

S U P P L E M E N T
TO
O F F I C I A L G A Z E T T E
O F T H E

EAST AFRICA



PROTECTORATE.

Published under the authority of His Excellency the Governor of East Africa.

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His Excellency has approved of the following Bills being introduced at the next meeting of the Legislative Council.

*E. P. EVANS,
Clerk to the Legislative Council.*

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liable to a fine not exceeding Rupees 300/- or to imprisonment of either description for a period not exceeding three months

5 19 Where any person is found using any motor car in contravention of any of the provisions of this Ordinance or of any rule made thereunder, it shall be lawful for any member of the Police force to take the motor car, and any carriage attached thereto, or cause the same to be taken, to any Police station or other place of safety, there to be
10 detained until the motor car and its driver can be identified

Power of
Police to
detain motor
car

20 20 The Governor shall incur no liability in respect of any damage or loss that may accrue to any person through the failure of any public thoroughfare to sustain
15 the weight of any motor car or carriage

Governor not
liable for
roads

21 Nothing in this Ordinance shall affect the right of the Governor or of any person to recover compensation from the owner or driver of any motor car for any loss, damage, or injury, which may be sustained by the
20 Governor or such person by the use of such motor car with or without licence

Preservation
of rights

22 The Governor in Council may make rules for —
(a) Prescribing the number and duties of attendants to be in charge of any specified kind or description of
25 motor car,

Power of
Governor to
make Rules.

(b) The better carrying into effect any of the purposes of this Ordinance,
and may affix to the breach of any such rule a penalty, on conviction, not exceeding Rupees 300/- and where no
30 penalty is imposed by the Rules the breach, or attempted breach, or non-observance of any Rule shall be punishable to the extent aforesaid

23 Any person acting in contravention of any of the provisions of this Ordinance for the breach of which no
35 penalty is otherwise expressly provided shall be liable to a penalty on conviction not exceeding Rupees 300/-

Penalties

24 Offences under this Ordinance or under any
any Rules made under the provisions of this Ordinance shall be triable by Subordinate Courts of the First or
40 Second Class

Jurisdiction
of Courts

THE FIRST SCHEDULE

Form of Licence for Motor Car or Carriage (s 7)

No _____

Licence is hereby granted to (1) _____

(1) Insert
name of
licensee

of (2) _____

(2) Insert
address of
licenseeto use (3) for hire or trade purposes
as a private motor car upon public tho-(3) Cross out
unnecessary
words

roughfares subject to the provisions of ' The Motor Traffic

Ordinance 1915," the motor car
carriage hereunder described

from this date until the _____ day of

_____ 191 , inclusive

Description of motor car or carriage

(4)

tons cwt

(4) Insert
here descrip-
tion of motor
car or cu-
riage

Tare .

tons cwt

Maximum load

Restrictions (if any) as to use of locality —

Fee paid Rupees _____

Dated at _____ this _____ day

of _____, 191 .

(Signature of Licensing Officer)

THE SECOND SCHEDULE

Maximum Dimensions of Motor Cars

Length over all	20 feet.
Width	7 „
Height from the ground	12 „
Wheel base	14 „

Maximum Dimensions of Carriages

Length over all	12 „
Width	7 „
Height from the ground, whether loaded or unloaded	12 „

Minimum Width of Tyres for Wheels of Motor Cars used for Haulage, not being Rubber Tyres

WEIGHT OF ENGINE	MINIMUM WIDTH OF TYRES
------------------	---------------------------

Loading Wheels —

Not exceeding 3 tons	6 inches.
Exceeding 3 tons and not exceeding 5 tons	8 „
Exceeding 5 tons and not exceeding 8 tons	10 „
Exceeding 8 tons and not exceeding 11 tons	11 „
Exceeding 11 tons and not exceeding 14 tons	12 „
Exceeding 14 tons	13 „

Driving Wheels —

Not exceeding 3 tons	8 „
Exceeding 3 tons and not exceeding 5 tons	10 „
Exceeding 5 tons and not exceeding 8 tons	13 „
Exceeding 8 tons and not exceeding 12 tons	17 „
Exceeding 12 tons	20 „

Minimum Width of Tyres for Wheels of other Motor Cars, not being Rubber Tyres

The limit of weight per wheel per inch of width of tyres shall not exceed ten hundred weight, provided that where the tare of the motor car exceeds two tons each tyre shall be not less than five inches in width.

THE THIRD SCHEDULE

Driver's Certificate of Competency (s 11)

I hereby certify that after personal examination I find that (1) (1) Insert name of certified driver
 whose (2) (2) Insert "signature," "thumb mark," or as case may be has been placed on the back hereof in my presence, is competent to drive on public thoroughfares a motor car of the description (or type or types) herein specified

Description (or type or types) of motor car

Fee Paid Rupees

Dated at this day of

,191

(Signature of Certifying Officer)

A Bill

Intituled

An Ordinance to amend the Ostrich Ordinance, 1907.

1 This Ordinance may be cited as “ The Ostrich Short title
Amendment Ordinance, 1914,” and shall be read as one
with the Ostrich Ordinance, 1907, herein referred to as the
Principal Ordinance and the Ostrich Amendment
5 Ordinance, 1912

2 Sub-section 1 of Section 14 of the Principal Feather
Ordinance is hereby repealed and the following Sub- Merchants’
section is substituted therefor — Licences

10 (1) A Feather Merchant’s Licence may be granted to an
ostrich farmer approved by the Governor

3 To Section 15 (1), Clause 6, of the Principal Sale to
Ordinance shall be added the words “ Except in cases of Natives
sales to natives in Native Reserves or Closed Districts when Reserves
it shall be sufficient if the locality and tribe of the persons
15 to whom feathers are sold are entered in the register ”

4 In Section 21 of the Principal Ordinance the words Imported
“ sale or ” in the third line of such Section are hereby Feathers
repealed

5 The provisions of this Ordinance shall not be Saving
20 deemed to affect —

(i) Any feather merchant’s licence already issued
under the provisions of the Principal Ordinance, or

(ii) Any feathers introduced into the Protectorate
for sale before the enactment of this Ordinance and so
25 declared at the time of introduction

A Bill

Intituled

An Ordinance to provide for the Registration of Natives

1 This Ordinance may be cited as “ The Native Short Title
Registration Ordinance, 1914 ”

2 In this Ordinance unless inconsistent with the Definitions
context —

5 “ Magistrate ” means a Magistrate holding a
Subordinate Court of the 1st, 2nd or 3rd Class

“ Native ” means any male native of Africa,
including any Somali, apparently above the age of 14
years who is not of European or Asiatic extraction

10 “ Certificate ” means the certificate of registration
and identification required by the provisions of this
Ordinance to be taken out by or to be issued to any
native resident in the Protectorate

15 “ District ” means any area which may be defined by
rules as a district for the purposes of this Ordinance
In the absence of any such rules, district means an
administrative district of the Protectorate

20 “ Registration Officer ” means any Magistrate or
other officer appointed by the Governor to register
natives and issue certificates

3 Every native shall register himself at the office of Natives to be
a Registration Officer in the District in which he resides or registered
with a Registration Officer in such District

4 Every native who registers himself under the Certificates
25 provisions of the preceding section shall be given a to be given
certificate in the prescribed form

5 Every Registration Officer shall keep a register of Registers to
all natives within his District and shall enter therein the be kept
following details —

- 30 (1) The name of the native
(2) His father's name
(3) His tribe, clan, chief, headman, district and
location
(4) His height, build and marks, if any
35 (5) His finger print or prints
(6) The consecutive number given or assigned to the
native in the register, such number shall be
the native's official number

