

CONTENTS

	<u>Page</u>
Preface	11
Table of cases cited	v
List of persons interviewed	vi
Chapter I - Origin and development of Native Courts in Sabah	1
Chapter II - The Native Courts	15
Chapter III - The jurisdiction of the Native Courts	26
Chapter IV - The institution of Native Chiefs	39
Chapter V - The Future	49
Chapter VI - Conclusion	55
Appendix 1 : Native Court of Appeal Cases 1966-1975	64
Appendix 2 : Native Population in Sabah	65
Appendix 3 : Application forms to rank as Native and the approval certificate	66
Appendix 4 : Map of Sabah	68
Bibliography	69

LIST OF CASES CITED

	<u>Page</u>
<u>Abdullah bin Damag v. Ruyah binte Iral</u> , cases on Native Customary Law (1953 - 1972) Page 65.	30
<u>Binidiot Tunal v. John Jeniu</u> , Cases on Native Customary Law (1953 - 1972) Page 90	28
<u>Gadid bin Aruk v. Saian Tabian and Katherine Gadid</u> , Kota Kinabalu Native Court Case number 53/76	16, 17
<u>Harley v. Onong binte Ah Hing</u> [1976] 1 M.L.J. 13	33
<u>Kalito bin Bartilan v. Chin Ah Hee</u> , Cases on Native Customary Law in Sabah (1953 - 1972) Page 153	
<u>Kigis bin Lagunta v. Lojuin binte Gambanan</u> , Cases on Native Customary Law (1953 - 1972) Page 107	31
<u>Liew Sew Yin v. District Officer, Jesselton</u> , Cases on Native Customary Law (1953 - 1972) Page 4	35
<u>Noraini Tani v. Tony Simid</u> , Kota Kinabalu, Native Court Case number 55/76.	17, 18, 19
<u>Ong Seng Kee v. District Officer, Inanam</u> , Cases on Native Customary Law (1953 - 1972) Page 20.	35
<u>Ponckai binte Balani v. Tiap Tai</u> , Kota Kinabalu Native Court Case number 52/76	17, 18, 19
<u>Re Haji Nasarudin bin Abdullah</u> , Kota Kinabalu Native Court Case number 173/75	35
<u>Re James Lee Kui Wah</u> , Cases on Native Customary Law in Sabah (1953 - 1972) Page 37.	27, 29, 59

LIST OF PERSONS INTERVIEWED

Datuk Haji Abdul Hamid Egeh, The State Secretary.

Haji Awang Daud, The Imam of Kota Kinabalu.

Datuk Benedict Shim, West Coast Resident.

Encik Benjamin Mohamed, The District Officer of Keningau.

**Encik Ehsan Sandukong, Administrative Officer at The Ministry of
Local Government.**

Datuk Haji Halim Abie, the Resident, Interior.

Encik Henry Samoring, Chief Clerk at the Kota Kinabalu, District Office.

Encik Jalumin Jahali, former Director of the Community Development Centre.

Haji Mohamed Noor Mansoor, former State Establishment Officer.

Datuk O.K.K. Mohd. Taib, President of The Kota Kinabalu Native Court.

Datuk Justice Mohamed Yusof bin Mohamed, High Court Judge.

Encik Yassin Burrow, Community Development Officer.

Datuk Yusof Abdul Rashid, former State Attorney General.