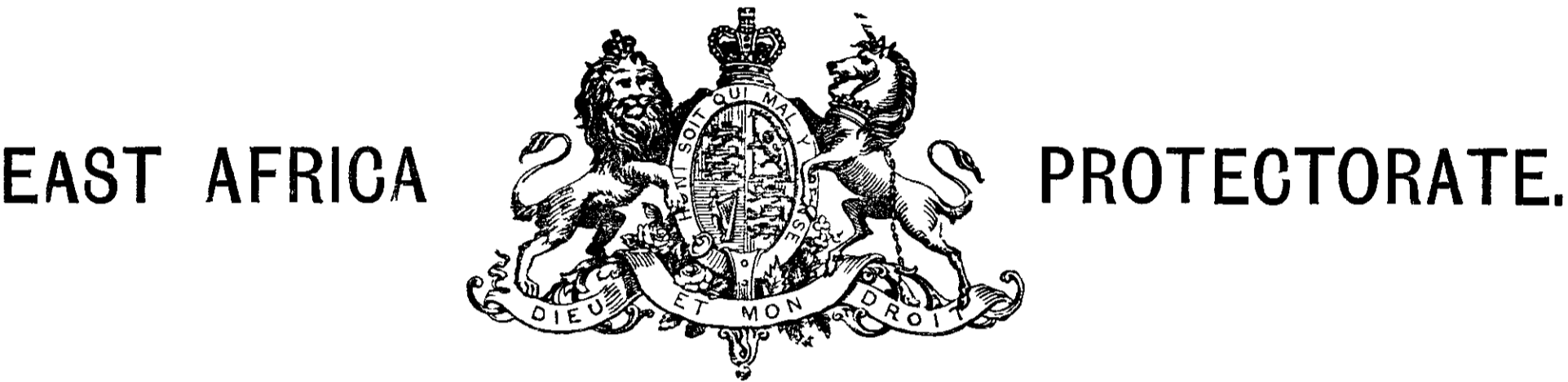


S U P P L E M E N T  
TO  
O F F I C I A L   G A Z E T T E  
O F   T H E



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

Vol XX —Supplement No 5 |      NAIROBI, April 24, 1918

*His Excellency has approved of the following Bills being introduced during the present Session of the Legislative Council.*

*T S. W THOMAS,  
Clerk to the Legislative Council.*

TABLE OF CONTENTS.

	Page.
1    A Bill intituled an Ordinance to Enable Restrictions to be Imposed on Aliens and to Make such Provisions as are Necessary or Expedient to Carry such Restrictions into Effect . . .	1
2    A Bill intituled an Ordinance to amend the Branding of Stock Ordinance, 1907	3
3    A Bill intituled an Ordinance to amend the Law Relating to Native Intoxicating Liquors . . . . .	5

# A Bill

## Intituled

### An Ordinance to Enable Restrictions to be Imposed on Aliens and to Make such Provisions as are Necessary or Expedient to Carry such Restrictions into Effect.

1 This Ordinance may be cited as "The Aliens Restriction Short title  
Ordinance, 1918 "

- 2 (1) The Governor-in-Council may at any time when a Power with respect to  
state of war exists between His Majesty and any foreign power aliens  
5 or when it appears that an occasion of imminent danger or great  
emergency has arisen by order impose from time to time restric-  
tions on aliens and provision may be made by any such order—
- 10 (a) for prohibiting aliens from landing in or otherwise  
entering the Protectorate either generally or at certain places  
and for imposing restrictions or conditions on aliens landing  
or arriving at any port in the Protectorate, and
- 15 (b) for prohibiting aliens from embarking in or other-  
wise leaving the Protectorate, either generally or at certain  
places, and for imposing restrictions and conditions on aliens  
embarking or about to embark in the Protectorate, and
- (c) for the deportation of aliens from the Protectorate,  
and
- (d) for requiring aliens to reside and remain within  
certain places or districts, and
- 20 (e) for prohibiting aliens from residing or remaining in  
any areas specified in the order, and
- (f) for requiring aliens residing in the Protectorate to  
comply with such provisions as to registration, change of  
abode, travelling, or otherwise as may be made by the order,  
25 and
- (g) for the appointment of officers to carry the order  
into effect, and for conferring on such officers such powers  
as may be necessary or expedient for the purposes of the  
order, and
- 30 (h) for imposing penalties on persons who aid or abet  
any contravention of the order, and for imposing such  
obligations and restrictions on masters of ships or any other  
persons specified in the order as appear necessary or  
expedient for giving full effect to the order, and
- 35 (i) for conferring upon such persons as may be specified  
in the order such powers with respect to arrest, detention,  
search of premises or persons, and otherwise, as may be  
specified in the order, and for any other ancillary matters  
for which it appears expedient to provide with a view to  
40 giving full effect to the order, and
- (j) for any other matters which appear necessary or  
expedient with a view to the safety of the Protectorate

(ii) If any person acts in contravention of, or fails to comply with, any provisions of any such order, he shall be liable on conviction by a Magistrate holding a Subordinate Court of the First Class to a fine not exceeding Rs 1,500/- or to imprisonment of either description for a term not exceeding six months, and the Court before which he is convicted may, either in addition to, or in lieu of, any such punishment, require that person to enter into recognizances with or without sureties to comply with the provisions of the order or such provisions thereof as the Court may direct

