

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

E A S T A F R I C A



P R O T E C T O R A T E .

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

Vol. XIX.—Supplement No. 6] NAIROBI, May 30, 1917.

T A B L E O F C O N T E N T S .

Official List of Lands Adjudicated upon
under
The Land Titles Ordinance, 1908,
and Amendments.

TANA RIVER DISTRICT.

AT KAU.

Owner.	Plot No.	Acreage.	Remarks.
Ashora bin Amber, Akida	1	3.06	
Abdulla el Amari	2	.16	
Mohamed bin Sai	3	1.29	Allowed certificate of interest on Crown Land subject to interest.
Mohamed bin Abed Tui	4	1.50	
Awath bin Nasib	5	3.04	
Said bin Salim	6	3.12	
Abdulla el Amari	7	.67	
Abdulla el Amari	8	.70	
Hamed bin Abdulla	9	2.76	
Salim Awath and el Abdi Awath	10	1.23	
Abdulla el Amari	11	1.04	Allowed certificate of interest on Crown Land.
Sheriff Omar bin Hussein	12	2.62	
Ashora bin Amber, Akida	13	.37	
Salim Arai	14	5.09	Allowed certificate of interest on Crown Land.
Mohamed Said	15	.55	Allowed certificate of interest on Crown Land.
Abdulla el Amari	16	6.32	
Abdulla el Amari	17	.99	
Gautan bin Awath	18	1.10	
Mohamed bin Said, Aseri	19	3.49	
Mwana Fatuma binti Bwana Haji	20	5.27	
Abdulla Mohamed Habibu	21	5.15	
Oamri Lalli	22	1.35	
Messrs. Laxmidas and Company	23	2.96	
Abdulla bin Mohamed Liamri	24	3.19	
Baishe bin Hassan	25	1.84	
Mwana Fuaka binti Mohamed	26	2.33	
Laxmidas Damodar Thaker	27	4.15	
Namkuur binti Merikehi	28	8.22	
Somoye Bwana bin Ahamed	113	.49	
Abdulla bin Mohamed el Amri	114	.18	
Children of Mwenye Wazir bin Sheikh Omar	115	.37	
Mwenye Faume bin Ali	116	.55	
Juma and Hatina binti Maftah	117	1.53	
Miminao binti Mwana Juma	118	.12	
Malim Rithiwan	119	.30	
Abdulla bin Mohamed el Amari	120	.78	
Mwana Hamisi binti Abdulla	121	.12	
Sheikhar binti Yahya or Nana Sheh	122	.92	
Malim Mohamed	123	1.04	
Bwana Kombo bin Malapa	124	.92	
Naziliki binti Abdi	125	.18	
Abdulla bin Mohamed Habibu	126	.66	
Salim Awath and el Abdi Awath	127	.12	
Mawjee Visanje	128	.14	
Abud bin Athman	129	.04	
H. Rayne	130	.12	
Abud bin Athman	131	.04	
Shaiban binti Abdullah	132	.06	
Mwana Sudi binti Ahmed	133	.24	
Mwana Afuaka binti Mohamed	134	.24	
Said bin Ahmed	135	.04	Declared Crown Land.
Sheriff Omar bin Hussein	136	.15	
Ashora bin Amber, Akida	137	.21	
Mohamed bin Ali Lalli	138	.61	
Aluwi, Sheikh and Mohamed children of Ali	139	1.84	
El Abdi bin Awath as Trustee on behalf of Mosque	140	.18	
El Abdi bin Awath as Trustee on behalf of Mosque	141	.27	
Abdulla bin Mohamed el Amri	142	.18	
Mavua binti Mzee Bamui	143	.09	
Ali bin Sijape	144	.09	
Baishe bin Hasan	145	.12	

TANA RIVER PLOTS.—Contd.

Owner.	Plot No.	Acreage.	Remarks.
Ashora bin Amber, Akida	146	.27	
El Abdi bin Awath on behalf of Mosque	147	.24	
Zamu bin Mwenye Sheh	148	.18	
Ashora bin Amber, Akida	148A	1.16	
Tumu bin Ali	149	.18	
Nasura binti Mwana Ufu	150	.24	
Omari bin Abdulla	151	.30	
Sheikh Omar bin Abdalla Bawazir	152	.62	
Shikh Omar bin Abdalla Bawazir	153	.33	
Abdulla Mohamed Habibu	154	.69	
Bakari bin Kombo	155	2.15	
Bakari bin Kombo	156	1.10	
Abdulla bin Mohamed el Amri	157	1.90	
Salim bin Said bin Salim	158	1.65	
El Abdi bin Awath and Salim bin Awath and Mohamed bin Abud	159	3.25	
Abdulla bin Mohamed el Amri	160	1.53	
Abdulla bin Mohamed el Amri	161	.30	
Hassani bin Mbaraka	162	2.02	
Mohamed bin Said bin Ahmed	163	2.27	Applicant be given a permit by the D.C., for temporary occupation.
Somoye Bwana bin Ahmed	164	.79	
Ahmed bin Malapa	165	.61	
Merajee bin Kai	166	.79	
H. Rayne	167	2.57	
Ali bin Said—Indian	168	2.20	
Abdulla bin Mohamed el Amri	169	.06	
Nooru binti Said	170	2.18	
Kombo bin Heri	171	3.19	
Juma bin Rashid	172	3.11	
Said bin Mohamed	173	4.04	
Ahmed bin Sud bin Hamed	173A	3.25	
Said bin Abdulla	174	1.84	Owner to be given a permit by the D.C. for temporary occupation.
Bwana Mahuti bin Mwenye Kuru	175	2.75	
Abdulla bin Mohamed Habibu	176	.79	
Mohamd bin Said Saari	177	2.33	
Hariri bin Suliman	178	.92	
Ahmed bin Sud bin Hamed	179	1.78	
Nasur and Saleh bin Said	180	10.30	
Malau bin Bausi	181	2.14	Owner to be given a permit by the D.C. for temporary occupation.
Ahmed bin Sud bin Hamed	182	2.64	
Ahmd bin Omar	183	5.39	
Gautan bin Awath	184	1.53	
El Abdi bin Awath & Salim bin Awath and Mohamed bin Abud bin Awath	185	5.87	
Mwana Mkuu binti Mirkai	186	1.53	
Abdulla bin Mohamed el Amri	187	.38	
Mwana Juma binti Bohaji	188	.18	
Tumu bin Ali	189	.24	
Mwana Hidaya binti Said Athman	190	.73	
Sheriff Ali bin Mahadar	191	1.95	
Lalli bin Omar	192	1.78	
Aluwi bin Ali, Sheikh bin Ali and Mohamed bin Ali	193	.79	
Omari bin Abdulla	194	.38	
Fundi Wajeh	195	.31	
Abdulla bin Mohamed Habibu	196A	.06	
Abdulla bin Mohamed el Amri	195B	.67	
Ahmed bin Sud bin Hamed	196	.79	
Ali bin Sijape	197	.87	
Marere bin Mafatah	198	.55	Declared Crown Land.
Hamisi Barakai	199	.73	
Abdulla bin Mohamed Habibu	199A	.92	
Hamisi Barakai	199B	1.04	
Ahmed bin Sud bin Hamed	200	1.65	
Merajee bin Kai	201	1.90	
Mohamed bin Said Essa	202	.92	

TANA RIVER PLOTS.—Contd.

Owner.	Plot No.	Acreage.	Remarks.
Omari bin Said	203	1.41	Owner to be given a permit by the D.C. for temporary occupation.
El Abdi bin Awath and Salim bin Awath	204	.61	
Mandissa bin Mwenye Waziri	205	.73	
Said, Mwenye Hamadi and Mandissa bin Mwenye Waziri	206	2.94	
Sheikh Omar bin Abdulla Bawazir	207	.61	
Sheikh Omar bin Abdulla Bawazir	208	.38	
Mohamed bin Ali	209	2.04	
Ali bin Bwabana Mohamedi	210	.87	
Somoye Bwana bin Ahamed	211	1.47	
Ahamed bin Malapa	212	.79	
Mohamed bin Kombo Kai	213	1.56	
Hamisi bin Kombo	214	.92	
Feruzi bin Mohamed	215	.61	
Kombo bin Heri	216	.45	
Omari wa Funguo	217	2.02	
Mohamed bin Ali Lalli	218	1.84	
Ali bin Awath	219	2.51	
Ali bin Ahamed bin Malapa	220	.56	
Shabani binti Khari	221	.61	
Mzee bin Ahamed bin Ali	222	.79	
Nazaralli Dewji Jamal	223	.36	
William H. Must	224	1.59	
Abdulla bin Mohamed el Amri	225	2.45	
Sheriff Ali bin Hussein	226	1.41	
Nazaralli Dewji Jamal	227	2.51	
Crown Land	228	106.32	Native Reserve.
Abdulla bin Mohamed Habibu	229	2.45	
S. Donaldson	230	2.21	
Said bin Ahamed	231	2.27	
Mzee bin Ahamed	232	1.41	
Mohamed bin Ali bin Ahamed	233	1.66	Certificate of interest on Crown Land is allowed. Owner to be given a permit by the D.C. for temporary occupation.
Mbwana bin Omari	234	.67	
Mohamed bin Ali bin Ahamed	235	1.17	
Mohamed bin Ali bin Ahamed	236	.48	Certificate of interest on Crown Land is allowed.
Sheriff Ali bin Hussein	237	1.22	
Bakari bin Kombo	238	1.41	
Bakari bin Kombo	239	1.53	
Bakari bin Kombo	240	3.06	
Bwana Mohamed bin Shaibu	241	4.66	
Mawji Laxmidas	667	5.64	
Marere bin Mabruki	668	.25	
Mohamed bin Ali	671	2.76	

AT CHARBA.

Owner.	Plot No.	Acreage.	Remarks.
Stanley D. Watcham	29	9.39	
Do.	30	.03	
Do.	31	22.27	
Do.	32	12.14	
Mwana Afuaka binti Mohamed	33	1.34	
Stanley D. Watcham	34	1.84	
Stanley D. Watcham	35	19.19	
Messrs. Laxmidas and Company	36	1.59	
The East African Cotton Company Limited	37	21.59	
Naaralli Dewji Jamal	87	1.01	
Abdulla bin Mohamed el Amri	88	1.04	
Nazaralli Dewji Jamal	N.C.	.012	Plot is not yet numbered.
Mwenye Essa bin Bwana Kombo	320	.467	Plot in the N.W. corner of Plot No. 32.

TANA RIVER PLOTS.—Contd.

Owner.	AT ARITI.		Remarks.
	Plot No.	Acreage.	
Sheriff Omar bin Hussein	38	1.28	
Mwenye Essa bin Omari Buya	39	1.47	
Salim Kadiri	40	8.78	
Salim Kadiri	41	2.94	
Ali bin Haji	42	1.28	
Malim Mohamed bin Said	43	16.80	
Malim Mohamed bin Said	44	3.04	
Omari wa Mayi	45	.92	
Omari wa Mayi	46	1.47	
Bakari Thitha	47	1.71	
Sudi binti Barisa	48	2.76	
Sheriff Ali bin Hussein	49	3.77	
Mwenye Essa bin Omari Buya	50	1.04	
Salim Kadiri	51	2.94	
Nuru binti Mbarak	52	1.41	
Salim Kadiri	53	.86	
Salim Kadiri	54	.92	
Ali bin Haji	55	.67	
Hassan Waljee—Indian	56	.73	
Bwana Maka bin Mare	57	.98	
Sudi binti Barisa	58	1.28	
Salim Ana	59	1.77	
Sudi binti Barisa	60	1.90	
Salim Kadiri	61	1.41	
Salim Ana	62	.43	
Salim bin Ali Kitobe	63	.98	
Mwenye Hamadi bin Omar Boya	64	.73	
Salim Kadiri	65	.49	
Salim Ana	66	.43	
Mwenye Hamadi bin Omar Boya	67	3.19	
Bwana Saidi bin Harusi	68	1.22	
Salim bin Uleyo	69	1.71	
Bwana Maka bin Mare	70	.43	
Omari wa Mayi	71	3.90	
Malim Mohamed bin Said	72	2.27	
Malim Mohamed bin Said	73	5.03	
Saidi bin Abdulla	74	2.88	
Salim Ana	75	1.18	
Omari wa Mayi	76	.73	
Ali bin Salim	77	.68	
Mwenye Essa bin Omar Buya	78	2.33	
Salim bin Ali Kitobe	79	.30	
Omari wa Mayi	80	1.04	
Saidi bin Abdulla	81	.85	
Sheriff Ali bin Hussein	82	1.16	
Salim bin Uleyo	83	1.83	
Fumo bin Abdulla	84	1.04	
Salim Ana	85	1.35	
Salim bin Ali Kitobe	86	1.04	
Mwenye Essa bin Omari Buya	89	1.16	
Hamisi wa Salimini	90	1.65	
Kombo bin Kadiri	91	1.22	
Bwana Tauzi bin Budo	92	.98	
Mwana Sahau	93	2.09	
Ali bin Abdulla	94	.73	
Bwana Essa bin Uleyo	95	1.16	
Bwana Essa bin Uleyo	96	.79	
Goge wa Wayo	97	.85	
Awath bin Nasib	98	1.39	
Awath bin Nasib	99	1.62	
Salim bin Abdulla	100	.98	
Salim bin Abdulla	101	3.25	
Bwana Hafidi bin Mwenye Shah	102	3.74	
Hamisi wa Salimini	103	1.16	
Mwana Lawya binti Ali	104	1.96	
Mohamed wa Roba	105	1.47	
Bwana Ahamed bin Fumo	106	1.59	
Mohamed bin Kanga	107	1.90	
Mwana Juma binti Wayo	108	.98	
Bwana Essa bin Leyo	109	1.04	

TANA RIVER PLOTS.—Contd.

Owner.	Plot No.	Acreage.	Remarks.
Hamadi bin Omari	110	1.04	
Ali bin Abdulla	111	1.73	
Kombo bin Kadiri	112	.55	
Bwana Madi bin Komora	242	2.95	
Bwana Madi bin Komora	243	3.19	
Omari bin Ware	244	2.09	
Mohamed bin Said Saari	245	2.82	
	246		Unallocated.
Athumani bin Salim	247	2.10	
Malim Mahomed bin Said	248	5.58	
Ebrahim wa Babu	249	.92	
Mohamed wa Jilo Bawata	250	1.47	
El Abdi bin Awath and Salim bin Awath	251	2.14	
Awath bin Nasib	252	3.98	
Sheriff Omar bin Hussein	253	1.22	
Mwenye Hatibu Soya	254	1.34	
El Abdi bin Awath and Salim bin Awath	255	1.10	
Haitham bin Ahamed	256	1.84	
Mwana Time binti Kadiri	257	2.57	
Awath bin Nasib	258	7.85	
Ali bin Boya	259	1.10	
El Abdi bin Awath and Salim bin Awath	260	.61	
Sheikh Islam bin Sheikh Ahmed	261	1.16	
Sheriff Omar bin Hussein	262	.73	
Ali bin Boya	263	3.07	
Esha binti Bwana Essa	264	.12	
Ali bin Haji	265	.92	
Sheriff Omar bin Hussein	266	3.55	
Namku binti Bwana Kadiri	267	.73	
Bwana Kadiri bin Kombo	268	.79	
Salim bin Kadiri	269	1.22	
Tarbhai Dayabhai—Indian	270	1.72	
Ali bin Boya	271	.92	
Awath bin Nasib	272	.73	
Athumani bin Salim	273	1.04	
Waljee Bhimjee—Indian	274	.55	
El Abdi bin Awath and Salim bin Awath	275	1.70	
Namku binti Bwana Kadiri	276	1.29	
Haitham bin Ahamed	277	.33	
Goge bin Wayo	278	.75	
Mwana Kombo binti Buyo	279	2.11	
Saidi wa Guya Haji	280	4.97	
Ali Ana	281	6.45	
Awath bin Nasib	282	19.39	
Ramathani bin Barisa	283	1.53	
Mwana Halima binti Kajuni	284	.73	
Mohamed wa Roba	285	7.55	
Said bin Tambo Jumeni	286	1.04	
Bwana Ali bin Masera	287	2.45	
El Abdi bin Awath and Salim bin Awath	288	.73	
Juma bin Kombo or (Fathili)	289	1.41	
Awath bin Nasib	290	1.50	
Omar Wayo <i>alias</i> Goge Wayo	97A	0.4	
Omar Wayo <i>alias</i> Gego Wayo	70A	0.8	
	243A	1.7	Declared Crown Land.
Sheriff Omar bin Hussein	613	1.04	
	614	.31	Declared Crown Land.
Esha binti Bwana Essa	615	.49	
Mwana Halima binti Kadiri	612	.24	
Salim Kadiri	41A	3.80	
	42A	.49	Declared Crown Land.
Salim bin Ali	656	.43	

AT MWI WA NDERA:

Owner.	Plot No.	Acreage.	Remarks.
Bakari wa Otha	291	.79	
Hamadi wa Bwana Haji	292	1.55	
Hamisi wa Kofa	293	4.17	
Omari Goso	294	1.25	

TANA RIVER PLOTS.—Contd.

Owner.	Plot No.	Acreage.	Remarks.
Bakari wa Otha	295	3.01	
Abdulla bin Mohamed el Amri	296	1.96	
Nyenye bin Abdulla	297	3.13	
Sheriff Ali bin Hussein	298	1.16	
Athumani bin Hamed	299	6.80	
Abdulla bin Mahomed el Amri	300	10.06	
Mohamed bin Kolosho	301	4.48	
Gofa wa Rere	302	1.59	
Shaibu bin Abdulla	303	1.90	
Crown Land	304	.60	Said to be property of S. Donaldson. No claim put in.
Bwana Salahe wa Roka	305	1.04	
Crown Land	306	.98	Said to be property of S. Donaldson. No claim put in.
Mwana Juma wa Buya	307	2.45	
Sheriff Ali Muthar	308	2.82	
Kombo wa Omari Buya	309	1.65	
Sheriff Ali Muthar	310	.55	
Nyenye bin Abdulla	311	1.01	
Omar bin Said	312	1.13	Said to have been sold to S. Donaldson. No claim applying for transfer.
Hassan Waljee—Indian	313	1.59	
Make Mwenye Bakari	314	.68	
Hassan bin Shebo	325	2.63	
Mwana Juma wa Buya	326	1.28	
Esha Mwakorani	327	1.59	
Mbaraka wa Mwana Juma	328	3.74	
Omari wa Bakari	329	1.04	
Bwana Salale wa Omari	330	.92	
Hassan Waljee—Indian	331	1.04	
Kombo wa Omar Buyo	332	4.44	
Bakari wa Otha	333	1.22	
Mwana Madina	334	.92	
Bwana Mkuu wa Bute	335	9.53	
Hassan Waljee—Indian	500	4.6	
Mohamedi wa Saidi Duwo	501	2.5	
Saidi bin Kanana	502	1.9	
Awath bin Said and Said bin Soban	503	3.5	
Ahamed bin Sud bin Hamed	504	3.2	
Bakari wa Javava	505	2.3	
Hamadi wa Bwana Haji	506	1.4	
Kombo wa Omari Buya	507	6.6	
Hamisi wa Mohamedi	508	2.5	
Ali bin Masera	509	0.3	
Bwana Haji bin Kokani	510	3.2	
Salehe wa Ali Jilo Bai	511	1.2	
Hamadi wa Bwana Haji	512	5.9	
Awathi bin Nasibu	513	0.5	
Abdulla wa Roba	514	1.3	
Bwana Haji bin Kokani	515	3.8	
Fatuma wa Ali	516	1.2	
Abdulla bin Komora	634	.31	
Nuru wa Maluba	635	.62	
Salehe wa Jilo Bai	636	1.29	
Fumo wa Kofa	637	.43	
Ebrahim wa Bubo	638	.55	
Hamadi Omari bin Guvu	639	1.23	
Godana Jara, Sultan of Gallas	640	.80	
Hamadi Omari bin Guvu	641	2.45	
Hamza bin Vacho	642	.55	
Hamza bin Vacho	642A	.73	
Salim bin Amuma	643	.49	
Bwana Tamu wa Jilo	644	.98	
Haji bin Mohamed	645	.55	
Said bin Abdalla	646	.43	
Ali Ana	647	.80	
Abdulla bin Bashora	648	.67	
Saidi Ana	649	.55	
Salehe wa Thato	650	2.08	
Bwana Bakari wa Bwana Mkuu	651	2.02	

TANA RIVER PLOTS.—Contd.

Owner.	Plot No.	Acreage.	Remarks.
Juma wa Bwana Saidi	653	.86	Sold to S. Donaldson awaiting application for transfer of Title.
Omari wa Jilo	654	2.82	
Mohamed wa Jilo	655	.31	
Mohamed bin Jilo Komora	657	.19	
Mwalim Kai	658	.06	
Abdulla bin Komora	659	.31	
Abdulla bin Komora	660	.55	
Bwana Madi bin Haji Fumo	661	.67	
Otha wa Gulu	669	1.78	
Saidi bin Abdulla Lango	670	.43	
Hamisi wa Kofiro	672	.62	Sub-division of Plot No. 497 of Hassani wa Abiyo.
Salehe bin Ali Jilo Bai	563	5.22	

AT BELFZONI.

Owner.	Plot No.	Acreage.	Remarks,
Abdulla bin Komora	1000	.86	
Mohamed bin Komora	1001	1.22	
Mwana Khamisi binti Komora	1002	2.35	
Hassan Waljee—Indian	1003	4.70	
Mohamed bin Kadjuni	1004	1.70	
Bajumaa bin Ali	1005	3.77	
Hassan Waljee—Indian	1006	4.27	
Sheikh Omari bin Abdulla	1007	5.78	
Hassan Waljee—Indian	1008	4.75	
Omari Baboya	1009	1.00	
El Abdi bin Awath and Salim bin Awath	1010	1.45	
Bwana Hafithi bin Mwenye Shah	1011	1.65	
Saidi Kanana	1012	3.20	
Salehe wa Ali Jilo Bai	1013	4.70	
Bin Ahamed bin Abdulla	1014	2.60	
Saidi wa Duwo	1015	6.25	
She Lugo	1016	2.10	
Otha wa Gulu	1017	1.30	
Mohamed bin Kanga	1018	0.85	
Tarbhai Dayabhai—Indian	1019	0.85	
Tarbhai Dayabhai—Indian	1020	1.75	
Ali bin Thatho	1021	2.45	
Mohamed bin Saidi	1022	2.35	
Mohamed bin Moosa	1023	1.70	
Saidi wa Haro	1024	4.15	
Bwana Edi bin Mohamed Haji	1025	0.95	
Mwana Mwarabu wa Doyo	1026	0.65	
Mohamed bin Kadjuni	1027	1.12	
Tarbhai Dayabhai—Indian	1028	3.25	
Bwana Hamisi bin Kadjuni	1029	1.12	
Salehe wa Thatho	1030	0.50	
Jamal Dayabhai—Indian	1031	0.55	
Jamal Dayabhai—Indian	1032	2.60	
Make Mwenye bin Bakari	1033	1.50	
Salim Kadiri	1034	1.80	
Mwana Asha binti Bwana Hassani	1035	1.55	
Omari Goso	1036	1.40	
Salim Kadiri	1037	1.25	
Bahati wa Omari Gerethi	1038	1.07	
Ali bin Kofa	1039	0.50	
Jamal Dayabhai—Indian	1040	1.17	
Mohamed bin Abud Awath on behalf of himself and remaining heirs	1041	0.62	
Jamal Dayabhai—Indian	1042	0.41	
Hamed bin Athman	1043	0.30	
Bwana Tauzi bin Budo	1044	0.10	
She Lugo	1045	0.20	
Tarbhai Dayabhai—Indian	1046	0.30	
Haitham bin Ahamed	1047	0.70	

TANA RIVER PLOTS.—Contd.

Owner.	Plot No.	Acreage.	Remarks.
Ambari bin Ali	1048	1.32	
Bahati was Omari Gerethi	1049	1.30	
Ramathani bin Barissa	1050	0.27	
Tarbhai Dayabhai—Indian	1051	1.90	
Bin Omari bin Ahamed	1052	1.60	
Tarbhai Dayabhai—Indian	1053	0.97	
Ali bin Masera	1054	2.97	
Sheikh Omari bin Abdulla	1055	1.87	
Ahamed bin Omar	1056	1.72	
Tarbhai Dayabhai—Indian	1057	0.75	
Hassan Waljee—Indian	1058	5.90	
Mwana Hadija	1059	1.07	
Saidi wa Kanana	1060	2.00	
Saidi wa Kanana	1061	0.65	
Haitham bin Ahamed	1062	16.90	
	1063	1.30	Crown Land.
	1064	2.62	Do.
	1065	3.35	Do.
Haitham bin Ahamed	1066	1.75	
Awathi bin Said	1067	1.50	
Mwana Hadie wa Maro	1068	1.17	
Haitham bin Ahamed	1069	1.05	
	1070	0.85	Crown Land.
Bwana Hamisi wa Galido	1071	1.57	
Kai wa Sutuma	1072	2.05	
Salehe wa Ali Jilo Bai	1073	2.22	
Mzee Mwenye Hamadi bin Omari Buya as Trustee of the Estate of Saidi Omari Bakata, deceased	1074	1.90	
Abdulla Hassani	1075	0.53	
Hamza wa Bwana Kombo	1076	1.90	
Mzee Mwenye bin Omari Buya as Trustee of the Estate of Saidi Omari Bakata deceased	1077	2.47	
Ahamed bin Nasuro bin Boheit	1078	2.10	
Kakao wa Ndimbwe	1079	0.55	
Babaki Mzimu	1080	0.10	Crown Land.
Mohamed wa Roba	1081	0.75	
Esha binti Mafatah	1082	1.10	
Bwana Make bin Maro	1083	1.40	
	1084	0.65	Crown Land.
Hassan bin Shebo	1085	8.37	
	1086	2.17	Crown Land.
Mwana Khamisi bint Komora	1087	4.60	
Saidi Malao	1088	4.20	
Hamadi Buyo	1089	0.85	
Ebrahim wa Bakari	1090	1.55	
	1091	0.67	Crown Land.
Kakao wa Ndimbwe	1092	1.91	
She Lugo	1093	0.95	
She Lugo	1094	0.57	
Salim Rai	1095	2.50	
	1096	0.67	Crown Land.
	1097	4.27	Do.
Messrs. Laxmidass and Company	1098	0.68	
	1099	1.37	Crown Land.
	1100	1.80	Do.
Ahmed bin Mbarak el Jarzi	1101	2.00	
Hamisi bin Fathalulla Mnubi	1102	5.12	
Abud bin Ali (Kitole)	1103	7.70	
	1104	4.20	Crown Land.
	1105	4.40	Do.
	1106	2.80	Do.
	1107	0.45	Do.
Salehe wa Thatho	1108	1.20	
	2000	5.12	Crown Land.
Hamza wa Bwana Kombo	616	1.7	
	2002	2.0	Crown Land.
Saidi Kanana	617	4.9	
Bwana Tani wa Abiyo	618	2.2	
	2005	5.0	Crown Land.
Fumo wa Kofa	619	4.3	
Bwana Tani wa Abiyo	620	5.4	

TANA RIVER PLOTS.—Contd.