6 The particulars contained in the preceding section Particulars in
40 shall also be set out in the prescribed form of certificate certificates
which shall be issued to the native free of charge

7 If the native be in the employ of any person the certificate shall also state the name of his employer and the nature of the employment

Employer's
name

8 Every person who employs a native shall demand from him his certificate and shall keep a record of the number thereof and the district in which it was issued and shall insert in ink in such certificate his own name, the date on which he employed the native, and the rate of wages paid to the native whereupon the certificate shall be returned to the native. The employer shall also correctly endorse in ink on the certificate the fact of the discharge of such native from his service and the date of such discharge

Duties of the
Employer

9 No person shall employ for a longer period than four days any native who is not in possession of a certificate

Limit of
employment
of native
without certificate

10 No person shall at any time make any entry or writing upon the certificate except as in this Ordinance provided

Entries on
certificate

11 If any native appear before a Registration Officer with a contract of service endorsed upon his certificate but with no discharge or an incomplete discharge from such service endorsed thereon or should it come to the knowledge of a Registration Officer that a native is in possession of a certificate incomplete in such particulars such Registration Officer may if satisfied from such information as is at his disposal that the endorsement of discharge has been omitted through ignorance and through no fault of such native himself endorse the discharge or complete the endorsement thereof on the certificate affixing such dates as may appear to him more consistent with the circumstances. Provided that no such endorsement shall be an absolute defence to a prosecution for desertion if it be proved that such offence has been committed by the native

Powers of
Registration
Officer with
regard to
incomplete
endorsements

12 Any person who

Offences by
native

(1) Shall be in unlawful possession of or shall make use of any certificate belonging to another native, or

(2) Falsely state that he has not previously been registered or shall make any other false statement or commit any act or omission with the object of deceiving a Registration Officer, or

(3) hand over his own certificate to any other native to be used by such other native, or

(4) shall be found in any district without a certificate issued in pursuance of the provisions of this Ordinance, or

(5) shall refuse or neglect to produce his certificate when required to do so by any police officer or other person lawfully entitled to demand the production of such certificate, or

(6) shall mutilate any certificate issued to him or shall add thereto or erase therefrom any material particular, shall upon conviction be liable to a fine not exceeding Rs 150/- or to imprisonment of either description for a period not exceeding three months or to both

13 Upon the desertion of any native from his employment or upon the death of a native in his employment the person in whose employ he was at the time of such desertion or death shall as soon as possible report the
 5 fact of such desertion or death to the nearest Registration Officer who shall communicate the report to the Registration Officer of the District in which the native was originally registered

Employer to
report deser-
tion or death

14 (1) Any native who has lost his certificate or
 10 whose certificate has become mutilated or destroyed through his own neglect may obtain a new certificate from the nearest Registration Officer on the payment of the sum of Rs 5/-, Provided that should such native prove to the satisfaction of the Registration Officer that his certificate
 15 was lost mutilated or destroyed through no fault or neglect of his own the new certificate shall be issued on payment of Re 1/- only. Provided further that if the Registration Officer shall have reason to suspect that the native has illegally broken any existing contract of service he may
 20 for a reasonable time not exceeding one month delay the issue of a new certificate for the purpose of inquiring into the matter

Renewal of
lost mutilated
or destroyed
certificate

(2) If a native has undergone punishment after conviction for being without a certificate or for having
 25 mutilated his certificate the Registration Officer may issue to such native a new certificate free of charge

(3) If the loss mutilation or destruction of a certificate was caused by an employer of the native such employer shall pay the aforesaid fee of Re 1/-

30 15 Any person who —

(1) shall withhold a certificate from any native entitled thereto, or

Offences in
respect of
certificates

(2) shall unlawfully or improperly deprive any native of any certificate in his possession, or

35 (3) shall destroy, alter, imitate, mutilate, make a false entry or in any way improperly tamper with any certificate belonging to a native whether in his employ or not, or

40 (4) shall forge any certificate or ~~alter any counter-
feit certificate~~, or

(5) shall subject to Section 9 of this Ordinance knowingly engage or have in his employ any native who has not in his possession a certificate issued to him under the provisions of this Ordinance, or

45 (6) shall make any entry whatsoever on the certificate of a native with whom he has not entered into a contract of service,

shall upon conviction be liable to a fine not exceeding Rs 750/- or to imprisonment of either description not
 50 exceeding six months or to both

16 Any person contravening any provision of this Ordinance for which no special penalty is provided shall on conviction be liable to a fine not exceeding Rs 300/- or to imprisonment of either description not exceeding three
 55 months or to both

Penalties

17 Any person who shall aid or abet any contra-
 vention of this Ordinance shall on conviction be liable to the penalties provided in the last preceding section

Abetment

18 Offences under the provisions of this Ordinance shall be cognisable to the Police

Offences
cognisable to
Police

19 Offences under the provisions of this Ordinance shall be triable in the Court of a Magistrate holding a Subordinate Court of the 1st, 2nd, or 3rd Class

Jurisdiction
of Courts

20 A Magistrate, Police Officer, Registration Officer and any other person duly authorised by the Governor may demand for inspection at any time the certificate of any native

Inspection of
certificates

21 The Governor may appoint any Magistrate or other person to be a Registration Officer

Power to
appoint

22 The Governor in Council may from time to time make, alter, and rescind rules for any of the purposes following —

Power to
make Rules

(1) Prescribing the form of certificate to be issued under the provisions of this Ordinance

(2) Prescribing the duties of Registration Officers if there be more than one Registration Officer in any district and generally,

(3) Prescribing the areas which shall be districts for the purposes of this Ordinance

(4) Generally for carrying out the provisions of this Ordinance

23 (1) This Ordinance shall come into operation on such date as the Governor by notice in the Gazette may determine

Commence-
ment of
Ordinance

(2) The Governor may by proclamation exclude any area or any tribe or part of a tribe from the operation of this Ordinance.

A Bill

Intituled

An Ordinance to make Provision for the Safety and Inspection of Steam Boilers, Prime Movers and Machinery.

1 This Ordinance may be cited as “ The Boilers, Short Title
Prime Movers and Machinery Ordinance, 1914 ”

2 In this Ordinance — Definitions

5 The expression “ Automobile ” includes every description of vehicle propelled by means of mechanism contained within itself other than vehicles constructed for use on specially prepared ways such as railways and tramways, and

10 the expression “ Mill-gearing ” includes every shaft, whether upright, oblique or horizontal, and every wheel, drum or pulley or other appliance by which the motion of the first moving power is communicated to any machine appertaining to a manufacturing process

15 3 (1) Every steam boiler used for generating steam, Safety valves
gauges and
condition of
steam boilers whether separate or one of a range, shall have attached to it a proper safety valve and a proper steam gauge and water gauge to show the pressure of steam and the height of the water in the boiler

20 (2) Every such boiler safety valve steam gauge and water gauge shall be maintained in proper condition

4 Every prime mover of which steam, electricity, Condition of
Prime movers gas, oil or water is the motive power shall be maintained in proper condition

25 5 (1) Every steam boiler and every prime mover of which steam, electricity, gas, oil or water is the motive power and all machinery used in connection with such prime movers shall be examined thoroughly by a competent person at least once in every twelve months Examination
of prime
movers

30 (2) A report of the result of every such examination in such form and containing such particulars as the Governor may by rule prescribe shall be kept by the person using and having the control of such prime mover and machinery for the time being and the report shall be signed by the person making the examination and a copy
35 of such report shall be sent without delay to an Inspector appointed by the Governor under this Ordinance Examination
report

