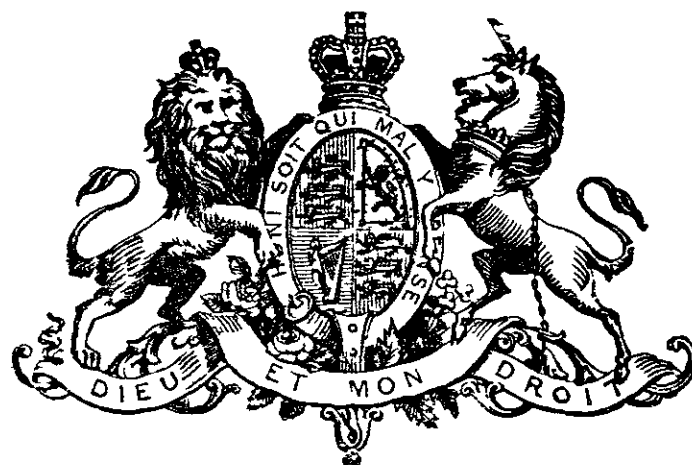


THE OFFICIAL GAZETTE

OF THE

EAST AFRICA



PROTECTORATE.

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

[Vol XX.—No 597]

NAIROBI, June 12, 1918

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Matter for publication should reach the Editor not later than 3 o'clock on Monday afternoon in each week

NOTICE.

COPIES of Ordinances and Regulations, Volume XIX, 1917, can be obtained from the Government Press —Price 7/50 per copy

EAST AFRICA PROTECTORATE.

AN ORDINANCE

No 17 OF 1918

An Ordinance to provide for Duties on Estates of Deceased Persons.

[June 8th, 1918]

Date of Assent and Commencement

BE it enacted by the Acting Governor of the East Africa Protectorate with the advice and consent of the Legislative Council thereof —

1 This Ordinance may be cited as "The Estate Duty Ordinance, 1918," and shall come into operation on such date as the Governor by notice in the Gazette may determine Short title

2 In this Ordinance and in any Rules made under this Ordinance, unless the context otherwise requires, Definitions

(a) The expression "approved valuer" means a valuer approved by the Commissioners

(b) The expression "deceased person" means a person dying after the commencement of this Ordinance

(c) The expression "executor" means the executor or administrator of a deceased person, and includes, as regards any obligation under this Ordinance, any person who takes possession of or intermeddles with the property of a deceased person

(d) The expression "estate duty" means estate duty under this Ordinance

(e) The expression "property" includes immoveable and moveable property and the proceeds of sale thereof respectively and any money or investment for the time being representing the proceeds of sale

(f) The expression "interest in expectancy" includes an estate in remainder or reversion and every other future interest whether vested or contingent, but does not include reversions expectant upon the determination of leases

(g) The expression "property passing on the death" includes property passing either immediately on the death or after an interval either certainly or contingently, and either originally or by way of substitutive limitation, and the expression "on the death" includes "at a period ascertainable only by reference to the death"

(h) The expression "the Commissioners" means the Estate Duty Commissioners

(i) The expression "prescribed" means prescribed by the Commissioners

COMMISSIONERS AND OFFICERS

3 There shall be a Board of Commissioners, in this Ordinance referred to as the Estate Duty Commissioners for the purpose of superintending the care, management and directions of this Ordinance having its Chief Office at Nairobi, which shall consist of the Attorney General and the Treasurer, who shall be ex-officio members thereof, and such other person, and a Secretary to the Board, as the Governor may from time to time appoint. The name of the Commissioner so appointed by the Governor shall be published in the Official Gazette, and any number of the Gazette containing a notice of such appointment shall be deemed sufficient evidence thereof for all purposes Constitution of Board of Commissioners

- President and Vice-President of the Board** 4 The Attorney General and Treasurer shall be the President and Vice-President of the Board, and at every meeting of the Board the President, or in his absence, the Vice-President shall be chairman
- Meetings** 5 The Board shall hold its meetings once a month, if necessity requires, and oftener if need be at such places as the President may appoint, and may adjourn from time to time. The President may at any time and shall, on a requisition signed by two members of the Board, summon a meeting thereof
- Quorum** 6 Two members of the Board shall constitute a quorum
- Assistant Commissioners** 7 The Commissioners shall, subject to the approval of the Governor-in-Council, by writing under their hands, or the hands of the major part of them, appoint proper persons to act as Assistant Commissioners in such areas as occasion shall require to collect and receive the duties hereby imposed and to keep proper accounts thereof to be transmitted to the head office of the Commissioners, and, subject to the like approval the Commissioners shall appoint and assign to every Assistant Commissioner appointed under this Ordinance, if occasion shall require, such clerical staff, as to the Commissioners may appear necessary for the purposes of this Ordinance
- Salaries** 8 The Commissioners and Assistant Commissioners, the Secretary to the Board and the clerical staff shall be remunerated out of the general Revenues of the Protectorate in such manner and at such rates as the Governor-in-Council may from time to time prescribe with the approval of the Secretary of State
- Accounts** 9 Every Assistant Commissioner and other person intrusted with the collection and receipt or custody of duties imposed by this Ordinance shall keep and render accounts in the prescribed manner and form of all sums of money collected or received by him or entrusted to his custody
- All revenue to be paid over** 10 All money and securities for money from time to time collected or received on account of duties imposed by this Ordinance shall be paid in the prescribed manner into the hands of the Treasurer, and shall form part of the general revenue of the Protectorate