Owner.	Plot No.	Acreage.	Remarks.
Saidi wa Mutha	621	5.5	
Mohamedi Kolosho	622	3.8	
Jilo wa Bai	623	1.4	
	2011	0.8	Crown Land.
Hamisi bin Fathalulla Mnubi	624	0.8	
	2013	0.6	Crown Land.
	2014	0.4	Do.
	2015	1.2	Do.
Hatibu wa Haro	625	1.9	
Mwana Juma wa Rigo	626	1.2	
Neukirshener Mission of Ngao	627	3.4	
Hamza wa Bwana Kombo	628	12.4	
Ashora bin Amber, Akida	629	0.9	
Somoye binti Zamu	630	0.7	
	2022	0.6	Crown Land.
Hassan Waljee—Indian	631	3.4	
Mohamedi wa Saidi Duwo	460	1.3	
Mohamedi wa Saidi Duwo	461	1.8	
Mohamed bin Ali wa Buya	462	2.9	
Mwalim Kai	463	2.6	
Ali bin Masera	464	4.3	
Abdulla bin Komora	465	3.6	
Bwana Madi bin Haji Fumo	466	5.8	
Mwana Mwarabu	467	1.5	
Hamza bin Wacho	468	0.2	
Do.	469	0.6	
Do.	470	2.9	
Jamal Dayabhai—Indian	471	4.1	
Hamadi wa Haro	472	0.4	
Jamal Dayabhai—Indian	473	1.7	
Bwana Salale wa Roka	474	1.5	
Fumo wa Kofa	475	1.4	
Hassani Abiyo	476	1.6	
Salehe wa Wachu	477	2.3	
Fatuma wa Ali	478	1.4	
Bakari bin Mohamed	479	1.5	
Bakari Baboya	480	2.0	
Mohamed bin Bwana Haji	481	0.5	
Bwana Tani wa Abiyo	482	0.7	
Omari Goso	483	0.8	
Abdulla wa Bwana Haji	484	1.0	
Hemed bin Omar	485	1.1	
Bwana Bisharo	486	1.1	
Mohamed bin Hassan Bashora	487	0.6	
Bakari Baboya	488	2.1	
Mwalim Kai	489	0.8	
Nana Otha binti Oda	490	0.4	
Hamisi was Kofa	491	1.3	
Bwana Tamu wa Jilo	492	9.0	
Hamisi wa Kifiro	493	2.2	
Abdulla Bashora	494	5.9	
Bwana Bisharo	495	6.7	
Bwana Bisharo	496	1.4	
Hassani Abiyo	497	0.9	
Fumo wa Kofa	498	0.8	
Saidi wa Haro	499	0.6	
Baishe wa Badime	519	12.0	
Baishe wa Badime	520	7.7	
Hamadi wa Haro	521	8.5	
Hassani Mohamedi	522	1.6	
Ali Mali wa Jilo	523	8.8	
Omari Goso	524	0.6	
Jamal Dayabhai—Indian	525	0.4	
She Lugo	526	1.1	
Bakari bin Mohamed	527	0.8	
Mwana Jabu wa Ali	1013A	0.5	} Sub-divisions of Plot No. 1013 of Salehe wa Jilo Bai.
Esha binti Jilo Bai	1013B	0.6	
Mwana Hadie binti Ali Jilo Bai	1013C	0.6	
Mwana Sudi binti Ali Jilo Bai	1013D	1.0	
Ali bin Abdulla	517	6.7	

TANA RIVER PLOTS.—Contd.

AT CHA MWANA MUMA.

Owner.	Plot No.	Acreage.	Remarks.
Awath bin Salim Barsarere	315	.67	
Abdulla wa Moroa	316	.36	
Omari bin Said	317	.66	
Namku wa Mwana Tani	318	.86	
Abdulla wa Moroa	319	.42	
El Abdi Awath and Salim bin Awath	320	.23	
Abdula bin Hassani	321	.20	
Hamisi wa Mohamed	322	.36	
Mabruku bin Salim	323	.40	
Omari bin Said	324	.40	
Sheikh Omar bin Abdulla	336	.42	
Ferajee bin Abdulla	337	.55	
Mwalim Kai	338	.62	
Bwana Madi bin Komora	339	1.53	
Hamisi bin Mohamed	340	.42	
Make Sumu binti Mafataha	341	1.90	
Mabruku bin Salim	342	.43	
Mwana Lai wa Bwana Bisharo	343	1.17	
Hamisi bin Mohamed	344	.48	
Bwana Salale wa Roka	345	4.96	
Sheikh Omar bin Abdulla	346	6.44	
Hamisi bin Mohamed	347	1.47	
Sheikh Omar bin Abdulla	348	3.16	
Mwana Hamisi wa Mzee	349	.98	
Hassan Waljee—Indian	350	.76	
Mwenye Mkuu bin Ali	351	.73	
Bwana Mkuu wa Hassani	352	8.34	
Mwana Lai wa Bwana Bisharo	353	3.92	
Bilali wa Ibrahim, Akida	354	1.29	Said to have been sold to S. Donaldson. No application for transfer of Ownership.
Hamadi wa Haro	355	2.88	
Ali wa Moroa	356	2.02	
Mwana Hamisi wa Mzee	357	2.39	
Bwana Omari wa Bwana Mkuu	358	5.20	
Hamisi wa Mohamedi	359	9.50	
Mwenye Mkuu bin Ali	360	2.51	
Ali wa Moroa	361	.79	
Saidi wa Moroa	362	1.41	
Baishe wa Badime	363	1.47	
Bwana Omari wa Bwana Mkuu	364	1.40	
Hamisi wa Mohamedi	365	12.08	
Bwana Omari wa Bwana Mkuu	366	4.11	
Bwana Mkuu wa Hassani	367	6.19	
Hamisi wa Mohamedi	368	1.50	
Hamisi wa Mohamedi	369	3.80	
Tumu bin Ali	370	12.02	
Bakari Baboya	371	1.16	
Make Mwenye Bakari	372	1.10	
Merajee bin Kai	373	.98	
Bwana Tamu	374	1.41	Said to have been sold to S. Donaldson. No application for transfer of Ownership.
Sheikh Omar bin Abdulla	375	3.68	
Abdula Bashora	376	.45	Do.
Make Kasimu	377	2.63	
Bakari Baboya	378	.98	
Omari Baboya	379	1.41	
Mwana Sudi wa Hinjano	380	.85	
Omari wa Komora	381	.22	
Hassan Waljee—Indian	382	9.81	
Hassan Waljee—Indian	383	.48	
Abdulla Baboya	384	2.45	
Fatuma wa Goyo	385	1.41	
Abdulla Baboya	386	1.47	
Bakari Baboya	387	1.71	
Bwana Sheh wa Abiyo	388	4.29	
Nyenye bin Abdulla	389	5.90	

TANA RIVER PLOTS.—Contd.

Owner.	Plot No.	Acreage.	Remarks.
Hamedi wa Jilo	390	2.39	
Bwana Tani wa Abiyo	391	5.15	
Burahim wa Bubu	392	.33	
Awath bin Nasibu	393	.61	
Saleh wa Wachu	394	.24	
Sheikh Omar bin Abdulla	395	.27	
Shaibu bin Abdulla	396	.80	
Sheikh Omar bin Abdulla	397	.65	
Abdulla bin Haji	398	1.77	
Sheikh Omar bin Abdulla	399	1.10	
Bakari wa Mohamed Mnubi	400	.55	
Mohamed wa Miroa	401	.45	
Mwana Amina wa Bashora	402	.66	
Bwana Bisharo	403	.24	
Hassan Waljee—Indian	404	.20	
Omari Baboyo	405	.18	
Hamisi bin Koffro	406	.18	
Salim bin Amuma	407	.13	
Abdulla Baboya	408	.33	
Sheik Omar bin Abdulla	409	.24	
Ali bin Kofa	410	.42	
Abdulla Baboya	411	.13	
Saleh wa Wachu	412	.33	
Mwenye Sheh wa Nife	413	.39	
Fumo wa Kofa	414	.06	
Omar bin Said	415	2.20	
Mwana Hadija wa Heriba	416	1.07	
Bwana Salale wa Omari	417	.83	
Ali bin Mohamed bin Fumo	418	1.22	Said to have been sold to S. Donaldson but no application for its tranfor.
Saleh wa Wachu	419	.30	
Mwalim Kai	420	.43	
Bakari Baboya	421	.95	
Keshavji Welji—Indian	422	.78	
Keshavji Welji—Indian	423	.18	
Hamadi wa Bwana Haji	424	1.13	
Ambari bin Ali	425	1.65	
Keshavji Welji—Indian	426	1.10	
Bammui wa Ambari	427	3.62	
Kombo wa Omar Boya	428	2.33	
Saleh wa Wachu	429	3.49	
Sheikh Omar bin Abdulla	430	4.48	
Mohamed bin Ahamed bin Arusi	431	2.08	Said to have been sold to S. Donaldson. No application for transfer of Ownership.
Hassan Waljee—Indian	432	.49	
Omari Baboya	433	.56	
Saidi bin Moroa	434	2.82	
Make Bajuma	435	2.92	
Shaibu bin Abdulla	436	.18	
Abdulla Baboya	437	2.90	
Hamisi wa Funguo	438	1.59	
Sheikh Omar bin Abdulla	439	2.14	
Bammuni wa Ambari	440	4.66	
Haitham bin Ahamed	441	.67	
Hatibu wa Haro	442	1.10	
Haitham bin Ahamed	443	.30	
Hamadi wa Haro	444	1.35	
Bwana Haji wa Gufo	445	2.45	
Omari bin Said	446	.56	
Bwana Omari wa Bwana Mkuu	447	5.92	
Bwana Mkuu wa Hassani	448	2.14	
Omari wa Jilo	449	1.04	
Ali Mali wa Jilo	450	1.41	
Bwana Tamu wa Jilo	451	2.69	
Bwana Salale wa Roka	452	.46	
Komora wa Badife (for Banana trees only	453	4.32	Certificate of interest on Crown Land allowed.
Crown Land	454	2.45	Do.
Nuru binti Said bin Ali	455	2.63	

TANA RIVER PLOTS.—Contd.

Owner.	Plot No.	Acreage.	Remarks.
Crown Land	456	1.53	Crown Land.
Mohamed bin Shaibu	457	6.81	
Ferajee bin Abdulla	458	.43	
Sheikh Islam bin Sheikh Ahamed	459	1.59	
Omari bin Salale	528	.61	

 AT NDURU.

Owner.	Plot No.	Acreage.	Remarks.
Bakari bin Said	575	8.7	
Awathi bin Said	576	2.0	
Saidi Babu	577	2.1	
Crown Land	578	0.4	Crown Land.

 AT SIMIKARO AND NDURU.

Owner.	Plot No.	Acreage.	Remarks.
Ferajee bin Abdulla	529	0.45	
Kurjee Bhanjee—Indian	530	4.20	
Awath bin Said	531	3.50	
Mohamed wa Ana	532	1.53	
Kurjee Bhanjee—Indian	533	5.15	
Ali Kimair, Ali Kitoli (in common)	534	1.10	Suleman Bhanji to make an application for transfer of Ownership.
Ahmed bin Sud bin Hamed	535	1.65	
Mohamed bin Said	536	1.58	
El Abdi bin Awath and Salim bin Awath	537	1.53	
Awah bin Said bin Essa	538	0.38	
Mohamed wa Ana	439	0.30	
Bwana Mkuu wa Uleyo	440	0.79	Suleman Bhanji to make an application for transfer of Ownership.
El Abdi bin Awath and Salim bin Awath	441	0.68	
Haitham bin Ahamed	442	2.24	
Awath bin Said bin Essa	443	1.90	
Mohamed bin Said	544	0.42	
Omari bin Hirbai—deceased	545	4.85	
Hamadi wa Jilo	546	0.23	
Omari wa Bute	547	0.15	
Omari bin Said bin Otha	548	0.17	
Omari bin Said Waiyu	549	0.37	
Ali wa Buya	550	0.32	
Abdulla Heriba	551	0.37	
Mohamed Bute (Heriba)	552	0.20	
Abdud bin Maro	553	0.43	
Salim bin Abdulla	554	0.26	
Sheikh Islam bin Sheikh Mohamed	555	5.65	
Mwana Afuaka binti Mohamed	556	3.2	
Adi wa Jaro	557	2.2	
Abdulla wa Bute	558	1.97	
Abdulla wa Bute	559	0.57	
Bwana Mkuu wa Uleyo	560	0.25	
Ali Tambo	561	0.8	
Salim Abadessa	562	0.12	
Abdullah wa Bute	564	1.20	
Omari wa Bute	565	1.6	
Awath bin Said bin Essa	566	14.85	
Haitham bin Hamed	567	3.7	
Omari wa Bute	568	0.80	
Mohamed Ana	569	0.25	
Bwana Mkuu bin Uleyo	570	1.00	
Ali Kimair and Al iKitoli, heirs of Somoye			
Bwana bin Tambo	571	0.50	

TANA RIVER PLOTS.—Contd.

Owner.	Plot No.	Acreage.	Remarks.
Ali Kimair and Ali Kitoli, heirs of Somoye			
Bwana bin Tambo	572	0.40	
Awath bin Said bin Essa	573	3.22	
Hamadi wa Jilo	574	0.32	
Bakari bin Said and Awath bin Said	579	12.69	
Abdulla wa Kokani	580	1.04	
Abdulla wa Kokani	581	2.76	

AT NGOMENI.

Hamisi bin Salimini	606	3.61	
Awath bin Nasibu	607	5.27	
Mwenye Essa bin Mwenye Kombo	608	15.95	
Bwana Kai bin Maka	609	10.95	
Said bin Ahamed	610	14.29	Declared Crown Land.
Said bin Ahamed	611	4.60	Do.
E. J. Must	582	23.37	
Mohamed bin Said Elsaari	583	1.35	
Mohamed bin Said Elsaari	584	6.01	
Haji Omari wa Komora	585	7.24	
Baraka Bwana wa Kehi	586	12.20	
Mohamed bin Ahamed bin Harusi	587	.67	
Omari bin Salim	588	.79	
Bake Lalli bin Athmani	589	.55	
Fatuma wa Hamadi	590	.67	
Mohamed bin Said Elsaari	591	1.10	
Kiloso wa Bwana Mkuu	592	.92	
Bake Lalli bin Athmani	593	22.88	
Godana Jarra—Sultan of Gallas	594	.49	
Mohamed bin Said Elsaari	595	3.25	
Said bin Ahamed	596	.67	
Sheh wa Mabruku	597	1.95	
Mwana Yamu binti Bwana Hamisi	598	1.83	
Hatima binti Mafatah	599	2.26	
Bake Lalli bin Athmani	600	16.56	
Said bin Abdulla	601	5.82	
Mohamed bin Said Elsaari	602	1.53	
Abdulla Mohamed Habibu	603	6.01	
Nasheh binti Yahiha	604	1.71	Subject to certificate of interest to Bake Lali bin Athman.
Said bin Ahamed (Crown Land)	605	1.90	Declared Crown Land.
Shukuru Mgoshi, Akida	652	2.20	
Said bin Abdulla	662	1.71	
Matulu bin Lila	663	1.53	
Matulu bin Lila	664	7.60	
Matulu bin Lila	665	36.31	
Kombo bin Heri (of Kau)	666	3.92	

KIPINI TOWN PLOTS.

Owner.	Plot No.	Acreage.	Remarks.
Said, Sheikh and Zena children of Sheikh			
Islam bin Sheikh	632	.37	
Nazarali Dewji Jamal—Indian	633	.08	
Bihiyani binti Saviti	673	.20	
Omari bin Mohamed Elbajuni	674	.27	
Said bin Awath	675	.04	
Nazarali Dewji Jamal—Indian	676	.05	
Nuru binti Mbarak Eljerzi	677	.08	
Ali bin Omari Elpate	678	.06	
Do.	678A	.07	
Said bin Omar Elsobani	679	.09	
Do.	679A	.29	
Awath bin Salim	680	.35	
Said bin Omar Elsobani	681	.09	
Do.	681A	.43	

KIPINI TOWN PLOTS.—Contd.

Owner.	Plot No.	Acreage.	Remarks.
Sikukuu binti Abud	682	.15	
Fatuma binti Ali	683	.57	
Bwana Dumia bin Omari	684	.03	
Madi wa Kaima Elbajuni	685	.13	
Salim bin Islam bin Dohri	686	.06	
Bahamad bin Said	687	.10	
Somoye Mwana wa Bwana Muhaji	688	.05	
Salim bin Athman	689	.06	
Said bin Mohamed	690	.02	
Omar bin Hamad bin Bashan and Hemed bin Said	691	.02	
Do.	691A	.05	
Nassir bin Ali, Ali bin Ali and Saleh binti Said as Cotenants	692	.15	
Mohamed bin Ahmed bin Said	693	.04	
Hafithi bin Baishe	694	.03	
Hadija binti Bwana Heri	695	.05	
Fatuma binti Essa	696	.08	
Do.	697	.05	
Ali bin Abdulla	698	.04	
Hassina binti Ali	699	.03	
Abdulla bin Omar	700	.03	
Mohamed bin Alwi	701	.03	
Ahmed bin Salim Basalim	702	.03	
Mohamed bin Ahamed bin Said	703	.02	
Fatuma binti Ali	704	.02	
Yahiya bin Sabir	705	.26	
Padamshi Waghji—Indian	706	.05	
Aisha binti Saleh bin Ahamed	707	.03	
Abdulla bin Omar	708	.05	
Mauji Vishanji & Brothers	709	.04	
Fatuma binti Athman	710	.08	
Shekuwe bin Sheikh Tiro	711	.14	
Juma bin Masud	712	.03	
Bwana wa Hamadi	713	.04	
Mwalim Bwana bin Daudi	714	.06	
Fumo bin Kaim	715	.04	
Baishe bin Sabur	716	.04	
Ali bin Hashim	717	.02	
Abdulla bin Omar	718	.02	
Salim bin Athman	719	.03	
Banake bin Ahmad Mpate	720	.08	
Mwalim wa Bwana Tauzi	721	.07	
Abdulla bin Omar	722	.03	
Mohamed bin Mzee and Mariam binti Yusuf	723	.11	
Mwanema wa Muhaji	724	.05	
Salim bin Athman	725	.02	
Fumo bin Kaim	726	.58	
Somoye Bwana bin Kaim and Family	727	.50	
Fatuma binti Ali	728	.07	
Hassan bin Adballa, Akida	729	.07	
Ahmed bin Salim Basalim	730	.02	
Sheikh Isalim bin Sheikh	731	.04	
Abdulla bin Omar	732	.02	
Salima binti Sheikh Omar	733	.06	
Abdulla bin Said	734	.07	
Said, Sheikh and Zena children of Sheikh Islam bin Sheikh	735	.07	
Abdulla bin Salim	736	.02	
Fatuma binti Essa	737	.04	
Bwana Dumia bin Omari	738	.05	
Mshaufu binti Mbwana	739	.07	

OZI RIVER PLOT.

Laxmidas Damodar Thaker	740	2.45
-------------------------	-----	------

NOTE:—Crown Lands in this area were published in the *Official Gazette* under notice dated 27th day of December, 1916.

EAST AFRICA PROTECTORATE.

**Minutes of the Proceedings
of the Legislative Council
of East Africa.**

**First Session,
1917.**

February 12th, 13th, 14th, 17th, and 23rd, 1917.

Nairobi.

PRINTED BY THE GOVERNMENT PRINTER,

British East Africa.

Minutes of the Proceedings of the First Session of the Legislative Council, 1917.

**Held at Nairobi on the 12th, 13th, 14th, 17th, and 23rd
February, 1917.**

The Council assembled on the 12th of February, at 10 a.m., HIS EXCELLENCY THE GOVERNOR (SIR H. CONWAY BELFIELD, K.C.M.G.) presiding.

Present:—

THE HON. THE CHIEF SECRETARY (C. C. BOWRING, C.M.G.).
THE HON. THE ATTORNEY GENERAL (J. W. BARTH).
THE HON. THE TREASURER (H. P. ESPIE).
THE HON. THE MANAGER OF THE UGANDA RAILWAY (B. EASTWOOD).
THE HON. F. W. MAJOR, I.S.O.
THE HON. A. C. MACDONALD.
THE HON. C. W. HOBLEY, C.M.G.
THE HON. R. BARTON WRIGHT.
THE HON. J. AINSWORTH, C.M.G.
THE HON. P. H. CLARKE.
THE RIGHT HON. LORD DELAMERE.
CAPTAIN THE HON. A. C. HOEY.
THE HON. W. C. HUNTER.
THE HON. W. MACLELLAN WILSON.

OATH OF ALLEGIANCE.

THE PRESIDENT administered the Oath of Allegiance to the RIGHT HON. LORD DELAMERE, CAPTAIN THE HON. A. C. HOEY, THE HON. W. C. HUNTER, AND THE HON. W. MACLELLAN WILSON.

MINUTES OF MEETING.

THE HON. THE CHIEF SECRETARY moved that the Minutes of the Meeting of the Council held on the 10th and 14th October, 1916, which had been circulated amongst Hon. Members, be taken as read and be confirmed.

THE HON. THE ATTORNEY GENERAL seconded.
The question was put and carried.

THE PRESIDENT'S ADDRESS.

THE PRESIDENT delivered the following address:—
Honourable Members of the Legislative Council,

It is with a sense of profound satisfaction that I find myself privileged to-day to welcome to our Session the unofficial Members who have consented to accept nomination to the Council and have expressed their willingness to serve in that capacity during the period which must elapse before effect can be given to the acquiescence of the Secretary of State in the principle of elective representation. It is my desire that there be recorded upon the Minutes of this Council a note of my grateful appreciation of their acceptance of this duty and of my confident anticipation that their presence here and their participation in our deliberations will add materially to the value of our proceedings, and will thus redound to the benefit of the Protectorate.

It is now nearly four years since the unofficial Members representing our highland areas decided to emphasise their dissatisfaction with the system of nomination by resigning their seats. We regretted that decision but had no alternative but to accept it. We recognised that the absence of the unofficial Members would deprive the proceedings of this Council of much of their interest and value in the eyes of the community, but we have taken no advantage of their absence and have endeavoured to formulate with discrimination and moderation all measures which it has been necessary to place upon the Statute Book. But, now that a return to former conditions has been accepted and effected as an interim arrangement, I firmly believe that the present constitution of this Council will instil confidence into the minds of our people, and that we may look upon this meeting as a further step towards the ultimate accomplishment of that complete union and understanding between the community and the Government which I hope that we all desire.

It has been suggested to me that the history of the evolution of the administrative machinery of the Protectorate, and of the formation and development of this Council, is not generally known to the community of the present day, and that a short statement summarising that process of evolution may be appreciated by those who take an interest in our local politics.

When the charge of the Protectorate was first transferred to the British Government, in July, 1895, the administration was undertaken by the Secretary of State for Foreign Affairs, whose local representative was the Consul General at Zanzibar. This Officer was endowed, in 1897, with the additional title of Commissioner, and was empowered to frame laws of local application under the term "Queen's Regulations." In April 1902 the area of the Protectorate was enlarged by the transfer thereto of the old Eastern Province of Uganda, now known as the Provinces of Naivasha and Nyanza, and on the promulgation of the Africa Order-in-Council of August 1902 the Head of the Administration became His Majesty's Commissioner and ceased to perform consular duties or to be concerned with the affairs of Zanzibar.

The administration continued upon these lines until the control was transferred to the Colonial Office on April 1, 1905, in which year the local Colonists' Association forwarded to the Secretary of State for the Colonies a lengthy address, in the course of which they prayed for a nominated Legislative Council with unofficial representation, intimating that they would be satisfied with a Council on which the official members were in a majority, provided that the minority was appointed with the consent and concurrence of the majority of the white colonists.

In the following year the administrative system was further developed by the promulgation of the East Africa Order-in-Council, 1906, which replaced the Commissioner by a Governor and Commander-in-Chief and provided for the formation of an Executive Council and a Legislative Council, to which latter body was transferred the power of making ordinances hitherto vested in the Commissioner. Legislation thus enacted was made subject to the Governor's veto and to the assent of His Majesty. The Legislative Council held its first Session on August 17, 1907, and two of the gentlemen who were members of the original body are present to-day in the persons of Lord Delamere and Mr. Bowring.

The question of the election of the unofficial members was first brought up by resolution of the Convention of Associations, in July 1911, but a petition to the Secretary of State, forwarded in November of that year, elicited the reply that he was not prepared at that stage in the development of the Protectorate to accede to the request.

The subject was again pressed by a further memorial, in July 1913, when correspondence ensued which, notwithstanding the delay inseparable from the outbreak of war, has resulted, as all are aware, in concession of the principle as soon as a convenient time arrives for introducing it.

The return to the Council of a full complement of unofficial Members has made it possible for me to arrange for the immediate consideration of the steps to be taken to give effect to the principle of elective representation. There is a general desire that no time shall be lost in introducing the new procedure, but the Secretary of State has enumerated certain particulars necessarily appertaining to any electoral system which must be settled before that system can be constructed and adopted. I have therefore decided that a motion shall be submitted to this Council, during the present Session, to approve the immediate appointment of a Special Committee which will be asked to consider and report on the means by which the principle of elective representation may best be applied in practice. When by these means this Council has evolved a system of procedure, which is suited to the conditions of the Protectorate and is acceptable to the Secretary of State, I know of no reason why the introduction of the change should be further delayed.

I am the more gratified at having this opportunity of again presiding at a full and representative Council because it is possible that this may be the last occasion on which I shall have the honour of occupying the chair. I am to proceed to England on leave as soon as the present restrictions on travel have been relaxed, and by the time that leave expires I shall have held His Majesty's Commission as Governor of British East Africa for more than five years. That is almost the full period for which a Governor of a Colony usually holds office, and I am therefore prepared to hear that the Secretary of State has other arrangements in contemplation for the future administration of the Protectorate.

But, if my term of office comes to an end and I do not return, I shall always look back with interest to the period of my official connection with East Africa. It is undeniable that that period has been punctuated by intervals of anxiety and by phases of disappointment. There have been many difficulties to encounter, misunderstandings have arisen, and dissatisfaction has not infrequently been openly and forcibly expressed, but I have endeavoured—I hope not wholly without success—to surmount the difficulties, to remove the misunderstandings, and to dispel the dissatisfaction, having been actuated throughout by an earnest desire so to utilise the authority vested in me as to advance the legitimate aspirations of all sections of the people, and to render assistance wherever it has been possible for me to intervene with advantage and without the risk of giving offence.

The work of administration has been rendered unusually complex by the existence of a state of war, and the progress, which under normal conditions might be expected to be made year by year, has been hampered and delayed. The revenue of the Protectorate has naturally suffered, while all forms of expenditure have been severely curtailed by the necessity of appropriating large sums for special war expenditure. The enterprise of our settlers has been dislocated by the absence of a large number on active service, and for the same reason Government Departments and commercial firms have had to carry on as best they could with seriously depleted staffs. I trust however that the last stage of hostilities in East Africa is now in sight, that our friends on active service may shortly be in a position to return to civil life, and that the changed conditions which must result from occupation of the neighbouring enemy territory may, at no remote date, place within reach of our people a prospect of enhanced prosperity as a reward for their patience and their patriotism.

It would have been impossible for my own unaided effort to have helped the country to weather this time of stress. I find it difficult to speak with adequate appreciation of the generous assistance which have been rendered to me by all. More particularly would I mention with gratitude and admiration the immediate and unanimous response made by all classes to the call to arms at the commencement of the war, also the work performed later on by the Governor's War Council, and by those of my brother officers who have been closely associated with me in the despatch of my official duties.

The agenda paper relating to the business of the present Session includes the draft budget for the coming financial year, and certain other bills of considerable importance, the objects and reasons of which will be explained in due course by the Hon. Members who are in charge of the measures. The more important bills will be carried only through the preliminary stage in order that the fullest opportunity may be given for discussion in Committee at a later date.

The multifarious and urgent calls which have to be made on the prospective revenue of the forthcoming year, and which arise from exceptional conditions over which we have little or no control, have, to my great regret, made it impracticable to provide funds to commence the very necessary and pressing work of reorganising and expanding the present rudimentary and inadequate system of education which obtains in the Protectorate. The Government is fully alive to its responsibility in respect of this important question. It is indubitable that the tax-paying communities have a right to expect that a proper proportion of the revenues which they annually contribute shall be laid out for the purpose of equipping the young generation which is growing up in our midst with the means of taking their places with credit to themselves among the active ranks of a progressive people. It is not in my opinion a question which can be effectively dealt with by doling out funds in small instalments or by concentrating attention on individual local needs while disregarding the wider aspect of a co-ordinated system satisfying the needs of all classes and capable of automatic expansion in accordance with the growth of requirements. Very considerable expenditure, both initial and recurrent, will be required to establish and maintain such a system. It is therefore useless to contemplate immediate action, but I would take this opportunity of recording my considered opinion that the question of education is one of the first matters which should be taken up and dealt with in a broad-minded and liberal spirit as soon as the rehabilitation of our finances enables us to find the wherewithal to commence and continue its development.

Hon. Members will no doubt expect that I should make somewhat more than passing allusion to the bill to regulate the residence of natives on farms, which was introduced at the last Session and has evoked general comment of a critical nature throughout the Protectorate. It cannot be too well and too widely known that it is the declared policy of the Government to give the fullest encouragement to settlers and natives alike to arrange for the introduction and maintenance on farms of a supply of labour sufficient to meet the varying requirements of different proprietors. If any impression still exists that the legitimate requirements of the farmer are to be subordinated to the policy of confining the native to his reserve, I trust that these words may be sufficient to dispel that impression once for all. It is apparent that the amount of labour required by the settler must vary materially in accordance with the size and situation of his holding and the nature of the work which is being carried on. It is therefore desirable that authority should exist to exercise control over the tide of immigration and to ensure that the influx of natives is not in excess of the number sufficient to satisfy the farmer's needs.

How this may best be accomplished, how the demand for labour may be most efficiently and expeditiously met, and how the necessary control may be exercised with the least possible inconvenience to all concerned, are matters for future careful deliberation. The bill as introduced is in the form of a tentative measure only. Certain of its provisions are undoubtedly deficient in elasticity, and I am personally convinced that the draft will require material amendment before it will meet either the aims of the Government or the views of the employers. It will only be possible to give effect to those aims and to ensure compliance with those views by co-operation and consultation between the parties concerned.