6 (1) Every hoist or teagle and every fly wheel Fencing directly connected with the steam or other mechanical power whether in the engine house or not and every part
40 of any engine or water wheel shall be securely fenced, and

A Bill

Intituled

An Ordinance to amend the Law Relating to Master and Servants

1 This Ordinance may be cited as “ The Master and Short title.
Servants Amendment Ordinance, 1914,” and shall be
read as one with the Master and Servants Ordinance, 1910,
herein referred to as the Principal Ordinance

5 2 To the definition of Labour Agent in Section 2 of Labour
Agent
the Principal Ordinance shall be added the following
proviso —

10 And provided that the words ‘ Labour Agent ’ shall not
apply to any messenger or servant who procures or
engages or conducts natives for his employer’s
domestic, personal service or business exclusively

(2) Every wheel race not otherwise secured shall be securely fenced close to the edge of the wheel race, and

(3) All dangerous parts of the machinery and every part of any mill gearing shall be either securely fenced or
5 be in such a position or of such construction as to be equally safe to every person employed or working on or about such machinery and gearing as it would be if it were securely fenced

(4) All fencing shall be maintained in an efficient state
10 while the parts required to be fenced are in motion or use except where they are under repair or under examination in connection with repair or otherwise or are necessarily exposed for the purpose of cleaning or lubricating or for altering the gearing or arrangements of the parts of the
20 machine

7 The Governor may appoint an inspector or
inspectors for the proper execution of this Ordinance

Appointment
of inspectors.

8 (1) An inspector shall have power —

Powers of
inspectors

(a) to enter any premises or place in which a steam
25 or other prime mover or machinery in connection therewith is used or is being used at all reasonable times by day or night, and

(b) to require the production of all reports made
under the provisions of section 5 of this Ordinance and
30 to inspect, examine and copy the same, and

(c) to inspect and examine any steam boiler and
steam or other prime mover and machinery used or
being used in or on such premises or place, and

(d) to exercise such other power as may be
35 necessary for carrying this Ordinance into effect

(2) If any person wilfully delays an inspector in the
exercise of his power under this section or fails to comply
with any requisition of an inspector in pursuance of this
section or to produce any report which in pursuance of
40 this section he is required to produce such person shall be deemed to have committed a breach of this Ordinance and shall be liable to a fine not exceeding Rs 150/- or to imprisonment of either description not exceeding three months or to both

45 9 (1) Where there occurs any accident which is
caused by the use of any steam boiler, prime mover or
machinery used in connection therewith and which either

Accidents

(a) causes loss of life, or

(b) causes to a person employed on or about such
50 prime mover or machinery such bodily injury as to prevent him on any one of the three working days next after the occurrence of the accident from being employed on his ordinary work,

written notice shall forthwith be sent to the nearest
55 Magistrate having power to hold a Subordinate Court of the First or Second Class

(2) Such Magistrate shall thereupon hold —

(a) in the case of an accident causing death an inquest into the cause of the death, and

60 (b) in the case of accidents causing such bodily injury as hereinbefore described an inquiry into the cause of the accident.

(3) A Magistrate holding an inquiry under this section shall be empowered —

5 (a) to summon such witnesses as he may think fit to attend and give evidence and to examine such witnesses on oath, and

(b) to enter and inspect any place or building the entry and inspection whereof appears to the Magistrate to be requisite for the purpose of the inquiry

10 (4) A Magistrate shall forthwith send a report of any inquest or inquiry held under this section stating the causes of the accident and its circumstances together with a copy of the proceedings to the Chief Secretary to the Government

15 (5) Nothing in this section contained shall be deemed to alter or vary the powers given to a Magistrate under the Criminal Procedure Ordinance, 1913, section 143

10 The provisions of this Ordinance shall not apply Saving,

(a) to the boiler of any locomotive which belongs to or is used by any railway administration, or

20 (b) save and except the provisions contained in section 6 to any steam or other prime mover or machinery belonging to or exclusively used in the service of His Majesty, or

25 (c) to any automobile which is not used as a prime mover

11 Where any breach of this Ordinance not other- Penalties
wise provided for shall occur, the person occupying the premises upon which the steam boiler, steam or other prime mover or machinery in respect of which such breach occurred is situated shall on conviction be liable to a fine not exceeding Rs 3,000/-

12 The Governor may by rules —

Rules

35 (1) Provide for the examination and the issue of certificates of competency as Mechanical Engineers or Engine drivers to Candidates presenting themselves for examination

(2) Prescribe the particulars to be entered in the report of an examination of a steam boiler or prime mover or machinery

40 (3) Prescribe the Inspector to which copies of reports of examinations of steam boilers, prime movers and machinery shall be sent

45 (4) Prescribe the qualifications which shall be possessed before a person is competent to make an examination provided by section 5 (1) of this Ordinance

A Bill

Intituled

An Ordinance to amend the Law Relating to Customs

1 This Ordinance may be cited as “The Customs Short Title
Amendment Ordinance, 1914 ”

2 The Governor may by Proclamation restrict or Restriction
prohibit the exportation out of the Protectorate of any of exports
5 goods or class of goods

3 Any person who exports any goods in Penalties
contravention of any Proclamation issued under this
Ordinance shall on conviction be liable to a sentence of
imprisonment of either kind not exceeding one year or
10 to a fine not exceeding Rs 3,000/- or to both

A Bill

Intituled

An Ordinance for the Improvement and Regulation of the Coconut Planting Industry

1 This Ordinance may be cited as “ The Coconut Short Title
Preservation Ordinance, 1914 ”

2 In this Ordinance unless the subject matter or Definitions
context be repugnant thereto —

5 “ *Dead or dying tree* ” means any coconut tree which
in the opinion of an Inspector is ceasing or has
ceased to bear produce

10 “ *Insect* ” means the beetle known as the Rhinoceros
Beetle (*oryctes rhinoceros*) and such other insect or
parasite as the Governor may from time to time
specify by notice in the Gazette

“ *Inspector* ” means an officer appointed by the
Governor for the purpose of carrying out the
provisions of this Ordinance

15 3 This Ordinance may be applied to such area or Application
areas as the Governor shall by notice in the *Official Gazette*
direct, and this Ordinance shall thereupon come into full
force and effect within such area or areas

20 4 The owner or person in charge of every coconut Destruction
tree which is dead or dying or is attacked by any insect of dead trees
shall forthwith uproot such tree and either consume it with
fire or bury it in the ground at a depth of not less than three
feet from the surface or keep it completely submerged in
water or shall otherwise dispose of it in such manner as
25 an Inspector may direct so that any such insect and all eggs
and larvæ thereof shall be totally destroyed and so that the
tree shall not serve as a breeding place or refuge for any
such insect Provided that in the case of a coconut tree
30 may with the permission of an Inspector instead of uproot-
ing such tree take such order therewith as the Governor
may by Rules prescribe or in the absence of such rules as
an Inspector may direct

35 5 Any person who neglects or refuses to perform the Penalty,
duty imposed upon him by the last preceding section shall
be liable to a fine not exceeding Rs 75/- for every tree in
respect of which such neglect or refusal occurs and an
Inspector or such other officer as the Governor may
appoint in that behalf may cause to be performed the duty
40 so neglected or refused to be performed and may recover
the costs of such performance in a Court of competent
jurisdiction