ESTATE DUTY

- Estate Duty on property passing on death of person dying after the commencement of this Ordinance** 11 In the case of every person dying after the commencement of this Ordinance there shall save as hereafter expressly provided be levied and paid upon the principal value ascertained as hereafter provided of all property moveable and immoveable settled or not settled which passes on the death of such person a duty called "estate duty" at the graduated rates set forth in the schedule hereto
- What property is deemed to pass** 12 (1) Property passing on the death of the deceased shall be deemed to include the following property that is to say —
- (a) Property of which the deceased was at the time of his death competent to dispose,
- (b) Property in which the deceased or any other person had an interest ceasing on the death of the deceased, to the extent to which a benefit accrues or arises by the cesser of such interest, but exclusive of property the interest in which of the deceased or other person was only an interest as holder of an office, or recipient of the benefits of a charity, or as a corporation sole,
- (c) In the case of a person dying after the commencement of this Ordinance, the period preceding the death of the deceased before which a disposition purporting to operate as an immediate gift *inter vivos* must have been made, or a surrender, assurance, divesting or disposition must have been made or effected, in order that the property taken under the disposition, or affected by the surrender, assurance, divesting, or disposition, may not be included as property passing on the death of the deceased, shall be three years. Provided that this sub-

section shall not apply to any gift *inter vivos*, surrender, assurance, divesting, or disposition made or effected before the commencement of this Ordinance, or made or effected for public or charitable purposes. Provided further that this sub-section shall not apply to gifts which are made in consideration of marriage, or which are proved to the satisfaction of the Commissioners to have been part of the normal expenditure of the deceased, and to have been reasonable, having regard to the amount of his income, or to the circumstances, or which, in the case of any donee, do not exceed in the aggregate Rs 1,500/- in value or amount where property taken under such a disposition or affected by such a surrender, assurance, divesting or disposition as aforesaid is deemed to be property passing on the death of the deceased by reason only that the property was not, as from the date of the disposition, surrender, assurance, or divesting, retained to the entire exclusion of the deceased or a person who had an estate or interest limited to cease on the death of the deceased, and of any benefit to him by contract or otherwise, the property shall not be deemed to pass on the death of the deceased if subsequently, by means of the surrender of the benefit reserved or otherwise, it is enjoyed to the entire exclusion of the deceased or such other person as aforesaid, and of any benefit to him by contract or otherwise, for such period preceding the death of the deceased as is provided by this sub section,

(d) Any annuity or other interest purchased or provided by the deceased, either by himself alone or in concert or by arrangement with any other person, to the extent of the beneficial interest accruing or arising by survivorship or otherwise on the death of the deceased

(e) Property taken as a *donatio mortis causa*

(2) Property passing on the death of the deceased shall not be deemed to include property held by the deceased as trustee for another person, under a disposition made by the deceased, or under a disposition made by the deceased more than twelve months before his death where possession and enjoyment of the property was *bona fide* assumed by the beneficiary immediately upon the creation of the trust and thenceforward retained to the entire exclusion of the deceased or of any benefit to him by contract or otherwise

13 For determining the rate of estate duty to be paid on any property passing on the death of the deceased, all property so passing in respect of which duty is leviable shall be aggregated so as to form one estate, and the duty shall be levied at the proper graduated rate on the principal value thereof —

Aggregation of property to form one estate for purposes of estate duty

Provided that any property so passing, in which the deceased never had an interest, or which under a disposition not made by the deceased passes immediately on the death of the deceased to some person other than the wife or husband or a lineal ancestor or a lineal descendant of the deceased, shall not be aggregated with any other property but shall be an estate by itself, and the estate duty shall be levied at the proper graduated rate on the principal value thereof, but if any benefit under the disposition not made by the deceased is reserved or given to the wife or husband or a lineal ancestor or lineal descendant of the deceased, such benefit shall be aggregated with the property of the deceased for the purposes of determining the rate of estate duty

COLLECTION AND RECOVERY OF DUTY AND VALUE OF PROPERTY

14 (1) Estate duty shall be collected and recovered as hereinafter mentioned

Collection and recovery of estate duty

(2) The executor of the deceased shall pay the estate duty in respect of all property passing on the death on delivering a copy of the inventory and valuation required to be delivered under section 20

(3) Every estate shall include all income accrued upon the property included therein down to and outstanding at the date of the death of the deceased

Interest

(4) Interest at the rate of six per cent per annum on the estate duty shall be paid from the date of the death up to the date of the delivery of a copy of the inventory and valuation or the expiration of six months after the death, whichever first happens, and shall form part of the estate duty

Payment of duty on immoveable property by instalments

(5) Provided that the duty due upon the valuation required to be delivered under section 20 of the property may, at the option of the executor delivering the valuation be paid by eight equal yearly instalments, or sixteen half yearly instalments, with interest at the rate of six per cent per annum from the date at which the first instalment is due, and the first instalment shall be due at the expiration of twelve months from the death, and the interest on the unpaid portion of the duty shall be added to each instalment, and paid accordingly, but the duty for the time being unpaid with such interest to the date of payment, may be paid at any time, and in case the property is sold shall be paid on completion of the sale, and if not so paid shall be duty in arrear

Value of property

15 In determining the value of an estate for the purposes of estate duty allowance shall be made for reasonable funeral expenses, the remission of fees or duty allowed under the Death Duties (Killed in War) Ordinance, 1915, and for debts and incumbrances, but no allowance shall be made—

(a) for debts incurred by the deceased, or incumbrances created by a disposition made by the deceased, unless such debts or incumbrances were incurred or created *bona fide* for full consideration in money or money's worth wholly for the deceased's own use and benefit and take effect out of his interest, nor