I hope that the bill will finally become law in a form which will prohibit natives from squatting outside their reserves as idlers. That is the main object of the measure. I admit that we shall have to trust the employer not to institute large settlements of natives on his land so as to solve his own particular labour difficulties for some years in advance of his present requirements. But I believe that the more we trust the employer the more he will help in the solution of the labour problem generally.

I am prepared to state definitely that we desire to make of the native a useful citizen, and that we consider the best means of doing so is to induce him to work for a period of his life for the European, and that in order to arrive at this condition we propose to control the residence of natives outside their reserves in such a way as to ensure that they are not idling. We further desire, by humane and properly regulated pressure within the reserves, to induce natives to go out and work either as individual labourers or as residents with their families on occupied farms.

The motion for the second reading of the bill, which appears on the Order of the Day, is therefore in the nature of a formality only, necessarily precedent to the commitment of the measure to the care of a Special Committee of this Council who will, I trust, be able so to remodel its provisions as to produce an enactment of real practical value, innocuous to the needs of the farmer while investing the proper authority with power to check the occurrence of possible abuses and to ensure that the movement of natives is regulated in accordance with the needs of the country and not by the prompting of their personal inclinations.

In view of the possibility of the early severance of my official relations with the Protectorate, and of the fact that the operation of this bill must depend largely for its future success upon the nature of the machinery by which it is to be administered, I should like to take this opportunity of informing Hon. Members that I have been engaged for a long while past in an endeavour to elaborate a scheme of provincial administration which shall more adequately fulfil the requirements of the present day than that which has hitherto obtained.

So long ago as August, 1913, the Labour Commission put forward the following recommendations:—

That the duties of officers in charge of native areas be confined to native administration.

That such officers should exercise jurisdiction over natives only.

The appointment of resident magistrates over areas of white occupation.

The appointment of a Chief Native Commissioner and staff with whom officers in charge of native areas should correspond directly.

These recommendations commend themselves to myself as being sensible and practical, and in February, 1914, I discussed the proposals at length with the Provincial Commissioner of Nyanza, as the result of which Mr. Ainsworth submitted later on a tentative scheme, accompanied by maps showing the suggested redistribution of the Protectorate into areas of white settlement and native occupation respectively.

These proposals received such attention as we were able to give to them amidst the complexities which followed the outbreak of war, and were eventually submitted to the Secretary of State as a general indication of the nature of the alterations which I was anxious to introduce. As a result of observations and enquiries made by the Colonial Office in reply, the whole scheme as originally presented was examined, elaborated, and improved by a Committee of experienced officers, with His Honour the Chief Justice as Chairman. The principles embodied in the recommendations of the Labour Commission were rigidly adhered to, and details were worked out with an exactitude which has enabled me to present to the Secretary of State full particulars of a comprehensive system which can be introduced, without giving rise to confusion, at any date after approval has been received.

I have asked that the new arrangements may come into operation as from April 1st next, and should that request be favourably received it will be necessary to recast the draft Estimates of the provincial administration and of the judiciary so as to effect the required redistribution of emoluments and expenses. The change will not, however, involve the Protectorate in any additional expenditure. It will establish once for all what I believe to be a sound and self-contained system of native administration under officers who will specialise in this particular work. On parallel lines with this system the interests of the white communities will be entrusted to resident magistrates who will devote their whole time to matters affecting the European population and persons of other races who may for the time being be settled within the areas of their special jurisdiction.

It will therefore be desirable that the provisions of the bill under discussion should be formulated with due regard to the proposed change, so as to enable the resident magistrates to satisfy themselves regarding the extent of the labour requirements of persons settled in the areas under their control, and to communicate accordingly with the staff of the native administration. Similarly the officers of the latter branch should be authorised to take such steps as may be justifiable to ensure that all tribal districts and villages contribute according to their respective capacities to the output of emigrant labour, and to impose such conditions of employment as may safeguard the interests of the labourer during the period of his engagement.

I am in complete accord with views which have been elsewhere expressed that this is not a measure which should be hastily imposed upon the community. Some considerable time must elapse before the Special Committee will be in a position to present its report, and under any circumstances I am of opinion that the bill, even when remodelled and pronounced to be acceptable, should not become law until all our settlers are absolved from military service, and are again free to return to their farms, unless some unexpected movement of natives should necessitate the immediate imposition of a system of control for political reasons.

May I hope that these observations will serve to allay apprehension regarding the proposed measure, and that the public will now realise that we have no object in view but the promulgation of an enactment acceptable to settlers and so framed that it may operate to universal advantage.

Hon. Members will observe that a motion, which stands in the name of the Hon. Chief Secretary on the Order of the Day, relates to a proposal to appoint a Commission to enquire into the possibility of elaborating a scheme of land settlement for the benefit of members of His Majesty's Forces who have served in any sphere of operations during the present war, and who may be desirous of settling in this country when their term of service has expired. I had occasion to refer briefly to the subject in the course of my address to this Hon. Council on the occasion of its last Session, and being convinced that the time has now arrived when the question should be pursued to a practical conclusion, I have obtained the consent of the Secretary of State to the disclosure of the correspondence which has taken place on the subject, which will be laid on the table at the time that the motion is submitted.

As my views are recorded in the despatches which form part of that correspondence, it is not necessary that I should trouble you with a recapitulation of them here, but I desire to say, with all the emphasis with which I can drive my conviction home, that no labour, no trouble, no deliberation on our part should be spared, and no concession withheld, which may possibly place the means of securing a healthful, peaceful, and profitable future within the reach of those who have unhesitatingly sacrificed their former positions and prospects in the cause of the nation's need.

The correspondence leaves little room for hope that the scheme can be aided by any comprehensive grant of financial assistance, or by the outlay of any substantial sums on the construction of additional means of communication, but I should be very reluctant to estimate that deficiency as an obstacle fatal to the elaboration of a practical and successful system. The land is here awaiting occupation and development. The lack of monetary aid can be materially discounted by the reduction or remission of charges and fees and by the limitation of conditions of tenure to such as will encourage the settler's industry instead of taxing his pocket.

Set aside once for all the idea, if such exists, that the Government contemplates making profit out of such a scheme. It is a case in which loss should be faced with equanimity if it becomes apparent that we can thereby place such advantages as we are able to offer at the disposal of those who have earned the right to assistance in some degree proportionate to the unlimited hardships which they have undergone, and the unstinted sacrifices which they have cheerfully made on behalf of our country and ourselves.

MOTIONS.

THE HON. THE CHIEF SECRETARY proposed the following motion:—

That a Special Committee of this Honourable Council be appointed to inquire into and report generally on the legislative steps to be taken to provide for the election by the public of the European Non-Official Members of this Honourable Council and specially on the qualifications of electors, the qualifications of candidates for membership, the division of the Protectorate into electoral areas and the representation on this Honourable Council of the interests of the Asiatic, Arab, and Native communities.

THE RIGHT HON. LORD DELAMERE seconded.

The question was put and carried.

The following Special Committee was appointed:—

THE HON. THE ATTORNEY GENERAL. (*Chairman*)

THE HON. THE CHIEF SECRETARY.

THE HON. A. C. MACDONALD.

THE HON. F. W. MAJOR, I.S.O.

THE HON. P. H. CLARKE.

THE RIGHT HON. LORD DELAMERE.

CAPTAIN THE HON. A. C. HOEY.

THE HON. W. C. HUNTER.

THE HON. W. MACLELLAN WILSON.

THE HON. THE CHIEF SECRETARY proposed the following motion:—

That His Excellency the Governor be asked to consider the advisability of appointing a Commission under the Commissions of Inquiry Ordinance, 1912, to inquire into and report on the practicability of a land settlement scheme in the Protectorate unaided by public funds for members of His Majesty's forces of European extraction who have served during the present War either in East Africa or elsewhere and the conditions under which and the means by which such settlement can be carried into effect.

CAPTAIN THE HON. A. C. HOEY seconded.

The question was put and carried.

THE PRESIDENT said that he was prepared to appoint a Commission under the Commissions of Inquiry Ordinance, in accordance with the terms of the motion, and that he proposed to take opportunity of consulting Hon. Members individually before making any suggestion as to its constitution.

QUARTERLY RETURN OF UNFORESEEN EXPENDITURE, 1916-17.

THE HON. THE TREASURER laid on the Table a Statement of Unforeseen Expenditure for the Quarter ended the 30th June, 1916, and proposed the following motion:—

Whereas it was found necessary to incur expenditure for which no provision was made in the approved Estimates for the year 1916-17 amounting to £7,697-2-5 during the period from 1st April, 1916, to 30th June, 1916, as more particularly set forth in the statement laid on the table, it is hereby resolved that this Council do approve such expenditure.

He said that, before proceeding to give the details of the expenditure, a statement of which he had laid on the table, he thought it was desirable, for the information of Honourable Members who had not hitherto sat in the Council, to state briefly the nature of the motion.

As Honourable Members were aware, the Estimates must be prepared several months before the commencement of the year to which they applied. In these circumstances it was inevitable that certain expenditure would be incurred on services that had not been foreseen and consequently not provided for in the Estimates, and in accordance with the Colonial Service Regulations a quarterly return of such unforeseen expenditure must be laid before Council for approval.

While on that subject he might explain that it generally happened that, towards the close of a financial year, it became apparent that certain votes would be exceeded. That contingency was met by a Supplementary Estimate. Finally, when the accounts for the year were closed and actual figures were available, the excess expenditure on votes, if any, was covered by a Supplementary Appropriation Ordinance.

THE RIGHT HON. LORD DELAMERE requested that Hon. Members be furnished with a copy of the statement and asked that the question might be adjourned until they had had an opportunity of considering it.

This was agreed to.

QUESTIONS AND ANSWERS.

THE HON. P. H. CLARKE put the following questions:—

1. What was the cost of the trial of wood blocks on the length of road from the National Bank of India Ltd., to the Mombasa Railway Station.
2. Is this experiment considered a success.
3. If not, what is the explanation.
4. What experience of wood pavement laying had the Road Foreman who was in charge of this particular piece of work.

THE HON. THE CHIEF SECRETARY replied:—

1. The cost was Rs. 10,600 or 14s. 2d. a square yard.
2. Apart from its financial aspect, yes. The experiment has established that wood blocks would provide a comparatively dustless, noiseless and non-glaring carriageway of higher resistance to wear under traffic than any other material hitherto used in the Island, and one probably inferior only to a bitumen surface.
3. On the financial side it has to be reported that the cost could not be met on any general scale from funds at present available.
4. The Executive Engineer, under whose instructions the overseer was acting, had had experience with wood block surfaces in England and the United States of America.

THE HON. P. H. CLARKE put the following question:—

1. How much Government money has been spent on roads since the commencement of the War, (a) in the Township of Nairobi, (b) in the Township of Mombasa, (c) in the Provinces of Ukambani, Kenya and Seyidie respectively.

THE HON. THE CHIEF SECRETARY replied:—

The amount of Government money spent since the beginning of the war in the districts mentioned has been as follows:

	£
(a) In the Township of Nairobi	17,011
(b) In the Township of Mombasa	3,689
(c) In the Province of Ukamba	20,946
In the Province of Kenia	6,546
In the Province of Seyidie	4,577

The figures quoted include expenditure up to the end of November, 1916.

It will be observed that the expenditure in Mombasa, with 8½ miles of road open to cart traffic, is 32 per cent. higher per mile than that in Nairobi with 52 miles of road.

THE HON. P. H. CLARKE put the following questions to the Attorney General:—

1. When he will be ready to submit the new Bankruptcy Bill which is said to be in preparation.

2. Whether it is necessary at present to search some fifteen badly indexed volumes in order to find out the law of this country and if it will be possible in the near future to publish properly indexed volumes containing all the laws in force in East Africa.

3. Is it correct that both Uganda and Nyasaland Protectorates have published complete compendiums of the law in force.

THE HON. THE ATTORNEY GENERAL replied:—

1. A bill to amend the law relating to insolvency is being prepared and will be introduced at the next meeting of this Honourable Council.

2. The answer to the Hon. Member's question as drawn is in the negative. It is a fact that the local enactments of this Protectorate are at present contained in fourteen volumes. It is also a fact that a comprehensive index has been prepared and is now in process of being published, which should obviate the Hon. Member's difficulty in finding his way about. The necessity for statute revision has long been recognised, but the exiguity of the staff of the legal department of the Protectorate compared with the work which falls upon it has rendered it necessary from time to time to postpone its provision for more essential measures. It is, however, hoped that it will be undertaken during 1917.

3. The Uganda Protectorate published a compendium in 1910 containing the ordinances and regulations to 31st December, 1909, and Nyasaland in 1913, containing the ordinances and regulations to 31st March, 1913.

THE MERCHANT SEAMEN DISCIPLINE ORDINANCE, 1917.

THE HON. THE ATTORNEY GENERAL, in pursuance of notice given, introduced and moved the first reading of a Bill intituled "An Ordinance to provide for the discipline of the crews of vessels chartered or requisitioned by the Admiralty."

He said that the provisions of the Bill were similar to those in force in the United Kingdom under the Defence of the Realm Regulations for the purpose of adequately dealing with cases of drunkenness and failure to join on the part of merchant seamen engaged in vessels requisitioned or chartered by the Admiralty. The regulations had been a success in combating the evils referred to in the United Kingdom, and as cases had occurred in British ports overseas in which it would have been an advantage if the masters of Admiralty transports had been in a position to invoke similar powers it had been considered desirable that legislation should be enacted in the Protectorate similar to that provided by the Defence of the Realm Regulations, Section 39a. in the United Kingdom.

THE HON THE CHIEF SECRETARY seconded, and the Bill was read a first time.

THE HON. THE ATTORNEY GENERAL gave notice that he would move the second reading of the Bill at a later stage of the Session.

THE APPROPRIATION ORDINANCE, 1917.

THE HON. THE TREASURER, in pursuance of notice given, introduced and moved the first reading of a Bill intituled "An Ordinance to apply a sum of money for the service of the year ending the 31st day of March, 1918."

He said that the estimated expenditure for the year 1917-18 was £1,484,075, being an increase of £233,738 on the original estimate for the current year. The estimated expenditure was balanced by a similar amount of estimated revenue, showing an increase of £191,397 on the original estimate for the current year. The excess of assets over liabilities at the commencement of 1917-18 was estimated to amount to £214,603, a figure which exceeded by £94,961 the surplus which had been anticipated at the time of the preparation of the current year's estimates. This surplus was estimated after making allowance for charging off two sums aggregating £136,810 in respect of the Protectorate share of War Expenses in addition to the normal military expenditure. This result was chiefly due to enhanced Customs revenue and earnings of the Railway Department during the current financial year. As copies of the Budget Statement and draft Estimates had been furnished to Honourable Members he would make no further remarks at that stage beyond moving that the Bill be read a first time.

THE HON. THE CHIEF SECRETARY seconded, and the Bill was read a first time.

THE HON. THE TREASURER gave notice that he would move the second reading of the Bill at a later stage of the Session.

THE CRIMINAL LAW AMENDMENT ORDINANCE, 1917.

THE HON. THE ATTORNEY GENERAL, in pursuance of notice given, introduced and moved the first reading of a Bill intituled "An Ordinance to amend the Criminal Law."

He said that the object of the Bill was to make it punishable for any person to advertise certain classes of advertisements or to print or publish such classes of advertisements. The advertisements dealt with were, shortly, those dealing with the recovery of lost or stolen property and which in fact offered or suggested that any offence committed in relation to the article which the advertiser sought to recover should not be further enquired into and that no arrest should be made on the production of such article. There was a further provision in the Bill making it illegal to promise or offer in a public advertisement to any pawnbroker or any person who might have bought or advanced money by way of loan on any property of which any person had been deprived by an offence or which had been lost to return the money so paid or advanced. The object of the Bill was the prevention of crime. If such advertisements were not punishable, then there was an additional incentive to acquire property illegally in the hope that a reward would be advertised for the recovery of the article, and that the advertisement would also contain a provision that no questions would be asked or arrest made. Instances of the class of advertisements which it was sought to suppress had already appeared in the press of the Protectorate, and it was in the general interests of the community that the practice of such advertisements should be stopped at the earliest possible occasion.

THE HON. THE CHIEF SECRETARY seconded, and the Bill was read a first time.

THE HON. THE ATTORNEY GENERAL gave notice that he would move the second reading of the Bill at a later stage of the Session.

THE CIVIL PROCEDURE ORDINANCE, 1917.

THE HON. THE ATTORNEY GENERAL, in pursuance of notice given, introduced and moved the first reading of a Bill intituled "An Ordinance to make provision for procedure in Civil Court."

He said that the law relating to civil procedure in existence at the present time was the Indian Code of Civil Procedure of 1882. That Act had been applied to the Protectorate in 1897 and was well adapted for the requirements of the country during its infancy. With the advance of the Protectorate the legal problems of its inhabitants became more complicated and more difficult, and the issues to be dealt with became of more importance. It was therefore necessary to enact a law which would allow matters of judicature to keep up to date with the Protectorate's requirements. The Bill followed the method adopted in the English Judicature Acts and also in the Indian Code of Civil Procedure, 1908, which had repealed the Act of 1882, but which had not been applied to the Protectorate. That was, the Ordinance itself dealt with principles and powers and gave a wide authority to make orders and rules to the Court. The schedules to the Bill contained the orders and rules which might be varied without further legislation. Three important deviations from the existing law had been provided in the Bill. They were:—

The introduction of rules of English pleading in the High Court to which the Courts had in practice been gradually approximating.

The extension of summary procedure from actions on negotiable instruments only to actions for the recovery of a liquidated amount on the lines of the English Order XIV in actions on a specially endorsed writ.

The empowering of registrars to sign judgment in uncontested cases and to make formal orders for attachment and sale of property in execution of decrees.

It was hoped that the Bill would be subjected to the well considered criticism of the legal practitioners in the Protectorate before it was enacted.

THE HON. THE CHIEF SECRETARY seconded, and the Bill was read a first time.

THE HON. THE ATTORNEY GENERAL gave notice that he would move the second reading of the Bill at a future Session of the Council.

THE BANK AMENDMENT ORDINANCE, 1917.

THE HON. THE TREASURER, in pursuance of notice given, introduced and moved the first reading of a Bill intituled "An Ordinance to amend the law relating to Banking."

He said that the object of the Bill was so to amend the existing law as to remove the disabilities which at present existed in regard to British Colonial Banks trading in the Protectorate. Under the present law they were regarded as foreign banks, and had to comply with the provisions applicable to banks of alien countries. The Bill classed such British Colonial banks as the Governor might from time to time sanction as British Banks, and applied the procedure to be adopted in their case.

THE HON. THE CHIEF SECRETARY seconded, and the Bill was read a first time.

THE HON. THE TREASURER gave notice that he would move the second reading of the Bill at a later stage of the Session.

THE CROWN LANDS AMENDMENT ORDINANCE, 1916.

THE HON. R. BARTON WRIGHT asked that the presentation of the Report of the Special Committee appointed on the 10th October, 1916, might be deferred to a later stage of the Session. He said that the Hon. P. H. Clarke had unfortunately been prevented from attending the meetings, and the Committee desired to ascertain his views regarding the Bill before presenting its Report.

This was agreed to.

THE RESIDENT NATIVES ORDINANCE, 1916.

THE HON. J. AINSWORTH moved that the Bill intituled " An Ordinance to regulate the residence of Native Families on farms and on areas not included in Native Reserves " be read a second time.

In submitting this motion he remarked that the President in his address had put forward the intentions of the Government in a manner that should relieve the minds of any persons who might have entertained doubts as to the intentions of the Government in introducing the Bill. The desire was to meet what Government understood to be the requirements of the settlers. It was true that requirements must and did differ in different localities. There never had been, however, any intention to do other than put forward a tentative measure in the first instance, and to invite full discussion by all interested and then to submit the Bill on the second reading to a Special Committee to be composed of members of that Honourable Council. Between the time of introduction and that Session of the Council considerable discussion had ensued and been welcomed. Such discussion had shown that a variety of opinions existed in connection with certain clauses of the Bill, but in general the underlying principles of the proposed measure seemed to be accepted. He thought they, one and all, recognised the necessity which existed for bringing the movements of natives anywhere under some recognised form of control, both in their own interests and in the interests of the white population. It was also both necessary and desirable to prevent either the continuance or growth of what was known as " Kaffir farming." These practically covered the main intentions Government had in view. As the President had said, the Bill as then before Council did leave considerable room for improvement in the way of meeting both the requirements of settlers and the intentions of the Government. He felt, however, that there were no insuperable difficulties in the way of so amending the Bill as to meet all reasonable objections and the bringing forward of a measure which would fit into the general scheme of native administration and at the same time provide for improved discipline amongst natives when resident on farms. In the Nyanza Province Government had already done something in the way of working resident labour on lines similar in part to those provided in the Bill with, he believed, a certain measure of success. With every confidence in the general principles involved, and in every hope that the Bill could be made a useful instrument, he begged to move the second reading.

THE RIGHT HON. LORD DELAMERE said that some of them were very strongly of opinion that a Bill of that nature ought not to come into operation during the War. It was a fact that a great many people thought that it should not be brought in at all. On the other hand, some of the unofficial members had come down with a direct mandate from the people they represented asking them to get something done in the matter because they could not obtain squatters. They had considered the matter, and they had decided that perhaps the most useful course would be for all of them to assist in amending the Bill into a measure which would be acceptable, but they first wished to ask the President whether he would give them two assurances in the matter before they went on with it.

Notwithstanding the Governor's orders, squatters were undoubtedly being prevented from going out on to farms. They would therefore like an assurance from the President, if possible, that squatters should be allowed to come out until such time as the Bill became law so that people would be unable without unnecessary interference to get squatters on to their farms, and they would also like an assurance if it were possible, that after the Bill had been in Committee and thoroughly discussed, it should then be held over until such time as the opinion of the country had been taken on the matter.

THE HON. W. MACLELLAN WILSON said that while agreeing with the remarks made by the Right Hon. Lord Delamere, he would go a step further. He referred more particularly to the effect of this Bill as regarding the whole labour question. So far as the people whom he represented were concerned, they saw that this Bill was only one part of the whole question. They realised that the Government was face to face with its responsibility in the matter of labour for the country, and had brought out a Registration Ordinance.

That, he understood, was the outcome of the Labour Commission Report. Now that Registration Ordinance, in the minds of many of them, would be futile unless the Government, or those whom His Excellency placed in authority, was in a position to exercise control over the natives who might leave the native districts. Therefore they were glad to agree that the principle of the Bill was right. The details he would not enter into. The President had mentioned that amendments would be made to it, and that these would be dealt with in Committee. But he thought that they should go a little bit farther than the Government did in the matter. As far as they saw, the Bill was only permissive: that was to say, permission could be obtained to get squatters on to the land. It was, however, necessary that there should be outside labour—casual labour. They had the President's assurance that humane and properly regulated pressure would be put upon the native. They were very thankful for that consideration and that concession, but if that pressure were exercised it would only produce casual labour. Therefore when labour had been induced to come out to work he would suggest, and others would suggest with him, that the Government should be responsible for the placing of that labour. There must be a labour department. They were coming to a crisis in the labour conditions of the country. The industry which he might say he particularly represented was the coffee industry, and already there was grave trouble and difficulty in getting the coffee reaped, and they saw ahead of them in another year's time a possible complete failure of the industry unless the labour were organised and handled in the proper way.

THE HON. W. C. HUNTER said that his position in the matter was very much the same as Lord Delamere's. Personally he felt strongly that the Bill ought not to be brought in at the present time, being so controversial a measure, but in view of the fact that some of the unofficial members had decided to support it if properly amended, he did not consider that any useful purpose would be served by actually voting against it, provided the President would give the assurances which Lord Delamere had asked for, *viz* (1) that while the Bill was being considered no obstacle would be put in the way of squatting; and (2) that when the Committee reported to Council no further steps would be taken to make the Bill law until the opinion of the country as a whole had been obtained. He asked whether His Excellency could give those assurances.

THE PRESIDENT said that he was obliged to the unofficial members for their willingness to support the Bill in certain circumstances.

The Right Hon. Member had asked for two assurances from him. So far as the question of the introduction of the measure at a later date was concerned, in the course of his address to the Council he had already intimated his personal view to the effect that the Bill should not be introduced even when it had been accepted as an Ordinance for future administration until such time as more normal conditions had returned, and the country was ready for it. He desired, however, to point out that the request might more properly take the form, after the report of the Special Committee had been tendered, of a recommendation by the Special Committee. Regarding the second question asked by the Right Hon. Member, he might tell Hon. Members that he had already issued executive instructions to officers of the provincial and district administrations that pending the introduction of further legislation upon the subject it was his desire that no facilities which had been hitherto granted to employers of labour for the recruitment of their boys should be in any way restricted, obstructed, or otherwise interfered with during the interval which must elapse before it would be possible for the measure to be further advanced.

THE RIGHT HON. LORD DELAMERE said that Mr. Hunter and himself considered that until they were given an assurance from the President that the Bill would not be brought into force at the present time, they ought to vote against it.

THE PRESIDENT said that having expressed a personal opinion, he could only give the assurance in respect of himself. He could not pledge those who came after him. The position was that he would be ready to defer any Ordinance so far as it was within his personal jurisdiction to do so. It was quite out of his power to go further than that.

THE HON. CHIEF SECRETARY said that the Right Hon. Member and the Hon. W. C. Hunter had laid great stress on the controversial nature of the Bill.

He wished to make it perfectly clear to Hon. Members that the principles on which the Bill was founded had been admitted by the European community generally when the Labour Commission had presented its report in 1913. Since that time, no doubt, a change had taken place. In 1913, there had been a general feeling throughout the country that the Government was not doing all that it could do to induce natives to go out to work. Now, possibly owing to increased activity on the part of the District Commissioners the natives had been induced to come out to work to an extent they had never done before. It also appeared that in some respects at least they had left their reserves and squatted not only on occupied farms, but on unoccupied unalienated Crown lands. The effect of that was obvious. It seemed that in certain districts where farmers had in the past experienced very great difficulty in obtaining an adequate labour supply the problem was for the time being solved, and it appeared to him that, should such unrestrained emigration from the reserves be allowed to continue, the result would be that they would have on farms a large native population over which the Government could exercise no control for labour purposes. He was in entire agreement with the Right Hon

Member that the measure should not be brought into force during the war, his reason not being so much that it was a controversial question, but because if it were rigidly enforced it would mean complete dislocation of existing labour conditions on many farms the owners of which were away on active service. For that reason he would most cordially support any proposal that the operation of the Bill be postponed until after the war. He was not so certain that unrestricted squatting should be allowed and encouraged pending the promulgation of the measure. The order which His Excellency had given to all District Commissioners was that, pending consideration of the Bill, no restrictions were to be imposed which had not been in force before the Bill had been introduced, and instructions had recently been issued to the Provincial Commissioner, Ukamba, that, as regards Kyambu district and sub-districts, in the case of natives who had gone out to work and wished to get their women folk and families to join them, the only restriction that should be placed on them should be that they should produce from their employer a letter to the effect not only that he was desirous that these persons should bring their wives and families, but that he was willing to accommodate them when they arrived.

THE HON. J. AINSWORTH having replied,

THE HON. THE CHIEF SECRETARY seconded the motion.

The question was put and carried by 12 votes to 2.

The following Special Committee was appointed to enquire into and report upon the provisions of the Bill:—

THE HON. J. AINSWORTH (Chairman).

THE HON. THE CHIEF SECRETARY.

THE HON. THE ATTORNEY GENERAL.

THE HON. A. C. MACDONALD.

THE HON. P. H. CLARKE.

CAPTAIN THE HON. A. C. HOEY.

THE HON. W. MACLELLAN WILSON.

THE KING'S AFRICAN RIFLES AMENDMENT ORDINANCE, 1916.

THE HON. ATTORNEY GENERAL moved that the Bill intituled " An Ordinance to amend the Law relating to the King's African Rifles " be recommitted to Council.

THE HON. THE CHIEF SECRETARY seconded.

The question was put and carried.

The Council resolved itself into a Committee of the whole Council. HIS EXCELLENCY THE GOVERNOR presiding.

In Committee.

The following amendments were agreed to:—

Delete Clause 2 and substitute:—

2. Sub-section 1 of section 40 of the Principal Ordinance is hereby repealed and the following sub-section is hereby substituted therefor:—

(1). Where he deals with the case summarily, he may

(A) Save in the case of absence without leave or drunkenness, if the offender is a soldier, impose on the offender any one or more of the following punishments:—

(a) Award to the offender imprisonment, with or without hard labour, for any period not exceeding forty-two days.

(b) Reprimand, severely reprimand, or reduce any non-commissioned officer to a lower rank or to the rank of a private.

(c) Award corporal punishment not exceeding twenty-four lashes. The Governor shall by regulation prescribe the instrument with which such punishment shall be inflicted.

(d) Dismiss the offender from the regiment.

(e) Impose a fine not exceeding twenty-one days' pay, to be levied by stoppages from the offender's pay.

(f) Order the offender to suffer any deduction from his ordinary pay to make good the amount of any loss or damage he may have caused.