6 Any person who keeps on his premises dead or
 dying trees or stumps or coconut timber rubbish or
 coconut stems or accumulations of vegetable refuse, dung
 or other matter which would be likely to harbour or
 5 become breeding or refuge places for insects and neglects
 or refuses to remove or destroy the same within seven days
 when required by a notice in writing to do so by an
 Inspector or such other persons as the Governor may
 appoint in that behalf he shall be liable to a fine not
 10 exceeding Rs 150/- and the Inspector or such other person
 may cause such trees, stumps, timber, rubbish or
 accumulations to be removed or destroyed and may
 recover the cost of such removal or destruction from the
 defaulter in a Court of competent jurisdiction

Destruction
of vegetable
refuse
penalty

15 7 Every Inspector and all Officers of the Agricultural
 Department of the Government and any Magistrate shall
 for the purpose of inspection have access at all reasonable
 times into and upon any land whereon any coconut tree is
 growing and upon any land or premises where there is
 20 reason to suppose that a breach of the provisions of this
 Ordinance is being committed

Access to
land

8 A notice served under this Ordinance shall be
 deemed to be duly served if served upon the owner or
 person in charge of the plantation by delivery or by being
 25 left at the last known place of address of any such person
 or if service cannot be effected by any of the aforesaid
 methods then by posting the notice on or near the land
 whereon is the tree, stump, timber, rubbish, stems or
 accumulation specified in such notice

Service of
notices

30 9 An Inspector may serve or cause to be served a
 notice in writing upon the owner or person in charge of
 any land whereon are coconut trees to keep such land so
 free from under bush underwood grass and weeds as to
 preclude damage from fire or otherwise to such land and
 35 trees or any land or trees adjacent thereto

Prevention of
fire

10 (1) Any person who wilfully obstructs or
 interferes with an Inspector or any person lawfully
 authorised by this Ordinance in the execution of his duty,
 or

Obstructing
Inspectors
and others

40 (2) Knowingly or wilfully refuses or fails to comply
 with or contravenes any provision of this Ordinance or any
 notice or requisition or any provision of any rule made
 under this Ordinance shall be deemed guilty of an offence
 and shall upon conviction be liable to a fine not exceeding
 45 Rs 750/- or to imprisonment of either description not
 exceeding six months or to both

Penalties

11 The Governor may from time to time make such
 compensation as he may think fit to the owner of any
 coconut tree who being in needy circumstances is required
 50 to destroy a coconut tree provided that such compensation
 shall not exceed Rs 5/- per tree and that the compensation
 given in one year to any one person shall not exceed
 Rs 100/-

Compensa-
tion

12 No action shall lie against the Government or
 55 against any officer or servant of the Government for any
 act done in good faith under the provisions of this
 Ordinance and no compensation shall be payable to any
 person for any act done under the provisions of this
 Ordinance otherwise than as in section 11 of this Ordinance
 60 provided

Protection of
public officers

13 (1) Whenever a coconut tree is the property of ^{Service on} more than one person a notice served on one of such ^{joint owner} persons shall be deemed sufficient notice to all such persons, and

5 (2) The whole of any sum payable under this Ordinance may be recovered from any one of such persons

Provided that contribution may be made by the person from whom such sum was recovered on such other persons jointly owning the coconut tree

10 14 The Governor in Council may make Rules — Rules

(1) For regulating the importation into the Protectorate of seed coconuts and coconuts in husk or shell Such power to make rules shall include a power to prohibit the importation of any seed coconuts or
15 coconuts in husk or shell from any specified country or place, or generally

(2) For regulating the procedure to be adopted with regard to coconut and other trees attacked by any insect

20 (3) For the construction on coconut plantations and regulation of traps for insects

A Bill

Intituled

An Ordinance to Regulate the Trade in Coconuts, Copra and Other Products of the Coconut Trees

1 This Ordinance may be cited as “ The Coconut Short Title
Trade Ordinance, 1914 ”

2 In this Ordinance unless the subject matter or Definitions
context otherwise require —

5 The expression “ *Owner* ” in the case of a
plantation being owned in common by a number of
persons of the same tribe or sub-tribe means the
headman of such tribe or sub-tribe

10 The expression “ *Plantation* ” means one or more
growing coconut trees the property of the same owner
and situated on the same plot of land

3 (1) The owner or person in charge of any coconut Registration
plantation shall forthwith register such plantation at the of Plantations
office of or with the District Commissioner of the District
15 in which such plantation is situated and such registration
shall be renewed in the month of January in each year

(2) When any new plantation is made the owner or
person in charge thereof shall forthwith register such
plantation and shall renew such registration annually as in
20 this section provided

4 Every owner or person in charge of a coconut Number of
plantation shall on registering such plantation and on each trees to be
annual renewal of such registration state the number of stated on
coconut trees planted therein registration

25 5 There shall be payable in respect of every Fees for
registration under this Ordinance and of every renewal Registration
thereof the following fees —

(a) For every plantation containing less than twenty
coconut trees Cts 50

30 (b) For every plantation containing twenty or more
coconut trees Rs 1/-

Provided that a District Commissioner may in cases of
poverty register free any plantation containing less than
five coconut trees

35 6 (1) The District Commissioner shall issue to every Certificate of
person registering a coconut plantation a certificate of Registration
registration containing the name of the owner or person in
charge, the situation of the plantation and the number of
coconut trees therein

(2) It shall be lawful for any Magistrate or Police Officer to demand the production of and inspect any certificate of registration issued under this section and any refusal to produce such certificate or allow inspection thereof shall be deemed to be a breach of this Ordinance

7 No person shall buy, sell or otherwise deal in coconuts or copra or any other product of the coconut tree unless such person is licensed in that behalf by the District Commissioner of the District in which his business is situated. Provided that the owner or person in charge of a registered coconut plantation may sell coconuts or copra or any other product of a coconut tree without such licence and provided that a person may without such licence buy from a licensed dealer or registered plantation owner coconuts, copra or any other product of a coconut tree for his own use or consumption but not for sale or barter

Trading
Licences

8 The sum payable for a coconut dealer's licence shall be Rs 5/-

Fee for a
trading
licence

9 Any owner of a registered plantation or any person licensed under section 7 of this Ordinance who sells and delivers or otherwise parts with the possession of coconuts or copra shall give to the purchaser or person receiving such coconuts or copra a memorandum in writing of the transaction. Such memorandum shall contain the date, the name and address of the vendor or person parting with the possession of the coconuts or copra the number of coconuts or weight of copra delivered and the name and address of the purchaser or the person receiving such coconuts or copra

Memo
randum of
sale

(2) The vendor or person parting with the possession of coconuts or copra shall keep a counterfoil of the memorandum given to the purchaser or person receiving such coconut or copra containing the aforesaid particulars

(3) The memorandum shall be in such form as the Governor-in-Council may by rules from time to time prescribe

(4) Forms of memoranda shall be obtained from the District Commissioner of the District in which the registered plantation is situated or in which the dealer resides

10 Any person found in possession of coconuts or copra, who is unable to produce a memorandum issued under the preceding section purporting to deal with such coconuts or copra or to prove that he is the owner or person in charge of a registered plantation shall be deemed to have committed a breach of this Ordinance

Failure to
produce
memo
randum

11 All forms issued by a District Commissioner under section 9 of this Ordinance and all memoranda issued by the owner of a registered plantation or a licensed dealer and all counterfoils thereof shall be liable to inspection by any Magistrate or Police Officer or any other officer duly authorised in that behalf. Any person refusing to produce any such form, memorandum or counterfoil shall be deemed to have committed a breach of this Ordinance

Inspection of
memo
randum forms
and memo-
randa issued
and counter-
foils

12 All offences under this Ordinance or any rules hereunder shall be cognisable to the Police

Offences
cognisable to
the Police.

