June 1948

Sir,

KHONG HENG MINE.

We have the honour to refer to your No.(39) in
CTLG/P/328.

2. Negotiations regarding the deviation of the
supply pipe line are well advanced and all details
have been agreed. It is therefore not intended to
delay any further resumption of mining operations.

20 3. Preliminary rehabilitation of the mine has
started already with repair of roads and water
channel and clearing for buildings etc.

4. It is proposed to resume mining operations as
soon as the first instalment of the loan approved
has been received and delivery taken of the engine
allotted.

30 5. We understand client's Solicitors are attending
to the charge and Bill of Sale. Payment of the
first instalment is requested as soon as these are
completed.

We have the honour to be,

Sir,

Your obedient servants,

Sgd. Thomas & Nornidge

Consulting Mining Engineer.

Managing Partner,
Khong Heng Kongsu,
4, Lau Ek Ching Street,
Ipoh.

40 Copied for your information.

ExhibitsA.8 (p.1209)A.8 (p.1209) - POINTS OF CLAIM SUBMITTED BY
TONG SWEE KING IN ARBITRATION
PROCEEDINGS BEFORE O.P. HAZLITT.

Points of
Claim submit-
ted by Tong
Swee King in
Arbitration
Proceedings
before O.P.
Hazlitt.

25th September,
1962.

POINTS OF CLAIM.

Madam Tong Swee King claims that:

1. All those lots of land numbered 21952, 24766, 29650 and 29651 formerly leased under M.L.8899, 10217, 11543 and 11544 all now renewed (referred to as items Nos. 1 to 4 in the schedule to the agreement of the 22nd October 1931) are required for the proper carrying out of the mining scheme referred to in the said agreement. 10
2. That having applied for and obtained renewals of the said Leases Pegang Prospecting Company as lessees are accordingly obliged by the terms of the said agreement to execute and deliver to Chan Phooi Hoong a new sublease or subleases thereover in the terms of the preceding sub-lease free of encumbrances of any kind.
3. That the said Chan Phooi Hoong on his part shall upon receipt of such new sublease or subleases execute and deliver a new sublease or subleases in terms of the preceding subsublease or subsubleases in favour of Madam Tong Swee King as Representative of the Estate of Ho Kok Yew deceased free of encumbrance of any kind. 20
4. That if at any time during the subsistence of the said Agreement the Company desires to acquire and does acquire the abandoned railway reserve from the north eastern corner of lot 29650 to the north western point of lot 30286 for the purpose of including such area in the said mining scheme the said Company would then be obliged to execute and deliver a sublease over any area included in any mining lease issued to the Company, in the terms of the preceding sub-lease over the Company's lands (Item 1 to 4) in favour of Chan Phooi Hoong who in turn would be obliged to execute a sub-sublease thereover in favour of Madam Tong Swee King as Representative as aforesaid. 30 40
5. That if the Company does not desire to acquire the abandoned railway reserve for the purpose of including it in the said mining scheme then Madam Tong Swee King shall be at liberty do so for that same purpose.

Sgd. E.A.S.Wagner. Solicitor for Madam Tong Swee King
25.9.52.

A.8 (p.1211) - POINTS OF CLAIM SUBMITTED BY
CHAN PHOOI HOONG IN ARBITRATION
PROCEEDINGS BEFORE O.P.HAZLITT.

Exhibits

A.8 (p.1211)

POINTS OF CLAIM.

Points of Claim
submitted by
Chan Phooi
Hoong in
Arbitration
Proceedings
before O.P.
Hazlitt.

Chan Phooi Hoong states:

1. He supports the claim of Madam Tong Swee King set out in paras. 1 & 2 of her points.

10 2. With regard to point 3 of the points of claim of Madam Tong Swee King, Chan Phooi Hoong states that he is willing on the receipt of such new sub-lease, or sub-leases to execute a sub-sub-lease or sub-sub-leases in favour of Madam Tong Swee King as Representative of the estate of Ho Kok Yew only if the rate of tribute payable to him by the said Madam Tong Swee King as Representative be increased from 8% to 10%. He does not agree that he is legally bound to execute such sub-sub-lease or sub-sub-leases in terms of the old sub-subleases.

Sgd. C.M. Yong & Co.

20

Solicitors for Chan Phooi Hoong.

ExhibitsA.8 (p.1224)A.8 (p.1224) - NOTICE TO SHAREHOLDERS OF PEGANG
PROSPECTING CO.LTD. OF CHANGE
OF NAME TO PEGANG MINING CO.LTD.

Notice to
Shareholders
of Pegang
Prospecting
Co. Ltd. of
Change of Name
into Pegang
Mining Co.Ltd.

28th September,
1961.

PEGANG PROSPECTING COMPANY, LIMITED
(Incorporated in the Federation of Malaya.)

Chartered Bank Chambers, Ipoh.
28th September, 1961.

To the Shareholders.

Dear Sir or Madam,

Enclosed herewith you will find a notice 10
convening an Extraordinary General Meeting for Monday,
23rd October 1961 at which the Resolution "that the
name of the Company be changed to Pegang Mining
Company, Limited" will be proposed as a Special
Resolution.

The principal business of the Company was origi-
nally that of prospecting for tin ore but it is the
present intention of your Directors that, if new
mining land be obtained, then the Company should
concentrate its activities upon the working of such 20
mining land and that the Company be essentially a
producer of tin ore. In the circumstances your
Directors consider that the retention of the Company's
present name would be misleading and that it is
highly desirable that a more appropriate and fitting
name be adopted by the Company.

The proposed change of name does not carry any
implication that new mining land will be obtained but
your Directors consider that it is possible that
Government might be more inclined to grant mining 30
rights to a "Mining Company" rather than to a
"Prospecting Company."

Should you be unable to attend the Meeting a
form of proxy is enclosed which, to be effective must
reach the Registered Office of the Company not later
than 48 hours before the time appointed for the
Meeting. The completion of the form of proxy will
not prevent you from attending the Meeting and voting
in person should you find that you are able to do so.

By Order of the Board, 40

Evatt & Co.

Secretaries.

A.9 (p.1226) - LETTER FROM EVATT & CO. TO
DIRECTORS OF PEGANG PROSPECTING
CO. LTD.

Exhibits

A.9 (p.1226)

EVATT & CO.
Chartered Accountants.

P.O.Box No.136

PPC.

Chartered Bank Chambers,
Ipoh, Malaya.

Letter from
Evatt & Co.to
Directors of
Pegang Pros-
pecting Co.Ltd.

28th June 1947

28th June, 1947.

10 The Directors,
Pegang Prospecting Co.Ltd.

Dear Sirs,

The balance at bank at this date amounts to
\$7,601.91.

The final dividend of 5% amounting to \$3,700/-
declared in December, 1941, in respect of the
financial year ended 30th September, 1941, was not
paid at the time it was declared owing to the
evacuation of Ipoh. We shall be glad to know
whether you wish the dividend to be paid now.

20 Reconstruction of Share Register etc:

A great deal of work has been done by us over the
past 16 months in this connection as a result of
the loss of all records.

We have now traced all except six of the Share-
holders holding in all 2226 shares: a further 9
shareholders have reported that their share
certificates, covering 3431 shares, are lost. Of
the total of 5,657 the distinctive numbers of xx
only 250 have been reported to us.

30 In the cases of other Companies for which we
act as Secretaries we have been paid special fees
for work on reconstruction of records and we there-
fore suggest that as we have now done everything
possible in this matter, we now be paid a special
fee by the Company. We suggest a fee of \$900/-
and shall be obliged if you will inform us whether

Exhibits

this meets with your approval.

A.9 (p.1226)

Yours faithfully,

Letter from
Evatt & Co.
to Directors
of Pegang
Prospecting
Co.Ltd.

Sgd. Evatt & Co.

Secretaries,
Pegang Prospecting Co. Ltd.

28th June 1947

C.E.Cumming Esq.,
45 Gopeng Road, Ipoh.

(continued)

I expect no appreciable amount of tribute from the Company's land for some time to come and consider, therefore, that the unpaid dividend had best be retained pending knowledge of the cost of the Tronoh Railway area which is said to have been approved and developments re proposed purchase of adjoining areas. A special fee has already been approved for re-construction of the books and I consider that it may now be determined at \$900/- for completion of the work.

10

Sgd. C.E.Cumming

July 2nd 1947.

H.F.S.Greenwood Esq.,
M/S Thomas & Nornidge,
Ipoh.

20

I concur with what Mr.Cumming Writes regarding the special fee and approve payment of \$900/-.

Sgd. H.F.S.Greenwood

3.7.47

G.C.Duddell Esq.,

I agree with Mr. Cumming.

Sgd. G.G.Duddell.