(g) Order confinement to barracks for any period not exceeding twenty-eight days, such confinement involving the taking of all duties in regular turn, attending parades and punishment drills, not exceeding one hour at a time nor four hours in all on the same day, inclusive of ordinary parades, and also liability to employment on duties of fatigue.

(h) Order extra guards and piquets, but only for minor offences or irregularities when on or parading for guard or piquet.

(B) In the case of any offence under this Ordinance, if the offender is a follower:—

(a) Award to the offender any of the punishments described in Clauses (a) (c) or (d) of part A of this sub-section.

(b) In addition to or without any other punishment, impose a fine not exceeding rupees ten.

Add new Clauses 3 and 4 as follows:—

3. To section 27 sub-section 8 of the Principal Ordinance shall be added the following proviso:—

“ Provided that in the event of any Native Officer, non-commissioned officer or private owing to injuries received on active service against an enemy or to disease contracted while on such active service or as a result thereof becoming before the expiration of 9 years continuous service totally or partially permanently disabled to such an extent as materially to affect his wage earning power the Commanding Officer may recommend and the Governor may sanction the exemption of such native officer, non-commissioned officer or private, as the case may be, from the payment of poll tax in respect of himself for life.”

4. Clause (f) of section 38 of the Principal Ordinance is hereby repealed and the following proviso is hereby added to the provisos contained in such section:—

(5) In addition to or without any other punishment in respect of an offence an offender convicted may be sentenced to corporal punishment not exceeding 24 lashes.

The Council resumed its Sitting.

THE HON. THE ATTORNEY GENERAL moved that the Bill as amended be re-submitted to the President.

THE HON. THE CHIEF SECRETARY seconded.

The question was put and carried.

THE BOILERS, PRIME MOVERS, AND MACHINERY ORDINANCE, 1916.

THE HON. THE ATTORNEY GENERAL moved that the Bill intituled “ An Ordinance to make provision for the safety and inspection of Steam Boilers, Prime Movers, and Machinery ” be recommitted to Council for the purpose of amending Clause 10 of the Bill.

He said that the reason for the recommitment of the Bill was that Clause 10 provided a penalty for not producing a certificate issued under the Ordinance, and Clause 13, sub-section (2) provided another penalty for the same offence. That fact had escaped the notice of Hon. Members when the Bill was before the Council, and it was desirable that only one penalty be prescribed for the same offence.

THE HON. THE MANAGER OF THE UGANDA RAILWAY seconded.

The question was put and carried.

The Council resolved itself into a Committee of the whole Council, HIS EXCELLENCY THE GOVERNOR presiding.

In Committee.

The following amendments were agreed to:—

Clause 1—For “ 1916 ” read “ 1917.”

Clause 10—Delete the words “ or having obtained a certificate shall at any reasonable time during the period for which the same may be in force fail to produce it on demand by an Inspector duly appointed under this Ordinance or by a Magistrate having jurisdiction in the place where such steam boiler, prime mover, or machinery is situated.”

The Council resumed its Sitting.

THE HON. THE ATTORNEY GENERAL moved that the Bill as amended be re-submitted to the President.

THE HON. THE MANAGER OF THE UGANDA RAILWAY seconded.

The question was put and carried.

The Council adjourned till 10 a.m. on the 13th February, 1917.

SECOND DAY.

The Council assembled on the 13th of February, at 10 a.m., HIS EXCELLENCY THE GOVERNOR (SIR H. CONWAY BELFIELD, K.C.M.G.) presiding.

Present:—

THE HON. THE CHIEF SECRETARY (C. C. BOWRING, C.M.G.).
 THE HON. THE ATTORNEY GENERAL (J. W. BARTH).
 THE HON. THE TREASURER (H. P. ESPIE).
 THE HON. THE MANAGER OF THE UGANDA RAILWAY (B. EASTWOOD).
 THE HON. F.W. MAJOR, C.M.G., I.S.O.
 THE HON. A. C. MACDONALD.
 THE HON. C. W. HOBLEY, C.M.G.
 THE HON. R. BARTON WRIGHT.
 THE HON. J. AINSWORTH, C.M.G.
 THE HON. P. H. CLARKE.
 THE RIGHT HON. LORD DELAMERE.
 CAPTAIN THE HON. A. C. HOEY.
 THE HON. W. C. HUNTER.
 THE HON. W. MACLELLAN WILSON.

COMMUNICATION FROM THE CHAIR.

THE PRESIDENT said that it gave him great pleasure to announce to Council that His Majesty the King had been pleased to appoint the Hon. F. W. Major, Chief of Customs, to be a Companion of the Most Distinguished Order of Saint Michael and Saint George. He was sure that Hon. Members would join with him in congratulating Mr. Major upon this well deserved honour.

LAND SETTLEMENT SCHEME.

THE PRESIDENT announced the constitution of the Commission which would be appointed under the Commissions of Inquiry Ordinance, 1912, to elaborate a scheme of land settlement. The names were as follows:—

THE HON. THE ATTORNEY GENERAL (Chairman).
 THE HON. THE MANAGER OF THE UGANDA RAILWAY.
 THE HON. A. C. MACDONALD.
 THE HON. P. H. CLARKE. ...
 THE RIGHT HON. LORD DELAMERE.
 CAPTAIN THE HON. A. C. HOEY.
 THE HON. W. MACLELLAN WILSON.
 MESSRS. F. W. BAILLIE, R. CHAMBERLAIN, A. C. TANNAHILL, and J. E. ALEXANDER
 (Land Office), Secretary.

Hon. Members would understand that the appointment of Messrs. F. W. Baillie, R. Chamberlain, and A. C. Tannahill was subject to their acceptance.

MOTIONS.

THE HON. THE CHIEF SECRETARY proposed the following motion:—

That the Special Committee appointed on the 12th of February, 1917, to enquire into and report on the provisions of a Bill intituled " An Ordinance to regulate the residence on Native Families on farms and on areas not including in Native Reserves " be augmented by the addition of the Hon. C. W. Hobley, C.M.G., the Right Hon. Lord Delamere, and the Hon. W. C. Hunter.

THE HON. THE ATTORNEY GENERAL seconded.

The question was put and carried.

QUARTERLY RETURN OF UNFORESEEN EXPENDITURE, 1916-17.

THE HON. THE TREASURER proposed the following motion:—

" Whereas it was found necessary to incur expenditure for which no provision was made in the approved Estimates for the year 1916-17 amounting to £7,697-2-5 during the period from 1st April, 1916, to 30th June, 1916, as more particularly set forth in the Statement laid on the Table, it is hereby resolved that this Council do approve such expenditure."

THE HON. THE CHIEF SECRETARY seconded.

The Council resolved itself into a Committee of the whole Council, HIS EXCELLENCY THE GOVERNOR presiding.

In Committee.

The Statement of expenditure was discussed in detail and was approved without amendment.

The Council resumed its Sitting.

The question was put and carried.

THE MERCHANT SEAMEN DISCIPLINE ORDINANCE, 1917.

THE HON. THE ATTORNEY GENERAL moved that the Bill intituled "An Ordinance to provide for the discipline of the Crews of Vessels chartered or requisitioned by the Admiralty" be read a second time.

THE HON. THE CHIEF SECRETARY seconded.

The question was put and carried.

The Council resolved itself into a Committee of the whole Council, HIS EXCELLENCY THE GOVERNOR presiding.

In Committee.

The Bill was read clause by clause and was adopted with the following amendment:—
Clause 1—For "1916" read "1917."

The Council resumed its Sitting.

THE HON. THE ATTORNEY GENERAL moved that the Bill as amended be reported to Council.

THE HON. THE CHIEF SECRETARY seconded.

The question was put and carried.

THE HON. THE ATTORNEY GENERAL gave notice that he would move the third reading of the Bill at a later stage of the Session.

THE APPROPRIATION ORDINANCE, 1917.

THE HON. THE TREASURER moved that the Bill intituled "An Ordinance to apply a sum of money for the service of the year ending the 31st day of March, 1918," be read a second time.

THE HON. THE CHIEF SECRETARY seconded.

The question was put and carried by 13 votes to 1.

The Council resolved itself into a Committee of the whole Council, HIS EXCELLENCY THE GOVERNOR presiding.

In Committee.

Vote XVI. Education.—It was unanimously agreed that consideration of this vote should be deferred in order that it might be first ascertained whether additional sums for the purposes of European education could be found from other schedules.

Vote XXII E.—"Uasin Gishu Experimental Farm." It was agreed to delete the whole of the provision of £600.

Vote XXII K.—Agricultural Department, Veterinary Division.

THE RIGHT HON. LORD DELAMERE proposed the reduction of this vote by £100 as a protest against the existing system of administering the Veterinary Division.

CAPTAIN THE HON. A. C. HOEY seconded.

The motion was lost by 6 votes to 8.

The Committee adjourned until 10 a.m. on the 14th of February.

THIRD DAY.

The Council assembled on the 14th of February, at 10 a.m., HIS EXCELLENCY THE GOVERNOR (SIR H. CONWAY BELFIELD, K.C.M.G.) presiding.

Present:—

THE HON. THE CHIEF SECRETARY (C. C. BOWRING, C.M.G.).

THE HON. THE ATTORNEY GENERAL (J. W. BARTH).

THE HON. THE TREASURER (H. P. ESPIE).

THE HON. THE MANAGER OF THE UGANDA RAILWAY (B. EASTWOOD).

THE HON. F. W. MAJOR, C.M.G., I.S.O.

THE HON. A. C. MACDONALD.

THE HON. C. W. HOBLEY, C.M.G.

THE HON. R. BARTON WRIGHT.

THE HON. J. AINSWORTH, C.M.G.

THE HON. P. H. CLARKE.

THE RIGHT HON. LORD DELAMERE.

CAPTAIN THE HON. A. C. HOEY.

THE HON. W. C. HUNTER.

THE HON. W. MACLELLAN WILSON.

THE APPROPRIATION ORDINANCE, 1917.

In Committee.

Vote XX, item 55.—"Carriage of mails by sea and bounty fees." It was agreed to reduce the provision made by £200.

Item 57.—“ Internal carriage of mails.” It was agreed to reduce the provision made by £300.

Vote XXa, item 7.—“ Gobwen-Yonte telephone line.” It was agreed to delete the whole of the provision of £500.

Vote XXII K.—Agricultural Department, Veterinary Division.

THE HON. THE CHIEF SECRETARY announced that after careful consideration of the representations made by unofficial Members at the sitting of the Committee held on the 13th of February, it was the intention of the Governor to recommend to the Secretary of State that reversion be had to the previous system of administering the Veterinary Division of the Agricultural Department, and that as from the 1st of April next complete control of all divisions of the Department be re-vested in the Director of Agriculture.

Vote XXIV.—Game Department.

THE RIGHT HON. LORD DELAMERE suggested that the post of Game Warden should remain unfilled until the conclusion of the War.

This was agreed to.

The Council resumed its Sitting.

As it was considered desirable that the Director of Public Works should be present to give information on any points that might arise in connection with the Public Works Vote,

THE CLERK having read the order of appointment,

THE PRESIDENT administered the Oath of Allegiance to the Hon. W. MacGregor Ross (Director of Public Works) as an Extraordinary Member of the Council.

The Council resolved itself into a Committee of the whole Council, HIS EXCELLENCY THE GOVERNOR presiding.

In Committee.

THE APPROPRIATION ORDINANCE, 1917.

Vote XXIX, item 1.—Public Works Recurrent.

THE RIGHT HON. LORD DELAMERE moved the reduction of this vote by £100.

CAPTAIN THE HON. A. C. HOEY seconded.

The motion was lost by 5 votes to 9.

Vote XXX, item 4.—Public Works Extraordinary. “ New Post Office, Kisumu.”

THE HON. W. C. HUNTER moved the deletion of this item.

THE HON. CHIEF SECRETARY seconded.

The question was put and carried.

Vote XXX, item 9.—Public Works Extraordinary. “ New Roads and Bridges.”

The details of expenditure prepared by the Hon. W. M. Ross were amended and unanimously approved, the final provision being £19,320, as against the original figure of £20,000.

Vote XVI.—Education.

CAPTAIN THE HON. A. C. HOEY moved that a Special Committee be appointed to consider the question of European education.

THE HON. P. H. CLARKE seconded.

The question was put and carried.

THE HON. CHIEF SECRETARY proposed that the Special Committee should be composed of THE HON. THE GENERAL MANAGER OF THE UGANDA RAILWAY (Chairman).

THE HON. W. M. ROSS.

CAPTAIN THE HON. A. C. HOEY.

THE HON. W. MACLELLAN WILSON.

THE HON. ATTORNEY GENERAL seconded.

The question was put and carried.

The Council resumed its Sitting.

THE CRIMINAL LAW AMENDMENT ORDINANCE, 1917.

THE HON. THE ATTORNEY GENERAL moved that the Bill intituled “ An Ordinance to amend the Criminal Law ” be read a second time.

THE HON. THE CHIEF SECRETARY seconded.

The question was put and carried.

The Council resolved itself into a Committee of the whole Council, HIS EXCELLENCY THE GOVERNOR presiding.

The Bill was read clause by clause and was adopted with the following amendment:—

Clause 1.—The short title was altered to read “ The Criminal Law Amendment (Advertisements) Ordinance, 1917.”

The Council resumed its Sitting.

THE HON. THE ATTORNEY GENERAL moved that the Bill as amended be reported to Council.

THE HON. THE CHIEF SECRETARY seconded.

The question was put and carried.

THE HON. THE ATTORNEY GENERAL gave notice that he would move the third reading of the Bill at a later stage of the Session.

THE BANK AMENDMENT ORDINANCE, 1917.

THE HON. THE TREASURER moved that the Bill intituled " An Ordinance to amend the Law relating to Banking " be read a second time.

THE HON. THE CHIEF SECRETARY seconded.

The Council resolved itself into a Committee of the whole Council, HIS EXCELLENCY THE GOVERNOR presiding.

In Committee.

The Bill was read clause by clause and was adopted without amendment.

The Council resumed its Sitting.

THE HON. THE TREASURER moved that the Bill without amendment be reported to Council.

THE HON. THE CHIEF SECRETARY seconded.

The question was put and carried.

THE HON. THE TREASURER gave notice that he would move the third reading of the Bill at a later stage of the Session.

The Council adjourned till 10 a.m. on the 17th of February, 1917.

FOURTH DAY.

The Council assembled on the 17th of February, at 10 a.m., THE HON. THE CHIEF SECRETARY (C. C. BOWRING, C.M.G.), presiding, in the absence of HIS EXCELLENCY THE GOVERNOR.

Present:—

THE HON. THE ATTORNEY GENERAL (J. W. BARTH).

THE HON. THE TREASURER (H. P. ESPIE).

THE HON. THE MANAGER OF THE UGANDA RAILWAY (B. EASTWOOD).

THE HON. F. W. MAJOR, C.M.G., I.S.O.

THE HON. A. C. MACDONALD.

THE HON. C. W. HOBLEY, C.M.G.

THE HON. R. BARTON WRIGHT.

THE HON. J. AINSWORTH, C.M.G.

THE HON. W. M. ROSS.

THE HON. P. H. CLARKE.

THE RIGHT HON. LORD DELAMERE.

CAPTAIN THE HON. A. C. HOEY.

THE HON. W. C. HUNTER.

THE HON. W. MACLELLAN WILSON.

THE PRESIDENT said he regretted to announce that His Excellency the Governor was temporarily indisposed. It therefore devolved upon him to preside during such time as His Excellency was absent.

The Council resolved itself into a Committee of whole Council, THE HON. THE CHIEF SECRETARY (C. C. BOWRING, C. M. G.), presiding.

In Committee.

THE APPROPRIATION ORDINANCE, 1917.

THE HON. THE MANAGER OF THE UGANDA RAILWAY laid on the Table and read the Report of the Special Committee appointed to enquire into and report upon the matter of European education, as follows:—

REPORT OF THE SPECIAL COMMITTEE APPOINTED TO REPORT TO THE LEGISLATIVE COUNCIL ON THE MOST URGENT NEEDS OF EDUCATION FOR EUROPEAN CHILDREN IN THE EAST AFRICA PROTECTORATE.

The Committee held a meeting on the 15th February, 1917, when there were also present:—

Mr. J. R. ORR, Director of Education.

Mr. A. J. TURNER, Head Master, European School, Nairobi.

After the consideration of the educational facilities of the Protectorate as they exist at the present time, and also as they are provided for in the Draft Estimates for the financial year 1917-18, it was felt that the two centres that require the most immediate attention and whose needs are the most urgent and pressing are Nairobi and Eldoret.

The Committee, in determining what action should be recommended in each case, had the benefit of the information contained in the following papers:—

- (a) Figures showing the probable number of European children requiring education compared with the number actually receiving education.
- (b) The Director of Education's report dated 18th August, 1916, and recommendations contained therein concerning education on the Uasin Gishu Plateau.
- (c) The report of the Education Department for the financial year 1915-16.
- (d) Statements of the staff sanctioned during the present financial year and the staff at present employed against such sanction.
- (e) A statement by the Head Master of the European School detailing the most urgent requirements in connection with Nairobi.

From information available it is estimated that the total number of European children in the Protectorate is approximately 1,597, and the number of children of school age is about 1,062.

The number of children shewn on the rolls of Government and private schools at the present time is 358.

THE UASIN GISHU PLATEAU.

The greatest importance was attached to the provision of both schools and boarding accommodation being given to the children living upon the Uasin Gishu Plateau. The number of children is given as:—

Under 15 years of age	...	...	...	348
Over 15 years of age	...	...	...	108

The seating accommodation at the Eldoret Schools (according to Departmental Regulations) is sufficient for 73 scholars, and the maximum boarding accommodation (including extensions at present under construction) is sufficient for 13 scholars only. It is necessary that boarding accommodation must be provided if the number of scholars is to be enlarged, otherwise they cannot attend the school, as, with a large and sparsely populated area, boarding accommodation cannot be provided other than that which is provided by the Administration in the Township of Eldoret.

The Committee therefore recommend that the expenditure as detailed in the following items shall be sanctioned and incurred:—

- (a) That a sum of £2,000 shall be expended in providing a permanent boarding house at Eldoret and the necessary accommodation and facilities for school children of both sexes.
- (b) That a sum of £500 shall be expended in the extension of the present class room accommodation, and in the provision of furniture.
- (c) That additional expenditure to the amount of £900 shall be incurred in providing the staff necessary to deal with the larger number of scholars that will be in attendance.

The staff considered necessary for the proper working and control of the school is given in the following statement:—

	£
1 Head Master, £250 to £400	250
1 Head Mistress	150
1 Assistant Master, £200 to £250	200
2 Assistant Mistresses, £135	270
1 House Allowance	60
2 House Allowances, £40	80
1 Matron	80
Menials	125
Maintenance	120
Total proposed expenditure	£1,335

Expenditure included in the Draft Estimates for 1917-18:—

Item 20 Head Master	£200
Item 21 Mistress	100
Item 22 Menials	75
Item 43 Maintenance	60
Total amount already provided	£435
Additional expenditure recommended for staff and maintenance	£900
Total additional expenditure recommended for the Uasin Gishu Plateau	£3,400

NAIROBI.

The Committee are convinced that the accommodation at the Central Schools, Nairobi, is inadequate and insufficient, and recommend that expenditure additional to the amount already provided for in the Draft Estimates for 1917-18 shall be sanctioned and incurred, as detailed in the following items:—

(a) That a sum of £800 shall be expended in the construction of a boarding house necessary for the accommodation of 30 children.

(b) That a sum of £330 shall be expended in extending the dining room accommodation to provide accommodation for the increased number of scholars that will be in attendance.

(c) That a sum of £250 shall be expended in the construction of a new class room to provide accommodation for 50 junior scholars.

(d) That a sum of £50 shall be expended in the construction of a lavatory for the staff.

(e) That an amount of £350 shall be sanctioned for increases in salaries and additional staff rendered necessary by the increased number of scholars.

The details of the recommendations contained in clause (e) are:—

Increase in the salary of the present Assistant Master from the grade of £200 to £250 to the grade of £250 to £400 in view of past services	...	...	...	...	£30
2 Assistant Mistresses at £135	...	...	...	...	£270
Increase of menial staff	...	...	...	...	£50
Total additional expenditure for staff	...	...	...	...	£350
Total additional expenditure recommended for Nairobi	...	...	...	...	£1,780

The Committee do not consider it is necessary to put forward any recommendations at the present time in connection with school accommodation at Nakuru. The Committee also do not consider it would be right at the present time to press for the appointment of additional staff other than that already recommended, although they are of the opinion that the administrative staff is insufficient for the complete and efficient control of the Department, but as the work of the Department can be carried out in the immediate future as it has been in the past, the additional expenditure that would be required does not come within the terms of reference of this Committee.

The amount placed at the disposal of the Committee for their consideration as to what should be expended in meeting and remedying the most pressing and urgent needs of the Protectorate with regard to the education of European children was ... £5,680

The Committee consider that these needs can be met by an immediate expenditure of

For the Uasin Gishu plateau	...	...	...	...	£3,400
For Nairobi	...	...	...	...	£1,780
Total	...	...	...	...	£5,180

and they therefore recommend that the unavailed of balance of £500 shall be replaced for the use of the most important Head of Work from which it was deducted in order that it might be placed to the enlargement of the vote for Education.

(Signed) B. EASTWOOD, *Chairman.*

THE HON. THE ATTORNEY GENERAL moved the adoption of the Report.

THE HON. A. C. MACDONALD seconded.

The question was put and carried.

THE HON. W. MACLELLAN WILSON moved that Item 1 of Schedule XXIIa (Agricultural Department, Special Expenditure, "Continuation of the Dipping Scheme") be reduced by £500 and that the amount be transferred to the Education Vote.

THE HON. W. C. HUNTER seconded.

The question was put and carried.

Vote XXII.—It was agreed to insert a sum of £600 to provide for the salary and expenses of an additional entomologist for coffee.

The Bill was adopted with the following amendments to the Schedule:—

Vote XVI. Education.—For £9,095 read £10,345.

Vote XX. Post Office and Telegraphs.—For £60,770 read £60,270.

Vote XXa. Post Office and Telegraphs—Special Expenditure.—For £3,600 read £3,100.

Vote XXIIa. Agricultural Department—Special Expenditure.—For £2,500 read £2,000.

Vote XXX. Public Works Extraordinary.—For £55,567 read £55,817.

The Council resumed its Sitting.

THE HON. THE TREASURER moved that the Bill as amended be reported to Council.

THE HON. THE ATTORNEY GENERAL seconded.

The question was put and carried.

(At this stage the Hon. W. McGregor Ross left the meeting).

THE HON. THE TREASURER gave notice that he would move the third reading of the Bill at a future Session of the Council.

THE CROWN LANDS AMENDMENT ORDINANCE, 1916.

THE HON. R. BARTON WRIGHT submitted and read the Report of the Special Committee appointed to enquire into and report on the provisions of the Bill intituled "An Ordinance to amend the Law relating to Crown Lands," as follows:—

INTERIM REPORT.

The Committee after a full consideration of the provisions of the Bill is of the opinion that the presentation of its report should be deferred to the next session of this Council.

Fresh points have at its meeting on the 12th inst. been brought forward, which the Committee consider it would be desirable to embody in the proposed amendments to the Bill, and which would necessitate considerable redrafting by the Hon. the Attorney General.

The Committee further consider in view of the appointment of additional non-official members of the Legislative Council that it would be desirable to appoint an additional non-official member to the Select Committee.

To provide relief in the interim period before the Bill becomes law it is recommended that the Rs. 15 consent fee in respect of transfer imposed by covenant in the leases under the 1902 Ordinance shall be waived and that the Land Officer shall not withhold consent to transfer except in the case of sub-divisions or transfers between parties of different races.

On the motion of the HON. ATTORNEY GENERAL, seconded by the HON. R. Barton Wright, the Hon. W. C. Hunter was appointed an additional member of the Special Committee.

THE MERCHANT SEAMEN DISCIPLINE ORDINANCE, 1917.

THE HON. THE ATTORNEY GENERAL moved that the Bill intituled "An Ordinance to provide for the discipline of the crews of vessels chartered or requisitioned by the Admiralty" be read a third time.

THE HON. THE TREASURER seconded.

The question was put and carried, and the Bill was read a third time and passed.

THE CRIMINAL LAW AMENDMENT (ADVERTISEMENTS) ORDINANCE, 1917.

THE HON. THE ATTORNEY GENERAL moved that the Bill intituled "An Ordinance to amend the Criminal Law" be read a third time.

THE HON. THE TREASURER seconded.

The question was put and carried, and the Bill was read a third time and passed.

THE BANK AMENDMENT ORDINANCE, 1917.

THE HON. THE TREASURER moved that the Bill intituled "An Ordinance to amend the Law relating to Banking" be read a third time.

THE HON. THE MANAGER OF THE UGANDA RAILWAY seconded.

The question was put and carried, and the Bill was read a third time and passed.

ENEMY PROPERTY IN EAST AFRICA.

THE PRESIDENT said that in pursuance of instructions received by the last mail from the Colonial Office it would be necessary to introduce, under a Certificate of Urgency, special legislation dealing with enemy property in East Africa. He therefore suggested that the Council adjourn till 10 a.m. on Friday, the 23rd day of February, 1917.

THE HON. THE ATTORNEY GENERAL moved accordingly.

THE HON. THE MANAGER OF THE UGANDA RAILWAY seconded.

The question was put and carried.

The Council adjourned until 10 a.m. on Friday, the 23rd of February, 1917.

FIFTH DAY.

The Council assembled on the 23rd of February, at 10 a.m., HIS EXCELLENCY THE GOVERNOR (SIR H. CONWAY BELFIELD, K.C.M.G.) presiding.

Present:—

THE HON. THE CHIEF SECRETARY (C. C. BOWRING, C.M.G.).
 THE HON. THE ATTORNEY GENERAL (J. W. BARTH).
 THE HON. THE TREASURER (H. P. ESPIE).
 THE HON. THE MANAGER OF THE UGANDA RAILWAY (B. EASTWOOD).
 THE HON. F. W. MAJOR, C.M.G., I.S.O.
 THE HON. A. C. MACDONALD.
 THE HON. C. W. HOBLEY, C.M.G.
 THE HON. R. BARTON WRIGHT.
 THE HON. J. AINSWORTH, C.M.G.
 THE HON. P. H. CLARKE.
 THE RIGHT HON. LORD DELAMERE.
 CAPTAIN THE HON. A. C. HOEY.
 THE HON. W. C. HUNTER.
 THE HON. W. MACLELLAN WILSON.

THE ENEMY PROPERTY (DISPOSAL) ORDINANCE, 1917.

THE CLERK having read the Certificate of Urgency,

THE HON. THE ATTORNEY GENERAL moved the suspension of Standing Orders in order that the Bill intituled "An Ordinance to make further provision with regard to the disposal of Enemy Property" might be passed through its various stages at that Session.

THE HON. THE CHIEF SECRETARY seconded.

The question was put and carried.

THE HON. THE ATTORNEY GENERAL introduced and moved the first reading of the Bill. He said that the purpose of the Bill was to make provision for the sale of immoveable property which belonged to enemy firms in process of liquidation in the Protectorate. The Bill gave power to the Governor to vest in the liquidator of an enemy firm immoveable property belonging to that firm, and gave power to the liquidator to sell it. The Bill contained provisions safeguarding the title of any property sold under the Bill, and it also made very full provision against any enemy firm or corporation, which were fully defined in the second clause of the Bill, obtaining possession of any property sold under the Bill. There was provision for persons who had rights in such property to obtain compensation from the proceeds of the sale by making application to the Court in whom the purchase money was vested until such claims, if any, had been met. The Bill provided for sale either by private treaty or by auction. In any case conditions could be made in order to limit the sale to any particular class of persons, whether British subjects or British allied subjects or otherwise.

THE HON. THE CHIEF SECRETARY seconded, and the Bill was read a first time.

THE HON. THE ATTORNEY GENERAL moved that the Bill be read a second time.

THE HON. THE CHIEF SECRETARY seconded.

The question was put and carried.

The Council resolve itself into a Committee of the whole Council, HIS EXCELLENCY THE GOVERNOR presiding.

In Committee.

The Bill was read clause by clause and was adopted with the following amendments:—

Section 1, line 2—Insert "1917" after the word "Ordinance."

Section 2, line 2—For "corporative" read "corporate."

Section 3 (2), line 2.—For "right" read "rights."

Section 6 (1), line 4—After the word "newspaper" insert the words "and in the "Gazette."

Section 6 (2), line 11—Insert the words "and summons (if any)" after the first word in the line.

Section 10, line 18—For "five thousand pounds" substitute the words "seventy-five thousand rupees."

Section 11, line 6—Before the word "subject" insert the word "enemy."

Section 11, line 9—Before the word "subject" insert the word "enemy."

Section 11, line 18—Before the word "subject" insert the word "enemy."