(b) for any debt in respect whereof there is a right to reimbursement from any other estate or person, unless such reimbursement cannot be obtained, nor

(c) more than once for the same debt or incumbrance charged upon different portions of the estate,

and any debt or incumbrance for which an allowance is made shall be deducted from the value of the land or other subjects of property liable thereto

Interest in expectancy

16 (1) Where an estate includes an interest in expectancy, estate duty in respect of that interest shall be paid, at the option of the person accountable for the duty, either with the duty in respect of the rest of the estate or when the interest falls into possession, and if the duty is not paid with the estate duty in respect of the rest of the estate, then—

(a) for the purpose of determining the rate of estate duty in respect of the rest of the estate the value of the interest shall be its value at the date of the death of the deceased, and

(b) the rate of estate duty in respect of the interest when it falls into possession shall be calculated according to its value when it falls into possession, together with the value of the rest of the estate as previously ascertained

(2) The value of the benefit accruing or arising from the cesser of an interest ceasing on the death of the deceased shall—

(a) if the interest extended to the whole income of the property, be the principal value of that property, and

(b) if the interest extended to less than the whole income of the property, be the principal value of an addition to the property equal to the income to which the interest extended

Reduction of full amount of duty where the margin above the limit of value is small

17 The amount of estate duty payable on an estate at the rate applicable thereto under the scale of rates of duty shall, when necessary, be reduced so as not to exceed the highest amount of duty which would be payable at the next lower rate, with the addition of the amount by which the value of the estate exceeds the value on which the highest amount of duty would be so payable at a lower rate

18 Where the Commissioners are satisfied that estate duty has become payable on any property consisting of land or a business (not being a business carried on by a company) or any interest in land or such a business, passing upon the death of any person, and that subsequently within five years estate duty has again become payable on the same property or any part thereof passing on the death of the person to whom the property passed on the first death, the amount of estate duty payable on the second death, (if that death occurs after the passing of this Ordinance) in respect of the property so passing shall be reduced as follows —

Relief in respect of quick succession where property consists of land or a business

Where the second death occurs within one year of the first death, by fifty per cent, where the second death occurs within two years of the first death, by forty per cent, where the second death occurs within three years of the first death, by thirty per cent, where the second death occurs within four years of the first death, by twenty per cent, where the second death occurs within five years of the first death, by ten per cent, Provided that where the value, on which duty is payable, of the property on the second death exceeds the value, on which the duty was payable, of the property on the first death, the latter value shall be substituted for the former for the purpose of calculating the amount of duty on which the reduction under this section is to be calculated

19 Where an interest in expectancy in any property has, before the commencement of this Ordinance, been *bona fide* sold or mortgaged for full consideration in money or money's worth, then no other duty on such property shall be payable by the purchaser or mortgagee when the interest falls into possession, than would have been payable if this Ordinance had not passed, and in the case of a mortgage, any higher duty payable by the mortgagor shall rank as a charge subsequent to that of the mortgage

Interest in expectancy

20 (1) Every person accountable for the payment of estate duty in respect of property passing on the death of a deceased shall furnish to the Assistant Commissioner within the local limits of whose jurisdiction the property, or any part thereof is situate a valuation of such property, together with a copy of the inventory of such property required to be made under any Ordinance or applied Act

Valuation of property, with inventory, to be furnished to Assistant Commissioners

(2) The Assistant Commissioner may require that any valuation to be furnished under the provisions of this section shall be made and signed by an approved valuer

21 (1) The Assistant Commissioner within the local limits of whose jurisdiction the property of the deceased or any part thereof is, may at any time inspect, and take or cause to be taken copies of the record of any case in which application for Probate or Letters of Administration, or sealing under the British and Colonial Probates Ordinance, 1914, has been made, and if, on such inspection or otherwise, he is of opinion that the value of the property of the deceased has been underestimated, the Assistant Commissioner may, if he thinks fit, require the attendance of the person accountable for the duty, or the valuer if any (either in person or by agent) and take evidence on oath and inquire into the matter in such manner as he may think fit, and if he is still of opinion that the value of the property has been underestimated may require the person accountable for the duty to cause the valuation to be amended

Power of Assistant Commissioner to inspect and take copies of record of any case in which application for Probate or Letters of Administration has been made and if Assistant Commissioner is of opinion value of property underestimated he may take steps to ascertain the real value

(2) If, within 30 days, or such further time as may be allowed by the Assistant Commissioner, the valuation is not amended to the satisfaction of the Assistant Commissioner the Assistant Commissioner shall report the case and all the evidence taken thereon to the Commissioners

(3) The Commissioners, on receipt of such report, shall hold an inquiry into the matter and shall record a finding as to the true value as near as may be, at which the property of the deceased should have been estimated. The Assistant Commissioner shall be deemed to be a party to the inquiry

(4) The finding of the Commissioners shall be notified to the person accountable for the duty and if within 30 days, or such further time as may be allowed by the Commissioners, he shall fail to pay, or make arrangements to pay, the duty payable on the value of the property so found, the Commissioners may move the High Court for an order directing payment

(5) At the hearing of the motion the evidence taken before the Assistant Commissioner shall be read as evidence in the case and the Court may allow such further evidence as may be produced to prove the true value of the property and thereafter may make such order as to payment, including costs as between the Commissioners and the person accountable for the duty, as it may deem fit, and such order shall be final and binding on all parties