30

A.9 (p.1229) - MINUTES OF MEETING OF DIRECTORS
OF PEGANG PROSPECTING CO.LTD.

Exhibits

A.9 (p.1229)

PEGANG PROSPECTING COMPANY, LIMITED

Minutes of a Meeting of the Directors held at No. 45 Gopeng Road, Ipoh, on Thursday, 31st July, 1947, at 5.30 p.m.

Minutes of Meeting of Directors of Pegang Prospecting Co.Ltd.

31st July 1947

C.E.Cumming Esq., (Chairman)
G.G.Duddell Esq.
H.F.C.Greenwood Esq.

10 Attending: Mr.G.G.Duddell for the Secretaries.

The Board recorded a vote of sympathy to the family of the late Mr. Ho Kok Yew.

Mr. Greenwood was welcomed to the Board.

MINUTES.

The Minutes of the Board Meeting held on 20th December were read, and subject to the following corrections were approved -

20 Tin Stealers: The allocation of expenditure was 7/12th for the Company and 5/12th for the Estate of Mr. Ho Kok Yew.

The following words were deleted from the paragraph:-

"as he had no interest in M.L.10217".

Arising Therefrom:

Tambun Area - M.L.12824: The Secretaries reported that Mr. Lim Seng Fook had not started mining operations, nor had Mr. Wong Kwai started boring in accordance with the terms of the Agreement.

30 M.L. 8899, Plan 21952: The Huptong to Mr. Liew Kong had expired and no mining operations were now being carried on.

M.L.10217, Plan 21766: The Lease had been renewed to 31st December 1950, but so far no sublease had been granted, as the Company did not know who had the right to the sublease, namely Mak Shi and Chan

ExhibitsA.9 (p.1229)

Minutes of
Meeting of
Directors of
Pegang Pros-
pecting Co.Ltd.

31st July 1947

(continued)

Phooi Hoong as trustees, or Chan Phooi Hoong who claimed to have acquired all the mining interests of the late Mr. Ho Man under an Order of Court.

MINING OPERATIONS:

Mr.Greenwood reported that Mr.Tong Sam Poi (representing the widow of Mr. Ho Kok Yew) had interviewed him several times in his capacity as a Director of the Company regarding resumption of mining operations.

Mr. Tong Sam Poi stated that the Kongsai was unable to commence mining operations until it had obtained a loan from Government, and it was unable to obtain it unless it could obtain a lease over the present Railway Reserve. Application to slope back into the Railway Reserve from M.L. 8899 (Lot 21952) had been made by the late Mr. Ho Kok Yew to the Mines Department on 28th June 1946, but that Department stated that they had no authority to grant such permission.

10

Mr. Greenwood agreed to see the Mines Department and Land Office Officials regarding application for the Railway Reserve, as it was felt that every effort must be made to have mining operations re-started either by the Representatives of the late Mr. Ho Kok Yew or by other parties.

20

ADJOINING AREAS:

Mr. Cumming pointed out the importance to the Company of Mining Leases 11447 (Lot 30286), 10526 (Lot 28358), and 10527 (Lot 28390).

When we knew with whom we could deal in the matter, namely with Mak Shi and Chan Phooi Hoong as trustees, or with Chan Phooi Hoong in his personal capacity, Mr. Cumming considered that we should repeat our offer of \$4,000/- for the above three Lots and Lot Nos. 24921, 11191 & 16426.

30

CONCLUSION:

There being no further business, the closed with a vote of thanks to the Chair.

Confirmed,
Sgd. C.E.Cumming
CHAIRMAN. 1.12.1947

40

A.9 (p.1232) - REPORT OF DIRECTORS OF PEGANG
PROSPECTING CO. LTD.

Exhibits

A.9 (p.1232)

PEGANG PROSPECTING COMPANY, LIMITED

DIRECTORS' REPORT

Report of
Directors of
Pegang Pros-
pecting Co.Ltd.

12th November,
1947.

The Directors submit their Report and the audited accounts for the year ended 30th September, 1947.

10 They record with deep regret the death on 28th April, 1947, of Mr. Ho Kok Yew who was the tributor of the Company's land and a Director of the Company for a number of years.

Profit & Loss Account. The profit for year, exclusive of Directors' and Auditors' Fees, was \$1,095.65, and the balance at the credit of Profit and Loss Account is \$8,247.22 which your Directors recommend be carried forward to next account.

The 5% Dividend voted at the Annual General Meeting in December 1941 remains unpaid.

20 MINING AREAS. These remain as last year, viz:-

	A	R	P
1. Sublet to the late Mr.Ho Kok Yew	218	1	18.5
2. Half interest in Sungei Pinjji Area	<u>215</u>	<u>2</u>	<u>20</u>
	<u>433</u>	<u>3</u>	<u>38.5</u>

A portion of the hill area was worked under "huptong" arrangement and shafting operations yielding good results for a time, but the output during recent months has been almost negligible.

30 The total output for the year was Piculs 749.11.

The late Mr. Ho Kok Yew was negotiating for a loan from Government to enable him to resume mining

ExhibitsA.9 (p.1232)

Report of
Directors of
Pegang Pros-
pecting Co.
Ltd.

12th November,
1947.

(continued)

operations, but this has been delayed pending approval of a detailed mining scheme.

The Tronoh Railway Reserve has not been re-alienated for mining and this and permission to deviate the adjacent Government water pipe line form part of the mining scheme.

During the year a sublease was granted over a portion of the Sungei Pinjji Area but mining operations have not yet been commenced by the sublessee.

10

DIRECTORATE: Mr. H.F.C. Greenwood, A.R.S.M., Assoc.Inst. M.M. was appointed to fill the vacancy caused by the death of Mr. Ho Kok Yew; he now retires and being eligible offers himself for re-election.

Mr.C.E.Cumming retires by rotation and is eligible and offers himself for re-election.

AUDITORS: Messrs. Brown, Phillips & Stewart retire and offer themselves for re-election.

Sgd. C.E.CUMMING,

20

Chairman of Directors.

Ipoh, 12th November, 1947.

A.9 (p.1234) - MINUTES OF 23RD ANNUAL GENERAL
MEETING OF PEGANG PROSPECTING
CO.LTD.

Exhibits

Minutes of
23rd Annual
General Meet-
ing of Pegang
Prospecting
Co.Ltd.

3rd December,
1947.

PEGANG PROSPECTING COMPANY, LIMITED

The Twenty Third Annual General Meeting of the Shareholders of the Company was held at the registered office of the Company, Chartered Bank Chambers, Ipoh, on Monday, 1st December, 1947, at 11 a.m.

10 Present: Messrs.C.E.Cumming (Chairman), H.F.C. Greenwood and G.G.Duddell, the last also representing the Secretaries, Messrs.Evatt & Co.

The Secretaries reported that the Shareholders present were registered holders of 15,250 shares.

The Secretaries read the Notice calling the Meeting and the Report of the Auditors.

The Chairman then addressed the Meeting as follows:-

20 "Gentlemen: Your Directors have already with deep regret recorded in their Report the death of our colleague and Sublessee, Towkay Ho Kok Yew, I would ask you to rise for a time during which I express our sympathy with his family and Khong Heng Kongsis of which he was Managing Director; not only has the Company lost a valuable co-operator but many others also a friend indeed; I and my family can never forget the material help afforded to us by Towkay Ho Kok Yew and his wife, at great risk I may add, when we were interned by the Japanese and immediately following our return to Ipoh when we
30 were homeless: thank you Gentlemen; I now welcome Mr.Greenwood who took the late Towkay's place and has already been of great service to the Company.

"You have had for the prescribed period the Directors' Report which was circulated with the Accounts and, with your permission I will take them as read; should any questions arise concerning the Accounts I will endeavour to reply thereto.

40 "The Accounts for the period under review, subject to Directors' and Auditors' Fees show a profit of \$1,095.65.

"The position of Khong Heng Kongsis in regard to the main mining scheme is as follows:-
A rehabilitation loan has been approved subject to acquisition of the adjoining Tronoh Railway Reserve

Exhibits

Minutes of
23rd Annual
General Meeting
of Pegang
Prospecting
Co. Ltd.

3rd December,
1947.

(continued)

area, application for which remains under consideration by Government; pending revocation of the reserve the Land and Mines Offices cannot act; I am optimistic as to the ultimate result."

There being no questions, the Chairman moved that the tabled Report and Accounts for the period ended 30th September, 1947, be hereby adopted; the motion, seconded by Mr. Greenwood was carried unanimously.

Mr. H. F. C. Greenwood was re-elected a Director on the proposal of Mr. Cumming, seconded by Mr. Duddell, and Mr. C. E. Cumming retiring by rotation was re-elected on the proposal of Mr. Duddell, seconded by Mr. Greenwood.