Section 11, line 20—Before the word "subject" insert the word "enemy."

Section 12, lines 1, 2—Delete "in whom any person."

Section 12, line 4—Insert the words "or shall become" before the word "vested."

Section 13 (1), line 9—Before the word "subject" insert the word "enemy."

Section 13 (1), line 12—Before the word "subject" insert the word "enemy."

Section 13 (2), line 4—For "£100" read "fifteen hundred rupees."

Section 13 (3), line 11—Before the word "subject" insert the word "enemy."

Section 13 (3), line 14—Before the word "subject" insert the word "enemy."

Section 14, line 2—For "by" read "with" and for "Land" read "Principal."

The Council resumed its Sitting.

THE HON. THE ATTORNEY GENERAL moved that the Bill as amended be reported to Council.

THE HON. THE CHIEF SECRETARY seconded.

The question was put and carried.

THE HON. THE ATTORNEY GENERAL moved that the Bill be read a third time.

THE HON. THE CHIEF SECRETARY seconded.

The question was put and carried, and the Bill was read a third time and passed.

THE CROWN LANDS AMENDMENT ORDINANCE, 1916.

THE HON. R. BARTON WRIGHT submitted and read the Report of the Special Committee appointed to enquire into and report upon the provisions of the Bill intituled "An Ordinance to amend the Law relating to Crown Lands." The report was in the following terms:—

INTERIM REPORT.

A further meeting of the Special Committee appointed to consider the provisions of the Bill was held on Wednesday, the 21st instant.

Owing to representations made by the non-official members that the Bill in its present form had been the subject of considerable criticism by bankers, lawyers, and other members of the public, it was considered that it would be of considerable assistance to the Committee in making their final recommendations if these gentlemen were given the opportunity of expressing their views, and, in order that these may be collected and fully considered, it is recommended that the presentation of the Report be deferred for a further six months.

The presentation of the Report was deferred as proposed by the Special Committee.

ADJOURNMENT.

THE HON. THE CHIEF SECRETARY moved that the Council be adjourned until the third Monday in March or such other date as might be duly notified.

THE HON. THE ATTORNEY GENERAL seconded.

On the motion for the adjournment the RIGHT HON. LORD DELAMERE addressed the Council in the following terms:—

He expressed the thanks of the unofficial members for the opening words of His Excellency in which he welcomed back the unofficial members to the Council, and to register their gratitude to him and to the Chief Secretary for the part taken in getting for this country the long-delayed right to elect its own members to represent it.

The country had undoubtedly suffered from lack of representation, and he was sure that this change would increase efficiency and do away with friction between the official and non-official sections of the population.

His Excellency had announced that it was likely that his term of office would come to an end shortly. Notwithstanding actual regret at this announcement this could hardly come as a surprise to those who remembered his term of long service here and the amount of hard work he had done and the state of his health of late. They must register their regret that he had decided to decline any form of public or social recognition of the fact of his impending departure.

It was a surprise to them that no direct allusion was made to the war in the Address, and they could only suppose that this was because His Excellency considered, as they considered, that questions arising directly from the war were best dealt with by the War Council, a body called together for that purpose, and on which there were members elected by the people of this country.

But they would like to register their opinion that there were many matters arising from the war which required dealing with as soon as possible, and if these matters were not taken up by the Governor and his War Council, then it would be the duty of the unofficial members of the Legislative Council to raise these matters at the next session. In any case it was probable that legislation might be required to give effect to recommendations of the War Council in which case the Legislative Council would have opportunity of discussing matters connected with the war of vital import to this country.

They were glad to find that after examination of the estimates it was possible to procure the money for the immediate wants of education, and they hoped that this important question might be given into the hands of a strong Commission to deal with on a wide reference, as soon as the war was over.

A country like this, where so much depended on the wise handling of native races, should make a speciality of giving to the children of its ruling race the very best possible education to enable the coming generation to deal adequately with racial questions, which were puzzling many of the great brains of the world.

This finding of the money for education, after it had been believed unprocurable by the executive, emphasised the necessity of proper control of the estimates by the Legislature. They had tried during this Session to establish and uphold this principle. On this question the unofficial members thought at one time it would be necessary to send home a petition to the Secretary of State, but this was obviated by the attitude taken up by the President and the Hon. Chief Secretary, and they hoped that in future no friction would arise on this principle, which they considered should be upheld on every occasion.

They wished to record their approval of the President's decision with regard to the complete subordination of the Veterinary Department to the Director of Agriculture, who was responsible to the Legislature for the policy of this branch of the Agricultural Department as of others, and, therefore, should control the policy. They voted unanimously on that principle, and their opinion was strengthened in this matter by the fact that, notwithstanding the excellent professional qualifications of many of the officers in that Department, they considered that expert specialists were not the right persons to deal with questions of administration and policy.

They wished to record their regret at the retirement of the Veterinary Pathologist. They did not raise this question on the estimates as the control of the whole Department was in the melting pot, but they hoped that strenuous efforts would be made to fill Mr. Montgomery's place by someone capable of carrying on his work, and that in future the question of the emoluments of an expert specialist, whose work intimately affected every farmer and native in this country, would be placed before the Legislative Council when necessary for revision before a change was made.

This was not an administrative post. It was filled by a specialist whose work affected many thousands of pounds yearly, and might make the whole difference to some of the premier industries of the country: and it seemed to them that no question of salary within reason should stand in the way of filling the post with the best man obtainable, or of his retention if the question arose. The successful exploitation of nearly all the industries of Africa depended largely on the capability of various experts, and the greatest care should be taken in the choosing of these specialists, and every effort should be made to retain their services when they had proved they could fill the different posts.

It was found possible to add to the number of specialists a man to deal with coffee diseases.

The Squatters Bill was in Special Committee, but he would like to say that the opinions of many people must be greatly altered with regard to this Bill, when it was known that it was only part of a large scheme for divorcing the control of the settled areas from the Provincial Administration. But he would press again that no steps be taken to bring this Bill into force, at any rate on the farms of those away at the front.

The important question of Land Settlement for soldiers was greatly complicated by the terms of reference to the Commission having been narrowed within the limits of certain points fixed by a Departmental Committee and agreed to by the Secretary of State.

It seemed to them a great pity that the original recommendation of the War Council was not carried out and the matter put into the hands of a Commission at once on a wide reference unhampered.

It seemed an extraordinary procedure for the recommendations of a Departmental Committee to limit the powers of a Commission to deal broadly with this matter. It would have been better if the officials concerned had given evidence before the Commissioners so that their recommendations and findings could have been sifted before being sent to the Secretary of State. But the land was there, and a way must be found.

He wished to repeat that they regretted His Excellency's decision to refuse any public recognition on the occasion of his departure, and they hoped he would regard their remarks there as indicating their gratitude for work he had done, and they hoped he would be able to arrange when he was at home that this country should be represented on the Economic Conference of the Empire.

At this stage Lord Delamere, on a matter of urgency, referred to the administration of the town of Nairobi, specially with regard to the outbreak of plague. He pointed out that it was the intention of the unofficial Members to put a motion forward in this connection, but notice had to be given.

He now gave notice that this matter would be brought forward at the next meeting of the Council. It had been said that this matter should not be brought forward during the war. He was afraid he could not agree with that. The matter of sanitation and hygiene was one of the few things, in his opinion, that should not be affected, if possible, by anything.

It was necessary for the carrying on of the country that the capital should be kept in a proper condition. This was a matter in which the whole country was interested. It could not be said that this was a matter purely for the Municipal Committee to decide, except in matters of detail, because the monies were largely given for the country at large.

More especially was this so with regard to the question of the administration for dealing with the outbreak of plague being in the hands, if possible, of one person—one medical person.

Here, he gave notice again that the matter would be brought up at the next session of Council.

The motion for adjournment was put and carried.

EAST AFRICA PROTECTORATE.

Minutes of the Proceedings
of the Legislative Council
of East Africa.

Second Session,
1917.

May 21st, 22nd, 25th, 31st, and June 19th, 1917.

Nairobi.

PRINTED BY THE GOVERNMENT PRINTER,
British East Africa.

Minutes of the Proceedings of the Second Session of the Legislative Council, 1917.

**Held at Nairobi on the 21st, 22nd, 25th, and 31st May
and 19th June, 1917.**

The Council assembled on the 21st of May, at 10 a.m., HIS EXCELLENCY THE ACTING GOVERNOR (C. C. BOWRING, C.M.G.) presiding.

Present:—

THE HON. THE ACTING CHIEF SECRETARY (W. J. MONSON).
THE HON. THE ATTORNEY GENERAL (J. W. BARTH).
THE HON. THE TREASURER (H. P. ESPIE).
THE HON. THE MANAGER OF THE UGANDA RAILWAY (B. EASTWOOD).
THE HON. F. W. MAJOR, I.S.O.
COLONEL THE HON. A. C. MACDONALD.
THE HON. C. W. HOBLEY, C.M.G.
THE HON. R. BARTON WRIGHT.
COLONEL THE HON. J. AINSWORTH, C.M.G.
THE HON. P. H. CLARKE.
THE RIGHT HON. LORD DELAMERE.
CAPTAIN THE HON. A. C. HOEY.
THE HON. W. C. HUNTER.
THE HON. W. MACLELLAN WILSON.

OATH OF ALLEGIANCE.

THE PRESIDENT administered the Oath of Allegiance to the HON. THE ACTING CHIEF SECRETARY (W. J. MONSON).

MINUTES OF MEETING.

THE HON. THE ACTING CHIEF SECRETARY moved that the Minutes of the Meeting of the Council held on the 12th, 13th, 14th, 17th, and 23rd February, 1917, which had been circulated amongst Hon. Members, be taken as read and be confirmed.

THE HON. THE ATTORNEY GENERAL seconded.

The question was put and carried.

THE PRESIDENT'S ADDRESS.

THE PRESIDENT delivered the following Address:—

HONOURABLE MEMBERS OF THE LEGISLATIVE COUNCIL,

Since this Honourable Council last adjourned, on February 23rd, His Excellency Sir Henry Conway Belfield, K.C.M.G., Governor and Commander-in-Chief of the East Africa Protectorate, has proceeded on leave of absence, and in accordance with the provisions of the East Africa Order-in-Council 1906 I have assumed the administration of the government of the Protectorate. Sir Henry Belfield left after a residential tour of over four and a half years, which is a longer period than has ever been completed by any preceding Governor or Commissioner. His Excellency's tour of service, including as it did the first two and a half years of the war with its initial phase of grave local anxiety, was particularly arduous, and in wishing him as enjoyable a holiday as present circumstances will permit I am sure that all Honourable Members will share with me regret on his behalf that the restrictions on women travelling by sea have necessitated his proceeding home unaccompanied by his family.

The three months which have elapsed since we last met have teemed with important events connected with the war which have had far-reaching effects on this Protectorate. The local campaign has been prominently before our notice because of the requirements of the General Officer Commanding-in-Chief for men, both Europeans with local experience and native carriers, for the transport services. At the beginning of February the General Officer Commanding had made a call for 200 Europeans for the Military Labour Department and the Mechanical Transport Corps, and had asked that action should be taken under the Compulsory Service Ordinance, 1915, to obtain the numbers required. He had intimated at the same time that he foresaw the probability of having to make still further demands on the European population, and eventually stated his total requirements at 300, some of whom were wanted for units other than the Military Labour Department or the Mechanical Transport Corps. As has been the case on previous occasions when a call has been made

for men for military service the response by the public was immediate, and during February and March an appreciable number of volunteers came forward. It had, however, from the outset been obvious that without a further reorganisation of the whole civil population of the Protectorate it would be quite impossible to satisfy the requirements of the General Officer Commanding and that in any case there must be a very considerable interference with local industries and undertakings generally. The position was one of great difficulty because of the very large proportion of the population who had already joined up. A number had refrained from joining, or from allowing their employees to do so, because of the doubt in their minds concerning the relative importance of the businesses in which they were engaged to the Empire generally for the prosecution of the war as compared with the addition of a relatively small number of Europeans to the local forces. Again, others were deterred from joining because of family ties and the difficulties with which they would be faced in maintaining their families while they themselves were serving on reduced incomes. The problem was one which, since it involved certain matters of Imperial concern with which we in East Africa were not fully cognisant, could not be settled locally, and the whole position was accordingly placed before the Secretary of State for the Colonies for discussion with the Imperial authorities.

As a result of such discussion the Secretary of State approved action being taken under the Compulsory Service Ordinance, and on March 21st the Governor accordingly called upon the War Council to provide the men required by the General Officer Commanding. Simultaneously with the issue of this order there appeared in the "Official Gazette" an expression of the Secretary of State's great appreciation of the response which had already been made by the residents of the East Africa Protectorate, and of his regret for the necessity of making still further demands on them. The information collected under the Registration of Persons Ordinance 1915 greatly facilitated the work which now devolved upon the War Council and the District Committees formed under the Compulsory Service Ordinance. Each case was considered on its merits both from the personal point of view and from that of the employer as well as with due regard to the civil industries of the Protectorate. The result has been completely satisfactory, and I welcome this opportunity of publicly congratulating and thanking all concerned in the selection of the men for the manner in which their honorary duties have been carried out, frequently at great personal inconvenience to themselves.

It is obvious that it would have been impossible under any general scheme of reorganisation for the War Council to have produced any given number of men without undue preference or hardship. When it became apparent that the number of 200 originally called for was likely to be slightly exceeded under the procedure adopted I therefore called on the War Council to provide up to an additional 50, making 250 in all, with an intimation that exemptions already granted by that body should not be reconsidered.

It gives me great satisfaction to be able to announce that the full number of 300 men asked for by the General Officer Commanding have now been enrolled or selected for enrolment. The details are as follows:—

1. Enlisted without reference to the War Council since February 1st ...	104
2. Selected by the War Council	234
	<hr/>
Total	338
	<hr/>

Further, one great result of the work of the War Council and the District Committees is the fact that every single individual of military age has had his case closely enquired into, and those who now remain in civil employment have the satisfaction of knowing that they have been prevented from joining the forces because they are medically totally unfit or are considered to be indispensable for carrying on the civil life of the Protectorate.

The term "conscript" has been used in connection with those men who have been selected for military service by the War Council, and I recently found it necessary to issue a publication to the effect that the measures being taken under the Compulsory Service Ordinance should not be regarded in any way as a form of conscription, and I take this opportunity of laying stress on that fact. It is unfair and unjust to apply that expression to those who have now been selected. The vast majority of them have been both anxious and willing to join, but it is only the recent reorganisation of the civil population which has made it possible for them to be freed from their various civil avocations.

Military reasons prevent me from giving complete statistics showing what this country has done in sending men to the front, both in Europe and in the local campaign, but I can assure Honourable Members that when the figures can be analysed and published it will be found that British East Africa will at least bear comparison with any other part of the Empire.

As a consequence of the recent selection of men, it has been found necessary to take certain special steps to safeguard the interests of employers, and a Bill figures on the Order of the Day to amend the Compulsory Service Ordinance, 1915, with a view to preventing employees from leaving their employment without permission, safeguards against ill-treatment and oppression being provided by appeals to the District Committees and to the War Council. Pending the passing of the Bill, I have issued regulations under Martial Law which have the same effect. This became necessary in order to tide over the period which must necessarily elapse before legislation can be promulgated.

It has also been found necessary to make special provision in certain cases where married men have been selected for military service, and I am pleased to be able to announce that a procedure has been approved by the Secretary of State whereby relief will be afforded. No fixed system of separation allowances will be adopted, but each case will be dealt with on its merits by the War Council. This step is a very important feature in the re-organisation of our resources and has been the means of releasing for military service a number of men who owing to domestic ties would otherwise have been prevented from joining.

The reorganisation by the military authorities of their transport arrangements to suit the present phase of the campaign necessitated, in addition to an increased European personnel in the Military Labour Department, also a very large increase in the number of native carriers. At the request of the General Officer Commanding the services of the Hon. John Ainsworth, C.M.G., were placed at his disposal from March 8th for the purpose of arranging the supply of men with a minimum of hardship to the natives themselves and the least possible interference with the local labour supply. Colonel Ainsworth has been given authority to correspond direct with District Commissioners on all matters concerning labour, and he has received similar authority from the Governments of Uganda and of the civilly administered portions of German East Africa in respect of certain districts in those territories. Here again I am unable for the present to give the actual figures of the total number of carriers required for the military operations, and of the regular drafts for which arrangements have to be made in order to maintain the strength of the force at its authorised establishment, but it may interest Honourable Members to know that between April 1st and May 17th 33,189 from British East Africa alone have been registered in the books of the Military Labour Department.

The recruitment of porters has proceeded without any untoward incident, and reflects the greatest credit on the officers administering the native reserves who have been obliged to undertake these special duties in most cases with staffs which are considerably reduced below the sanctioned normal establishment.

I cannot leave the subject of the Military Labour Department without a reference to what is known as the "Kikuyu Missions Volunteers." The idea in the first instance originated with Dr. J. W. Arthur of the Church of Scotland Mission, and the Rev. Canon Leahey of the Church Missionary Society. The Rev. Canon Burns of the Church Missionary Society, and the Rev. Lee Downing of the African Inland Mission, subsequently became interested in the movement and rendered valuable assistance. The result was that a carrier section of 1,750 mission boys was formed, officered entirely by members of the missions' staffs with Dr. Arthur in command. A number of the older mission boys—men who in many cases were far over military age joined up as headmen. I recently had the privilege of inspecting this unit at Kikuyu shortly before it left for the front, and was greatly struck with its general appearance of confidence and efficiency. It must be a source of gratification to all interested in missionary work in Africa to know that at a time of national stress such as the present the local missions have been able to take so useful and practical a part in the prosecution of the war, and I am informed that the initiative of the missions has had the best possible effect on the recruitment of natives in the adjacent reserves.

But, altogether apart from the East African campaign, certain action by the Imperial authorities has become necessary within the last few months which closely affects British East Africa. I think that Honourable Members will admit that we have until quite recently been exceptionally fortunate in having escaped the pinch of war. Our geographical situation and our local possibilities of production have been very valuable assets. For more than two years after the outbreak of war neither our export trade nor our local industries had been affected to any very serious extent, while on the other hand the local campaign afforded an immediate market for a number of our local products, and the presence of a large number of troops undoubtedly for some time assisted both our importing merchants and our retail traders. But the recent restrictions which the Imperial authorities have found it necessary to impose, and which I think we all recognise as essential, have undoubtedly during the last few weeks given cause for serious consideration. These restrictions come under two distinct categories, namely prohibition of imports into the United Kingdom and prohibition of exports from the United Kingdom. Further, both our import and export trade are now seriously affected by the shipping problem. The measures adopted by the Imperial Government to meet the inadequacy of freight accommodation and the scarcity of food supplies in the United Kingdom, were duly notified in the local "Official Gazette" of April 11th. Full details of the arrangements made have not yet reached us. Briefly, a system of requisitioning by the Imperial Government and management by mixed committees of representatives of the Government, ship-owners, and local agents has been formed, the object aimed at being that freight accommodation will only be made available for the most essential commodities.

The restrictions on exports from the United Kingdom which until quite recently were confined practically to contraband of war, mainly commodities controlled at home by the Minister of Munitions, have now been extended to foodstuffs. As regards machinery and materials subject to the authority of the Minister of Munitions, local priority committees have been formed throughout the Empire, and a local committee was created on April 2nd. It is the duty of this Committee to consider on its merits each separate indent for supplies of such materials from the United Kingdom and to forward their recommendations as to claims for priority to the authorities in England with full explanations of the particular purpose for which the goods are required.

The restriction on the export of foodstuffs from the United Kingdom has only been notified to me within the last few days. I have referred the question to the War Council, who have already put up certain preliminary recommendations on which action will be taken in due course. I will not attempt to conceal the fact that there will be inconvenience and discomfort as a result of the measures taken, but I feel confident that the whole community

will recognise the fact that self-denial by the civilian population both at home and abroad is necessary for the maintenance of essential supplies to the troops at the front, and that any hardships involved will be cheerfully accepted as an indirect contribution by the individual to the prosecution of the war.

I have already commented on our fortunate geographical situation and the local possibilities for the production of essential foodstuffs.

I see no cause for alarm as a result of the restrictions now imposed, and I state definitely that steps will be taken by the local Government to regulate prices of necessities, to prevent the hoarding of supplies, and to conserve for those who most require them certain special classes of provisions. I have no doubt that importing merchants to whom the United Kingdom is now closed as a source of supply will on their own initiative endeavour to obtain their supplies from elsewhere, and no effort will be spared by the Government in endeavouring to arrive at satisfactory arrangements with other Governments to assist in this object, and to arrange for priority of shipping for all essential foodstuffs.

I think that the whole community owes a very deep debt of gratitude to Sir Henry Belfield for having formed his very representative advisory War Council in September 1915, and I feel sure that the fact that the local food problem has been referred to them will be welcomed as a guarantee that it will be dealt with in the most efficient manner possible, and that the interests of all affected by the new restrictions will be safeguarded to the utmost possible extent.

The first list of articles the importation of which into the United Kingdom was prohibited was gazetted in February, 1916, but it was not until March 1st, 1917, that advice was received that coffee had been added to the list. This prohibition, coupled with the shortage of shipping facilities which already existed, came as a severe blow to the local coffee industry. Meetings were held between representatives of the local Government and the Coffee Planters Union, and the possible financial effect of the prohibition was duly represented to the Secretary of State together with statistics of the acreage under coffee, the unshipped balance of the last crop, and the estimated crops for the years 1917 and 1918.

As Honourable Members are now doubtless aware from information received by mail, the prohibition of the importation of coffee gave rise to considerable comment, and every effort was made to get the restriction removed. At the beginning of this month advice was received that coffee en route for port of shipment at the date of the prohibition, namely on February 23rd, would be treated as in transit on that date up to a maximum of 1,500 tons. To this extent therefore the local situation has been relieved, though the future of our coffee industry is still a matter for serious consideration. The coffee problem is to be the subject of a debate at the present sessions, and, though I fear the solution suggested in the proposition which is to be moved will be found to be impracticable, I trust that further useful information and suggestions will be forthcoming which will at least assist us in finding a means of easing the situation.

Apart from the restrictions on coffee, I do not think that any of the prohibitions on imports into the United Kingdom adversely affect any of our local industries.

Since the beginning of March last, this Government has been in communication with the Colonial Office on the subject of the possibility of arrangements being made by the Imperial Government for the purchase and shipping of maize and beans. A reply has been received that His Majesty's Government are not prepared to purchase beans, but negotiations are still proceeding on the subject of maize, the prospects of an arrangement becoming possible being distinctly hopeful. In the meantime, however, the local demands of the military authorities would appear to absorb the available supply, and it has been found necessary for the present to prohibit the export of beans until it becomes manifest that military requirements have been satisfied.

The local bacon industry also finds a ready market with the military authorities.

Since our last session two important Commissions have been appointed under the Commissions of Enquiry Ordinance, 1912. These are the Land Settlement Commission and the Economic Conference Commission. The constitution of the former was announced during the last sessions. The Commission was actually appointed on March 2nd and commenced its sittings in Nairobi last week.

The Economic Conference Commission, which was appointed on March 27th and has also held some preliminary meetings, consisted originally of the Honourable F. W. Major, Chairman, with the Honourable P. H. Clarke, Mr. T. A. Wood, Mr. W. A. Kempe, and Major E. S. Grogan. At the suggestion of the Commissioners themselves, and at the request of a number of local associations, I have now further strengthened the Commission by appointing thereto the Right Honourable Lord Delamere, the Honourable W. C. Hunter, and Mr. E. Powys Cobb.

I understand that the Special Committee of this Honourable Council appointed during last session to enquire into and report generally on the question of elective representation on the Legislative Council has made considerable progress, and that it is possible that a report may be presented before this session closes.

The Special Committee on the Resident Natives Ordinance has held a number of sittings, but is not yet in a position to submit its report. Honourable Members will recollect that at the last session the Governor gave an assurance that so far as he was concerned the Bill in question would not be enforced, even though accepted as an Ordinance, until the conclusion of hostilities. I have no hesitation in renewing that assurance on my own behalf for so long as I continue to fill my present position.

The Special Committee appointed in October last, and added to at the last session, to consider the Crown Lands Amendment Ordinance has, as Members are aware, with the consent of this Honourable Council decided to defer the presentation of its report until a later occasion.

There remain two Bills which have been introduced but which have not yet passed through the various necessary stages. Both of these figure on the present Agenda, namely, the Civil Procedure Bill which is down for its second reading, and the Appropriation Bill which is down for its third reading. If the second reading of the former is agreed to, it is proposed to refer it to a Special Committee before proceeding further with the consideration of its provisions. The Appropriation Bill will, I hope, be read a third time and passed. The various amendments carried at the last session have been approved by the Secretary of State, and the Honourable the Treasurer will propose in Committee two or three further amendments which I trust will meet with the approval of Council.

In connection with the Appropriation Ordinance, I must, however, announce that a long-desired change in the Customs arrangements of the East Africa and Uganda Protectorates has now been approved by the authorities concerned, including the Government of Uganda, the Colonial Office, and the Imperial Treasury. The effect of this change is briefly the amalgamation of the Customs Departments of the two Protectorates under the control of East Africa, and the consequent abolition of an artificial trade barrier between East Africa and Uganda.

This change will necessitate some adjustment of the Customs estimates, both Revenue and Expenditure, and also certain legislation on the part of both Protectorates. It has not been found possible to prepare the necessary legislation in time for the current session, but it is proposed to submit it to Council at the next session.

It appears probable that in the first instance the East Africa Protectorate will be put to some additional expense in respect of the amalgamation, but the benefit to the two Protectorates as a whole and to the East African trade generally will be undeniable. It is not considered necessary to hold up the Appropriation Bill until the exact financial effect of the change of system can be gauged, and any additional expenditure which will fall on East Africa funds will be preferred in a supplementary estimate in due course.

In all eight new bills will be presented to Council at this session. Of these, two can be directly attributed to the war, namely the prohibition of the use of the word "Anzac" in connection with business, and the amendment to the Compulsory Service Ordinance. Two others are trade measures which it is desirable to legislate as early as possible in view of the position which will be created on the cessation of hostilities. These are the Companies Law and the Registration of Firms Ordinance. The Electric Light Ordinance has been under consideration for some time, and Honourable Members will recollect that a Bill was previously introduced but on recommendation of the Committee was rejected in the year 1914. It is very desirable to introduce the necessary legislation with as little further delay as possible, as it closely concerns the residents in the two principal townships of the Protectorate. The Coffee Planters and Dealers Bill is being introduced at the urgent request of those interested in the coffee industry, and the Diseases of Animals Amendment Ordinance and the Infectious Diseases Ordinance are also urgent measures of public concern. The objects and intentions of the various measures will as usual be further stated by the Honourable Members who have been entrusted with the duty of introducing them.

QUESTIONS AND ANSWERS.

THE HON. MACLELLAN WILSON put the following question:—

1. Whether, in consideration of the many difficulties, financial and other, attending the building up of the bacon industry in this country, His Excellency would be pleased to assist the industry by giving instructions to reduce the existing railway rates on bacon products for export.

2. Whether, in view of the value to this country and to the Empire of the pig breeding industry, His Excellency would be pleased to consider the appointment of an Inspector of Pigs for the purpose of ensuring that only the highest class of pig products may be dealt with in East Africa.

THE HON. THE MANAGER OF THE UGANDA RAILWAY, replying to the first part of the question, said:—

The charge for the carriage of bacon for export was fixed at a rate to cover as nearly as possible actual working expenses. Owing to the manner in which bacon for export is cured it is necessary that special transport facilities must be employed to prevent deterioration while on the journey between the Bacon Factory and the Coast. This necessitates the use of a ten ton vehicle in the case of the facilities being provided by the Bacon Factory, and of a special vehicle when provided by the Railway. In either case it means a return journey between the Bacon Factory and the Coast the minimum charge for which is one-quarter to one-third only of the capacity for the vehicle employed for one way only of the return journey.

A reduced rate was given for the carriage of bacon between the Coast and Uplands when it was found necessary to import bacon to supply the local demands of the Country as well as the military demands, and a reduced rate for export could be granted if the bacon could be cured in such a manner as to enable it to be consigned as general merchandise, but with the conditions governing the bacon industry at the present time bacon for export cannot be carried at a lower rate than is now being charged if this traffic is to pay the cost of working it.

COLONEL THE HON. A. C. MACDONALD, replying to the second part of the question, said:

It is hoped to include provision for an Inspector of Pigs in the Draft Estimates for 1918-1919. It is understood that an appointment of two years' duration is all that is required.

CAPTAIN THE HON. A. C. HOEY put the following question:—

1. What is the total sum of money spent on the new road from Londiani to Eldoret up to the end of last financial year.
2. What sum of money has been spent during the last financial year on the maintenance of this road.
3. Is the Director of Public Works satisfied with the construction and alignment of this road.
4. Is it a fact that realignment of the road to a considerable extent is contemplated, and if so, will Director of Public Works state approximately the expenditure which is likely to be incurred.
5. Will the Director of Public Works give an assurance that the present, or the realigned road, be maintained to enable the increasing large surplus products from the Uasin Gishu plateau, to be transported to the railway at Londiani throughout the year.