**Relief where too high
a duty has been paid**

22 (1) Where the property of the deceased has been estimated to be of greater value than the same has afterwards proved to be, and the person accountable for the duty has consequently paid too high a duty thereon, if, within six months after the true value of the property has been ascertained, such person produces the Probate or Letters of Administration to the Assistant Commissioner within the local limits of whose jurisdiction the property was situate and delivers to such Assistant Commissioner a particular inventory and valuation of the property of the deceased verified by affidavit or affirmation the Assistant Commissioner shall report his opinion to the Commissioners

(2) If the Commissioners are satisfied that too much duty has been paid they shall direct the Treasurer to make a refund out of the general revenues of the Protectorate

(3) If the Commissioners shall refuse to make a refund the person accountable for the duty may, within 30 days of receiving a notification to that effect move the High Court for a rule to direct the Commissioners to make such refund

(4) Any order made by the High Court for a refund, or for payment of costs by the Commissioners shall be in the nature of a direction to the Treasurer to pay the person named in the order the sum found due. Such order shall be signed by the Judge, and on receipt of the same by the Treasurer he shall comply therewith

**Postponement of
payment**

23 Where the Commissioners are satisfied that the estate duty leviable in respect of any particular property cannot without excessive sacrifice be raised at once, they may allow payment to be postponed for such period, to such extent, and on payment of such interest not exceeding seven per cent or any higher interest yielded by the property and on such terms, as the Commissioners think fit

**Charge of estate duty
in arrear on property**

24 All duty in arrear shall be a first charge on the property in respect of which the duty is leviable, provided that the property shall not be chargeable as against a *bona fide* purchaser thereof for valuable consideration without notice

**Release of person paying
estate duty**

25 (1) The Commissioners on being satisfied that the full estate duty has been or will be paid in respect of an estate or any part thereof shall if required by the person accounting for the duty, give a certificate to that effect which shall discharge from any further claim for estate duty the property shown by the certificate to form the estate or part thereof as the case may be

(2) A certificate of the Commissioners under this section shall not discharge any person or property from estate duty in case of fraud or failure to disclose material facts and shall not affect the rate of duty payable in respect of any property afterwards shown to have passed on the death, and the duty in respect of such property shall be at such rate as would be payable if the value thereof were added to the value of the property in respect of which duty has been already accounted for

(3) Provided nevertheless that a certificate purporting to be a discharge of the whole estate duty payable in respect of any property included in the certificate shall exonerate a *bona fide* purchaser for valuable consideration without notice from the duty notwithstanding any such fraud or failure

26 The rates of estate duty passing on the death of every person dying after the commencement of this Ordinance shall be according to the rates appearing in the schedule to this Ordinance

Scale of rates of estate duty

LEGAL PROCEEDINGS

27 It shall not be lawful to commence proceedings against any person for the recovery of any estate duty, fines or penalties levied, imposed or payable under this Ordinance or any rules thereunder, except by order of the Commissioners

Proceedings for duty, fines, etc., not to be commenced without order of the Commissioners

28 All actions, suits and proceedings for the recovery of any estate duty, fines or penalties or in respect of any matters relating to this Ordinance, shall be commenced, prosecuted and carried on in the name of the Commissioners and shall be verified by one of the Commissioners or by the Secretary of the Board, and the seal of the Board.

Proceedings to be in the name of the Estate Duty Commissioners

The Commissioners may be plaintiffs or defendants as the case may require, and may be represented in such actions, suits and proceedings by any advocate, or administrative officer as circumstances require

29 Nothing in this Ordinance shall prevent the Commissioners from suing for, at any time, any estate duty fees or penalties due and payable in respect of any property, or for any estate duty fees or penalties due and payable in respect of any intentionally undisclosed property

Commissioners' power to sue for estate duty, etc

30 The Governor-in-Council may from time to time make, alter and revoke rules for the purposes of this Ordinance,

Power to make Rules

(1) For prescribing the forms and methods in which accounts shall be kept and remitted to the Treasury

(2) For the procedure to be observed by the Commissioners and Assistant Commissioners in carrying out the provisions of this Ordinance

(3) For prescribing the fees and charges which shall be levied in respect of any act, matter or thing required to be done before the Commissioners and Assistant Commissioners

(4) For prescribing the forms generally to be used for the purposes of this Ordinance

All rules made under this section shall be submitted to the Legislative Council at the Sessions next following the date of the promulgation of such rules

31 A person who wilfully fails to comply with the provisions of this Ordinance shall be liable to pay a penalty not exceeding Rs 7,500/-, which may be recovered as a civil debt recoverable summarily

Penalties

32 This Ordinance shall apply to all persons other than natives living in a communal state in a tribe

Application of Ordinance

33 On the coming into operation of this Ordinance the fees heretofore payable on Probate and Letters of Administration under the schedule to the East Africa Court Fees Rules, 1902, fee numbered 23, as amended by Rules of Court (Fees) No. 5 of 1911, shall cease to be payable and there shall be substituted therefor estate duty according to the rates appearing in the schedule to this Ordinance

Repeal

34 In the Death Duties (Killed in War) Ordinance, 1915, wherever the words "No 23 of the Schedule to the East Africa Court Fees Rules, 1902" occur there shall be substituted the words "the Estates Duties Ordinance, 1918"

35. No duty shall be leviable under this Ordinance in respect of any property situated in the United Kingdom when passing on death

SCHEDULE

Scale of Rates of Estate Duty.