10

The Directors asked that the question of their Fees for the year ended 30th September, 1947 be left in abeyance until mining operations were resumed on a larger scale.

Messrs. Brown, Phillips & Stewart, the retiring Auditors, were re-elected on the proposal of Mr. Cumming, seconded by Mr. Duddell at a fee to be arranged with the Directors, and their fee for the year ended 30th September 1947 was agreed at \$75/-.

20

There being no further business, the Meeting closed with a vote of thanks to the Chair.

Sgd. C. E. CUMMING

2.12.1948

Notes: 1. Can any Shareholder supply information which will enable the Secretaries to communicate with the undermentioned Shareholders or their representatives:-

30

Roger Addison
John Harwood Brown
George Bertram Leach
Henry Francis Moraes

2. If any Shareholders who had previously reported the loss of their Share Certificates have since discovered them or have obtained information as to the distinctive numbers of the shares, will they please inform the Secretaries.

40

Ipoh, 3rd December, 1947.

A.9 (p.1237) - MINUTES OF MEETING OF DIRECTORS
OF PEGANG PROSPECTING CO. LTD.

Exhibits

A.9 (p.1237)

PEGANG PROSPECTING COMPANY, LIMITED.

Minutes of
Meeting of
Directors of
Pegang Pros-
pecting Co.Ltd.

Minutes of a Meeting of the Directors held at the Secretaries' Office, Chartered Bank Chambers, Ipoh, on Monday, 1st December, 1947, at 11.30 a.m.

1st December,
1947

PRESENT: Messrs. C.E.Cumming (Chairman), H.F.C. Greenwood and G.G.Duddell (the latter also representing the Secretaries).

- 10 MINUTES: The Minutes of the Board Meeting held on 31st July 1947 were read by the Secretaries, confirmed by the Meeting and signed by the Chairman as a correct record of the proceedings thereat.

TAMBUN AREA MINING LEASES 12824 & 12825.

- 20 Mr. Lim Seng Fook had not commenced mining operations as required under Sublease 8/47, and it was decided subject to the consent of the Estate of Ho Kok Yew to ask Mr. Lim Seng Fook to surrender the Sublease, and if he does not do so to apply for cancellation thereof.

It was decided to advise Mr. Wong Kwai that as the agreement to bore part of the area had not been complied with by him it had now lapsed.

Mr. Greenwood stated that for purposes of estate duty he had valued the total area of 215 acres 2 roods 20 poles at \$200/- per acre; he considered that it might now realise \$300 to \$400 per acre for the whole area.

- 30 The Directors were desirous of disposing of this property, and subject to the cancellation of Sublease 8/47 and the consent of the Estate of Ho Kok Yew, it was agreed that an effort be made to dispose of it, and a price of \$350 per acre was suggested as being reasonable.

M.L.10217 Lot 24766 HILL AREA:

The position remained as recorded in the Minutes of 31st July 1947, but the Huptong granted

ExhibitsA.9 (p.1237)

Minutes of
Meeting of
Directors of
Pegang Pros-
pecting Co.
Ltd.

1st December,
1947.

(continued)

by the Company to Lee Fook had expired on 30th November 1947. Under that Huptong, the Company received 7% tribute, Chan Phooi Hoong 1% and Ho Kok Yew 5%, making a total of 13%.

It was suggested that as no proper mining had been carried out by the former sublessee or by the late Mr. Ho Kok Yew in this area for some 20 odd years, Chan Phooi Hoong and the Estate of the late Mr. Ho Kok Yew should be asked to surrender any rights they might have under the Agreement with the Company dated 22nd October 1931 for renewal of the Sublease or Sub-Sub-lease over this area, and the Company might make other arrangements to work.

10

After discussion it was decided to leave the question in abeyance for the time being.

TRANSFERS. The Board approved Transmission Request No. 1/47 and Transfers Nos: 3 & 4/47, and it was resolved that the Common Seal of the Company be affixed to new Share Certificate Nos. 506/508 inclusive.

20

CONCLUSION: There being no further business, the Meeting closed at 1 p.m. with a vote of thanks to the Chair.

Confirmed

Sgd. C.E.CUMMING

CHAIRMAN.

9/8/48.

A.9 (p.1239) - MINUTES OF MEETING OF DIRECTORS
OF PEGANG PROSPECTING CO. LTD.

Exhibits

A.9 (p.1239)

PEGANG PROSPECTING COMPANY, LIMITED.

Minutes of
Meeting of
Directors of
Pegang Pros-
pecting Co.
Ltd.

Minutes of a Meeting of the Directors held at
No. 45 Gopeng Road, Ipoh, on 9th April, 1948 at 6
p.m.

9th April,
1948.

PRESENT: Messrs. C.E.Cumming (Chairman), H.F.C.
Greenwood and G.G.Duddell (the latter
also represented the Secretaries).

10 MINUTES: The Minutes of the Directors' Meeting held
on 1st December 1947 were read by the Secretaries,
confirmed by the Meeting and signed by the Chairman
as a correct record of the proceedings thereat.

SUBLEASE NO.66/37. The position at this date was
recorded as follows:-

20 Mr.Chan Phooi Hoong and the Estate of the late
Mr.Ho Kok Yew had been requested to surrender their
Sublease and sub-Sublease respectively over Mining
Leases Nos.10217 and 11544, these two leases being
part only of the area covered by the Sublease.

Mr. Chan Phooi Hoong had replied asking the
Company to take up the matter with the Estate of
the late Mr. Ho Kok Yew, as he (Chan Phooi Hoong)
only received one per cent tribute.

Mr.Wagner had written on behalf of Khong Heng
Kongsi refusing to surrender the Sublease.

30 It was not known whether Mr. Wagner was acting
on behalf of the Estate of Mr. Ho Kok Yew, Deceased,
as the Company could not negotiate with Khong Heng
Kongsi.

It was considered that the matter had been
misrepresented to Mr. Wagner.

(1) The surrender of mining rights over Mining
Leases 10217 and 11544 would not in any way affect
the mining scheme which formed the basis of applica-
tion for a Rehabilitation Loan by the Estate of Mr.
Ho Kok Yew, Deceased; neither of these areas formed
part of the pre-war mining scheme of Khong Heng Kongsi.

ExhibitsA.9 (p.1239)

Minutes of
Meeting of
Directors of
Pegang Pros-
pecting Co.
Ltd.

9th April,
1948.

(continued)

(2) These areas had been worked by tin stealers since the re-occupation of the country, as the property was not being protected by the Sublessee or Sub-Sub-lessee, and the Company had had to arrange protective measures.

(3) The Leases expire on 31st December, 1950, and if operations are not commenced on a reasonable scale the Company might not be able to obtain renewal of the Leases.

Mining Lease 11544: The Directors are most anxious that Towkay Foong Seong be granted the right to work this area which could not be fitted in with any mining scheme for the remaining areas sub-leased to Mr. Ho Kok Yew. An offer had been made to the Estate of the late Mr. Ho Kok Yew to reserve 20% of any tribute received by the Company from this area, for the purpose of subscribing towards the cost of deviating the Government pipe line. 10

Mining Lease 10217: The Directors fear that unless operations are started on a reasonable scale within a short time the present available dumping areas may cease to be available to the Company. 20

The Secretaries were instructed to write again to Madam Tong Swee King, the Executrix of the Estate of the late Mr. Ho Kok Yew.

TAMBUN AREA: The Secretaries were instructed to enquire whether Madam Tong Swee King, as Executrix of the Estate of the late Mr. Ho Kok Yew, who owned the half share in Mining Leases 12824 and 12825, would enter into an agreement with the Company to grant permission to Mr. Lim Seng Fook to bore the remaining area, and to grant to him a sublease over such areas as he might select at a rate of 10% tribute for 5 years. 30

CONCLUSION: There being no further business, the Meeting closed at 7.30 p.m. with a vote of thanks to the Chair.

Confirmed

Sgd. C.E.CUMMING

CHAIRMAN

June 17th 1949.

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A.9 (p.1242) - MINUTES OF MEETING OF DIRECTORS
OF PEGANG PROSPECTING CO. LTD.

Exhibits

A.9 (p.1242)

PEGANG PROSPECTING COMPANY, LIMITED.

Minutes of a Meeting of Directors held at 45, Gopeng Road, Ipoh, at 6 p.m. on 17th June, 1948.

PRESENT: C.E.Cumming (Chairman), H.F.C.Greenwood and G.G.Duddell (the latter also represented the Secretaries, Messrs. Evatt & Co.)

Minutes of Meeting of Directors of Pegang Prospecting Co. Ltd.

10 MINUTES: The Minutes of the Meeting held on 9th April, 1948, were read, confirmed, and signed as a correct record.

17th June, 1948.