THE HON. THE ACTING CHIEF SECRETARY replied:—

1. The total sum of money spent on the Londiani—Eldoret Road amounts to £20,374, as follows:—

In 1909-10	...	...	...	£650
10-11	...	...	...	61
11-12	...	...	...	3,534
12-13	...	...	...	5,152
13-14	...	...	...	4,200
14-15	...	...	...	4,645
15-16	...	...	...	866
16-17	...	...	...	1,266
				<hr/>
				£20,374

2. A sum of £1,266 was spent last year on the maintenance of this road.
3. The Director of Public Works reports that he is not satisfied with the construction and alignment of this road but with the funds placed at his disposal for initial construction, and the necessity for maintenance under heavy and increasing traffic in all weathers he considers that the condition of the road is as satisfactory as could be expected.
4. Realignment on more easily drained ground is contemplated from mile 23 to Eldoret. In opening such route for cart traffic an initial expenditure of £1,600 is likely to be incurred. The existing road from mile 23 to mile 34 will also be retained to give access to the Selater Road and the Nandi border. The plans of the proposed realignment and details as to cost are in the Director of Public Works' Office and are at the disposal of the Hon. Member.
5. The Director of Public Works is unable to give the desired assurance as the immediate result of such expenditure as has been voted for the present financial year, but the improvement of the road will be pushed on to the utmost extent that available funds permit of.

SUPPLEMENTARY ESTIMATE, 1916-17.

THE HON. TREASURER proposed the following motion:—

That a Supplementary Estimate of £221,150 for the service of the year 1916-1917 be approved.

THE HON. THE ACTING CHIEF SECRETARY seconded.

The Council resolved itself into a Committee of the whole Council, HIS EXCELLENCY THE ACTING GOVERNOR presiding.

In Committee.

The Supplementary Estimate was considered in detail and passed without amendment.

The Council resumed its Sitting.

The motion was put and carried.

QUARTERLY RETURNS OF UNFORESEEN EXPENDITURE, 1916-17.

THE HON. THE TREASURER laid on the Table a Statement of Unforeseen Expenditure for the quarter ended the 30th of September, 1916, and for the quarter ended 31st of December, 1916.

THE HON. THE TREASURER proposed the following motion:—

Whereas it was found necessary to incur expenditure for which no provision was made in the approved estimates for the year 1916-17 amounting to £44,225 5s. 9d. during the period from 1st July, 1916 to 30th September, 1916, as more particularly set forth in the statement laid on the table, it is hereby resolved that this Council do approve of such expenditure.

THE HON. ACTING CHIEF SECRETARY seconded.

The Council resolved itself into a Committee of the whole Council, HIS EXCELLENCY THE ACTING GOVERNOR presiding.

In Committee.

The expenditure was considered in detail and passed without amendment.

The Council resumed its Sitting.

The motion was put and carried.

THE HON. THE TREASURER proposed the following motion:—

Whereas it was found necessary to incur expenditure for which no provision was made in the approved Estimates for the year 1916-17 amounting to £41,590 19s. 5d. during the period from 1st October, 1916, to 31st December, 1916, as more particularly set forth in the statement laid on the table, it is hereby resolved that this Council do approve such expenditure.

THE HON. THE ACTING CHIEF SECRETARY seconded.

The Council resolved itself into a Committee of the whole Council, HIS EXCELLENCY THE ACTING GOVERNOR presiding.

In Committee.

The expenditure was considered in detail and passed without amendment.

The Council resumed its Sitting.

The motion was put and carried.

MOTIONS.

THE HON. W. C. HUNTER proposed the following motion:—

That this Council desires an assurance that the question of the prevention of future outbreaks of plague is receiving and will continue to receive the most anxious consideration.

THE RIGHT HON. LORD DELAMERE seconded.

THE HON. THE ACTING CHIEF SECRETARY on behalf of the Government gave the assurance required and the motion was not pressed.

THE HON. W. C. HUNTER proposed the following motion:—

That with a view to the better Government of Nairobi the Municipal Committee be constituted the responsible and controlling authority in all municipal and sanitary matters, and that, for the present, with a view to overcoming obvious financial difficulties, the sums annually voted in the Estimates for the benefit and use of Nairobi be placed at the disposal of the Municipal Committee.

He asked leave to amend the wording of this motion as follows:—

“That with a view to the better government of Nairobi the necessary powers be procured for the Municipal Committee to constitute that body the responsible and controlling authority etc., etc.”

At this time, he thought it could not be disputed, Nairobi was suffering from a not infrequent weakness under a bureaucratic form of government, division and overlapping of control. There was in Nairobi the Municipal Committee, which ought to be the controlling authority and was not; the Sanitation Department, the Public Works Department, and to a certain extent the Land Office, all dealing with matters affecting the administration of the Town.

It was quite possible that an enquiry directed to the Town Clerk would be passed on to the Public Works Department, thence to the Land Office and thence back again to the Town Clerk, with the final result that the enquirer was completely mystified as to whom he had to deal with.

Only recently, so far as was possible under existing legislation, Government had granted to the citizens of Nairobi the privilege of electing their own representatives to the Municipal Committee. It was not quite election, but the nearest approach that could be made to it at present. Those representatives, at present in a minority, met week after week in an honest endeavour to serve the interests of Nairobi, and they found that while the Committee received plenty of criticism for alleged inaction, it had not got the powers which it ought to have. That was a very great handicap, and it was most disheartening to its members, and moreover it meant there was no real responsibility between the electors and the elected. If they were to have efficient local government in Nairobi, they must be able to fix the responsibility, and they could not fix the responsibility unless they had one controlling authority. He was convinced that if they made the Municipal Committee—even as constituted to-day though he hoped that the unofficial representatives would be increased in number—really responsible, they would soon see a great improvement. Divided control could not be satisfactory. To take an instance. As things were, he understood that the last word on Sanitary matters rested with the Principal Sanitation Officer to whom the Medical Officer of Health has a right of appeal.

He submitted that that was a wrong state of affairs. The Medical Officer of Health should be an adviser only, and the responsibility should rest with the Municipal Committee. If the sanitary authority was not satisfied with any decision, then there should be an appeal to some higher authority—he suggested for the present the Governor in Council—who he presumed could order an enquiry which would enable evidence to be brought by both sides. Under the present system the appeal was by the Medical Officer of Health to the Principal Sanitation Officer, and if he decided against the Municipal Committee, it appeared there was nothing more to be said. He maintained that such decisions ought not to rest with any expert, for the simple reason that experts' opinions not infrequently differed.

With regard to the Public Works Department and the control of roads and drains, he understood that if this motion were acted upon, there would be no great difficulty in handing over the control to the Municipal Committee. Probably the appointment of an Assistant Engineer might be necessary, but he for one believed that that would not involve any greater expenditure seeing that there would be greater unity of direction. There was of course the question of plant, etc., but he presumed there would be no insuperable difficulty in handing this over to the Committee.

Then there was the question of control of land. He thought it would be desirable that this control should rest with the Committee and that any revenue derived therefrom should be deducted from the sums handed over to the Committee for the use and benefit of Nairobi: the point was unity of control and he believed that the control of the land might be vested in the Committee, even if only as agents for Government.

Finally he would like to say a word on the subject of finance. Sooner or later the citizens of Nairobi must shoulder the responsibility for this: but at present it must be borne in mind that the Government is the ground landlord of Nairobi, that a great deal yet remains to be done before it could be said that the landlord had carried out his obligations, and that schemes like the Bransby Williams scheme for which the Municipal Committee was in no way responsible were being rightly met out of Protectorate funds.

Therefore the suggestion was that the Town should be financed as at present, but that the control of the expenditure be vested in the Municipal Committee. In other words the object of this Motion was not a re-organisation of financial methods but the concentration of control.

THE RIGHT HON. LORD DELAMERE seconded.

After debate,

The motion was lost by 9 votes to 5.

THE HON. W. MACLELLAN WILSON proposed the following motion:—

In view of the embargo on the importation of coffee into the United Kingdom and the consequent hardship on the coffee industry in this Protectorate, I beg to move that a sum of money be allocated from public funds for the purpose of advancing a proportion of the value of the coffee in the hands of the coffee growers to enable them to tide over the present crisis and to meet recurrent expenditure necessary for the upkeep of coffee plantations.

THE HON. P. H. CLARKE seconded.

The following Special Committee was appointed to enquire into and report on the question:—

COLONEL THE HON. A. C. MACDONALD (*Chairman*).

THE HON. THE TREASURER.

THE HON. THE MANAGER OF THE UGANDA RAILWAY.

THE HON. F. W. MAJOR, I.S.O.

CAPTAIN THE HON. A. C. HOEY.

THE HON. W. C. HUNTER.

THE HON. W. MACLELLAN WILSON.

The Council adjourned till 10 a.m. on the 22nd of May, 1917.

SECOND DAY.

The Council assembled on the 22nd of May, at 10 a.m., HIS EXCELLENCY THE ACTING GOVERNOR (C. C. BOWRING, C.M.G.) presiding.

Present:—

THE HON. THE ACTING CHIEF SECRETARY (W. J. MONSON).

THE HON. THE ATTORNEY GENERAL (J. W. BARTH).

THE HON. THE TREASURER (H. P. ESPIE).

THE HON. THE MANAGER OF THE UGANDA RAILWAY (B. EASTWOOD).

THE HON. F. W. MAJOR, I.S.O.

COLONEL THE HON. A. C. MACDONALD.

THE HON. C. W. HOBLEY, C.M.G.

THE HON. R. BARTON WRIGHT.

COLONEL THE HON. J. AINSWORTH, C.M.G.

THE HON. P. H. CLARKE.

THE RIGHT HON. LORD DELAMERE.

CAPTAIN THE HON. A. C. HOEY.

THE HON. W. C. HUNTER.

THE HON. W. MACLELLAN WILSON.

THE COMPANIES ORDINANCE, 1917.

THE HON. THE ATTORNEY GENERAL, in pursuance of notice given, introduced and moved the first reading of a Bill intituled "An Ordinance to amend the Law relating to Trading Companies and other Associations."

He said the purpose of this Bill was to consolidate the law relating to Companies which was at present found in the several Indian Acts referred to in the Ordinance No. 10 of 1903 and to bring the legislation relating to Companies up to date and in line with that in force in the United Kingdom.

Of the Indian Acts applied the principal was that of 1882 which was based on the English Company Acts of 1862 and 1867. Slight amendments of the Act of 1882 were made in 1887 providing for the priority of debts in a liquidation, in 1895 providing for power to alter a memorandum of association or deed of settlement and in 1900 providing for branch registers in the United Kingdom. These are the only Indian Acts in force in the Protectorate. Meanwhile in England in 1890 three important statutes relating to companies were enacted. They were the Companies (Memorandum of Association) Act, 1890, which gave power to alter a memorandum of association or deed of settlement, the Companies Winding Up Act, 1890, and the Directors Liability Act, 1890, which aimed at casting on Directors the liability for untrue statements in a prospectus. Of these three enactments only the first was reproduced in the Indian legislation applied to the Protectorate, that is, the Act of 1895 before referred to.

The law in England was further developed by the Companies Act, 1900, which placed restrictions on the appointment of Directors of Public Companies and on the allotment of shares. It also provided for the payment of underwriting commissions. A further addition was made by the Companies Act, 1907, which enabled two or more persons to register themselves as a private company and by it the provisions of earlier statutes as to prospectus and allotment were varied. It further provided that Companies incorporated outside the United Kingdom and having a place of business in the United Kingdom should file with the registrar a copy of their instrument of constitution, a list of Directors and the name of a person in the United Kingdom to accept service of processes and notices. The chief deficiencies of the existing legislation here were in respect of provisions making directors liable for false statements in a prospectus, want of restrictions on allotment of shares and on trading before sufficient capital had been subscribed, stricter law dealing with directors and managers generally, power to strike defunct companies off the register and the registration of particulars of foreign companies. The Bill was based on the latest English legislation that is the Companies (Consolidation) Act, 1908. It was in his opinion essential to make our commercial law as effective an instrument as possible to be ready for any development which might occur after the war.

THE HON. THE ACTING CHIEF SECRETARY seconded, and the Bill was read a first time.

THE HON. THE ATTORNEY GENERAL gave notice that he would move the second reading of the Bill at a later stage of the Session.

THE REGISTRATION OF COFFEE PLANTATIONS AND COFFEE DEALERS ORDINANCE, 1917.

COLONEL THE HON. A. C. MACDONALD, in pursuance of notice given, introduced and moved the first reading of a Bill intituled "An Ordinance to provide for the Registration of Coffee Plantations and Dealers in Coffee."

He said that the object of the Bill was

(a) to make it compulsory on all coffee planters to register their plantations in order that regular inspection could be made and, where disease was found, the control or extirpation of such could be taken in hand without delay, and

(b) to license dealers in coffee with a view to the prevention of coffee stealing.

THE HON. THE ATTORNEY GENERAL seconded, and the Bill was read a first time.

COLONEL THE HON. A. C. MACDONALD gave notice that he would move the second reading of the Bill at a later stage of the Session.

THE "ANZAC" (RESTRICTION ON TRADE USE OF WORD) ORDINANCE, 1917.

THE HON. THE ACTING CHIEF SECRETARY, in pursuance of notice given, introduced and moved the first reading of a Bill intituled "An Ordinance to prohibit the use of the word Anzac in connection with any trade, business, calling, or profession." He said that the Bill followed the lines of legislation which it had been thought desirable to enact in the United Kingdom to prevent the word Anzac from falling into disrepute. This word had great and glorious associations which, it was felt, should not be sullied for purposes of advertisement, and the same considerations which rendered its protection advisable at home obviously held good here. They could do no less than follow the example which had been set them and endeavour to the best of their ability to bear their small share in repaying the debt which the Empire owed to their gallant kinsmen from Australia and New Zealand.

THE HON. THE ATTORNEY GENERAL seconded, and the Bill was read a first time.

THE HON. THE ACTING CHIEF SECRETARY gave notice that he would move the second reading of the Bill at a later stage of the Session.

THE DISEASES OF ANIMALS AMENDMENT ORDINANCE, 1917.

THE HON. THE ATTORNEY GENERAL, in pursuance of notice given, introduced and moved the first reading of a Bill intituled "An Ordinance to amend the Diseases of Animals Ordinance, 1906."

He said that the purpose of the Bill was very short and simple. In the 1906 Ordinance certain provision had been made for the payment of compensation in the case of animals destroyed by order of the Veterinary Department or Veterinary officers for the prevention of the spread of disease. Since the date of the enactment of that Ordinance the value of cattle of all kinds had risen very considerably and it had therefore been considered advisable to increase the maximum amounts of compensation which might be paid under the provisions of the Diseases of Animals Ordinance, 1906. The present Bill effected that purpose.

THE HON. THE ACTING CHIEF SECRETARY seconded and the Bill was read a first time.

THE HON. THE ATTORNEY GENERAL gave notice that he would move the second reading of the Bill at a later stage of the Session.

THE INFECTIOUS DISEASES AMENDMENT ORDINANCE, 1917.

THE HON. THE ATTORNEY GENERAL, in pursuance of notice given, introduced and moved the first reading of a Bill intituled "An Ordinance to amend the Law relating to Infectious Diseases."

He said that the purpose of the Bill was to supply certain deficiencies which had made themselves manifest in the Infectious Diseases Ordinance, 1903. It had recently been ruled by the High Court that the provisions of some of the rules promulgated in 1913 under the Ordinance were *ultra vires* of the powers given by the Ordinance. These rules were in regard to the notification of infectious diseases. It was as members of the Council would realise most important to provide for the compulsory notification of such diseases. The Bill before Council had been drawn in order to supply the deficiencies which had been found in the Principal Ordinance of 1903. These were in regard to the power to make rules dealing with the notification of infectious diseases, the removal of persons suffering from infectious diseases, the destruction of rats, and the other matters dealt with in Clause 2 (a)—(f) of the Bill. These matters had all been dealt with under the rules of 1913 but owing to the decision of the High Court already referred to it seemed desirable to remove all doubt concerning the power to make rules regarding these items. With regard to the other matters dealt with in Clause 2 of the Bill, it had been made manifest that some power was necessary to prevent the occupation of buildings which were so constructed as to cause the spread of disease. Cases had occurred in which houses of a certain structure formed veritable rat warrens, and if people went on living in such houses if situated in endemic plague areas the houses became foci of infection. It was highly necessary that some power should be provided whereby the habitation or use of such buildings could be prohibited until they had been made rat-proof or freed from the danger of causing infection. Clause 2 (h) gave a very wide power but in East Africa, where unforeseen things often occurred, it had been considered necessary to give the Governor such wide power in order to provide for emergencies which might arise from time to time and which might not have been foreseen by the rule making power in respect of specific matters provided by the Infectious Diseases Ordinance, 1903, and the Bill. Clause 3 dealt with the application of rules already promulgated, making it clear that they would have the same force and effect as rules made under the Bill. Clause 4 dealt with the definition of "Infectious Disease." It had been considered advisable by the medical authorities that power should be given to the Governor to add to the list of infectious diseases which were specified in the Principal Ordinance, 1903. Clause 5 dealt with offences and punishments. The Ordinance of 1903 provided, for offences under the Ordinance, a fine not exceeding Rs. 300/- or two months imprisonment or both. It had been represented that those penalties were not sufficiently high to afford a deterrent especially when dealing with natives. Provision increasing the penalties had therefore been inserted in the Bill. The fine had been increased to Rs. 1,500/- or imprisonment for six months.

THE HON. THE ACTING CHIEF SECRETARY seconded, and the Bill was read a first time.

THE HON. THE ATTORNEY GENERAL gave notice that he would move the second reading of the Bill at a later stage of the Session.

THE ELECTRIC POWER ORDINANCE, 1917.

THE HON. THE ATTORNEY GENERAL, in pursuance of notice given, introduced and moved the first reading of a Bill intituled "An Ordinance to make provision for the generation, transmission, delivery, sale, purchase, and use of electrical energy;

"And for the making and enforcing of regulations appertaining to and governing such purposes;

"And for the provision and enforcing of penalties for any contravention of this Ordinance or of the Regulations made under it."

He said the law relating to electricity at present in force in the Protectorate was contained in certain applied Indian Acts. In India the Electricity Act of 1910 replaced former legislation. That Act however was not applied to the Protectorate.

The principles applicable to commercial electricity had made great strides during the last few years in the direction of economy in the supply of power for industrial purposes. The object aimed at by present day experts was the development of bulk supply concerns—bulk supply meant economy.

This Bill followed the legislation on the subject in the United Kingdom with such modifications as were necessary to make possible and ensure the economical development of our power supply. The foundations of the measure were therefore not new but had been long and extensively tried.

Before proceeding to consider this Bill, it should be clearly understood that the laws, conditions and customs which exist in the relations between an ordinary trader and his customer were very different from those which applied between the electrical licensee and the consumer. In the latter case, as the supply of electrical energy was a public service, the relations must be more stringently defined on both sides. In this Bill these relations were defined in such considerable detail, that as far as present experience can foresee, no circumstance or contingency could arise which might affect the interests of any of the various licensees, or of any public or municipal authorities or other special or any ordinary consumer which had not been provided for.

Coming to the principal original feature in the Bill, this was concisely stated in the provision that no licence for the generation of electrical energy could be granted within the limits of economical transmission from any existing or authorised works.

As may be presumed, this might, and in the conception of Government's advisers did, imply very considerably greater areas for operation being ultimately secured to a licensee or group of licensees than those at present generally contemplated.

The granting of these extended powers of operation to a licensee or group of licensees was necessary for economical reasons. These briefly were that a higher average use could be made of the source of generation, and where State water power was concerned this meant the more beneficial development of that power, with a consequent reduction in the amount of the capital charges chargeable per unit than was possible with a more restricted output; that a smaller total reserve of plant was required than would be the case if the same area was supplied by a number of independent stations, with a further economy in the capital charges, while reduction was also effected in the items of working costs and in management and establishment charges.

Such operation was termed Bulk Supply and the consumers of this supply were termed Authorised Distributors. The latter were licensed to supply electrical energy in a local area or township to the public or ordinary consumers and if they could not obtain a supply in bulk they might be granted a licence to generate their supply locally.

These licensees were to be granted the sole right of supply in their respective areas for their respective purposes, but in their licences the maximum prices which they may charge will be stated.

Owing to the conditions peculiar to the supply to an Authorised Distributor it was further provided that the Bulk Supply licensee's sole right of supply to such an Authorised Distributor was subject to his being able to supply the latter at a price equal to or lower than that at which the Authorised Distributor could generate his own supply, except where the Governor, in the public interest, decided otherwise.

In every case when a licence was taken up the duties and obligations of a licensee were necessarily positive and unavoidable. These duties and obligations were generally specified in the Bill and, following British practice, their further detailed elaboration would be provided for by Regulations, which would comprise all the electro-technical matters concerning the safety of the public and a regular and sufficient supply of electrical energy at adequate pressure.

With regard to the use or wrongful use of energy, and to payment for the supply, the consumer had certain obligations to the licensee which were also positive.

For breaches or non-observance of any of these duties or obligations on either side or of the Regulations, penalties commensurate with the degree of the offence were prescribed. The infliction of these penalties was left to the Courts to which were assigned large measures of discretion.

In conclusion it might be pointed out that the accomplishment of the object for which this Bill had been designed vitally depended on the enactment of the provision restricting the generation of electrical energy by public or local authorities except under a licence embodying the principles of these measures as submitted and on the acceptance of the provisions made for the establishment of Bulk Supply.

The provisions regarding prior licensees had been inserted to bring existing licences as far as possible into line with the principles adopted in the Bill.

THE HON. THE ACTING CHIEF SECRETARY seconded, and the Bill was read a first time.

THE HON. THE ATTORNEY GENERAL gave notice that he would move the second reading of the Bill at a later stage of the Session.

THE COMPULSORY SERVICE AMENDMENT ORDINANCE, 1917.

THE HON. THE ACTING CHIEF SECRETARY, in pursuance of notice given, introduced and moved the first reading of a Bill intituled "An Ordinance to amend the Compulsory Service Ordinance, 1915." He said that the object of the Bill was to prevent hardship to employers who had either themselves been selected for service under the principal Ordinance or had had their staffs largely depleted. In making its choice of men the War Council had been guided by the circumstances of each firm and business and it was obvious that if members of their staffs, who had been regarded as indispensable and exempted on that account, were free to seek other employment immediately, the basis on which its arrangements had been made would be disturbed and the essential industries of the country, which it was sought to preserve, completely dislocated. In England similar legislation had been passed to protect establishments carrying on work of national importance, such as munitions, but there the penalty was imposed on the employer who re-engaged and not on the employee who sought re-engagement. Here it was considered necessary to fix a penalty for both, as it would be quite possible otherwise for an employee to leave his post and set up in business for himself or quit the Protectorate altogether to the great detriment and possible ruin of his employer. In order to prevent any injustice there was a right of appeal in the first instance to the District Committee and as a final resort to the War Council, so that any employee, who was justly entitled to the certificate enabling him to seek re-engagement should have no difficulty in obtaining it. The provisions of the Bill had already been applied by Rules under Martial Law and it was now sought to embody them in the law of the Protectorate during the continuance of hostilities.

THE HON. THE ATTORNEY GENERAL seconded, and the Bill was read a first time.

THE HON. THE ACTING CHIEF SECRETARY gave notice that he would move the second reading of the Bill at a later stage of the Session.

THE REGISTRATION OF BUSINESS NAMES ORDINANCE, 1917.

THE HON. THE ATTORNEY GENERAL, in pursuance of notice given, introduced and moved the first reading of a Bill intituled "An Ordinance to provide for the Registration of Firms and Persons carrying on Business under Business Names and for purposes connected therewith."

He said that the inception of this legislation was due to a suggestion made by the Mombasa Chamber of Commerce that firms and partnerships should be registered so that persons might have an opportunity of finding out with whom they were really dealing, the object being to prevent persons who were now enemy subjects from securing a footing in the Protectorate in commercial undertakings without disclosing the fact that such firms or businesses were owned partially or entirely by foreigners. He did not know whether the Mombasa Chamber of Commerce had come to that decision independently or not but the Imperial Legislature at home had passed an enactment having a similar purpose and the provisions of that Imperial Act were contained in the Bill now before Council. The purpose of the Bill was, shortly, to ensure that every person or every firm which might include two or more persons or corporations shall, if they trade under another name which does not include their proper names, be registered. If such a firm did not register, then it would be liable to certain penalties which were prescribed in Clause 9 of the Bill, viz., a fine of Rs. 75 per day for every day in default. There was also a very stringent penalty contained in Clause 10 by which if any firm or person made default under the provisions of the Bill then his or their rights as the case may be arising out of any contract in relation to the business in respect of which default had been made were not enforceable by action or other legal proceeding. That, he thought, was a fairly severe penalty. The Bill further provided that a certificate of registration shall be given and exhibited in a conspicuous position at the place of business of the firm registered. It also provided that the firm shall state the proper names of the individuals or in the case of a firm the partners and, if not British, their nationality on all trade catalogues, trade circulars, showcards and business letters on or in which the business name appears connected with the business. The Bill also contained further provisions giving power to the Registrar to refuse to register a business name which contained the word "British" or any other word which in the opinion of the Registrar might be calculated to lead to the belief that the business was under British ownership or control and the Registrar was satisfied that the nationality of the persons by whom the business was wholly or mainly controlled was at any time such that the name was misleading. This prevented for example an entirely German firm calling itself British or adopting a name tending to give the impression that it was an entirely British firm. A certain amount of notice had been directed to the Act at home because it had been pointed out that there was nothing in it to prevent a foreigner or a person who at present was an enemy turning himself into a limited liability company and registering himself as such. That criticism should be very carefully considered by the Special Committee which he proposed to ask to be appointed to enquire into and report both on that Bill and on the Bill dealing with companies.

THE HON. THE ACTING CHIEF SECRETARY seconded, and the Bill was read a first time.

THE HON. THE ATTORNEY GENERAL gave notice that he would move the second reading of the Bill at a later stage of the Session.

THE MERCHANT SEAMEN DISCIPLINE AMENDMENT ORDINANCE, 1917.

THE CLERK having read a Certificate of Emergency in regard to a Bill intituled "An Ordinance to amend the Merchant Seamen Discipline Ordinance, 1917,"

THE HON. THE ATTORNEY GENERAL moved the suspension of Standing Orders in order that the Bill might be proceeded with.

THE HON. THE ACTING CHIEF SECRETARY seconded.

The question was put and carried.

THE HON. THE ATTORNEY GENERAL introduced and moved the first reading of the Bill.

He said that the purpose of the Bill was to amend the Ordinance passed during the year dealing with the discipline of merchant seamen. The proposed amendments to the Bill had been adopted at home and in accordance with the instructions of the Secretary of State the Bill had been introduced in order that the same amendments might be adopted in local legislature. The amendments were contained in Clause 2 of the Bill. The provisions of the principal Ordinance were extended to men serving on ships or vessels which were hired as well as to those which belonged to or were chartered or requisitioned by the Admiralty and to men serving on ships or vessels belonging to or chartered, hired or requisitioned by the Army Council. Desertion was also made an offence under the principal Ordinance.

A further amendment was to provide that certified entries in an official log book should be admissible in evidence.

THE HON. THE ACTING CHIEF SECRETARY seconded, and the Bill was read a first time.

THE HON. THE ATTORNEY GENERAL gave notice that he would move the second reading of the Bill at a later stage of the Session.

THE APPROPRIATION ORDINANCE, 1917.

THE HON. THE TREASURER moved that Council resolve itself into a Committee to consider the proposed amendments to the Schedule.

THE HON. THE ACTING CHIEF SECRETARY seconded.

The question was put and carried.

In Committee.

Vote XI, items 80 (a) and 80 (b). THE RIGHT HON. LORD DELAMERE moved that the provision for the appointment of Solicitor General be deleted.

The motion was lost by 13 votes to 1.

Vote XIII, items 1 and 2. THE RIGHT HON. LORD DELAMERE moved that the provision for the appointment of Commissioner of Prisons be deleted.

The motion was lost by 10 votes to 4.

The Schedule to the Bill was amended in accordance with the resolutions passed at the previous sessions and with the further alterations required by the Secretary of State.

THE HON. THE TREASURER moved that the Bill as amended be reported to Council.

THE ACTING CHIEF SECRETARY seconded.

The Council resumed its Sitting.

THE HON. THE TREASURER moved that the Bill intituled "An Ordinance to apply a sum of money for the service of the year ending the 31st day of March, 1918" be read a third time.

THE HON. THE ACTING CHIEF SECRETARY seconded.

The question was put and carried, and the Bill was read a third time and passed.

THE CIVIL PROCEDURE ORDINANCE, 1917.