Where the principal value of the Estate				Estate duty shall be payable at the rate per cent of —
	Rs		Rs	
Exceeds	1,500	and does not exceed	7,500	1
"	7,500	" " " "	15,000	2
"	15,000	" " " "	75,000	3
"	75,000	" " " "	1,50,000	4
"	1,50,000	" " " "	3,00,000	5
"	3,00,000	" " " "	6,00,000	6
"	6,00,000	" " " "	9,00,000	7
"	9,00,000	" " " "	12,00,000	8
"	12,00,000	" " " "	15,00,000	9
"	15,00,000	" " " "	22,50,000	10
"	22,50,000	" " " "	30,00,000	11
"	30,00,000	" " " "	37,50,000	12
"	37,50,000	" " " "	45,00,000	13
"	45,00,000	" " " "	52,50,000	14
"	52,50,000	" " " "	60,00,000	15
"	60,00,000	" " " "	75,00,000	16
"	75,00,000	" " " "	90,00,000	17
"	90,00,000	" " " "	120,00,000	18
"	120,00,000	" " " "	150,00,000	19
"	150,00,000			20

GOVERNMENT NOTICE No 175]

THE EAST AFRICA TOWNSHIPS ORDINANCE, 1903.

RULES

IN EXERCISE of the powers conferred upon him by the East Africa Townships Ordinance, 1903 His Excellency the Acting Governor has been pleased to make the following Rules —

1 These Rules shall apply to the Township of Nairobi and shall be read together with Nairobi Township Rules of 1917, and may be cited as the Nairobi Township Building (Deposit of Materials) Rules, 1918

2 No person shall deposit or cause to be deposited on any unoccupied Crown Land any building material, road material, earth, stones or spoil without the written permission of the Town Clerk or otherwise than in accordance with the terms of such permission

3 The Town Clerk may serve upon any person not complying with these Rules notice in writing calling upon him to remove any material as aforesaid deposited by him within a period to be specified in the notice

By command of His Excellency the Acting Governor,

Nairobi,

The 10th day of June, 1918

W. J. MONSON,

Acting Chief Secretary

GOVERNMENT NOTICE No 176]

**THE BRITISH PROTECTORATES (DEFENCE)
ORDER-IN-COUNCIL, 1916.**

REGULATIONS

IN EXERCISE of the power conferred upon him by the British Protectorate (Defence) Order-in-Council, 1916, His Excellency the Acting Governor has been pleased to issue the following Regulations —

1 These Regulations may be cited as "The Defence Regulations (No 7), 1918"

2 Any person employed by any Railway Administration or on any vessel plying on any inland waters of the Protectorate who without reasonable cause refuses to perform his work or duty as such employee or who performs such work or duty in a negligent, careless or improper manner shall be guilty of an offence and shall on conviction by any Magistrate holding a Subordinate Court of the 1st or 2nd class be liable to imprisonment of either description for a period not exceeding six months or to a fine not exceeding Rs 1,500 or to both such imprisonment and fine

3 A Magistrate may direct any person convicted under these Regulations to return to his employment on the completion of any sentence of imprisonment inflicted under Regulation 2 hereof. A breach of any direction to return as aforesaid shall be deemed to be an offence under these Regulations and shall be punishable as hereinbefore provided in Regulation 2 hereof for offences thereunder

By Command of His Excellency the Acting Governor,

Nairobi,

The 7th day of June, 1918

W J MONSON,

Acting Chief Secretary

GOVERNMENT NOTICE No 177]

THE COMPULSORY SERVICE ORDINANCE, 1915.

NOTICE

District Committee, Kyambu.

HIS EXCELLENCY the Acting Governor in exercise of the powers conferred upon him by the Compulsory Service Ordinance, 1915, has been pleased to make the following appointment to the Kyambu District Committee —

H RYLE SHAW, Esq, during the absence of P G DICKINSON, Esq

Nairobi,

June 1st, 1918

W J MONSON,

Acting Chief Secretary

GOVERNMENT NOTICE No 178]

THE COMPULSORY SERVICE ORDINANCE, 1915.

NOTICE

District Committee, Uasin Gishu.

HIS EXCELLENCY the Acting Governor in exercise of the powers conferred upon him by the Compulsory Service Ordinance, 1915, has been pleased to make the following appointments to the Uasin Gishu District Committee —

MR H C KIRK, W Trans-Nzoia

MR A B BURT, E & C Trans-Nzoia

Nairobi,

June 8th, 1918

W J MONSON,

Acting Chief Secretary

GOVERNMENT NOTICE No 179]

SWAHILI EXAMINATION.

THE following officer has been successful in passing the Lower Standard Swahili examination

J W E GEGG, Assistant District Commissioner

Nairobi,

May 31st, 1918

W J MONSON,

Acting Chief Secretary

GOVERNMENT NOTICE No 180]

PRIORITY OF INDENTS.

NOTICE

WITH reference to Government Notice No 12, page 18, *Official Gazette* of 9th January, 1918, Notice is hereby given that His Excellency the Acting Governor has been pleased to appoint in substitution for the Committee appointed by the above notice the undermentioned gentlemen to be members of the Priority Committee —

A F CHURCH, ESQUIRE (*Chairman*)
 G F W HARTNELL, ESQUIRE
 W C HUNTER, ESQUIRE
 L J TARLTON, ESQUIRE
 R W PLAYFAIR, ESQUIRE

By order of His Excellency the Acting Governor,
 Nairobi,
 The 2nd day of June, 1918

W J MONSON,
Acting Chief Secretary

Government Notice No 12 of 9th January, 1918, is hereby cancelled

GOVERNMENT NOTICE No 181]

THE TRANSMISSION OF PRINTED MATTER.