FINANCE: The Secretaries reported that cash at bank at this date amounted to \$4,757.30.

NEW SCRIP. Transfer No.5 and Letters of Indemnity Nos.3 to 10 inclusive were approved and it was resolved that the seal of the Company be affixed to new Certificates Nos.511 to 518 inclusive.

20 TAMBUN AREA, M.L.12824 & 12825. It was agreed that a joint letter from the Company and the Executrix of the Estate of Ho Kok Yew, Deceased, be addressed to Mr. Lim Seng Fook authorising him to bore the area not already subleased to him during the period of 3 months from date of the letter and to select the areas required by him for mining and if he would put up a scheme for mining acceptable to the co-owners, they would grant him a sublease over the selected areas for a period of 5 years at 10% tribute provided he started work on the approved scheme in the selected areas within 6 months of the date of the sublease.

30

40 M.L.10217 Lot.24766. Having considered the opinion given by Mr.Das and the letter of 25th May, 1948, from Mr. Chan Phooi Hoong, the Directors do not consider that the Company is bound by the agreement dated 22nd October, 1931, to grant Chan Phooi Hoong a fresh sublease over this area which was previously covered under Sublease 66/37. The Directors are of the opinion that the area forming the Menelai watershed should be sublet by the Company to Thong Yee Kooi at 13% and under certain working conditions for the period of the lease which expires on 31st December, 1950, and that the Kacha Watershed area should be sublet by the Company to the Executrix of the Estate of Ho Kok Yew, Deceased, at 7% for the period of the lease.

ExhibitsA.9 (p.1242)

Minutes of
Meeting of
Directors of
Pegang Pros-
pecting Co.
Ltd.

17th June,
1948.

(continued)

The Company would give to Chan Phooi Hoong a written undertaking to pay to him 2% of the value of the ore proceeds from M.L.10217 on which the Company would receive tribute as mentioned above, subject to the following conditions:-

a. Chan Phooi Hoong will surrender to the Company all his rights to renewal of M.L.11447 (Lot 30286) and all his rights to the Railway Reserve area adjoining M.L.11447 (Lot 30286). When the Company obtains a lease over this portion of the Railway reserve area it will sublet it to him at 7% on condition that production on the area starts within 6 months of the date of the sublease. 10

b. He will surrender to the Company his rights under S.L.66/37 and agreement of 22nd October, 1931, in so far as M.L.11544 (Lot 29651 Plan 28785 is concerned.

M.L.11544 Lot 29651. If Chan Phooi Hoong will surrender his sublease rights referred to above, and the Estate of Ho Kok Yew, Deceased, will surrender to the Company all their rights over this lease (under the sub-sublease from Ho Man, Deceased, and the agreement dated 22nd October, 1931), the Company will sublease this area to Foong Seong and will pay to the Estate of Ho Kok Yew, Deceased, 20% of the tributes it receives from this area. 20

If Chan Phooi Hoong and the Executrix of the Estate of Ho Kok Yew, Deceased, will not surrender their rights then the Company proposes to sue for cancellation of the sublease over this area since no attempt had been made by the sublessee to mine this area, and would claim that the agreement dated 22nd October 1931, did not apply to this area as it could not be fitted in with any proper mining scheme by the sublessee. 30

The Secretaries were instructed to draft letters on these terms to Messrs. Chan Phooi Hoong and the Estate of Ho Kok Yew, Deceased.

CONCLUSION: The Meeting closed at 7.45 p.m.

CONFIRMED

Sgd. C.E.CUMMING

CHAIRMAN

8/8/49

40

A.9 (p.1249) - MINUTES OF 25TH ANNUAL GENERAL
MEETING OF PEGANG PROSPECTING
CO. LTD.

Exhibits

A.9 (p.1249)

PEGANG PROSPECTING COMPANY, LIMITED.

Minutes of
25th Annual
General Meeting
of Pegang
Prospecting
Co.Ltd.

5th December,
1949.

Minutes of the Twenty Fifth Annual General Meeting of the Members of Pegang Prospecting Company Limited held at the Registered Offices of the Company, Chartered Bank Chambers, Ipoh, at 10.30 a.m. on Monday, 5th December, 1949.

10 PRESENT: Messrs. C.E.Cumming (Chairman), G.G. Duddell, H.F.C.Greenwood and A.Niblock.

The Secretaries reported that the shareholders present were registered holders of 18,531 shares and a quorum was present.

NOTICE: The notice calling the Meeting was read by the Secretaries.

20 MINUTES: The Minutes of the last Annual General Meeting held on the 2nd December 1948 were read by the Secretaries, confirmed and signed by the Chairman.

REPORT & ACCOUNTS: The Secretaries having read the Report of the Auditors, the Chairman addressed the Meeting as follows:-

"Gentlemen: You have had for the prescribed period the Directors' Report which was circulated with the Accounts and, with your permission, I will take them as read; should any question arise concerning the Accounts I will endeavour to reply later.

30 I find myself in an onerous situation with task before me of explaining the Company's failure to pay dividends during a year of which much was expected; as stated last year regarding our old areas at Papan, Khong Heng Kongsii had an approved Rehabilitation Loan and the acquisition of Tronoh Railway Reserve for which the Company made application in 1946, I am sorry to say, still remains under consideration pending removal of a water main situated therein; I understand that Khong Heng
40 Kongsii has an approved scheme for a deviation of

ExhibitsA.9 (p.1249)

Minutes of
25th Annual
General Meeting
of Pegang
Prospecting
Co. Ltd.

5th December,
1949.

(continued)

the pipe line which however has not been carried out.

When I last addressed you I held out hopes, almost promises of dividends, as a matter of fact I expected fat ones while none has eventuated.

Our hopes and expectations were based on estimates and a lay-out carefully prepared by Towkay Ho Kok Yew, late General Managing of Khong Heng Kongsu and a director of the Company associated with the speaker as Attorney and General Manager of the Company; before us we had plans, boring records and knowledge of all that had been done during the past twenty years, we knew of difficulties to be surmounted and how to overcome them; we met the Mines Officer on the spot in 1946, explained everything at length and understood that our scheme for opening No.5 Mine in which no dumping had occurred, was approved; as I said last year, sales of ore from No.5 between the 1st of October and the 22nd November 1941 amounted to 339.81 piculs and fairly large stocks were said to have been lost on account of the occupation; the ore sold during that short period would now be worth some \$59,500/- but our conservative estimate of production as laid before Government and the Loan Board was as follows:-

1st month.	2nd.	3rd.	4th.	5th.	6th.
Nil	Nil	30	50	75	100 piculs

We stated in the application to the Loan Board that subject to acquisition of the Railway Reserve and when fully equipped, the mine should produce 200 piculs monthly; but sad to relate:- Towkay Ho Kok Yew's successor entirely abandoned our scheme for re-opening No.5 Mine and, entirely without the Company's knowledge installed the 100 H.P. electric motor and pump which I mentioned last year in No. 2 Mine which had been summarily shut down by the Warden of Mines on the 11th December, 1933, as it was endangering the Railway and the pipe line, since that time No. 2 had been pretty well filled with tailings from No.5 and other mines; much of the material from No.5 consisted of ferrous stones from prior working which, under the 1946 scheme we intended to use as a barrier between No. 5 and No.2 to be

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gradually reduced while taking No. 2 in hand so as to avoid dropping the heavy material as much as possible in depth while extending into No.2 and so as to avoid covering the valuable deposits of ore which go down to 165 feet or more.

10 The plant at Khong Heng Mine now consists of an 8" gravel pump in the bottom of No.2 Mine under approx. 60-70 feet head feeding a palong and a 5" electrically driven pump acting as a back plant on account of stacking and packing of heavy tailings, also a pressure pump serving 2 or 3 nozzles, in the Kongsu house there is a new navy type I.C. driven excavator the purpose of which is unknown to me but it would have been very useful under the 1946 scheme in many ways.

20 After some 13 months spent on extracting most of the tailings from the western end of No.2 and reaching the 1933 bottom production from the 8" plant began with 24.69 piculs sold for \$4,567.27 in October and 17.58 piculs sold for \$3,311.59 in November, shocking results which were only to be expected as the remaining deposits lie deep and the mine had been pretty well cleaned up when shut down by the Mines Department.

When I visited Khong Heng Mine on the 29th of last month I found that the mine had been extended into the upper level of No. 5 and I have little hope of better results from No.5 as the lay-out is unsuitable.