If any person fails to comply with an order of the Court requiring him to enter into recognizances the Court may order him to be imprisoned for any term not exceeding six months. Such imprisonment may be of either description

(iii) Any provision of any order made under this section with respect to aliens may relate either to aliens in general or to any class or description of aliens

(iv) If any question arises on any proceedings under any such order, or with reference to anything done or proposed to be done under any such order, whether any person is an alien or not, or is an alien of a particular class or not, the onus of proving that that person is not an alien, or, as the case may be, is not an alien of that class, shall lie upon that person

(v) The Governor-in Council may order, revoke, alter, or add to any order made under this section as occasion requires

(vi) Any powers given under this section, or any order made under this section, shall be in addition to, and not in derogation of, any other powers with respect to the expulsion of aliens or the prohibition of aliens from entering the Protectorate or any other powers conferred on the Governor

#### Interpretation

3 For the purposes of this Ordinance the expression "alien" means any person who is not a British subject or who is not a native of the Protectorate

## A Bill

### Intituled

#### An Ordinance to amend the Branding of Stock Ordinance, 1907.

1 This Ordinance may be cited as “The Branding of Short title  
Stock Amendment Ordinance, 1917,” and shall be read together  
with the Branding of Stock Ordinance, 1907, hereinafter called  
the Principal Ordinance

5 2 In section 2 of the Principal Ordinance delete the Interpretation  
definition of “Native” and substitute the following therefor —

“Native” shall mean any native of Africa not of  
European or Asiatic origin and shall include any  
Swahili and any Somali

10 3 Section 18 of the Principal Ordinance is hereby deleted Sales by auctioneers to  
and the following substituted therefor — natives, cattle to be brand  
ed with auctioneers’ brand

15 18 It shall be the duty of a broker or auctioneer  
immediately to cause to be branded with his registered  
brand all cattle the property of a native or a non-  
native which he may sell to a native A broker or  
auctioneer may deduct from the purchase price the  
sum of twenty-five cents in respect of each head of  
cattle so branded

A Bill

Intituled

An Ordinance to amend the Law  
Relating to Native Intoxicating  
Liquors.

1 This Ordinance may be cited as “The Native Liquor Short title  
Amendment Ordinance, 1918,” and shall be construed together  
with the Native Liquor Ordinance, 1915

2 In this Ordinance Interpretation

5 “Native Intoxicating Liquor” means pombe, fermented asali,  
and all other liquors prepared by natives containing alcohol other  
than palm wine (tembo tamu and tembo kali)

“District Commissioner” includes an Assistant District  
Commissioner

10 “Sugar” includes molasses

“Sell” includes barter

3 No person shall without a permit in writing from a District Commissioner sell any sugar to any native resident in an area set apart as a native reserve for the use of any tribe or  
15 part of a tribe A District Commissioner may in his absolute  
discretion refuse to issue any such permit Prohibition on sale of  
sugar

4 . No person shall make any native intoxicating liquor without a permit from a District Commissioner Such permit shall specify the amount of native intoxicating liquor to be made  
20 thereunder, the date on which such liquor shall be made and the  
place at which such liquor shall be made and consumed There  
shall be payable for such permit the sum of Rs 50/- per four  
gallons or part of four gallons Permit for making of  
native intoxicating liquor

5 No permit shall be issued by a District Commissioner under the preceding section to make native intoxicating liquor  
25 on any land which is not situated within an area set apart as a  
native reserve for the use of any tribe or part of a tribe without  
the consent of the person (if any) owning or occupying such  
land Manufacture of native in  
toxicating liquor on farms

30 6 No person shall sell the juice of sugar cane to any  
native whether such juice is fermented or not Prohibition on sale of  
sugar cane juice

7 No person shall for hire or reward mill or crush sugar  
cane which is the property of any native Prohibition on crushing  
sugar cane

8 No native shall be in possession of the juice of sugar  
35 cane without a permit from a District Commissioner Possession of sugar cane  
or cane juice

9 No native being in an area set apart as a native reserve  
for any tribe or part of a tribe shall be in possession of sugar  
without a permit from a District Commissioner Possession of sugar

Liquor intended for fermentation	10 Subject to the provisions of the Native Liquor Ordinance, 1915, and of this Ordinance, no native shall make, possess, sell or drink any liquor intended for conversion into native intoxicating liquor	
Supply of liquor to men other than mzee	11 No person shall supply any native intoxicating liquor to any native who is not of the age of an "mzee" or elder	5
Possession of liquor	12 No native other than an "mzee" or elder shall possess or drink any native intoxicating liquor	
Penalties	13 Any person contravening any of the provisions of this Ordinance shall be guilty of an offence and shall on conviction be liable to a fine not exceeding Rs 750/- or to imprisonment of either kind for a term not exceeding 6 months or to both and any utensils, mills or other articles used by any person contravening the provisions of this Ordinance shall be forfeited	10
Application of Ordinance	14 The Governor-in-Council may apply this Ordinance to any area in the Protectorate	15