NOTICE

THE Notice dated the 14th day of December, 1916 (Government Notice No 376), is hereby amended by the deletion of the word "Russia" from para 1 (a) thereof

By order,
 Nairobi,
 The 8th day of June, 1918

W J MONSON,
Acting Chief Secretary

GOVERNMENT NOTICE No 182]

APPOINTMENTS.

HIS EXCELLENCY the Acting Governor has been pleased to make the following appointments —

To be a District Commissioner —

JOHN AUGUSTUS GILBERT ELLIOT, with effect from the 2nd October, 1917

To be Assistant to the Provincial Commissioner, Ukamba —

HENRY HASTINGS HORNE, with effect from the 5th June, 1918

To be Assistant District Commissioner, Kakoneni, Nyika Reserve, Guama Sub-District —

HAROLD GASPARD EVANS, with effect from the 14th May, 1918

To be European Pilot, Port and Marine Department —

ALAN NORMAN NEWITT, with effect from the 16th May, 1918

To be Medical Officer, Nairobi Province —

DR HENRY FLEMING HAMILTON, with effect from the 8th May, 1918

To be a Sanitary Inspector, Mombasa —

ALFRED FRED DENNETT, with effect from the 30th April, 1918

To be a Sanitary Inspector, Nairobi —

BENJAMIN EDWARD FRANCIS WETKIN, with effect from the 30th April, 1918

To be a Sanitary Inspector, Nairobi —

P CAIRNS, with effect from the 5th March, 1918

To be Acting Chief Mechanical Engineer, Uganda Railway —

GEORGE FREDERICK WILLIAM MARINFIT, *nee* BRUCE LAING BRENNER, with effect from the 1st June, 1918

SECRETARIAT, NAIROBI,
 June 11th, 1918

W J MONSON,
Acting Chief Secretary

GOVERNMENT NOTICE No 183]

BIRTHDAY OF HIS MAJESTY THE KING.

THE following telegrams to and from the Secretary of State for the Colonies on the occasion of His Majesty's Birthday are published for general information —

GOVERNMENT HOUSE,
NAIROBI
1st June, 1918

TO THE SECRETARY OF STATE FOR THE COLONIES, DOWNING STREET, LONDON

Please transmit following telegram to His Majesty

On the occasion of Your Majesty's birthday East Africa respectfully offers loyal congratulations and begs to assure Your Majesty of its unalterable determination to answer any call that may be made upon it in the fight for liberty and justice in which Your Majesty's forces are engaged

BOWRING

TO THE GOVERNOR, B E A, NAIROBI

7th June His Majesty commands me to thank you for the loyal message contained in your telegram June 1st, on the occasion of His Majesty's birthday

LONG

GENERAL NOTICE No 623]

NOTICE

THE following dates have been fixed for the next Law and Swahili Examinations —

Law Examination.

July 16th, 17th and 18th, 1918

Higher Swahili Examination.

July 19th and 20th, 1918

Lower Swahili Examination.

July 20th, 1918

GENERAL NOTICE No 624]

**CLAIMS OF BRITISH PRISONERS OF WAR
IN EAST AFRICA.**

THE following notification for general information is published at the request of General Headquarters, Dar-es-Salaam where all communications on the matter in question should be addressed

All British Subjects who have been held captive in enemy hands in East Africa should submit claims to General Headquarters, East Africa Expeditionary Force, Dar-es-Salaam, stating the amounts of cash taken from them when in captivity and in respect of which pre-war and interim notes were forced upon them. Such of these notes as are now in their possession should be forwarded by registered post and a receipt will be exchanged at the standard pre-war rate of exchange. Claims should state the date and camp at which these notes were received and the name of the German Officer or N C O in charge of such camp

GENERAL NOTICE No 625]

HIGH COURT VACATION.

NOTICE

1 THE Vacation will commence on the 30th day of June, 1918, and will terminate on the 21st July, 1918

2 During the Vacation the High Court will sit for the transaction of business of an urgent nature only

3 During the Vacation the Resident Magistrates at Mombasa, Nairobi, Nakuru and Kisumu will only hear Police Cases and Civil Cases of an urgent nature or those in which Advocates are not engaged

4 Any application of an urgent nature to the High Court must be sent in the first instance to the Registrar of the High Court at Mombasa, who will inform the applicant if it will be taken, and the date and time of hearing

By order,

Mombasa,
June 7th, 1918

S H GREVILLE-SMITH,
Ag Registrar, H C High Court of East Africa

GENERAL NOTICE No 626]

NOTICE

Tender for Grazing Rights over Farm No. 1246. Western Kenia

1 The undersigned is prepared to receive on behalf of the Government, subject to the conditions set out below, tenders by way of rent for the grazing rights over all that piece or parcel of land situate at Western Kenia comprising approximately 3,021 acres and being Farm Land Office Number 1246

2 Such rights will be leased under a tenancy agreement from the 1st July next for a term of 3 months the tenancy to be determinable at any time thereafter by either party giving to the other one month's notice in writing

3 Plans of the area may be seen at the Land Department, Nairobi

4 All tenders should be submitted to the Land Officer, Nairobi, on or before the 22nd June, 1918

5 The highest, or any other tender, will not necessarily be accepted and no tender below 10 cents per acre per annum will be considered

6 The conditions of the tenancy agreement will be approximately as follows — No white occupation or improvements will be required, and no compensation will be paid to the tenant for any improvements he may have effected during the tenancy, but he will be allowed to remove such improvements, if any, on or before the expiration of the tenancy should he so desire, provided that in so doing he does no damage to the land or makes good any damage done. All improvements not so removed will become the absolute property of the Government

7 The rent shall be payable monthly in advance the first of such payments to be made on or before the 1st July next

8 The land shall be used for the purposes of grazing only, and the tenant shall not remove any sand, stone, clay, chalk or timber therefrom

9 The tenant shall not assign, sublet or otherwise part with his interest under the agreement without the written consent of the Land Officer first had and obtained

10 No survey fees will be payable by the tenant

11 The cost of the preparation of the licence will be approximately Rs 30/-

Nairobi,

June 7th, 1918

R B WRIGHT,

Land Officer

GENERAL NOTICE No 627]

POST OFFICE NOTICE.

