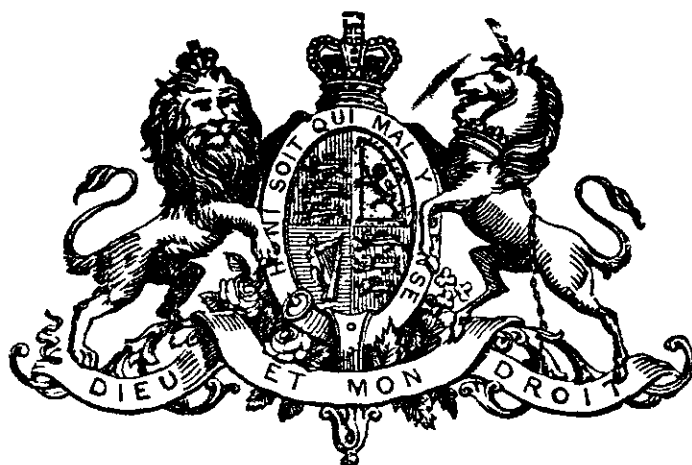


THE
OFFICIAL GAZETTE

OF THE

Entebbe

EAST AFRICA



PROTECTORATE.

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

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NAIROBI, December 31, 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

ARRIVALS.

Name	Rank	From leave or on 1st Appointment	Date of leaving England	Date of Embarkation	Date of arrival at Kilmindin
S Couper	General Manager, U Ry	1st appointment			Dec 16th, 1918
T Neilson	Asst Traffic Manager, U Ry	Leave	Oct 20th, 1918		„ 18th „
A W Reid	Chief Storekeeper, U Ry	„	„ 20th „		„ 18th „

DEPARTURE.

Name	Rank	On leave or termination of appointment	Date of Departure
Lieut J O Buckler, R N R	Chief Officer, Lake Steamers, U Ry	Leave	December 23rd, 1918

EAST AFRICA PROTECTORATE.

AN ORDINANCE

No 24 OF 1918

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

[December 31st, 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 Branding of Stock Amendment Ordinance, 1918,” and shall be read together with the Branding of Stock Ordinance, 1907, hereinafter called the Principal Ordinance

Short title

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

Interpretation

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

3 Section 18 of the Principal Ordinance is hereby deleted and the following substituted therefor —

Sales by auctioneers to natives cattle to be branded with auctioneers' brand

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

AN ORDINANCE

No 25 OF 1918

An Ordinance to amend the Law Relating to Criminal Procedure.

[December 31st, 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 Criminal Procedure Amendment Ordinance, 1918,” and shall be read as one with the Criminal Procedure Ordinance, 1913, hereafter referred to as the Principal Ordinance

Short title

2 The Governor-in-Council may by order direct that any area in the Protectorate shall be a special district for the purposes of this Ordinance

Special District

3 The Governor may for any good and sufficient reason by appointment in the Gazette confer upon any District Commissioner, or other officer, in charge of a special district holding a subordinate Court of the First or Second class, power to try natives for offences under Chapter VI of the Indian Penal Code, and for the offences of murder, culpable homicide not amounting to murder, and attempt and abetment of all the foregoing offences

Special powers to Magistrates to try certain offences

Provided that all such offences shall be tried with the aid of assessors, and shall be inquired into and tried in the manner prescribed for the trial of such offences by the High Court under the Principal Ordinance

Confirmation of sentences

4 No sentence of death or sentence of imprisonment exceeding six months or sentence of whipping exceeding 12 lashes imposed under the powers conferred by the preceding section shall be carried into effect and no fine exceeding Rs 500/- imposed under such powers shall be levied until the record of the case or a certified copy thereof has been transmitted to and the sentence has been confirmed by the High Court. Provided that no death sentence shall be carried into effect until in addition to the confirmation by the High Court such sentence has been confirmed by the Governor

Sentence of death to be confirmed by Governor

5 Whenever a sentence of death shall be confirmed by the High Court, such Court shall forthwith transmit the record of the case, or a certified copy thereof, to the Governor for his confirmation

AN ORDINANCE.

No 26 OF 1918

An Ordinance to amend "The Prisons Ordinance 1914" in regard to Licences to Prisoners to be at large.