30 Owing to the distance of No.5 Mine from the 8" pumping sump in No.2 the gradient in the bottom is poor so that the heavy tailings from No.5 which are now being dropped from the eastern face of No. 2 are packing and calling for continual blowing down and consequent reduction in cutting ore recovery and general efficiency; the open area is excessive from the point of view of catchment; the double lift as now laid out is excessive and I doubt that the 8" main plant would bear the load if lowered say some 30-40 feet in order to pick up values from the bottom of No. 2 and the upper levels of No.5 Mine; the 5" back plant is inadequate for handling material from the main pumping plant should the latter be worked full bore.

40

Last year I mentioned 18 acres of good ground

Exhibits

A.9 (p.1249)

Minutes of
25th Annual
General Meeting
of Pegang
Prospecting
Co.Ltd.

5th December,
1949.

(continued)

ExhibitsA.9 (p.1249)

Minutes of
25th Annual
General Meeting
of Pegang
Prospecting
Co.Ltd.

5th December,
1949.

(continued)

known as "Lower Flats" (Papan) from which good returns were expected for some years to come, I regret to say that although the Company was definitely informed that arrangements had been made for the working of the area by Towkay Foong Seong who was mining successfully on the boundary, negotiations were broken off by Ho Kok Yew's Estate and Khong Heng Kongsi for reasons unknown to the Company; so we have all had to suffer; all the Company has been able to do is to apply for renewal of the Lease which is due to expire at the end of next year.

10

The dismal story which I have related is, to my mind, the one way I have of explaining how and, I maintain WHY, our hopes for last year have not matured.

No new finds have been made by our tributors' shafting in the Papan drill areas of which the principal part comes under Mining Lease No.10217, Lot No.24766; dumping and water difficulties remain with us, as I said last year other mines got ahead of us, the principal reason being that our Sublessees had held the area for 22 years and done nothing with it.

20

During October 1948 the area was divided into Sungei Menelai area of about 66 acres and Sungei Kacha area of about 31 acres, the latter being for the purposes of Khong Heng Mine while the Menelai area was sublet for one year to Mr.Thong Yee Kooi who is still engaged in trying to obtain water and dumping area so that he can work the land, the Sublease covers a mine opened by an experienced tin miner named Lee Fook who installed a pumping plant during July 1949; he sold 129.01 piculs during the year since which he has produced 51.64 piculs of high class ore; the Company intends to renew Mr.Thong Yee Kooi's Sublease and wishes him success and mutual benefit.

30

Lastly we come to our Tambun areas which are known as Bukit Tambun Tengah; here the Company and Ho Kok Yew's Estate hold a half interest each; the area was prospected and taken up as a low grade and tough dredging proposition for which there should have been a market had not many unexpected drawbacks come to pass, so a sublease was granted to Towkay Lim Seng Fook for whom Chee Seong Kongsi

40

produced 323.91 piculs of ore during the year under review; latterly he seems to have struck a particularly bad patch, but the Company is now prospecting a small adjoining area of State land which it is hoped will be alienated to the Company and the Estate of Ho Kok Yew and produce somewhat better results. The Sublessee, as stated last year, intended to open another mine in the area should circumstances permit but circumstances have not permitted.

Exhibits

A.9 (p.1249)

Minutes of
25th Annual
General Meeting
of Pegang
Prospecting
Co.Ltd.

5th December,
1949.

(continued)

10 I do not intend to say much about the Accounts; they make me sick, there's that item "Income Tax" again while you have had no income from the Company for some ten years or more and your Directors no more than \$400/- to cover period 1941-1946 divided among three; you may note that we have kept our general expenses as low as possible and I may add that the item \$900/- constituting my salary as Attorney & General Manager is passed on by me to Kepala Foo Kim Swee who was appointed by the Company and Towkay
20 Ho Kok Yew to supervise our interests, ore sales etc. on the 20th December 1946; I admit that I have not been getting about much lately, the vicinities of Papan and Tambun have been very unhealthy for the last year or so, I hear that a bandit was shot and killed, hand grenade captured etc. at my Tampoi Reservoir at Papan two days ago."

30 No questions were asked, and on the proposal of the Chairman, seconded by Mr.Greenwood, it was resolved that the Report and Accounts for the year ended 31st December 1949 be received and adopted.

DIRECTORATE: Mr.Cumming was re-elected a Director on the proposal of Mr.Duddell, seconded by Mr.Greenwood.

It was resolved that \$1,000 be paid to the Directors on account of the arrears of fees since February 1946 such amount to be divided among them as the Directors thought fit.

AUDITORS: Messrs. Brown, Phillips & Stewart were re-elected Auditors at a fee to be arranged by the Directors.

40 CONCLUSION: There being no further business, the Meeting closed with a vote of thanks to the Chair.

Confirmed

Sgd. C.E.CUMMING

CHAIRMAN.

ExhibitsA.9 (p.1256) - MINUTES OF MEETING OF DIRECTORS
OF PEGANG PROSPECTING CO.LTD.A.9 (p.1256)Minutes of
Meeting of
Directors of
Pegang Pros-
pecting Co.
Ltd.5th December,
1949.PEGANG PROSPECTING COMPANY, LIMITED

Minutes of a Meeting of the Directors held at the Registered Offices of the Company, Chartered Bank Chambers, Ipoh, at 11 a.m. on Monday, 5th December, 1949.

PRESENT: C.E.Cumming (Chairman), G.G.Duddell and H.F.C. Greenwood.

Attending: Mr.A.Niblock for the Secretaries.

10

MINUTES: The Minutes of the Board Meeting held on 8th August 1949 were confirmed by the Meeting and signed by the Chairman as a correct record of the proceedings thereat.

Arising Therefrom:

M.L. 11544: Mr.Greenwood reported that this Mining Lease had been aggregated with the others as part of the comprehensive mining scheme.

The Secretaries reported that they had written to Mr. Chan Phooi Hoong to enquire whether the sublease had been transferred or passed on to the Estate of Ho Kok Yew and they had received no reply to their letter.

20

The Secretaries were instructed to write to the Senior Inspector of Mines, Perak, in connection with the application for renewal of this mining lease, and point out that the Company had endeavoured to the best of its ability to persuade the Sub-sub-lessee to grant a Huptong to Towkay Foong Seong to work the area, as it could not be worked by the Sub-sublessee.

30

M.L. 10217: It was resolved that the Seal of the Company be affixed to a Huptong to Mr. Thong Yee Kooi for a further period of one year from 1st November 1949 over the area of 66 acres 0 rood 10 poles, in place of the one which expired on 30th October 1949, the rate of tribute being 13%, the same as formerly.

KACHA AREA: It was reported that the Estate of Ho Kok Yew through Khong Heng Kongsi was working on part of this area, for which it had no authority, and the Secretaries were instructed to write to the Estate on this connection.

10 PIPE LINE: The Secretaries were instructed to enquire from the Estate of Ho Kok Yew when they proposed to deviate the pipe line in accordance with the proposals approved by Government, so that the mine could be worked efficiently, as it was on this basis that the mine was re-opened.

GENERAL: A discussion took place on the unsatisfactory working of the mine by the Estate of Ho Kok Yew, and their failure to grant a Huptong to Towkay Foong Seong.

The question of a comprehensive agreement was discussed, but it was decided that no action should be taken for the present.

20 CONCLUSION: There being no further business, the Meeting closed with a vote of thanks to the Chair.

Confirmed

Sgd. C.E. CUMMING

CHAIRMAN.

Exhibits

A.9 (p.1256)

Minutes of Meeting of Directors of Pegang Prospecting Co. Ltd.

5th December, 1949.

(continued)

ExhibitsA.9 (p.1258) - MINUTES OF 26TH ANNUAL GENERAL MEETING OF PEGANG PROSPECTING CO.LTD.A.9 (p.1258)

Minutes of
26th Annual
General Meet-
ing of Pegang
Prospecting
Co.Ltd.

PEGANG PROSPECTING COMPANY, LIMITED

12th December,
1950.

Minutes of the Twenty Sixth Annual General Meeting of Pegang Prospecting Company Limited held at the Registered Office of the Company, Chartered Bank Chambers, Ipoh, at 10.30 a.m. on Tuesday, 12th December, 1950.

PRESENT: Messrs. C.E.Gumming (Chairman), H.F.C. Greenwood, Choong Eng Hoe and A.Niblock. 10

QUORUM: The Secretaries reported that the shareholders present were registered holders of 15,700 shares and that a quorum was present.

NOTICE: The notice calling the Meeting was read by the Secretaries.

MINUTES: The Minutes of the last Annual General Meeting held on 5th December 1949 were read by the Secretaries, confirmed and signed by the Chairman.

REPORT & ACCOUNTS: The Secretaries having read the Report of the Auditors, the Chairman addressed the Meeting as follows:- 20

"Gentlemen: Before proceeding with my report I wish to record the death of Mr.G.G.Duddell who has been for many years a Director. His passing was a great shock to us all and his absence will be keenly felt by the Company.