IT is hereby notified for public information that the British Post Office has notified that as from the 3rd June, 1918, the rate of letter postage from the United Kingdom will be raised to 1½ d for the first ounce and a penny for each additional ounce

Surcharges on underpaid letters will be collected accordingly

Nairobi,

May 30th, 1918

L E CAINE,

Ag Postmaster General, B E Africa & U Protectorates

GENERAL NOTICE No 628]

POST OFFICE NOTICE.**ARRIVAL OF BRITISH EAST AFRICA MAILS IN ENGLAND**

IT is hereby notified for public information that the mails despatched from Mombasa on the 12th of April last arrived in England on the 6th instant

Nairobi,

June 8th, 1918

L E CAINE,

Ag Postmaster General, E Africa & U Protectorates

GENERAL NOTICE No 629]

IN THE TOWN MAGISTRATE'S COURT AT KISUMU

PROBATE AND ADMINISTRATION

CAUSE No 4 of 1918

NOTICE OF APPLICATION FOR ADMINISTRATION OF ESTATE OF SHAVJI RATANJI,
LATE OF KISUMU, DECEASED

TAKE NOTICE that application having been made in this Court by Makanji Ratanji, full brother of deceased, Kisumu, for the administration of the Estate of SHAVJI RATANJI, late of Kisumu, who died at Kisumu on the 28th day of April, 1918, this Court will proceed to make a decree in the same unless cause be shown to the contrary and appearance in this respect entered on or before the 6th day of July, 1918

Kisumu,
June 6th, 1918

H A YOUNG,
District Delegate, Kisumu

GENERAL NOTICE No 630]

IN THE TOWN MAGISTRATE'S COURT AT KISUMU

PROBATE AND ADMINISTRATION

CAUSE No 5 of 1918

NOTICE OF APPLICATION FOR ADMINISTRATION OF ESTATE OF WALTER CHADWICK, CHAPLAIN,
LATE OF MUMIAS, DECEASED

TAKE NOTICE that application having been made in this Court by Jane Elizabeth Chadwick, full sister of deceased, for the Administration of the Estate of WALTER CHADWICK, late of Mumias, who died at Msindye on the 30th day of September, 1917, this Court will proceed to make a decree in the same unless cause be shown to the contrary and appearance in this respect entered on or before the 6th day of July, 1918

Kisumu,
June 6th, 1918

H A YOUNG,
District Delegate, Kisumu

GENERAL NOTICE No 631]

IN THE DISTRICT DELEGATE'S OFFICE AT NAKURU

PROBATE AND ADMINISTRATION

CAUSE No 6 of 1918

NOTICE OF APPLICATION FOR ADMINISTRATION OF ESTATE OF REGINALD WASTMORE SPENCE,
LATE OF NAKURU, DECEASED

TAKE NOTICE that application having been made in this Court by Agnes Cecil Josephine Spence, widow, of Nakuru, for the administration with an exemplification of Will annexed of the Estate of R W SPENCE, late of Nakuru, who died at Nairobi on the 19th day of May, 1918, this Court will proceed to make a decree in the same unless cause be shown to the contrary and appearance in this respect entered on or before the 25th day of June, 1918

Nakuru,
June 5th, 1918

H A YOUNG,
District Delegate, Nakuru

NOTE —The exemplification to the Will above named is now deposited and open to inspection at the Court

GENERAL NOTICE No 632]

IN THE RESIDENT MAGISTRATE'S COURT AT NAIROBI

PROBATE AND ADMINISTRATION

CAUSE No 18 of 1918

NOTICE OF APPLICATION FOR ADMINISTRATION OF ESTATE OF RAM RAKHA, CONTRACTOR,
LATE OF NAIROBI, DECEASED

TAKE NOTICE that application having been made in this Court by Chano Devi, of Nairobi, for the administration of the Estate of RAM RAKHA, late of Nairobi, who died at Nairobi on the 27th day of May, 1918, this Court will proceed to make a decree in the same unless cause be shown to the contrary and appearance in this respect entered on or before the 24th day of June, 1918

Nairobi,
May 31st, 1918

JOSEPH SHERIDAN,
District Delegate Nairobi

GENERAL NOTICE No. 633]

IN THE RESIDENT MAGISTRATE'S COURT AT NAIROBI

PROBATE AND ADMINISTRATION.