13 (1) Any person committing a breach of the provisions of this Ordinance or who if required to give any
5 information to the District Commissioner by this Ordinance or any rule thereunder shall give false information or who shall commit a breach of the provisions of any rule published under this Ordinance shall on conviction be liable to a fine not exceeding Rs 150/- or to three months' imprisonment of either description or to both

Penalties

(2) If the person convicted is the holder of a licence issued under this Ordinance such licence may be revoked

14 The Governor-in-Council may make rules for the following objects —

Rules

15 (1) To prescribe the form of licence to be issued under section 7 of this Ordinance and the particulars to be entered therein

(2) To prescribe the places at which coconuts may be retailed

20 (3) To prescribe the form of the memorandum to be given under section 9 of this Ordinance and the price to be paid to the District Commissioner for such forms

25 (4) To prescribe that accounts of sales, purchases and other dealings in coconuts and copra shall be kept by the owner or person in charge of a plantation registered under this Ordinance or by a dealer licensed under this Ordinance,

15 This Ordinance shall come into force on such a date as the Governor may notify in the Gazette

Date of
application,

A Bill

Intituled

An Ordinance to Regulate the Sale of Native Intoxicating Liquors

1 This Ordinance may be cited as “ The Native Short title
Liquor Ordinance, 1914 ”

2 In this Ordinance “ Native Intoxicating Liquor ” Definition
means palm wine (Tembo tamu and tembo kali), pombe,
5 fermented asali and all other liquors prepared by natives
containing alcohol

3 In this Ordinance the words “ Sale and “ Sell ” Sale includes
barter
shall include barter

4 The Governor in Council may from time to time by Application
of Ordinance
10 Proclamation apply this Ordinance to any area in the
Protectorate and upon such application this Ordinance
shall come into full force and effect within the limits of
such area

5 (1) No person shall sell any native intoxicating Licences
15 liquor except he has first taken out a licence in that behalf
from the District Commissioner

(2) Such licence shall authorise the holder to sell
native intoxicating liquor on such premises only as the
District Commissioner shall approve and specify on the
20 licence

(3) There shall be payable in respect of any licence
issued under this section such sum as the Governor in
Council may from time to time proclaim

6 The District Commissioner may refuse to grant a The discret-
ion of
licensing
Officer
unlimited
25 licence in respect of any premises or to any person

7 It shall be lawful for the Provincial Commissioner Power to limit
number of
licences
to limit the number of licences to be issued under section
5 of this Ordinance within his Province in any area to
which this Ordinance has been applied or in any part of
30 such area

8 No person other than a person of African Only natives
of Africa may
be licensed to
sell native
liquors
extraction shall hold a licence under this Ordinance

9 No native intoxicating liquor shall be sold on any Hours for
sale of liquor
licensed premises except between the hours of 6 30 a m
35 and 9 p m

A Bill

Intituled

An Ordinance for the control of Motor Traffic on Public Thoroughfares.

1 This Ordinance may be cited as “ The Motor Traffic Ordinance, 1914,” and shall come into force on such date as the Governor by notification in the *Official Gazette* may determine

Short title
and com
mencement

5 2 In this Ordinance, unless the context otherwise requires,

Interpreta
tion

10 “ Motor Car ” includes motor cycle and every description of vehicle propelled by means of mechanism contained within itself, other than vehicles constructed for use on specially prepared ways such as railways or tramways

“ Motor Cycle ” means a motor car designed to travel on not more than three wheels, and having a tare not exceeding three hundred weight,

15 “ Carriage ” includes every description of vehicle attached to and drawn by a motor car, provided that this definition shall not be deemed to include a side car attached to a motor cycle,

20 “ Public thoroughfare ” includes all public streets, roads, bridges and thoroughfares, and all places over which the public has a right of way for wheeled vehicles

25 “ Tare ” means the actual weight of a motor car (inclusive of the body of such car), or of a carriage when unladen, and in calculating the tare the weight of any fuel, water, accumulators, compressed air, or whatever sources of energy are employed in its propulsion, shall not be included,

30 When the weight of a motor car or carriage is referred to, the expression means the gross weight, inclusive of its tare, its full complement of drivers, attendants, passengers and freight, and, in the case of a motor car, of full supplies of fuel and water, accumulators, compressed air, or whatever sources of energy are employed in its propulsion

35 3 The owner of any motor car or of any carriage which is used upon any public thoroughfare on and after the first day of _____, one thousand nine hundred and _____, without a licence, in that behalf issued under this Ordinance, shall be liable on
40 conviction to a fine not exceeding Rupees 750/-

Penalty for
use of a motor
car or car
riage without
licence

- 10 No native intoxicating liquor shall be sold to any person apparently under the age of sixteen Liquor not to be supplied to young persons
- 11 No licensed person shall supply any native intoxicating liquor to an intoxicated person or allow drunkenness upon his licensed premises Prohibition of sale to intoxicated persons
- 12 Every licence granted under this Ordinance shall expire on the 31st day of December of the year in which it was issued Licences to expire on 31st December
- 13 A licence to sell native intoxicating liquor shall not be transferred from one person to another person or from one premises to other premises except with the consent of the District Commissioner and on payment to the Government of a fee of five Rupees Licence not to be transferred without sanction
- 14 A District Commissioner may issue a special licence authorising the person named therein to sell native intoxicating liquor on premises mentioned in such licence during the hours specified therein but not exceeding in all 24 hours There shall be paid in respect of every such licence a fee of two Rupees Special licences
- 15 Any unlicensed person who shall sell native intoxicating liquor and any licensed person who shall sell native intoxicating liquor on premises other than those authorised by his licence shall upon conviction be liable to imprisonment of either description for a term which may extend to twelve months or to a fine up to one thousand Rupees or to both and to forfeiture of any licence under this Ordinance Penalty
- 16 If any premises licensed under this Ordinance for the sale of native intoxicating liquor shall become in the opinion of the District Commissioner unsuitable or shall fall into disrepair the District Commissioner may suspend the licence until such premises have been made conformable with the requirements of the District Commissioner or have been repaired to his satisfaction Unsuitable premises
- 17 No premises licensed for the sale of native intoxicating liquor shall be used as a dwelling Premises not to be used as a dwelling
- 18 Any premises licensed for the sale of native intoxicating liquor shall be provided with latrine accommodation to the satisfaction of the District Commissioner or if such premises are situated in a township or municipality to the satisfaction of such other officer as the Governor may appoint Latrine accommodation
- 19 No person holding or having held a licence to sell native intoxicating liquor shall be entitled to claim a renewal of such licence as of right or to claim any compensation in respect of such licence if such licence is not renewed No vested interest created by licence
- 20 Any holder of a licence under this Ordinance may refuse to admit to licensed premises any person who is drunk or disorderly and may order any such person to leave the licensed premises Drunk and disorderly persons
- 21 A Police Officer may arrest any person who may be found in or near any premises licensed under this Ordinance drunk and incapable or drunk and disorderly Powers of arrest

22 Any Police Officer of or above the rank of an Assistant Sub-Inspector shall have power to inspect any premises licensed under this Ordinance and to demand and inspect the licence. Refusal to produce a licence when
5 demanded by a Police Officer under this section shall be deemed to be an offence