The Accounts for the Company for the year ended 30th September 1950 show a profit of \$20,379.75 after reserving \$2,926.42 for Income Tax and your Directors recommend the payment of a dividend of 15% less Income Tax which will absorb the sum of \$8,880/- leaving a balance of \$11,499.75 to be carried forward. Although the position is considerably better than last year, it cannot be considered to be by any means satisfactory. 30

When I addressed the Annual General Meeting in December 1949, I pointed out the difficulties the Directors were experiencing in trying to reach agreement for the mining of the area known as Lower Flats (Papan). 40

I regret to say that it has not been possible

even at this date to make arrangements for the working of this area by Towkay Foong Seong who is in an excellent position so to do as at present he is working a flourishing mine in the area adjoining. There has been considerable correspondence on this matter and from time to time the Directors have felt assured that the matter had come to a head. Such however has not been the case and your Directors are still pursuing the question.

10 With regard to the mine as now worked by Kong Heng Kongsi, the present lay-out does not make for its effective development being entirely dependent upon a deviation of the Kinta Water Main failing which the Company cannot obtain a mining lease for the Railway Reserve. I regret to say that although a plan for the removal of the main has long been approved the sublessees have taken no action in the matter.

20 The 1946 mining scheme provided for quick returns and possibly funds for the removal of the main with minimum expenditure for a mining plant and running costs which are now excessive; production during the year under review emanated from deposits covered by the 1946 scheme and the trouble is that the present lay-out cannot provide for working the deeper deposits, so that the average monthly output over the past year of approximately 100 piculs is unlikely to continue unless the lay-out revert to the original scheme or set to work another gravel
30 pump in the deeper deposits which are now unobtainable."

On the proposal of the Chairman, seconded by Mr.Greenwood, it was resolved that the Report and Accounts for the year ended 30th September 1950 be adopted.

DIRECTOR: Mr.Greenwood was re-elected a Director on the proposal of Mr.Cumming, seconded by Mr.Choong Eng Hoe.

40 AUDITORS: Messrs.Brown, Phillips & Stewart were re-elected auditors at a fee to be arranged by the Directors.

CONCLUSION: There being no further business, the Meeting closed with a vote of thanks to the Chair.

Confirmed,

Sgd. C.E.CUMMING
CHAIRMAN.

Exhibits

A.9 (p.1258)

Minutes of
26th Annual
General Meet-
ing of Pegang
Prospecting
Co.Ltd.

12th December,
1950

(continued)

ExhibitsA.9 (p.1274) - ADDRESS OF CHAIRMAN, PEGANG
PROSPECTING CO.LTD. TO BE
PRESENTED ON 10TH DECEMBER 1959.A.9 (p.1274)

Address of
Chairman,
Pegang Pros-
pecting Co.Ltd.
to be presented
on 10th
December 1959

10th December,
1959

PEGANG PROSPECTING COMPANY, LIMITED.

Chairman's Address to be presented at the
Annual General Meeting to be held on Thursday,
10th December, 1959.

I regret to say that this year is not so good
but we remain more fortunate than many another.
Notwithstanding the higher price of tin, profits
are down from \$85,377 to \$58,897 - to be further
curtailed by income tax at 40%. A final dividend
of 30 cents per share is recommended which would
leave a balance of \$29,515 to be carried forward to
next year's account.

10

Foong Seong's Mine had a stock of 475 piculs
of ore at the end of September which is more than
a start for the new quota period for which the
quota is 470 piculs to the end of 1959. I am
sorry to say that this property is unlikely to
last. The other mines have little or no stock.

20

Total ore sales for the year amounted to
3,046 piculs which compares with 4,898 last year.
Due to stoppages, a small amount of quota was
sold.

FOONG SEONG MINES LTD. - LOT 29651, MUKIM OF
SUNGEI TRAP, KINTA:

The values hold good but the small remaining
area is close to the main road and the Sungei Johan
and, consequently, the Mines Department has
demarcated a 100 ft. reserve. The mine has
continued with much the same plant and has
extended into adjoining land while working
about half the time in the Company's land.

30

Our trouble is that the mine is so narrowed
by the reserve that it comes in to a point under
which lie the richest deposits of the whole Lot at
a depth of more than 100 ft. - our "Star Bore",
now rendered unworkable as the Reserve plus the
sloping would amount to more than 250 feet.

40

The mine will have to close down about the
middle of November. After the stoppage we
cannot expect much apart from gleanings as the
mine has very little bottom to clean up.

LEOW YAN SIP MINE - LOT 24766, MUKIM OF BLANJA, KINTA:Exhibits

This mine has been having a bad time. Values in the deep mine fell off and the ground toughened considerably. The use of the expensive pumping plant has been abandoned and two nozzles are now sluicing low grade ground up the hillside. Production fell to 1,318 piculs which compares with 1,847 piculs last year.

Address of Chairman, Pegang Prospecting Co. Ltd. to be presented on 10th December, 1959.

10 Applications for abandoned State Land to the north remain under consideration.

KHONG HENG MINE - LOT 21952, MUKIM OF BLANJA, KINTA:

10th December, 1959.

The working of this mine was retarded by tailings trouble and, latterly, shortage of water. Production amounted to 296 piculs against 830 piculs last year.

(continued)

LIM SENG FOOK MINE - LOT 34588, MUKIM OF ULU KINTA:

20 Tough low grade ground compelled Nyan Foo Kongsu to close down in April, 1958. A new Kongsu known as Yoon Foo has prospected a new site and expects to commence production in December.

This is the last time that I shall address you as General Manager and Chairman of the Board of Directors as, after 30 odd years of it, I feel that the time has come for me to retire from the Board. I wish the Company a prosperous future and I thank my co-Directors, the Shareholders and Secretaries for the support and help that they have given me for so many years. Goodbye.

Sgd. C.E.CUMMING

CHAIRMAN.

ExhibitsA.9 (p.1284) - MINUTES OF MEETING OF DIRECTORS
OF PEGANG PROSPECTING CO.LTD.A.9 (p.1284)

Minutes of
Meeting of
Directors of
Pegang Pros-
pecting Co.
Ltd.

PEGANG MINING COMPANY, LIMITED.

Minutes of a Meeting of the Directors held at the Secretaries' Office, Chartered Bank Chambers, Ipoh, on Friday, 15th December, 1961, at 11.15 a.m.

15th December,
1961.

PRESENT: Lee Wan Seng (Chairman), Ho Win Shen, G.P.Hutton and F.N.Mugliston (also representing the Secretaries, Messrs. Evatt & Co.).

10

MINUTES: The Minutes of the Board Meeting held on 23rd October, 1961, were confirmed and signed by the Chairman.

RAILWAY RESERVE: It was agreed, in principle, that the Railway Reserve Area should be mined by the Company under the General Managership of Vallentine Dunne & Associates Ltd. It was also agreed that it would be necessary for the Company to obtain a cancellation of Sublease No.78/56, over M.Ls. 8899 and 11543, Lots Nos. 21952 and 29650, in order that the Company might be in a position to mine the Railway Reserve Area. Mr. Ho Win Shen undertook to make enquiries and to advise the Board of the amount of compensation which would be requested in this connection.

20

IPOH TIN LTD.: It was agreed that Vallentine Dunne & Associates Ltd. be instructed to investigate the possibilities regarding dumping facilities which would be afforded by the acquisition from Ipoh Tin Ltd. of that Company's mining land at Lahat and also to ascertain the expiry dates of the relevant mining titles.

30

CHANGE OF COMPANY'S NAME:

(a) The representative of the Secretaries reported that the Company's certificate of change of name had been received from the Registrar and that the Collector of Land Revenue had been advised of the change of name in respect of all outstanding applications for Prospecting permits and mining titles.

40

(b) It was agreed that all the Company's mining titles be registered in its new name.

RENEWAL OF M.L.12824 AND M.L.12825: It was agreed that the Company would submit a joint application with Madam Tong Swee King for renewal of M.L. 12824 and M.L.12825 which are due to expire on 31st March 1962. It was also agreed that Vallentine Dunne & Associates Ltd. be requested to prepare an appropriate draft application in this connection.

10

NEW ISSUE OF SHARES: Resolved that the Secretaries be paid an additional fee of \$150/- in respect of the preparation of the circular to members and the application forms in connection with the proposed new issue of shares.

CONCLUSION: There being no further business, the Meeting closed with a vote of thanks to the Chair.

Exhibits

A.9 (p.1284)

Minutes of Meeting of Directors of Pegang Prospecting Co. Ltd.

15th December, 1961.