CAUSE No 19 OF 1918

NOTICE OF APPLICATION FOR PROBATE OF THE WILL OF ROBERT RONALD TATE-SMITH,
ARCHITECT, LATE OF NAIROBI, DECEASED

TAKE NOTICE that application having been made in this Court by Doris Margaret Tate-Smith, of Nairobi, for Probate of the Will of ROBERT RONALD TATE-SMITH, late of Nairobi, who died at Massasi on the 23rd day of February, 1918, this Court will proceed to make a decree in the same unless cause be shown to the contrary and appearance in this respect entered on or before the 29th day of June, 1918

Nairobi,
June 10th, 1918

JOSEPH SHERIDAN,
District Delegate, Nairobi

GENERAL NOTICE No 634]

PROBATE AND ADMINISTRATION

HIGH COURT CAUSE No OF 1918

ADMINISTRATOR GENERAL'S CAUSE No 122 OF 1918

IN THE MATTER OF LIEUT H C CURRIE, 3RD K A R, M I, DECEASED

To all whom it may concern

PURSUANT to an order of the High Court of East Africa dated the 6th day of June, 1918, by which the undersigned was appointed Administrator of the Estate of the late LIEUT H C CURRIE, who died at Natovi on the 24th day of April, 1918,

TAKE NOTICE that all persons having any claims against the Estate of the said LIEUT H C CURRIE, are required to lodge and prove such claims before me the undersigned on or before the 12th day of August, 1918, after which date only the claims so proved will be paid and the Estate distributed according to law

Mombasa,
June 7th, 1918

J W H PARKINSON,
Administrator General

GENERAL NOTICE No 635]

PROBATE AND ADMINISTRATION

HIGH COURT CAUSE No OF 1918

ADMINISTRATOR GENERAL'S CAUSE No 124 OF 1918

IN THE MATTER OF CORPORAL F MACE, E A M T C, DECEASED

To all whom it may concern

PURSUANT to an order of the High Court of East Africa dated the 6th day of June, 1918, by which the undersigned was appointed Administrator of the Estate of the late CORPORAL F MACE, who died at Dodoma on the 26th day of March, 1918,

TAKE NOTICE that all persons having any claims against the Estate of the said CORPORAL F MACE, are required to lodge and prove such claims before me the undersigned on or before the 12th day of August, 1918, after which date only the claims so proved will be paid and the Estate distributed according to law

Mombasa,
June 7th, 1918

J W H PARKINSON,
Administrator General

GENERAL NOTICE No 636]

IN H M HIGH COURT OF EAST AFRICA AT MOMBASA

PROBATE AND ADMINISTRATION

CAUSE No 150 OF 1918

NOTICE OF APPLICATION FOR ADMINISTRATION OF ESTATE OF ESMAIL DOSSA,
LATE OF MOMBASA, DECEASED

TAKE NOTICE that application having been made in this Court by Walji Bhanji, of Mombasa, for the administration with Will annexed of the Estate of ESMAIL DOSSA, late of Mombasa, who died at Mombasa on the 20th day of May, 1918, this Court will proceed to make a decree in the same unless cause be shown to the contrary and appearance in this respect entered on or before the 20th day of June, 1918

Mombasa,
May 29th, 1918

T D MAXWELL,
Judge.

GENERAL NOTICE No 637]

CURRENCY BOARD**NOTICE**

NOTICE is hereby given that the right hand half of Currency Note No $\frac{A}{2}$ 93195 for Rs 5/- has been presented to the Currency Commissioners for payment by The National Bank of India Ltd, Mombasa. Any person claiming to be entitled to payment in respect of the said half note, should communicate forthwith with the Currency Commissioners. In the absence of any such claim being established within three months of this date, payment for the said half note will be made to the said The National Bank of India Ltd, Mombasa, and the half note will be cancelled.

Mombasa,
May 31st, 1918

F W MAJOR,
One of the Currency Commissioners

GENERAL NOTICE No 638]

DISSOLUTION OF PARTNERSHIPS.**NOTICE**

NOTICE is hereby given that the partnership heretofore subsisting between GUY SANDBACH BAKER, JORGEN SANNUM and LESLIE GORDON BARBROOK, carrying on business as saw-millers and timber merchants at Londiani in the East Africa Protectorate, under the style or firm of the Londiani Saw Mills, has been dissolved by mutual consent as from the 31st day of May 1918, so far as concerns the said Guy Sandbach Baker who retires from the said firm. All debts due to and owing by the said firm will be received and paid respectively by the surviving partners who will continue to carry on the said business in partnership under the style or firm of the Londiani Saw Mills.

Dated this 31st day of May, 1918

(Sd) JORGEN SANNUM,
Partner

(Sd) HARRISON, SALMON AND CRESSWELL,
Solicitors for the said Guy Sandbach Baker

GENERAL NOTICE No 639]

NOTICE

NOTICE is hereby given that the General Power of Attorney dated the 6th day of December, 1917, given by me to Satyendra T Thakore, is hereby cancelled as from the 13th day of May, 1918.

Nairobi,
June 4th, 1918

NATHUBHAI JIVANJI DESAI

GENERAL NOTICE No 640]

NOTICE

To all whom it may concern

TAKE NOTICE that the Power of Attorney granted by David Wolffe to Angus F Macrae has been revoked and is hereby cancelled.

(Sd) DAVID WOLFFE.

GENERAL NOTICE No 641]

UGANDA RAILWAY.

Approximate Statement of Public Coaching and Goods Traffic
for the month of May, 1918.

Coaching Traffic	Rs	378,019
Goods Traffic	„	483,184
	Total Rs	<u>861,203</u>

Corresponding month of previous year :—

Coaching Traffic	Rs	384,145
Goods Traffic	„	520,201
	Total Rs	<u>904,346</u>
	Increase Rs	<u>Nil</u>
	Decrease Rs	<u>43,143</u>

Nairobi

June 6th, 1918

H. E. GOODSHIP,
Chief Accountant.