THE HON. THE ATTORNEY GENERAL moved that the Bill intituled "An Ordinance to make provision for Procedure in Civil Court" be read a second time.

THE HON. THE ACTING CHIEF SECRETARY seconded.

The question was put and carried.

The following Special Committee was appointed to enquire into and report on the provisions of the Bill:—

THE HON. THE ATTORNEY GENERAL (*Chairman*).

THE HON. F. W. MAJOR, I.S.O.

THE HON. C. W. HOBLEY.

THE HON. P. H. CLARKE.

THE HON. W. C. HUNTER.

The Council adjourned till 10 am. on the 25th of May, 1917.

THIRD DAY.

The Council assembled on the 25th of May, at 10 a.m., HIS EXCELLENCY THE ACTING GOVERNOR (C. C. BOWRING, C.M.G.) presiding.

Present:—

THE HON. THE ACTING CHIEF SECRETARY (W. J. MONSON).

THE HON. THE ATTORNEY GENERAL (J. W. BARTH).

THE HON. THE TREASURER (H. P. ESPIE).

THE HON. F. W. MAJOR, I.S.O.

COLONEL THE HON. A. C. MACDONALD.

THE HON. C. W. HOBLEY, C.M.G.

THE HON. R. BARTON WRIGHT.

COLONEL THE HON. J. AINSWORTH, C.M.G.

THE HON. P. H. CLARKE.

THE RIGHT HON. LORD DELAMERE.

CAPTAIN THE HON. A. C. HOEY.

THE HON. W. C. HUNTER.

THE HON. W. MACLELLAN WILSON.

Absent:—

THE HON. THE MANAGER OF THE UGANDA RAILWAY (B. EASTWOOD).

THE COMPANIES ORDINANCE, 1917.

THE HON. THE ATTORNEY GENERAL moved that the Bill intituled "An Ordinance to amend the Law relating to Trading Companies and other Associations" be read a second time.

THE HON. THE ACTING CHIEF SECRETARY seconded.

The question was put and carried.

The following Special Committee was appointed to enquire into and report on the provisions of the Bill:—

THE HON. THE ATTORNEY GENERAL (*Chairman*).

THE HON. F. W. MAJOR, I.S.O.

THE HON. P. H. CLARKE.

THE HON. W. C. HUNTER.

THE REGISTRATION OF COFFEE PLANTATIONS AND COFFEE DEALERS ORDINANCE, 1917.

COLONEL THE HON. A. C. MACDONALD moved that the Bill intituled "An Ordinance to provide for the Registration of Coffee Plantations and Dealers in Coffee" be read a second time.

THE HON. THE ACTING CHIEF SECRETARY seconded.

The question was put and carried by 9 votes to 4.

The following Special Committee was appointed to enquire into and report on the provisions of the Bill:—

COLONEL THE HON. A. C. MACDONALD (*Chairman*).

CAPTAIN THE HON. A. C. HOEY.

THE HON. W. C. HUNTER.

THE HON. W. MACLELLAN WILSON.

THE "ANZAC" (RESTRICTION ON TRADE USE OF WORD) ORDINANCE, 1917.

THE HON. THE ACTING CHIEF SECRETARY moved that the Bill intituled "An Ordinance to prohibit the use of the word Anzac in connection with any trade, business, calling, or profession" be read a second time.

THE HON. THE ATTORNEY GENERAL seconded.

The question was put and carried.

The Council resolved itself into a Committee of the whole Council, HIS EXCELLENCY THE ACTING GOVERNOR presiding.

In Committee.

The Bill was read clause by clause and was adopted without amendment.

The Council resumed its Sitting.

THE HON. THE ACTING CHIEF SECRETARY moved that the Bill without amendment be reported to Council.

THE HON. THE ATTORNEY GENERAL seconded.

The question was put and carried.

THE HON. THE ACTING CHIEF SECRETARY gave notice that he would move the third reading of the Bill at a later stage of the Session.

THE DISEASES OF ANIMALS AMENDMENT ORDINANCE, 1917.

THE HON. THE ATTORNEY GENERAL moved that the Bill intituled "An Ordinance to amend the Diseases of Animals Ordinance, 1906" be read a second time.

THE HON. THE ACTING CHIEF SECRETARY seconded.

The question was put and carried.

The Council resolved itself into a Committee of the whole Council, HIS EXCELLENCY THE ACTING GOVERNOR presiding.

In Committee.

The Bill was read clause by clause and was adopted with the following amendment:—

Clause 1—For "hereinafter" in line 3 substitute "hereafter."

The Council resumed its Sitting.

THE HON. THE ATTORNEY GENERAL moved that the Bill as amended be reported to Council.

THE HON. THE ACTING CHIEF SECRETARY seconded.

The question was put and carried.

THE HON. THE ATTORNEY GENERAL gave notice that he would move the third reading of the Bill at a later stage of the Session.

THE INFECTIOUS DISEASES AMENDMENT ORDINANCE, 1917.

THE HON. THE ATTORNEY GENERAL moved that the Bill intituled "An Ordinance to amend the Law relating to Infectious Diseases" be read a second time.

THE HON. THE ACTING CHIEF SECRETARY seconded.

The question was put and carried.

The Council resolved itself into a Committee of the whole Council, HIS EXCELLENCY THE ACTING GOVERNOR presiding.

In Committee.

The Bill was read clause by clause and was adopted with the following amendments:—

Clause 2 (f)—After the word "removal" insert the words "and disinfection."

Clause 2 (g)—Add the following, "Provided that in any rules made under this Clause there shall be provision for an appeal from any order made under such rules to the Resident Magistrate or any other Magistrate having power to hold a Subordinate Court of the first class having jurisdiction in the area in which the building is situated."

Clause 2 (h)—Add the following, "Provided that in any rules made under this Clause there shall be provision for an appeal from any order made under such rules to the Resident Magistrate or other Magistrate having power to hold a Subordinate Court of the first class having jurisdiction."

Clause 4—Delete.

The Council resumed its Sitting.

THE HON. THE ATTORNEY GENERAL moved that the Bill as amended be reported to Council.

THE HON. THE ACTING CHIEF SECRETARY seconded.

The question was put and carried.

THE HON. THE ATTORNEY GENERAL gave notice that he would move the third reading of the Bill at a later stage of the Session.

THE ELECTRIC POWER ORDINANCE, 1917.

The Oath of Allegiance having been administered by the PRESIDENT to Mr. J. McBLAIN (Electrical Engineer, Public Works Department) who was appointed an Extraordinary Member of the Council for consideration of this measure only,

THE HON. THE ATTORNEY GENERAL moved that the Bill intituled "An Ordinance to make provision for the generation, transmission, delivery, sale, purchase, and use of electrical energy; and for the making and enforcing of regulations appertaining to and governing such purposes; and for the provision and enforcing of penalties for any contravention of this Ordinance or of the Regulations made under it" be read a second time.

THE HON. THE ACTING CHIEF SECRETARY seconded.

The question was put and carried.

The following Special Committee was appointed to enquire into and report on the provisions of the Bill:—

THE HON. THE ATTORNEY GENERAL (*Chairman*).

THE HON. THE MANAGER OF THE UGANDA RAILWAY.

THE HON. J. McBLAIN.

THE HON. P. H. CLARKE.

THE HON. W. C. HUNTER.

THE COMPULSORY SERVICE AMENDMENT ORDINANCE, 1917.

THE HON. THE ACTING CHIEF SECRETARY moved that the Bill intituled "An Ordinance to amend the Compulsory Service Ordinance, 1915," be read a second time.

THE HON. THE ATTORNEY GENERAL seconded.

The question was put and carried.

The Council resolved itself into a Committee of the whole Council, HIS EXCELLENCY THE ACTING GOVERNOR presiding.

In Committee.

The Bill was read clause by clause and was adopted with the following amendments:—

Add new Clause 2:—

"In this Ordinance:—

"The expression 'Employee' shall mean any person of European or Asiatic origin who at the date of the enactment of this Ordinance is engaged or who may at any time thereafter be engaged in any employment in any capacity other than as a master or employer and the expression "Native" means any native of Africa not of European or Asiatic origin and includes any Somali."

Clause 2 becomes Clause 3.

Omit the words "person of European or Asiatic origin who at the date of the enactment of this Ordinance is engaged or who may at any time thereafter be engaged in any employment as an."

For the word "such" in line 8 insert the word "his."

Clause 3 becomes Clause 4.

In sub-clause 3—After "person" wherever it occurs insert "of European or Asiatic origin."

Clause 4 becomes Clause 5.

After "person" at the end of line 44 insert "of European or Asiatic origin."
In line 44 for "he" substitute "such person of European or Asiatic origin."

Clause 5 becomes Clause 6.

Clause 6 becomes Clause 7. Add at end of Clause:—

"Any person attempting to leave the Protectorate in contravention of the provisions of this Section shall be deemed to have committed a breach of the provisions of this Ordinance. Any person committing an offence under this Section may be arrested by a Police Officer without a warrant."

Clause 7 becomes Clause 8.

Add new Clause 9:—

9. (1) Natives, Arabs and Baluchis may at the direction of the Governor be selected for military service in the King's African Rifles.

(2) The Governor may by rule prescribe the procedure under which natives, Arabs and Baluchis shall be selected for military service in the King's African Rifles.

(3) Natives, Arabs and Baluchis selected for service in the King's African Rifles shall be subject to the provisions of the King's African Rifles Ordinance, 1912, provided that such natives, Arabs and Baluchis shall serve for a period terminating at the end of six months after the cessation of hostilities in the present war.

Clause 8 becomes Clause 10.

Clause 9 becomes Clause 11.

Clause 11—After the word "shall," insert the words "save as provided in Section 9 of this Ordinance."

The Council resumed its Sitting.

THE HON. THE ACTING CHIEF SECRETARY moved that the Bill as amended be reported to Council.

THE HON. THE ATTORNEY GENERAL seconded.

The question was put and carried.

THE HON. THE ACTING CHIEF SECRETARY gave notice that he would move the third reading of the Bill at a later stage of the Session.

THE REGISTRATION OF BUSINESS NAMES ORDINANCE, 1917.

THE HON. THE ATTORNEY GENERAL moved that the Bill intituled "An Ordinance to provide for the Registration of Firms and Persons carrying on Business under Business Names and for purposes connected therewith" be read a second time.

THE HON. THE ACTING CHIEF SECRETARY seconded.

The question was put and carried.

The following Special Committee was appointed to enquire into and report on the provisions of the Bill:—

THE HON. THE ATTORNEY GENERAL (*Chairman*).

THE HON. F. W. MAJOR, I.S.O.

THE HON. P. H. CLARKE.

THE HON. W. C. HUNTER.

THE MERCHANT SEAMEN DISCIPLINE AMENDMENT ORDINANCE, 1917.

THE HON. THE ATTORNEY GENERAL moved that the Bill intituled "An Ordinance to amend the Merchant Seamen Discipline Ordinance, 1917," be read a second time.

THE HON. THE ACTING CHIEF SECRETARY seconded.

The question was put and carried.

The Council resolved itself into a Committee of the whole Council, HIS EXCELLENCY THE ACTING GOVERNOR presiding.

In Committee.

The Bill was read clause by clause and was adopted without amendment.

The Council resumed its Sitting.

THE HON. THE ATTORNEY GENERAL moved that the Bill without amendment be reported to Council.

THE HON. THE ACTING CHIEF SECRETARY seconded.

The question was put and carried.

THE HON. THE ATTORNEY GENERAL gave notice that he would move the third reading of the Bill at a later stage of the Session.

The Council adjourned till 10 a.m. on the 31st of May, 1917.

FOURTH DAY.

The Council assembled on the 31st of May, at 10 a.m., HIS EXCELLENCY THE ACTING GOVERNOR (C. C. BOWRING, C.M.G.) presiding.

Present:—

THE HON. THE ACTING CHIEF SECRETARY (W. J. MONSON).
 THE HON. THE ATTORNEY GENERAL (J. W. BARTH).
 THE HON. THE TREASURER (H. P. ESPIE).
 THE HON. THE MANAGER OF THE UGANDA RAILWAY (B. EASTWOOD).
 THE HON. F. W. MAJOR, C.M.G., I.S.O.
 COLONEL THE HON. A. C. MACDONALD.
 THE HON. C. W. HOBLEY, C.M.G.
 THE HON. R. BARTON WRIGHT.
 COLONEL THE HON. J. AINSWORTH, C.M.G.
 THE HON. P. H. CLARKE.
 THE RIGHT HON. LORD DELAMERE.
 CAPTAIN THE HON. A. C. HOEY.
 THE HON. W. C. HUNTER.
 THE HON. W. MACLELLAN WILSON.

Before the business of the day commenced, THE PRESIDENT invested the HON. F. W. MAJOR, I.S.O., with the insignia of a Companion of the Most Distinguished Order of St. Michael and St. George.

QUESTIONS AND ANSWERS.

THE RIGHT HON. LORD DELAMERE put the following question:—

From what source the money being used to make the road into the Masai Reserve has come and how is it that the amount has never appeared in any estimates.

THE HON. THE TREASURER, in reply, said:—

The money used in making the road into the Masai Reserve has with the approval of the Secretary of State been provided from the proceeds of a fine inflicted in 1914 on the Moran of the Il Merisho clan of the Purko Masai.

THE HON. P. H. CLARKE put the following question:—

Are the Officers of the Forest Department allowed to advise settlers and if necessary visit farms in connection with tree planting; and if not, may arrangements be made to allow them to do so?

THE HON. THE ACTING CHIEF SECRETARY, in reply, said:—

Officers of the Forest Department are always ready to advise settlers, to the best of their abilities, on the subject of tree planting.

In the case of farms situated within easy reach of Forest stations, Forest Officers have been in the habit of visiting such farms in order to give advice about tree planting when asked to do so.

In the case of farms in remote districts or far removed from any Forest station it would not be possible to arrange for Forest Officers to visit such farms with the present reduced staff of the Department.

When the full complement of officers sanctioned for the Department has been appointed it will be one of the duties of the District Forest Officers to arrange when possible for visits to farms whose owners may be in need of advice both as to tree planting and also as to the management of woods and plantations.

THE HON. P. H. CLARKE put the following question:—

What steps are being taken for the repatriation of members of the Carrier Corps and is the Government taking the necessary steps to keep back some of the wages of the Carriers so that when they are repatriated they will have something to show for their work.

COLONEL THE HON. J. AINSWORTH, in reply, said:—

During the continuance of operations only men who are sick or who have become physically unfit, and who are fit to travel, are being returned to British East Africa.

On the conclusion of hostilities, or as soon as ever the services of the Carriers can be dispensed with, they will be repatriated.

According to regulations governing the organization of the Carrier Corps any Carrier may if he so wishes draw in German East Africa up to 50% of any pay due to him.

I understand from the Paymaster, Military Labour Bureau, that of the Carriers now in the field somewhere about 50% of the men do draw half their pay, the intention being that the remaining half of their pay should be drawn on their return to British East Africa.

THE "ANZAC" (RESTRICTION ON TRADE USE OF WORD) ORDINANCE, 1917.

THE HON. THE ACTING CHIEF SECRETARY moved that the Bill intituled "An Ordinance to prohibit the use of the word Anzac in connection with any trade, business, calling, or profession," be read a third time.

THE HON. THE ATTORNEY GENERAL seconded.

The question was put and carried, and the Bill was read a third time and passed.

THE DISEASES OF ANIMALS AMENDMENT ORDINANCE, 1917.

THE HON. THE ATTORNEY GENERAL moved that the Bill intituled "An Ordinance to amend the Diseases of Animals Ordinance, 1906," be re-committed to Council for the purpose of making certain amendments.

THE HON. THE ACTING CHIEF SECRETARY seconded.

The question was put and carried.

The Council resolved itself into a Committee of the whole Council, HIS EXCELLENCY THE ACTING GOVERNOR presiding.

In Committee.

The Bill was adopted with the following further amendments:—

Clause 2—Delete the words "and the following Section is substituted therefor."

The new Section 10 of the Principal Ordinance appearing as a subsection of Clause 2 becomes Clause 2.

In lines 3 and 4 of the new Clause 2 for the words "Diseases of Animals Ordinance, 1916" substitute the words "Principal Ordinance."

Clause 2 becomes Clause 3.

The Council resumed its Sitting.

THE HON. THE ATTORNEY GENERAL moved that the Bill as further amended be reported to Council.

THE HON. THE ACTING CHIEF SECRETARY seconded.

The question was put and carried.

THE HON. THE ATTORNEY GENERAL moved that the Bill be read a third time.

THE HON. THE ACTING CHIEF SECRETARY seconded.

The question was put and carried, and the Bill was read a third time and passed.

THE INFECTIOUS DISEASES AMENDMENT ORDINANCE, 1917.

THE HON. THE ATTORNEY GENERAL said that Hon. Members would remember that when the Bill was in Committee Clause 4 was deleted. Since then representations had been made by the Acting Principal Medical Officer as to the desirability of retaining an amended form of Clause 4 in the Bill with safeguards in the nature of references to the Legislative Council. It would also be made perfectly clear that contagious diseases, meaning venereal diseases, would not be added to the definition under the powers given by Clause 4. That representation had been made to the Acting Governor that morning and His Excellency had ordered that such representation should receive further consideration before dealing further with the Bill. He therefore proposed not to move the third reading that day but at a later stage of the Session.

THE COMPULSORY SERVICE AMENDMENT ORDINANCE, 1917.

THE HON. THE ACTING CHIEF SECRETARY moved that the Bill intituled "An Ordinance to amend the Compulsory Service Ordinance, 1915," be read a third time.

THE HON. THE ATTORNEY GENERAL seconded.

The question was put and carried, and the Bill was read a third time and passed.

THE MERCHANT SEAMEN DISCIPLINE AMENDMENT ORDINANCE, 1917.

THE HON. THE ATTORNEY GENERAL moved that the Bill intituled "An Ordinance to amend the Merchant Seamen Discipline Ordinance, 1917," be read a third time.

THE HON. THE ACTING CHIEF SECRETARY seconded.

The question was put and carried, and the Bill was read a third time and passed.

The Council adjourned till 10 a.m. on the 19th of June, 1917.

FIFTH DAY.

The Council assembled on the 19th of June, at 10 a.m., HIS EXCELLENCY THE ACTING GOVERNOR (C. C. BOWRING, C.M.G.) presiding.

Present:—

THE HON. THE ACTING CHIEF SECRETARY (W. J. MONSON).

THE HON. THE ATTORNEY GENERAL (J. W. BARTH).

THE HON. THE TREASURER (H. P. ESPIE).

THE HON. THE MANAGER OF THE UGANDA RAILWAY (B. EASTWOOD).

THE HON. F. W. MAJOR, C.M.G., I.S.O.

COLONEL THE HON. A. C. MACDONALD.

THE HON. C. W. HOBLEY, C.M.G.

THE HON. R. BARTON WRIGHT.

COLONEL THE HON. J. AINSWORTH, C.M.G.

THE HON. P. H. CLARKE.

THE RIGHT HON. LORD DELAMERE.

THE HON. W. C. HUNTER.

THE HON. W. MACLELLAN WILSON.

Absent:—

CAPTAIN THE HON. A. C. HOEY.

QUESTIONS AND ANSWERS.

THE RIGHT HON. LORD DELAMERE put the following question:—

What is the estimated cost of finishing the Sanitary Station at Mombasa and of the necessary machinery and appliances for fumigating and disinfecting ships and whether the fees charged would not pay interest on the amount.

THE HON. THE ACTING CHIEF SECRETARY replied:—

In 1913 an Estimate of £15,000 for completing a Quarantine Station at Kipevu was prepared. No progress has been made since then with the completion of the work, the site having been placed at the disposal of the military authorities at the outbreak of war. Fresh estimates have now been called for and it is hoped to be able to lay them before this Honourable Council in due course.

The estimated cost of the necessary machinery and appliances for fumigating and disinfecting ships is approximately £4,500.

The question whether the fees charged would not pay interest on the amount depends entirely on the number of ships to be quarantined.

THE HON. P. H. CLARKE put the following question:—

In connection with the establishment of the Quarantine Station at Mombasa has the question of obtaining and maintaining the necessary plant for efficiently disinfecting steamers, in order to obviate delay, been considered; and has an estimate of the cost of the same been made. If so, may this Council be informed as to such cost: if not, will the Government give an assurance that this question will be considered as soon as possible in view not only of the necessity for economy in shipping but also of the importance of the matter to the whole country.

THE HON. THE ACTING CHIEF SECRETARY replied:—

The supply of necessary plant for the disinfection of steamers is to form part of the estimate which is being prepared in respect of the complete equipment of Kipevu quarantine station.

The cost as already stated is approximately £4,500.

The Government can give an assurance that not only the completion of a quarantine station at Kipevu, but the provision of an Infectious Diseases hospital at Mombasa for cases of infectious disease occurring on the island, is receiving the most careful consideration at the present time.

THE HON. P. H. CLARKE asked whether there was any machinery at Kilindini at the present time for disinfecting ships.

THE PRESIDENT said that the answer to the question was in the negative.

ELECTIVE REPRESENTATION TO THE LEGISLATIVE COUNCIL.

THE HON. THE ATTORNEY GENERAL submitted and read the Report of the Special Committee appointed to consider the question of elective representation to the Legislative Council of the East Africa Protectorate, as follows:—

REPORT OF THE SELECT COMMITTEE OF THE LEGISLATIVE COUNCIL
APPOINTED TO INQUIRE INTO AND REPORT GENERALLY ON THE
LEGISLATIVE STEPS TO BE TAKEN TO PROVIDE FOR THE ELECTION BY
THE PUBLIC OF THE EUROPEAN NON-OFFICIAL MEMBERS OF THE
LEGISLATIVE COUNCIL AND SPECIALLY ON THE QUALIFICATIONS OF
ELECTORS, THE QUALIFICATIONS OF CANDIDATES FOR MEMBERSHIP
THE DIVISION OF THE PROTECTORATE INTO ELECTORAL AREAS AND
THE REPRESENTATION ON THE LEGISLATIVE COUNCIL OF THE
INTERESTS OF THE ASIATIC, ARAB AND NATIVE COMMUNITIES.

The Special Committee appointed in pursuance of the motion passed in the Legislative Council on the 12th February, 1917, sat on the 19th, 20th, and 23rd February, 1917, and the 28th and 31st May, 1917, and on the 18th June, 1917.

2. The Committee is unanimously of opinion that the right to vote should not rest on any property or educational qualification but that every adult male British subject whether by birth or naturalisation of European origin should be eligible for the register of electors subject to proof of continuous residence in the Protectorate for at least 12 months prior to registration. By European origin is meant whole blooded descent from European ancestors. The Committee is of opinion that at this stage of the Protectorate's development when the coloured races outnumber the white it is not desirable that the franchise should be extended to Asiatics or Natives.

3. If the right to vote is restricted to British Subjects it is felt that means should be provided whereby foreigners of European origin in the Protectorate may be enabled to become naturalised British Subjects.

4. A person otherwise possessing the necessary qualifications to become an elector should be disqualified:—

- (a) If he is of unsound mind.
- (b) If he has been convicted of a criminal offence and has been sentenced to a term of imprisonment of either description of 12 months or longer and has not received a pardon provided that he should be admitted to the register after two years from the date of the expiration of his sentence.
- (c) If he has received relief from public, including parochial, funds within 12 months of his application to be put on the register of voters.
- (d) If he has been declared a bankrupt in British East Africa and has not received his discharge.
- (e) If he is suffering from any disqualification provided for the time being by any enactment.

5. The Committee is of opinion that any person seeking to become a member of the Legislative Council by election should be qualified as an elector save that in lieu of 12 months continuous residence every member should have had at least 2 years continuous residence in the Protectorate before being nominated as a candidate for election. Every candidate should be capable of reading, writing and speaking English.

6. Any person otherwise qualified for standing for election should be disqualified:—

- (a) If he is suffering from any legal incapacity.
- (b) If he is a civil servant actually employed by the Government.
- (c) If he is a Municipal employee.
- (d) If he has been declared a bankrupt in British East Africa and has not received his discharge.
- (e) If he is a minister of religion.
- (f) If he is of unsound mind.
- (g) If he has been convicted of a criminal offence in British East Africa and has been sentenced to a term of imprisonment of either description of 6 months or more and has not received a pardon, provided that this disability may be removed by an order of the Governor in Council.
- (h) If he has received relief from any public, including parochial, funds within 12 months of his nomination as a candidate for election.

7. The Committee is agreed that in principle the fact that a candidate for election is a contractor to the Government should be a disqualification but in view of the present stage of development of the Protectorate when so many of its more prominent inhabitants derive part of their income from Government contracts it is considered that the Protectorate would be debarred from the services of some of its more useful citizens as members of the Legislative Council if the principle were enforced. The Committee, however, is of opinion that in the event of a contractor with the Government standing for election he should disclose all such contracts.

8. Every elected member should ordinarily serve for a period of three years but should have the power to resign his seat at any time.

9. Every candidate for election should be proposed and seconded and supported by not less than seven other persons before being regarded as duly nominated. The proposer, seconder and backers should all be qualified as voters in the constituency for which the candidate is proposed.

10. There should be a register of voters for each electoral area. Any person qualified to vote who has resided in the electoral area for three months should be entitled to be registered and should remain on the register until qualified for registration in another electoral area provided that any voter who has not resided in the electoral area in which he is registered for a period exceeding 12 months shall be struck off the register. The register should be revised annually when objections to any person registered can be disposed of. There should be an appeal from the revising authority to the High Court. Provision should be made that no person can be registered in more than one electoral area and therefore cannot record more than one vote.

11. The number of elected members the Committee suggests is 10 for 10 electoral areas. The areas suggested are:—

- 1. Nairobi.
- 2. Mombasa.
- 3. Coast lands exclusive of Mombasa.
- 4. Londiani to Lake Victoria.
- 5. Rift Valley and Escarpment.
- 6. } Uasin Gishu to be divided into two electoral areas.
- 7. }
- 8. West Kenya, Nyeri, Laikipia and Fort Hall.
- 9. Machakos.
- 10. Kiambu and Limoru.

The areas can more readily be ascertained by reference to the map annexed hereto. They have been delimited, as far as it reasonably can be done, with a view to obtaining areas in which similar interests predominate. The areas have been arrived at with the intention of having particular interests represented rather than on any other basis. Thus while the total white population of the coast area is very much below that of any other suggested electoral area it is felt that the interests peculiar to the rural area of the coast should be directly represented on the Council. The Committee is of opinion that in the present stage of the Protectorate development it is more important that interests be represented rather than individuals. The Uasin Gishu Plateau stands on a different footing from the rest of the Protectorate owing to the fact that there is a fairly large colony of Dutch on a part of the Plateau. The Committee have carefully considered the best means of representing both the interests of the Dutch and the English races on the Plateau and, owing to the different uses to which each put the land, have arrived at the conclusion that it is desirable to divide the Plateau into two electoral areas so that the Dutch interests can be fully represented without at the same time handicapping the representation of the interests of the rest of the Plateau.

12. The Committee considers that every person qualified to vote and to be on a register should have an opportunity of registering and voting. For this purpose it is suggested that provision be made to enable voters at outstations far removed from voting centres to record their votes by post or by some method other than that of personal attendance.

13. The Committee is of opinion that the interests of the Indian Community should be represented by the nomination of two members by the Governor. The Committee had the advantage of hearing the deputations on the subject of Indian representation from the Indian Associations of Nairobi and Mombasa. The Nairobi Association were somewhat ambitious in their suggestions which included electoral representation. The Committee feels that any extension of the franchise to Indians for the election of their own representatives or otherwise should form the subject of consideration by the Council after it has been reconstituted by the addition of elected members. The view taken by the Committee is that nominated Indian representatives, who should be able to read, write and speak English, would be a much more effective way of voicing the views of the large Indian population of the Protectorate than to have such views expressed probably at secondhand by a European member or members appointed to represent Indian interests. It is thought that two Indian members are necessary in order that both the interests of Indians at the coast and up country should be represented. The Committee considers that the effect of nominating Indians on the Council would be to bring the Indian community more into line with the European community in bearing the responsibilities and burdens of Government, the advantages of which they already enjoy.

14. The Arab Community in the opinion of the Committee should, if the suggested reorganisation of the administration takes effect, be represented by the Resident Magistrate at Mombasa in whose care the administration of the Arab population at the coast will be placed. This proposal departs from the principles dealt with in the preceding paragraph but the language difficulty makes it almost impossible to afford any wide selection of persons from whom a member representing the Arab Community could be chosen.

15. The native population should be represented on the Council by the Chief Native Commissioner whose appointment it is hoped will not be long deferred.

16. The Committee considers that all nominated Government members should have freedom of vote but that there should be provision enabling the Governor to control their vote in urgent matters which the Government considers necessary and essential to carry through the Council. Any instruction to that effect should be stated by the Governor publicly in Council before debate.