(continued)

ExhibitsA.9 (p.1289) - MINUTES OF MEETING OF DIRECTORS
OF PEGANG MINING CO.LTD.A.9 (p.1289)

Minutes of
Meeting of
Directors of
Pegang Mining
Co.Ltd.

24th May 1963.

PEGANG MINING COMPANY LIMITED

Minutes of a Meeting of the Directors held at the Secretaries' Office, Chartered Bank Chambers, Ipoh, on Friday 24th May 1963 at 11.30 a.m.

PRESENT: Messrs. Lee Wan Seng (Chairman), G.P. Hutton and F.N.Mugliston (also representing the Secretaries, Messrs.Evatt & Co.)

MINUTES: The Minutes of the Board Meeting held on 29th November 1962 and 3rd April 1963 were confirmed and signed by the Chairman. 10

DIRECTORATE: Tabled letter dated 27th April which had been sent to Mr. Ho Win Shen by registered post on that date. It was noted that Mr. Ho Win Shen had been requested in writing by all his co-Directors to resign his office on 27th April 1963 and that in accordance with the provisions of Article 93(g) of the Company's Articles of Association Mr. Ho Win Shen ceased to be a Director of the Company as from that date. 20

MINING OPERATIONS:(a) Boring Results:

Tabled statement and plan giving details of the results of the boring carried out in Lot No.30286. It was agreed that an area of approximately 3.8 acres (marked "Area " on the plan) should produce satisfactory mining results for a period of about ten months to a year. It was agreed that the Company should commence mining operations in "Area A". 30

(b) Mining Scheme:

Tabled draft mining scheme which was discussed and approved.

(c) Supervision and Administration:

The Chairman advised the Meeting that he considered a Mr.Chan Kim Phoy, who is about 36 years of age and has been in his employ for about five years, to be capable of satisfactorily supervising the day to day operation of the mine. It was agreed that Mr.Chan Kim Phoy be employed as Mine Superintendent as from 1st June 1963 at a 40

monthly salary of \$250 plus 10% C.O.L.A.

The Chairman also informed the Meeting that he considered that the total staff to be employed at the Mine would be under 25 and that the cost of food for the staff would be in the region of \$30 per head per month.

10 It was agreed that the Company's Mining Consultants be requested to pay visits to the Mine in order to ensure that mining operations are being carried out in a satisfactory manner.

It was also agreed that:-

- (a) The Mine Superintendent would be authorised to make purchases and to effect payment of the relevant bills in respect of minor items of expenditure not exceeding \$50/- in any one instance; for this purpose the Mine Superintendent would have a petty cash float of \$200 which would be maintained on an imprest system.
- 20 (b) The Secretaries would be responsible for the payment of wages and all bills etc. other than petty cash payments.

CAPITAL EXPENDITURE:

(i) Resolved to purchase one Diesel Driven Pumping Set at a cost of \$25,500.

(ii) The Chairman reported that he hoped to be able to purchase three Pan American jigs and four locally made jigs (3 primary, 3 secondary and 1 cleaning) complete with motors for \$10,000/-.

30 (iii) The Chairman also advised the Meeting that he expected to be able to obtain all the other necessary equipment for the Mine and also have a kongsi house for a total cost of about \$25,000/-.

(iv) Resolved to purchase a Renault R4L Car for the use of the Mine Superintendent.

40 FINANCE: The representative of the Secretaries was instructed to make arrangements with Commercial Union Assurance Co.Ltd. for all necessary insurance cover including an accident policy for \$5,000 in respect of the Mine Superintendent.

RAILWAY RESERVE: The question of asking Government to pay interest on the sum of \$147,100/-, being the Company's share of the cost of the pipeline deviation,

Exhibits

A.9 (p.1289)

Minutes of Meeting of Directors of Pegang Mining Co.Ltd.

24th May 1963.

(continued)

A.9 (p.1289)

Minutes of
Meeting of
Directors of
Pegang Mining
Co.Ltd.

24th May 1963.

(continued)

which was deposited on 13th February, 1963, was discussed. It was agreed that in the first instance the Secretaries should write to the Collector of Land Revenue in order to ascertain the approximate date upon which the deviation should be completed.

FINANCIAL REPORT: Tabled Financial Report for the seven months ended 30th April 1963.

INVESTMENTS: It was resolved that the Company should apply for an allotment of 25,000 shares of 10
\$1/- each in Centurion Investments Ltd.

M.L.13010 LOT 35778: It was agreed that Mr. Ng Sian's verbal request that he relinquishes a further area of approximately 50 acres, covered by his permit to mine, in favour of Mr. Lee Kor Fan be accepted subject to the following conditions:-

- (i) The permit to mine the area be subject to the same terms and conditions as those contained in the permit recently issued to Mr. Lee Kor Fan. 20
- and (ii) If the miner should dump tailings in the area from the working of any land which is not owned by the Company then he shall pay a dumping tribute at the rate of 2%.

SHARE TRANSFERS: Share Transfers Nos. 5/62 to 8/62 and 1/63 were approved and it was resolved that the Common Seal of the Company be affixed to Certificate Nos. 646/652.

CONCLUSION: There being no further business, the Meeting thereupon terminated. 30

A.9 (p.1295) - MINUTES OF MEETING OF DIRECTORS
OF PEGANG MINING CO. LTD.

Exhibits

A.9 (p.1295)

PEGANG MINING COMPANY, LIMITED.

Minutes of
Meeting of
Directors of
Pegang Mining
Co.Ltdg

Minutes of a Meeting of the Directors held at the Secretaries' Office, Chartered Bank Chambers, Ipoh, on Thursday, 5th December, 1963, at 11.45 a.m.

5th December,
1963.

10 PRESENT: Messrs. Lee Wan Seng (Chairman), G.P. Hutton and F.N.Mugliston (also representing the Secretaries, Messrs. Evatt & Co.)

MINUTES: The Minutes of the Board Meeting held on 26th August, 1963, were confirmed and signed by the Chairman.

FINANCIAL STATEMENT: Tabled financial statement for the month of October, 1963, a copy of which was handed to each Director.

20 LEOW YAN SIP: It was agreed that the sublease of approximately 80½ acres, being a portion of lot 24766, be renewed for a further year from 1st January, 1964, on the same terms and conditions as the present sublease, subject to the provision covering renewal to read for a further year instead of for a further two consecutive years.

RENEWAL OF M.Ls. 12824 AND 12825 OVER LOT NOS. 34588 AND 34589.

(i) The representative of the Secretaries reported that:-

30 (a) The Collector of Land Revenue had granted an extension until 20th December 1963 for acceptance of the terms and conditions for renewal of the jointly owned mining leases and payment of the premium etc.

(b) In spite of a reminder, the Company had not yet received either confirmation from Madam Tong Swee King that she wishes to accept renewal of the leases or payment in respect of her half share of the premiums etc. payable.

(c) Tabled application from Chung Mook Nyeen to

ExhibitsA.9 (p.1295)

Minutes of
Meeting of
Directors of
Pegang Mining
Co.Ltd.

5th December,
1963.

(continued)

prospect the areas with a view to obtaining a sublease.

(ii) It was agreed that the Secretaries should write to Madam Tong Swee King by registered post, with copy to the Collector of Land Revenue, to the effect that if a cheque in payment of her share of the premiums etc. is not received by the 15th December then it will be assumed that she does not wish to accept renewal of the leases. It was further agreed that, in the latter event, the Secretaries should advise the Collector of Land Revenue and at the same time submit an application for mining leases over State Land.

10

MADAM TONG SWEE KING: Tabled letter dated 4th December 1963 from Messrs. Maxwell Kenion Cowdy & Jones. The position regarding Madam Tong Swee King's claim in connection with the 1931 agreement was discussed and the general lines of letters to be written to Madam Tong Swee King and the Executors & Trustees of the Estate of Chan Phooi Hoong, Deceased, were agreed. The Secretaries were instructed to circulate to the Directors draft letters after obtaining the comments of the Company's legal advisers on such drafts.

20

SHARE TRANSFERS: Share Transfers Nos. 2/63 to 5/63 were approved and it was resolved that the Common Seal of the Company be affixed to Certificates Nos. 653 to 656 inclusive.

CONCLUSION: There being no further business, the Meeting thereupon terminated.

30

A.9 (p.1304) - RECORD OF SUMMONS CASE 12/63
BEFORE SENIOR INSPECTOR OF
MINES, PERAK.

Exhibits

A.9 (p.1304)

Gal.Fk.S.C.No.12/63.

Summons Case 12/63

Before me in Open Court this 27th day of
 July 1963.

Sgd. J.M.H.O'Riley

Marinyu Kanan Galian, Perak.

Record of
 Summons Case
 12/63 before
 Senior Inspec-
 tor of Mines,
 Perak.