Powers of inspection

23 Any Magistrate or Police Officer of or above the rank of an Inspector and any other Police Officer having special written authority from a Magistrate or Police Officer
10 of or above the rank of an Inspector may at any hour enter any unlicensed premises in which he suspects an illicit sale of native intoxicating liquor and may take into custody all persons found therein, and may take possession of all liquor found therein, and all persons taken into custody
15 shall be brought before a Magistrate as soon as possible or may be admitted to bail, and upon conviction all such liquor found therein shall be forfeited

Power to search unlicensed premises

24 Any Police Officer may enter any licensed premises at any time when he has reasonable grounds for believing that liquor is being sold on such premises
20 contrary to the provisions of this Ordinance

Power to enter licensed premises

25 No person licensed under this Ordinance shall sell or supply any native intoxicating liquor to be consumed elsewhere than in or upon the premises specified
25 in such person's licence or for any valuable consideration of any description other than a cash payment in current coin

Liquor to be consumed on the premises cash payments for liquor

26 (1) No person shall tap trees for palm wine except he has first taken out a licence in that behalf from
30 the District Commissioner

Tembo tapping licences

(2) Such licence shall authorise the holder to tap trees for palm wine in such area as the District Commissioner shall approve and specify on the licence

(3) There shall be payable in respect of any licence
35 issued under this section such sum as the Governor in Council may from time to time proclaim

(4) Any Police Officer of or above the rank of an Assistant Sub-Inspector shall have power to demand and inspect any licence issued under this section. Refusal to
40 produce a licence when demanded by such Police Officer shall be deemed to be an offence

27 (1) The owner of any tree tapped for palm wine shall pay for every tree tapped such yearly tax not exceeding Rs 20/- as the Governor in Council may from
45 time to time proclaim

Tax on trees tapped for tembo

(2) Any Magistrate or other Officer duly appointed in that behalf may enter upon any land for the purpose of counting and examining the trees thereon for the purposes of this Ordinance

28 Any person who is licensed under section 26 or who has paid a tax under section 27 (1) may without further licence sell palm wine to any person licensed under
50 section 5 and not otherwise

Sale of palm wine to licensed persons

29 A person licensed to sell native intoxicating liquor under section 5 shall if the liquor sold be palm wine purchase such liquor from a person who holds a tembo tapping licence and every person licensed under section 5
55 to sell native intoxicating liquor shall keep a written record in English or Swahili of the persons from whom he has

Purchase of palm wine by licensee

obtained palm wine Such records shall be open to inspection by any Magistrate or Police Officer and any failure to produce such records on the demand of a person entitled to inspect them shall be deemed to be an offence

5 30 In any proceeding relating to any offence under Evidence
this Ordinance it shall not be necessary to show that any
money actually passed or that any native intoxicating
liquor was actually consumed if the Court hearing the case
be satisfied that a transaction in the nature of a sale
10 actually took place or that any consumption was about to
take place and proof of consumption or intended
consumption of native intoxicating liquor in licensed
premises by some person or other than the occupier or his
servant in such premises shall be evidence that such liquor
15 was sold to the person consuming or about to consume the
same by or on behalf of the holder of such licence

31 Any person who shall contravene any of the Penalties
provisions of this Ordinance shall, where other provision
is not made by this Ordinance, be liable to a term of
20 imprisonment of either description which may extend to
six months or to a fine not exceeding five hundred Rupees
or to both and to forfeiture of any licence under this
Ordinance

32 The East Africa Native Liquor Ordinance, 1907, Repeals
25 and the East Africa Native Intoxicating Liquor Ordinance,
1908, are hereby repealed except as to offences committed
against or proceedings commenced or pending under any
of such repealed laws, and except as to subsisting licences
operation of this Ordinance and the expiration of such
30 licences respectively be deemed and judged of in respect
of the sales and dealings which they shall be held to
authorise and the liabilities which the holders thereof shall
incur as if the said repealed laws still remained in force

A Bill

Intituled

An Ordinance to amend the Law Relating to the Sale of Land by Women.

1 This Ordinance may be cited as “ The Sale of Short Title
Land by Women Ordinance, 1914 ”

2 (1) The Regulations dated the 26th day of April, Repeal
1897, issued by His Majesty’s Commissioner and Consul
5 General for regulating the sale of land by women are
hereby repealed

(2) That part of section 39 of the East Africa
Registration Regulations, 1901, relating to the aforesaid
Regulations is hereby repealed

A Bill

Intituled

An Ordinance to provide for Censorship of the Press in Times of Emergency

1 This Ordinance may be cited as “ The Press Short Title
Censorship Ordinance, 1914 ’

2 No newspaper, magazine, pamphlet, book or other Subjects the
publication shall without the leave of such person as the publication of
5 Governor may appoint in that behalf be published which is
containing any information, statement, comment or prohibited
suggestion with respect to troops, ships, aircraft or war
material or to the plans of the naval or military authorities
or to any measures taken for or connected with the
10 defence of the United Kingdom of Great Britain and
Ireland or of any of the dominions, colonies, dependencies,
possessions or protectorates thereof or any statement,
comment or suggestion calculated directly or indirectly to
convey any such information

15 3 (1) The owner, publisher, printer and editor of any Penalties.
newspaper, magazine, book, pamphlet or other publication
by means of which any information, statement, comment
or suggestion specified in the preceding section is
published without the leave specified therein and any
20 person who is otherwise knowingly responsible for the
publication of any such information, statement, comment
or suggestion shall be liable on conviction to imprison-
ment of either description not exceeding three years or to
a fine or to both and

25 (2) Any person who sells or distributes any newspaper,
magazine, book, pamphlet or other publication unlawfully
containing any such information, statement, comment or
suggestion shall be liable on conviction to imprisonment of
either description not exceeding six months or to a fine not
30 exceeding Rs 750/- or to both

4 The Governor-in-Council may by order establish Press Censor.
a press censorship and may at any time revoke such order

5 (1) On the declaration of the establishment of a Procedure
press censorship the Governor may appoint such persons in case of
35 as he may think fit to be press censors, and censorship

(2) No newspaper, magazine, pamphlet, book or
other publication shall be published unless and until the
contents of such newspaper, magazine, pamphlet, book or
other publication have been passed by a press censor

6 The owner, publisher, printer and editor of any newspaper, magazine, pamphlet, book or other publication published after the declaration of the establishment of a press censorship, without the contents of such newspaper,
 5 magazine, pamphlet, book or other publication having been passed by a press censor shall be liable on conviction to imprisonment of either description for a term not exceeding three years or to a fine or to both

Penalties

7 The Court on a conviction for an offence under
 10 this Ordinance may —

Destruction
of news
papers

(1) Order all the copies of any newspaper, magazine, pamphlet, book or other publication in the possession of the person or persons convicted and in respect of which the offence was committed to be
 15 destroyed and

(2) Order the publication of the newspaper, magazine, pamphlet, book or other publication in respect of which the offence was committed to be suspended for a period to be stated in the order

20 8 (1) The Governor in Council may on the occurrence of any public emergency or in the interests of the public safety or tranquility bring this Ordinance into operation by proclamation and may at any time by proclamation suspend such operation

Application
of Ordinance.

25 (2) If any doubt arises as to the existence of a public emergency or as to whether any act done under sub-section (1) was in the interests of the public safety or tranquility or not a certificate signed by the Chief Secretary to the Government shall be conclusive proof on the point

A Bill

Intituled

An Ordinance to supply a further Sum of Money for the Service of the year ended the 31st of March, 1914.