17. At the present stage of the Protectorate's history a Government majority in the Council will have to be maintained and additional Government nominees will have to be appointed for that purpose.

18. The Committee had the pleasure of receiving a deputation of the East Africa Women's League which urged the advisability and necessity of granting votes to women. The Committee is of opinion that this subject is one which should be dealt with by the Council itself after it has been reconstituted by the addition of elected members so that the country by the exercise of the franchise would be in a position to express its opinion on the question. So many people are away on military duty at the present time that it is impossible to discover what the real feeling of the country now is on the matter. Female suffrage is not an accepted principle in the United Kingdom and it cannot be taken for granted that it is a principle which will commend itself to the majority of the European population, both male and female, in the Protectorate whereas male suffrage is an accepted principle on which there can be no controversy.

19. The Committee is of opinion that provision should be made for a subsistence allowance of Rs. 15/- per diem for all members who do not live in Nairobi and who attend during the period for which the Council is in session and that for the purpose of attending the Council free railway facilities and an allowance to cover journeys other than by rail should be given. It is undesirable in the Committee's opinion that any person should be at any actual financial loss through being a member of the Council and at the same time it is not suggested that there should be anything in the nature of payment of members for their services. It is considered that a daily allowance of Rs. 15/- would cover the expenses of living in Nairobi without leaving an appreciable margin.

20. The Committee has not thought it necessary at this stage to report on the details of the legislation which it will be necessary to enact dealing with the registration of voters, the conduct of elections, and corrupt practices, but has confined itself to the main principles which must be considered before any legislation is drafted. The Committee's opinion is that the best method of providing the necessary legislation will be by an Order-in-Council amending the East Africa Order-in-Council, 1906, and establishing a Legislative Council composed of elected and nominated members. The details should be provided by local legislation.

Nairobi, the 19th day of June, 1917.

J. W. BARTH,
Chairman.

THE PRESIDENT said that the Report was very complete, the Special Committee having covered every possible point, and that he would have very much pleasure in forwarding the Report to the Secretary of State for the Colonies by an early mail.

THE COFFEE INDUSTRY.

THE HON. A. C. MACDONALD submitted and read the Report of the Special Committee appointed to consider the question of financial assistance to persons connected with the Coffee industry, as follows:—

RE MOTION ON COFFEE ADVANCES.

The Special Committee appointed to consider the motion by the Hon. W. MacLellan Wilson with reference to advances from public funds to aid the Coffee Industry of British East Africa beg to submit the following report.

2. The Coffee Industry in British East Africa commenced to assume a position of importance in the year 1907. The cultivation has been enlarged yearly, and the acreage in March 1914, was approximated at 5,500 acres. At the end of the financial year 1914-15 the area was increased to about 10,000 acres, and at the end of the following year, March 1916, the acreage was approximated at 16,000 acres. At the present time the area under cultivation is approximated at 22,000 acres of which over 8,000 acres is in bearing. During the year ending March 1916 the following areas were inspected and reported on by the Coffee Plant Inspector.

From 1 to 3 years planted out	...	...	7,890 acres.
" 3 " 6 " " "	...	...	1,039 "
Over 6 " " "	...	...	329 "
Total			<u>9,258 acres.</u>

There were besides further areas under cultivation which the Inspector could not visit. The state of war prevailing in the country has prevented accurate information being compiled for the past financial year, but from the figures given herewith it can be recognised as an accepted fact that over 9,258 acres are planted out of an age of at least $2\frac{1}{4}$ to $7\frac{1}{4}$ years, and the approximated figure of 8,000 acres in bearing is a conservative estimate that understates rather than overstates the present day position.

3. The Coffee Planters up to the present time have been given what financial assistance they required by the Banks established in this country. The embargo placed upon the export of coffee has had the result of preventing any further financial assistance being given unless under exceptional circumstances. The Banks feel, that in view of the uncertainty of the position, owing to the lack of definite knowledge as to when the embargo on the shipment of coffee will be removed, and having regard to the extreme difficulty of obtaining ocean freights either at the present time or in the near future, and also the great difficulty of finance at the present time, that they cannot make any definite pledges to continue the financial arrangements that have prevailed in the past. The fact that permission has been given to export a total tonnage of 1,500 tons from the ports of Mombasa and Kilindini has been recognised and given the greatest possible consideration by the Banks in arriving at the decision that is previously recorded.

4. The financial position of the Coffee Planters would not have been unfavourable provided shipment of their produce could have been arranged, but the embargo on the shipment of coffee threatens financial ruin to many, if not to most of the planters, with the certain result of the failure for many years of the coffee industry of the British East Africa Protectorate. Coffee planting is an industry that requires 3 to 4 years of capital expenditure, labour and recurring annual expenditure before any result can be looked for, and the result of the first year's bearing can be accepted, as a general rule, as paying the working expenses of that year only. The dead years up to that time must be recouped by the produce of later years, and it is the necessity of continuing the cultivation and conserving the produce of future years, without any hope of obtaining the financial assistance that has been given in the past, that renders the situation so threatening to the life of the coffee industry and to the very existence of the Coffee Planters.

5. The Committee after full consideration of the position of this industry have come to the conclusion that in view of the embargo on the importation of coffee into the United Kingdom this branch of agriculture in which a very large sum of money is involved will be jeopardized and in consequence that the ultimate loss to the revenue of the Protectorate will be attended with serious results unless financial assistance can be arranged.

6. At present 22,000 acres are planted out in coffee of which a proportion of over one-third is in bearing, the remainder being immature and in different stages of growth.

7. There are many estates under cultivation of which only a small proportion of the cultivated area has reached the producing stage. These would under normal conditions be able to carry on without financial aid but under existing conditions this becomes impossible and in such cases it is essential in order to maintain such estates that financial aid shall be given. It is to be clearly understood, however, that any financial assistance so given shall not be employed in putting further acreage under coffee but only in the maintenance of existing cultivation.

8. As regards the area in bearing which is estimated at at least 8,000 acres the cultivation and checking of weeds, the pruning of the trees and in many instances the necessary spraying to combat insect pests and fungoid diseases to which coffee plantations are peculiarly susceptible entails a very heavy expenditure while with respect to the area under immature trees unless assistance is rendered to tide over present conditions it is feared that a large proportion of this may have to be abandoned. It is therefore necessary that monetary advances received for coffee ready for shipment must be employed to keep plantations in proper order and cultivation, otherwise the work of the past years will be useless and a complete loss. If, however, such land can possibly be maintained in a proper state of cultivation the probable export trade, in addition to the yield from the 8,000 acres at present in bearing, will most probably result in an increase of exports which in the next two years would exceed a quarter of a million sterling per annum.

9. The recommendations of the Committee are as follows:—

(1) That advances on cured coffee be made to planters up to a maximum of £35 a ton but so that the average rate of advance shall not exceed £25 a ton.

(2) That interest at the rate of 8% per annum shall be charged on all advances.

(3) That advances be made only on cured coffee which is stored in premises under Government control.

(4) That if possible storage be provided by Government free of charge but in the event of such free storage not being available a charge be made to cover outlay for rent, supervision, fire insurance and other necessary expenses.

(5) That a committee be appointed to consider all applications for advances—having due regard to the financial circumstances of the respective applicants and to take such steps as may be necessary to insure that advances are made towards the maintenance only of coffee already planted and in no case for increasing the area of cultivation.

10. In order to give effect to these proposals the sum of £12,500 is required immediately for advances against the estimated quantity of coffee now in stock viz., 500 tons. Further sums will be required at the end of every three months but it is considered even if the embargo is not removed for 12 months that a total sum of £50,000 will meet all advances.

11. The total crop to the end of March, 1918 is estimated at 4,500 tons but it is hoped that some of this will be disposed of from time to time in countries other than the United Kingdom. Further it is understood that in some special cases the planters will be able to obtain advances from the Banks.

12. The Committee are unanimously of opinion that on an average basis of an advance of £25 a ton the Government will be well secured against any problematical loss, pre war prices being an average of £55 a ton in Nairobi, and the deterioration of coffee stored for a year or so being negligible.

13. The Committee is informed that the Banks are prepared to arrange refunds of Government advances when any shipping is available for any consignments of coffee released from Government storage.

14. The Committee suggest that strong representations be made to the Colonial Office with a view to getting the embargo relaxed to the extent of allowing the import of British East Africa coffee into the United Kingdom of 1,000 tons per quarter and that arrangements be made for granting shipping space to this extent.

15. The Committee trust that in view of the extreme importance of the Coffee Industry to the Protectorate as a whole, that these suggestions will be received with and granted favourable consideration and attach importance to the fact that the suggestion with regard to relaxing the embargo on imports and granting shipping accommodation would relieve the immediate situation and modify to a large extent the necessity for application being made for financial assistance.

Nairobi, 19th June, 1917.

A. C. MacDONALD,
Chairman.

MOTION.

THE HON. W. MACLELLAN WILSON asked leave to amend the motion on this subject as put by him on the 21st of May and moved the following resolution, the amendment to the original being shown in italics:—

In view of the embargo on the importation of coffee into the United Kingdom and the consequent hardship on the coffee industry in this Protectorate, I beg to move that *in the opinion of this Honourable Council it is desirable that* a sum of money be allocated from public funds for the purpose of advancing a proportion of the value of the coffee in the hands of the Coffee Growers to enable them to tide over the present crisis and to meet recurrent expenditure necessary for the upkeep of coffee plantations.

In view of the Report which the Special Committee had put forward it was probably unnecessary for him to say anything more on the motion. He thought that the Report put the position clearly before them—more clearly than he himself had been able to do at the previous sitting of the Council. He would strongly urge Hon. Members to give the question careful consideration.

THE RIGHT HON. LORD DELAMERE seconded. He said that he made a remark, he thought, at the last meeting of the Council which he did not think he was justified in making. In seconding the motion on that occasion he thought he said that coffee was the only industry of the sort which would require any advances. He had not thought sufficiently about the subject and he thought it quite possible that if the embargo was put on other things—on vital primary industries of the country—it might be necessary for the country to find means to carry them on. He did not think that coffee was the only trade that would require financing. Coffee had been under embargo for some considerable time, and it had been brought up first. It was an important industry and the question should be dealt with at once. When all was said and done the whole of the country practically lived on quite a few industries, and the coffee industry was one of the largest. It did not matter whether a man was living in Nairobi or sheep farming or whatever he was doing the money coming in from the coffee industry was largely responsible for keeping him going. They all sold their produce to the people who were sufficiently well off to be able to buy it and as far as the people of Nairobi were concerned they sold machinery and stores. In fact the whole country appeared to be dependant on four or five primary industries and it was essential that money be found or borrowed to keep those industries going till the end of the war so that when the end of the war came the industries might not be found to have gone back. There was another reason, for it was quite evident that the Imperial Government was going to try after the war to feed the United Kingdom with raw products from the Empire, and it was most important that those primary industries of East Africa should be in a position to start immediately the war was over. He was sure that Hon. Members would agree that if those industries were not now kept going it would be extremely difficult to carry out the intention of the Imperial Government. He would second in the strongest possible manner the motion brought forward by the Hon. Member.

THE HON. ACTING CHIEF SECRETARY said that the position, according to their information, had very much altered. As far as they could make out the Controller of Shipping had instructed the shipping agents at Mombasa to take only hides, copra, and wattle bark and to refuse all coffee. When Government received that information a telegram was sent to the Colonial Office asking whether an exception could be made in the case of 1,500 tons of coffee which had previously been granted permission to export. The reply received was:—"Your telegram of June 14th. Question of admission of East Africa and Uganda coffee into United Kingdom already under consideration, but regret cannot make application for facilities for immediate shipment." That, of course, rendered the position in regard to coffee even worse than before. There was also the question of other industries—such as sisal and flax—the shipment of which had been stopped, and that made the question a very much wider one, and the financial responsibility of Government, if it were to be admitted as a principle that all industries affected by the embargo on shipping were to be assisted, would be very heavy and therefore they had got to consider that very carefully. There was no doubt that the coffee industry, as had been pointed out, was in great need of assistance, but, as he had just remarked they had to consider the whole question in its widest aspect.

THE HON. W. C. HUNTER said that the motion regarding coffee should have stood by itself but he had been informed that it would be essential to debate the wider issue in view of the additional restrictions which had been imposed by the Controller of Shipping. He understood that the position was that the embargo had been extended to sisal, flax, &c., and that only hides, wattle bark, beans and maize could be exported. If there was anyone under the impression that the planters of the country were in a state of great prosperity and able to finance themselves, perhaps he, as one who had a good deal to do with various industries, might say that in his experience he knew of no single planter who was "out of the wood" as regards finance. Practically everyone had to borrow considerable sums in order to effect development, and, although he could not say that all were in difficulties, at all events the great majority were in a very serious position as a result of the restrictions. He did not say for one moment that East Africa should ask for shipping, which, in the opinion of the Controller of Shipping, could not be spared, but he did think that they were entitled to ask that the facts be laid before the Imperial authorities so that they might know the effects of their action and that these facts might be considered by the Controller of Shipping.

in arriving at his decisions. If, after considering the facts, he still maintained that those restrictions had to be imposed, then, of course, East Africa must accept the position. There was a further question. As the Right Hon. Member (LORD DELAMERE) had said, it was obviously the intention of the Empire to make the fullest possible use of its resources after the war. He ventured to suggest that if it was impossible for the Government of East Africa itself to arrange some means of financing the minimum requirements of the position then the matter was one which affected not only East Africa but the Empire at large. The Hon. Member here read an extract from a speech by the Prime Minister, Mr. Lloyd George, and, continuing, said that he thought it was obvious from that, especially when they considered the resolutions of the Paris Conference of July, 1915, and the large number of Commissions which were sitting all over the world with the object of ascertaining how production could be extended after the war, that one method of ensuring such extension was that every possible means should, at any rate, be considered with a view to conserving what they had got now. He therefore asked Council most earnestly to review the question and to give it the fullest possible consideration.

THE HON. B. EASTWOOD said that in connection with the proposal he might say that personally it had his entire sympathy, and as he was on the Committee that helped to draw up the Report he was very pleased to be able to put forward the proposals contained in it. The latest information, he must say, had very materially altered his views concerning the advisability as a matter of principle and as a form of precedent if the Report were accepted. When the proposals were put forward and the Report was drawn up it was understood and accepted that coffee was the only industry that was affected and that would have to be assisted, and in those circumstances it was felt that, exceptional though the proposed procedure would be, they might put it forward as an exceptional measure and ask for temporary financial aid to be given to improve this industry of the country. The latest information, by which other important industries had also an embargo placed upon them rendered it necessary for one to consider the position of the Government if the principle were once accepted that they were going to help in financing any industry that was in financial difficulties. If they did, it was open for any industry to come to the administration with a similar request. He felt that if they accepted that principle they would be not only pledging themselves to it for the future, but would be also in a measure pledging the Imperial Government to a similar policy with regard to other parts of the Empire, and therefore, much as was the pleasure he had in drawing up the Report and putting it forward, he felt that he must state that his opinion had changed with regard to it.

THE HON. P. H. CLARKE said that Hon. Members should look at the matter not only from an assistance point of view but from a business and commercial point of view. If they allowed these vital industries of the country to go to ruin it was going to affect not only the industries themselves but the whole of the country and the revenue for many years to come. If the Government could see that, by laying out a certain amount of capital, that capital would be returned not only with good interest at the rate of the 8% suggested but also in the future revenue of the country, he thought that it was worthy of the consideration of Council to do whatever they could for the support of these industries in the meantime.

THE HON. F. W. MAJOR said that he looked at the question as a business transaction. If we were going to develop the country we should not hesitate to vote money for harbour works or railways or anything else which might help to develop industries. That being the case, he felt that it was important for us to consider very seriously whether it was not necessary for Government to prevent development which had already taken place from being ruined from want of Government or other assistance, however it could be managed at the present time, and for that reason he personally would like to support the motion.

COLONEL THE HON. J. AINSWORTH asked whether it was not a fact, in connection with the assistance which the coffee industry claimed, that there were aspects in connection with coffee that did not apply to sisal and other industries. For instance, if coffee should be neglected, would it not cause disease to spread because of plantations becoming overgrown and so ruin the country as a coffee producing area, whereas sisal might be considered on quite another footing. Further, the coffee industry, as a general rule, concerned numerous smaller individuals residing in various parts of the country whereas sisal was generally in the hands of companies and syndicates.

THE HON. W. MACLELLAN WILSON replying to the debate said that there was an old adage "A faint heart never won a fair lady." He thought they might very well apply that to themselves. His Excellency the Acting Governor had very kindly allowed the discussion on the motion to go beyond the question of financial assistance to coffee only. Not only coffee but sisal and all the other industries and commerce were more or less inter-dependent and he might say it was a fact that the coffee industry, which he happened to know most about, held a large place in the economic life of the country. They should really look on the whole question as it affected the country and the welfare of the country. The people

who were running the coffee industry spent a large amount of money in purchasing ration foods from European and native sources and goods from European stores. Goods bought by coffee planters paid their 10% Customs duty, and paid railway fares coming up from the Coast. The wages to natives paid by the coffee planters totalled a large amount, and a large proportion of those wages came direct to the Government under poll and hut tax. That had been going on for years, so that, while perhaps there had been no great direct revenue from the coffee industry heretofore, indirectly it had added a large amount towards making up the revenue. If that were going to stop now it would mean that the revenue of the country would suffer. It was the same with sisal. He himself thought that the sisal industry was better able to "hang fire," as possibly a sisal plantation might not suffer so much from neglect for a period. If coffee were left for 6 months—he thought the Hon. the Director of Agriculture would agree with him in this—the coffee industry would perhaps be ruined. He agreed with the Hon. the Manager of the Uganda Railway that it was rather a big step to take to say that the Government was going to wet-nurse any industry which was in need of financial assistance, but he thought that they must tackle the question as one body and one country. They were loyal to their own country and to be most loyal to their own country they must be loyal to East Africa. It was up to them to put the strongest possible case for saving the coffee industry before the home Government. It was a question of sink or swim with the whole country. If there were no money in circulation, and no new money coming into the country, there could be no buying. The whole position hung together, and, while he would not in any way suggest that the question of financial assistance might apply to all industries, he did hope that Council would support the motion before them as it gave a strong case to put before the home Government. They were spending about six millions a day to save the Empire from death. Were they not willing, he asked, to spend a few thousands to save East Africa from, practically, extinction? What was the use of saving the Empire from death by the Huns if it finally perished from starvation? That was how the position appeared to him.

THE RIGHT HON. LORD DELAMERE said that he wished to point out, in connection with the remarks he had made regarding the motion, that he had no intention of introducing other industries into the motion before Hon. Members at that moment.

THE PRESIDENT said that the position was that, since they had discussed the motion at the earlier stage of the Session, another influence had been brought to bear. The motion was framed in the words "In view of the embargo on the importation of coffee into the United Kingdom." It appeared to him that, since the motion had been originally put, a much more serious question had arisen affecting the exportation of products from East Africa, namely, the embargo on shipping, and when Honourable Members voted on the motion he would ask them to consider very seriously whether they were justified in voting for it as it stood merely because of the embargo on coffee importation into the United Kingdom. He thought a very strong case had been made out for the special treatment of the coffee industry. It was an industry which absorbed a very large proportion of the European population. It was not like other industries, such as sisal, which, as had been pointed out, would affect comparatively few. The industry which affected the greatest number must be of the greatest value to the country at large. When Government was considering the resolution, since Council last adjourned, he had ascertained from the Treasurer that the £50,000 suggested as the figure could possibly be found from balances. It would have been perfectly simple to have guaranteed that amount of savings on the expenditure for the year were it not for the fact that the local revenue was beginning to feel the pressure of war. Those same restrictions on shipping naturally affected the Customs revenue and the railway revenue, and, in addition, the large number of porters serving out of the country seriously affected the hut and poll tax revenue. He did not think therefore that they could safely ear-mark any great savings on the annual budget although Government would do all it could to economise in expenditure. He would like it to be clearly understood that, although it might be possible to find the money necessary to finance coffee from their floating assets, should by any chance other industries come forward and appeal for similar aid, it would probably be impossible to grant it. Although the resolution might be passed, and although the Colonial Office might agree to the advances being made, should similar representation come from other industries it might not be possible to raise the necessary money. He wished it to be clearly understood that he left official Members to vote as they liked, and whatever way the vote went the resolution would be forwarded to the Colonial Office for further consideration, and, further, should the resolution be lost, because Honourable Members could not conscientiously vote for it in view of the possibility of having to afford assistance to other industries equally affected by the shipping restrictions, he would adjourn Council for a week or ten days in order that another and wider resolution might be framed in its place.

The motion was put and carried nem. con.

THE INFECTIOUS DISEASES AMENDMENT ORDINANCE, 1917.

THE HON. THE ATTORNEY GENERAL moved that the Bill intituled "An Ordinance to amend the Law relating to Infectious Diseases" be re-committed to Council for the purpose of making further amendments to the Bill.

THE HON. THE ACTING CHIEF SECRETARY seconded.

The question was put and carried.

The Council resolved itself into a Committee of the whole Council, HIS EXCELLENCY THE ACTING GOVERNOR presiding.

In Committee.

The Bill was adopted with the following further amendments:—

Clause 2 line 2—After "Governor" insert "in Council."

At end of Clause 2 insert the following:—

"Provided that any rules made under this section shall be submitted to the Legislative Council at the sittings next after their promulgation and if such rules or any of them are not approved by the majority of the members present such rules shall be revoked or amended as the case may be in accordance with any resolution passed by the Legislative Council. And provided that any such revocation or amendment of any rule made by the Legislative Council shall not affect anything done or any proceedings taken or any sentence inflicted under or by reason of the revoked or amended rule."

Clause 3 line 2—After "Governor" insert "in Council."

Insert new Clause 4 as follows:—

"4. To the definition of 'Infectious Disease' contained in section 5 of the Principal Ordinance shall be added the following words:—

"And any other infections or contagious disease of man, other than a venereal disease, which the Governor may by Proclamation declare to be included in this definition for the purposes of this Ordinance provided that such Proclamation shall be submitted to the Legislative Council at the sittings next after its promulgation and if such Proclamation is not approved by the majority of the members present it shall thereupon be deemed to be revoked without prejudice however to anything done or to any proceedings taken or to any sentences inflicted under or by reason of such Proclamation."

Insert new Clause 5 as follows:—

"5. The powers vested in the Commissioner by the Principal Ordinance to make rules shall be exercised by the Governor in Council."

Clause 5 becomes Clause 6.

Clause 6 becomes Clause 7.

The Council resumed its Sitting.

THE HON. THE ATTORNEY GENERAL moved that the Bill as further amended be reported to Council.

THE HON. THE ACTING CHIEF SECRETARY seconded.

The question was put and carried.

THE HON. THE ATTORNEY GENERAL moved that the Bill be read a third time.

THE HON. THE ACTING CHIEF SECRETARY seconded.

The question was put and carried, and the Bill was read a third time and passed.

THE RENT (WAR RESTRICTION) ORDINANCE, 1917.

THE CLERK having read a Certificate of Urgency in regard to a Bill intituled "An Ordinance to restrict the increase of the rent of small dwelling houses during the present war,"

THE HON. THE ACTING CHIEF SECRETARY moved the suspension of Standing Orders in order that the Bill might be proceeded with.

THE HON. THE ATTORNEY GENERAL seconded.

The question was put and carried.

THE HON. THE ACTING CHIEF SECRETARY introduced and moved the first reading of the Bill.

He said that the Bill was a war measure and was designed to prevent excessive rents being charged to the poorer classes of the community. Owing to the high cost of materials and the scarcity of skilled mechanical labour there had been very little building since hostilities began and the demand for accommodation was such as to enable the landlords to be absolute masters of the situation and he claimed that they were taking advantage of the artificial position thus created to charge rents which were in no way justified by circumstances. It had been found necessary to introduce similar legislation at home and the Bill as drafted followed the lines of the British enactment. It was intended primarily to protect clerks and employees drawing small salaries both Europeans and Asiatics, though it would probably be of more assistance to the latter. The War Council had had the matter under consideration and was of opinion that it was urgent.

THE HON. THE ATTORNEY GENERAL seconded, and the Bill was read a first time.

THE HON. THE ACTING CHIEF SECRETARY moved that the Bill be read a second time.

THE HON. THE ATTORNEY GENERAL seconded.

The question was put and carried.

The following Special Committee was appointed to enquire into and report on the provisions of the Bill:—

THE HON. THE ACTING CHIEF SECRETARY (*Chairman*).

THE HON. THE ATTORNEY GENERAL.

THE HON. P. H. CLARKE.

THE HON. W. C. HUNTER.

ADJOURNMENT.

THE HON. THE ACTING CHIEF SECRETARY moved that the Council adjourn until the third Monday of July or such other date as might be duly notified.

THE HON. THE ATTORNEY GENERAL seconded.

THE HON. P. H. CLARKE said that the unofficial Members of Council cordially endorsed the President's remarks in wishing His Excellency, Sir Henry Conway Belfield, as enjoyable a holiday as was possible under existing circumstances.

With reference to the recent call for men, they could confidently assure His Excellency the Acting Governor that those called up had gone most willingly, and that more would be only too glad to go if they could be spared from the duties which chained them to their present employment.

They wished to take this opportunity of drawing His Excellency's attention, with regard to the enlistment of natives for the Carrier Corps, to the necessity of bringing in some form of legislation under martial law by which rejected men, unsuitable for the Carrier Corps but quite suitable for farm or plantation work, could be induced to work on farms or plantations to take the place of those men who had been taken for the Carrier Corps.

Since His Excellency had addressed Council, orders had been received from home restricting exports from the country to a very large extent. At the present moment the export of three staple products of East Africa and Uganda, viz., cotton, fibre, and coffee, had been prohibited. They presumed His Excellency's Government had been alive to the far-reaching effects of the prohibition and had placed the facts before the authorities at home. If such were the case, they would impress on His Excellency's Government and the public generally the necessity of putting their own house in order, so that the country might suffer the minimum amount of loss. The effects of the prohibition would mean the stagnation of trade, the holding up of enormous quantities of produce, the congestion of storage accommodation, and would prove a serious hindrance to the free circulation of money, affecting Europeans, Asiatics, and Natives alike. They wished most earnestly and respectfully to impress upon the Government the necessity of finding some means of keeping the farms and plantations of the country going and of keeping the money of the country in circulation.

They had noticed with pleasure the endeavours made by the War Council to regulate prices of foodstuffs.

With reference to Bills placed before the Council, they wished to suggest that, in future, endeavours should be made that Ordinances, whenever possible, should be self-contained. At present they felt that the system of government by Rules was gradually becoming established, and, though they quite recognised that it might be necessary in certain instances, they felt that it was a system much to be deprecated. If the Ordinances were drafted so as to be self-contained, they felt sure that the public would take a far greater interest in them and the Government would then be better cognizant of public opinion.

During the present Session they had noticed with great pleasure, in several instances, a free expression of opinion from official Members of Council. They would like that to become the custom, as they could see no reason why a Government official should not be considered a "settler" equally as much as any man who was earning his living in the country. They would also point out to His Excellency that an official Member of Council was an expert, otherwise he would not be where he was, and therefore his opinion publicly expressed was worth listening to not only by the Government but by the public at large. There was no reason to suppose that because a man was a Government official he should not have the interests of the country at heart equally as much as anyone else.

Whilst he was on the subject of Government officials, he would again draw His Excellency's attention to the remuneration paid to them, though in that matter he was not representing his unofficial colleagues. He had been making careful enquiries on the subject and he was surprised at the remuneration they received. An official was not allowed to have private interests in the country, and could not afford to do so even if he might. He had to depend entirely on his salary, which in his opinion was totally inadequate. It was a well known fact that very few men living in the tropics reached a pensionable age—they had only to refer to the pension list—and therefore under the present system a man had to make arrangements for his wife and children by insurance, which was a very heavy item against his salary. Also, there was his wife and children's passage out and home, a no small item, particularly if it included a nurse. Leaving entirely out of the question the increased cost of living owing to the war, he considered the question of salaries in certain individual cases required immediate attention, even though it might be war time. It was most inadvisable for Government officials to get into debt, and he also considered that it was the duty of the country to see and insist that Government officials should be properly paid, so that they could give their whole attention and thought to the good government of the country and not have to worry as to where the money was coming from to pay their wife's passage home and school fees for their children. He knew of one case, which was probably typical of many, where an official who was in a very responsible position of trust, which position was open to all sorts of temptations, was drawing only a salary of £250 per annum. It was almost unknown in the country for an official to abuse his trust, but he did think that temptation in the way of inadequate salaries should be taken out of their way. The unofficial Members would suggest the appointment of a Committee to enquire into cases that required immediate attention and to report generally with a view to the reorganisation of the service after the war.

In conclusion they could assure His Excellency that, should hard and difficult times be coming, he could safely rely upon the loyal support and co-operation of the unofficial Members, and, they thought they might say, of the public generally.

The motion for the adjournment was put and carried.