27th July 1963

10 Ho Win Shien

Understands the charge.

Wishes the case to be heard in this Court.

Does not wish to engage Counsel.

Lim Keng Kay.

I am I.M. Batu Gajah.

20 The accused is registered Mgr. of Kong Heng
 Kongsu operating under HL. 5/63 on ML. 8899 lot
 21952 Blanja. The minehole is outlined in red on
 the HL. plan which I submit. Notificn. of
 management submitted.

On 3 July 1963 I visited with Ronnie Ong to
 look into its dumping arrangements. The accused
 was present. During inspection I suspected
 encroachment on west & S.W. faces. A mechanical
 excavator was working at the bottom near the toe.
 I asked accused to demarcate the boundary. Mr.
 Salleh SGMA & MA. R.Ong & T.A.Yap completed a
 survey on 6 July. Plan & section submitted.
 Survey records submitted.

30 Survey showed an encroachment of 960 yds.
 Unlawfully into lot 44408. Offence agst S.118.

Exhibits

Accused:

A.9 (p.1304)

Record of
Summons Case
12/63 before
Senior Inspec-
tor of Mines,
Perak.

I had given instructions to kepala that we were very near the boundary. I told him to warn the excavator driver. When the excavator was down we told our engineer to have a resurvey. We found our marks missing. I scolded him & he has since resigned.

By Court;

27th July 1963.
(continued)

The 960 yds. was taken from a bench. 1st production was 2 piculs only, the second some 8 days later was 6 piculs. Lessee of ML. 8899 & lot 44408 is Pegang M.Co.Ltd. & we pay them tribute.

10

No previous offence.

Finding:

I find that an offence has been committed but am inclined to think that it is a technical offence. Any future occurrence of this nature will be treated very seriously but on this occasion the accused is convicted & fined \$100.

20

Sgd. J.M.H.O'Riley

Merinyu Kanan Galian,
Perak.

CERTIFIED TRUE COPY

Sgd. ?

Pem. Merinyu Kanan Galian,
Perak.

XI. - LETTER, EVATT & CO. TO EXECUTORS OF THE
ESTATE OF CHAN PHOOI HOONG, DECEASED.

Exhibits
XI.

Letter, Evatt
& Co. to
Executors of
the Estate of
Chan Phooi
Hoong,
deceased.

31st January,
1966.

PEGANG MINING COMPANY LIMITED
(Incorporated in the State of Malaya)

Secretaries: P.O.Box No. 136,
EVATT & CO. Chartered Bank Chambers,
Chartered Accountants Ipoh, Perak,
Malaya.

31st January, 1966.

FMCL/FNM/F

10

A.R. REGISTERED

The Executors of the Estate
of Chan Phooi Hoong, Deceased.

Madam Tong Swee King.

Dear Sirs/Madam,

20

In view of your breaches and your reputation of
the Agreement of 22nd October 1931 disclosed by the
evidence in Ipoh High Court Civil Suit No.304/64 the
Company hereby gives you notice that it exercises
its powers under Section 5 of the Agreement to
cancel any mining rights to which the Company is
entitled and of which you claim to have the benefit.

The Agreement is therefore now cancelled.

This notice is without prejudice to our claim
that the Agreement has in any event been determined
because the ground covered by the Kacha & Menelai
Comprehensive Mining Scheme is worked out.

Yours faithfully,

(Sgd.) EVATT & CO.

Secretaries.

30

c.c. Messrs. Hanney & Steedman.

IN THE JUDICIAL COMMITTEE

No. 1 of 1971

OF THE PRIVY COUNCIL

ON APPEAL FROM

THE FEDERAL COURT OF MALAYSIA

B E T W E E N:

PEGANG MINING COMPANY LIMITED
(formerly known as PEGANG
PROSPECTING COMPANY LIMITED)

Appellants

- and -

1. CHOONG SAM
2. LEE CHIM YEE AND CHAN HON
PENG (f) AS EXECUTORS OF
THE ESTATE OF CHAN PHOOI
HOONG DECEASED
3. TONG SWEE KING (f)
AS EXECUTRIX OF THE ESTATE
OF HO KOK YEW (DECEASED)

Respondents

RECORD OF PROCEEDINGS

(VOLUME 4)

Exhibits - pages 412 to 565

PARKER GARRETT & CO.,
St. Michael's Rectory,
Cornhill,
London EC3V 9DU

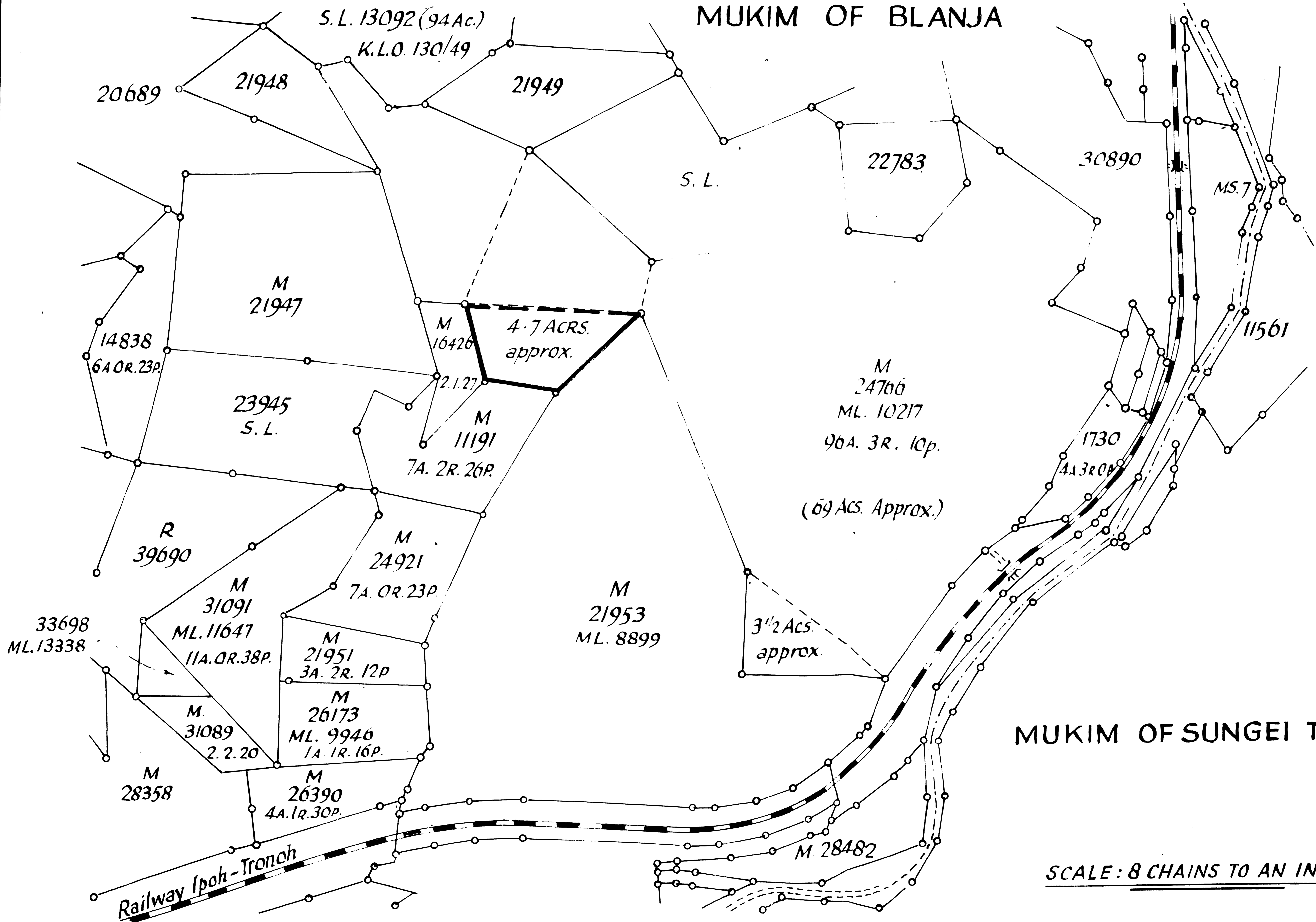
Solicitors for the
Appellants

GRAHAM PAGE & CO.,
51, Victoria Street,
London,
SW1H 0EU

Solicitors for the
Respondents

EXHIBITS
A.4 (P. 901)
MEMORANDUM OF
SUBLEASE
M.L. 10217
LOT 24766 FROM
PEGANG PROS-
PECTING CO. LTD.
TO TONG SWEE
KING.
31ST JULY 1959.
(CONTINUED)

MUKIM OF BLANJA



MUKIM OF SUNGEI TRAP

SCALE: 8 CHAINS TO AN INCH