1 The Public Revenue for the year 1913-14, and other funds of the East Africa Protectorate are hereby charged towards the service of the year ended 31st day of March 1914, with a further sum of one hundred and
5 thirty-one thousand one hundred and ninety-eight pounds, eighteen shillings and four pence, in addition to the sums provided by the Appropriation Ordinance, 1913

Public
Revenue
charged

2 The money granted by this Ordinance shall be
10 applied to the purposes and services expressed in the Schedule annexed hereto

Application
of money
granted

3 The Treasurer of the Protectorate is hereby authorised and required, from time to time, upon warrant or order of the Governor, to pay out of the Revenue and
15 other Funds of the Protectorate, for the several services specified in the Schedule, the said sum of one hundred and thirty-one thousand one hundred and ninety-eight pounds, eighteen shillings and four pence, which have come in course of payment during the year ended on
20 the 31st day of March, 1914

Treasurer's
authority for
payment

4 This Ordinance may be cited as "The Sup-
plementary Appropriation Ordinance, 1914"

Short Title.

Schedule.

HEAD OF EXPENDITURE		AMOUNT		
		£	s	d
3	His Excellency the Governor	432	10	11
6	Provincial Administration	2,874	19	5
9a	Port and Marine—Special Expenditure	1,111	13	1
13	Prisons	458	11	11
14	Medical Departments	5,733	11	5
15	Hospitals and Dispensaries	142	11	0
17	Transport	204	16	0
18	Military Expenditure	17,615	2	8
18a	do Special Expenditure	6,170	9	9
19	Miscellaneous Services	1,524	12	11
20	Bombay Agency	71	5	0
21	Post Office and Telegraphs	2,695	15	6
22	Railway Department	21,499	4	10
22a	do Special Expenditure	28,921	4	7
23	Agricultural Department	206	10	10
25	Game Department	40	1	2
27	Survey Department	342	14	3
28	Land Office	76	11	3
30	Public Works Recurrent	750	8	5
31	„ „ Extraordinary	11,058	12	3
35	Special Expenditure for Magadi	29,258	11	2
Total		131,198	18	4

A Bill

Intituled

An Ordinance to apply a Sum of Money for the Service of the year ending the 31st day of March, 1916

1 The Public Revenue for the year 1915-16, and other funds of the East Africa Protectorate, are hereby charged towards the service of the year ending the thirty-first day of March, one thousand nine hundred 5 and sixteen, with a sum of

2 The money granted by this Ordinance shall be applied to the purposes and services expressed in the Schedule annexed hereto

3 The Treasurer of the Protectorate is hereby 10 authorised and required, from time to time, upon the warrant or order of the Governor to pay out of the Revenue and other funds of the Protectorate, for the several services specified in the Schedule, the said sum of

which will come in course of payment during the year 15 ending on the thirty-first day of March, one thousand nine hundred and sixteen

4 This Ordinance may be cited as the "Appropriation Ordinance," 1915

Schedule

DIVISION		AMOUNT
1	Rent and Interest to H H the Sultan of Zanzibar	£ 17,000
2	Pensions	4,316
3	His Excellency the Governor	7,197
4	Secretariat	6,357
5	Official Gazette and Printing	5,127
6	Provincial Administration	131,199
6a	Provincial Administration—Special Expenditure	4,530
7	Treasury	9,928
8	Customs Department	16,656
9	Port and Marine Departments	5,221
9a	Port and Marine—Special Expenditure	640
10	Audit Department	4,112
11	Legal Departments	19,310
Carried forward		

DIVISION,		AMOUNT
		£
Brought forward		
12	Police .	55,065
13	Prisons	17,596
14	Medical Departments	51,797
15	Government Laboratories	3,028
16	Education ...	8,534
17	Transport ...	3,883
18	Military	78,896
18a	Military—Special Expenditure	1,765
19	Miscellaneous Services	9,440
20	Post Office and Telegraphs	51,202
20a	Post Office and Telegraphs—Special Expenditure	2,450
21	Railway Department	383,360
21a	Railway Department—Special Expenditure	7,000
21b	Busoga Railway	50,600
21c	Kampala Port Bell Railway	6,370
22	Agricultural Department	36,766
22a	Agricultural Department—Special Expenditure	1,500
23	Forest Department ...	11,675
24	Game Department	3,935
25	Immigration Department	382
26	Survey Department	31,520
27	Land Department	8,429
28	Public Works Department	31,783
29	Public Works Recurrent	37,747
30	Public Works Extraordinary	30,000
31	Abolition of Slavery	20
32	Coast Land Settlement	11,056
33	Loan Charges	28,596
34	Currency Department	659
Total		£ 1,196,647

A Bill

Intituled

An Ordinance to make provision for the Formation of Volunteer Corps in the East Africa Protectorate and for their Discipline

1 This Ordinance may be cited as “ The Volunteer Ordinance, 1914 ” Short title

2 The Governor may during the present war on Power to
5 behalf of His Majesty sanction the formation of such form corps
volunteer corps and units as he may think fit and may
prescribe the terms of service therefor

3 With respect to the discipline of officers, non- Discipline
commissioned officers and soldiers of any volunteer corps
10 or unit formed under the provisions of this Ordinance the
provisions of the Army Act 44 and 45 Victoria Chapter 58
and all acts amending or substituted for the same so far as
applicable shall apply with the necessary modifications

4 Officers, non-commissioned officers and soldiers of Pay
15 any volunteer corps or unit formed under the provisions of
this Ordinance shall be entitled to such pay as may be
determined by the Governor

5 The provisions of this Ordinance shall be deemed Application
to apply to all volunteer corps and units formed in the of Ordinance
20 Protectorate since the 4th day of August, 1914, and to
have applied to each such corps and unit from the date of
the formation of such corps or unit

6 The East Africa Medical Service and the East Medical and
Africa Veterinary Corps shall be deemed to be volunteer Veterinary
corps formed under the provisions of this Ordinance Corps

25 7 The Governor may at any time disband any Power to
volunteer corps or unit formed under the provisions of this disband
Ordinance or to which this Ordinance applies

8 Every person enrolled in a volunteer corps or Oath
30 unit formed under this Ordinance shall take an oath of
allegiance to His Majesty the King Provided the fact
that any person so enrolled has not taken such oath of
allegiance shall not exempt such person from the provisions
of this Ordinance or the Army Act as applied by the
provisions of this Ordinance

Provided that no motor car or carriage in respect of which a licence issued in the Uganda Protectorate under the provisions of the Motor Traffic Ordinance, 1910, is in force shall be required to be licensed under this Ordinance

5 4 Licences under this Ordinance shall be issued by such officer or officers (hereinafter referred to as the "Licensing Officer") as may be appointed for the purpose by the Governor

Licensing
Officers

10 5 No licence shall, except with the consent in writing of the Governor, and subject to such conditions, if any, as the Governor may impose, be granted for any motor car or carriage, the weight whereof exceeds seven tons, or which does not comply with any of the requirements of Section 14 or of the Second Schedule hereto, or which has ribbed
15 metal tyres

Certain motor
cars only to
be licensed
with consent
of Governor

20 6 (1) A Licensing Officer may refuse to issue a licence for the use of any motor car or carriage so constructed as, in his opinion, to be likely to be dangerous to persons or animals lawfully using the public thoroughfares, or injurious to the roadways or bridges

Power to
refuse licence
in certain
cases

25 (2) A person to whom a licence has been refused may appeal to the Governor, who may either direct a licence to be granted to him, or may refuse the licence, or may withhold the same until such alteration of the motor car or carriage shall have been made as the Governor thinks proper

Appeal to
Governor

30 7 (1) Every licence issued under this Ordinance shall be in the form in the First Schedule hereto or such form as the Governor shall by notice prescribe, and shall contain the particulars by such form required

Form of
licence

(2) Every licence shall be made in triplicate, one copy shall be kept by the licensee, one copy shall be kept by the Licensing Officer, and one copy shall be sent by the Licensing Officer to the Commissioner of Police

35 (3) Every person who shall transfer the ownership of any motor car or carriage licensed under this Ordinance shall immediately notify such transfer in writing to the Licensing Officer who issued the licence and such officer shall record the same and notify the Commissioner of
40 Police of such transfer

45 8 A licence may be issued for one year or half a year. Every half-yearly licence shall continue in force from the date of the granting thereof until the following thirtieth day of June or thirty-first day of December, whichever shall first ensue, and every yearly licence shall continue in force from the date of the granting thereof until the following thirty-first day of December

Duration of
licence

50 9 The Governor in Council may by notice from time to time prescribe the fees payable in respect of any licence for a motor car or carriage or in respect of any other matter or thing for which under this Ordinance or any rule made thereunder fees may be payable

Fees

55 10 (1) Marks indicating the number of the licence and the place where the same is issued shall be fixed on every licensed motor car and carriage in such manner as may be prescribed by rules made under Section 22 of this Ordinance, or in the absence of such rules as may be directed by the Licensing Officer

Identification
marks

A Bill

Intituled

An Ordinance to make provision with respect to Penalties for Trading with the enemy, and other purposes connected therewith.

1 (1) Any person who during the present war trades or who has since the 4th day of August, 1914, traded with the enemy within the meaning of this Ordinance shall be guilty of an offence and shall —

Penalties for trading with enemy

- 5 (a) on conviction by a Magistrate holding a subordinate Court of the first class be liable to imprisonment of either description for a term not exceeding twelve months or to a fine not exceeding Rs 7,500 or to both or
- 10 (b) on conviction by the High Court be liable to imprisonment of either description for a term not exceeding seven years or to a fine or to both and the Court may in any case order that the goods or money in respect of which the offence has been committed
- 15 be forfeited

(2) For the purpose of this Ordinance a person shall be deemed to have traded with the enemy if he has entered into any transaction or done any act which was at the time of such transaction or act prohibited by or under any

20 proclamation issued by the Governor dealing with trading with the enemy for the time being in force or which by English common law or English statute law constitutes an offence of trading with the enemy. Provided that any transaction or act permitted by or under such proclamation

25 shall not be deemed to be trading with the enemy

(3) Where a company has entered into a transaction or has done any act which is an offence under this section, every director, manager, secretary, or other officer of the company who is knowingly a party to the transaction or

30 act shall also be deemed guilty of the offence

(4) A prosecution for an offence under this section shall not be instituted except by or with the consent of the Attorney General

Provided that the person charged with such an offence

35 may be arrested and a warrant for his arrest may be issued and executed, and such person may be remanded in custody or on bail notwithstanding that the consent of the Attorney-General to the institution of the prosecution for the offence has not been obtained, but no further or other

40 proceedings shall be taken until that consent has been obtained

(5) Where an act constitutes an offence both under this Ordinance and under any other Ordinance or statute or both under this Ordinance and at common law, the offender shall be liable to be prosecuted and punished
 5 under either this Ordinance or such other Ordinance or statute, or under this Ordinance or at common law, but shall not be liable to be punished twice for the same offence

2 (1) If a Magistrate is satisfied, on information on
 10 oath laid on behalf of the Chief Secretary that there is reasonable ground for suspecting that an offence under this Ordinance has been or is about to be committed by any person, firm, or company, he may issue a warrant authorising any person appointed by the Chief Secretary
 15 and named in the warrant to inspect all books or documents belonging to or under the control of that person, firm, or company, and to require any person able to give any information with respect to the business or trade of that person, firm, or company to give that information, and if
 20 accompanied by a Police Officer to enter and search any premises used in connection with the business or trade, and to seize any such books or documents as aforesaid

Power to
inspect books
and
documents

Provided that when it appears to the Chief Secretary that the case is one of great emergency and that in the
 25 interests of the State immediate action is necessary, the Chief Secretary may, by written order, give to a person appointed by him the like authority as may be given by a warrant of a Magistrate under this subsection

(2) Where it appears to the Chief Secretary —

30 (a) in the case of a firm, that one of the partners in the firm was immediately before or at any time since the commencement of the present war a subject of, or resident or carrying on business in, a state for the time being at war with His
 35 Majesty, or

(b) in the case of a company, that one-third or more of the issued share capital or of the directorate of the company immediately before or at any time since the commencement of the present war
 40 was held by or on behalf of or consisted of persons who were subjects of, or resident or carrying on business in, a state for the time being at war with His Majesty, or

(c) in the case of a person, firm or company, that the
 45 person was or is, or the firm or company were or are, acting as agent for any person, firm, or company trading or carrying on business in a state for the time being at war with His Majesty, the Chief Secretary may, if he think it expedient for the
 50 purpose of satisfying himself that the person, firm or company are not trading with the enemy, by written order, give to a person appointed by him, without any warrant from a Magistrate, authority to inspect all books and documents belonging to or under the control of the person,
 55 firm or company, and to require any person able to give information with respect to the business or trade of that person, firm or company, to give that information

For the purposes of this subsection any person authorised in that behalf by the Chief Secretary may
 60 inspect the register of members of a company at any time,

and any shares in a company for which share warrants to bearer have been issued shall not be reckoned as part of the issued share capital of the company

(3) If any person having the custody of any book or document which a person is authorised to inspect under this section refuses or wilfully neglects to produce it for inspection, or if any person who is able to give any information which may be required to be given under this section refuses or wilfully neglects when required to give that information, that person shall on conviction by a Magistrate holding a subordinate Court of the first class be liable to imprisonment of either description for a term not exceeding six months, or to a fine not exceeding Rs 750/- or to both

3 Where it appears to the Chief Secretary in reference to any firm or company —

Power of Chief Secretary to apply for receiver in certain cases.

(a) that an offence under this Ordinance has been or is likely to be committed in connection with the trade or business thereof, or

(b) that the control or management thereof has been or is likely to be so affected by the state of war as to prejudice the effective continuance of its trade or business and that it is in the public interest that the trade or business should continue to be carried on,

the Chief Secretary may apply to the High Court for the appointment of a controller of the firm or company, and the High Court shall have power to appoint such a controller, for such time and subject to such conditions and with such powers as the court thinks fit, and the powers so conferred shall be either those of a receiver and manager of those powers subject to such modifications, restrictions or extensions as the court thinks fit (including, if the court considers it necessary or expedient for enabling the controller to borrow money, power, after a special application to the court for that purpose, to create charges on the property of the firm or company in priority to existing charges)

The court shall have power to direct how and by whom the costs of any proceedings under this section, and the remuneration, charges, and expenses of the controller, shall be borne, and shall have power, if it thinks fit, to charge such costs, charges and expenses on the property of the firm or company in such order of priority, in relation to any existing charges thereon, as it thinks fit

(1) In this Ordinance the expression “ Attorney General ” means the Attorney General for the East Africa Protectorate,

Definitions

(2) “ Chief Secretary ” means the Chief Secretary to the Government, and

(3) “ Magistrate ” means a Magistrate holding a subordinate court of the first or second class save where inconsistent with the context

No appeal shall lie from any judgment or order delivered or made under the provisions of this Ordinance

Appeals

This Ordinance may be cited as “ The Trading with the Enemy Ordinance, 1915 ”

Short Title and construction