Date of Assent and Commencement

[December 31st, 1918]

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

Short title

1 This Ordinance may be cited as "The Prisons Amendment Ordinance, 1918," and shall be construed as one with the Prisons Ordinance, 1914 (hereafter referred to as "The Principal Ordinance")

Repeal

2 Sections 108 and 109 of the Principal Ordinance are hereby repealed but so nevertheless as not to abridge prejudice or in anywise affect any licence to be at large duly granted to any prisoner under the two said sections hereby repealed

Power of Governor to grant licences to prisoners to be at large

3 Save in the cases in the proviso to this section excepted, and subject to the other provisions of this Ordinance and to any regulations issued hereunder, it shall and may be lawful for the Governor by an order in writing under his hand and Official Seal to grant to any prisoner now under sentence of rigorous imprisonment for a term of 3 years or upwards or who shall hereafter be sentenced to rigorous imprisonment for a term of 3 years or upwards and who has completed or who shall hereafter complete two-thirds of any such sentence without having committed or without committing any prison offence during the last two years immediately preceding of such imprisonment, a licence to be at large in the Protectorate or in such part thereof as in such licence shall be expressed and it shall and may be lawful for the Governor to revoke or alter such licence by a like order at the Governor's pleasure. Provided always no such licence as aforesaid shall be granted —

(a) to any prisoner now sentenced or who hereafter may be sentenced to rigorous imprisonment for life,

(b) or to any prisoner who, previously to the sentence he is undergoing, has been already sentenced to rigorous imprisonment for any period

Legal effect of a licence to be at large.

4 So long as such licence as aforesaid shall continue in force and unrevoked such prisoner shall not be liable to imprisonment by reason of his sentence but shall be allowed to go and remain at large according to the terms of such licence

Form in which, and conditions subject to which a licence to a prisoner is to be granted

5 Every such licence as is mentioned in section 3 hereof shall be in such form as the Governor may from time to time by Regulations published in the Official Gazette determine and shall be granted subject to the following conditions which shall be printed or written thereon or on the back thereof that is to say —

(a) The finger prints of the holder of the licence shall be imprinted thereon, and such holder shall preserve his licence and shall at all times produce it on demand when called upon by a Magistrate or Police Officer to do so

(b) The holder of such licence shall abstain from any violation of the law

(c) The holder of such licence shall not habitually associate with notoriously bad characters such as reputed thieves, housebreakers, receivers of stolen property and the like

(d) The holder of such licence shall not lead an idle or dissolute life without visible means of earning an honest livelihood

(e) The holder of such licence shall at the time of his discharge from prison inform the Superintendent of the Prison as to the place where he intends to reside and shall with all convenient speed proceed to such place and shall within 48 hours of arrival at such place report himself personally unless prevented by unavoidable cause to the officer-in-charge of the nearest Police Station of the district wherein such place is situate

(f) The holder of such licence shall, unless prevented by unavoidable cause, thereafter once in each month report himself personally to the officer-in-charge of the nearest Police Station of the district in which he is residing and shall, unless prevented by unavoidable cause, on every change of residence within the same district notify, either personally or by letter, such officer-in-charge as aforesaid, and, on every change of residence from one district to another shall, unless prevented by unavoidable cause, give 48 hours notice, either personally or by letter to such officer-in-charge of the Police Station of the district he is leaving, of his intention to leave and, so far as is practicable of his exact future address, and shall, unless prevented by unavoidable cause, within 48 hours of arrival at his destination within the new district where he intends to reside, report himself personally to the officer-in-charge of the nearest Police Station in such district

(g) Any other conditions which the Governor may from time to time by Regulations published in the "Official Gazette" prescribe Any such new conditions shall be printed or written on any licence thereafter issued but shall not affect the holder of any licence already duly issued at the time of the publication of such further conditions

6 If the holder of any licence granted under the provisions of this Ordinance breaks or fails to comply with any of the terms or conditions contained in or set forth in such licence by any act that is not of itself punishable by any law in existence, he shall be deemed to be guilty of an offence and on conviction before any Magistrate entitled to hold a Subordinate Court of the first or second class shall be liable to imprisonment of either description for a period not exceeding three months, and on conviction, whether for an act already punishable by law or for an act punishable by virtue of this section, in either case such licence shall be forfeited by the order of the Judge or Magistrate by whom such person shall be sentenced

Breach of terms or conditions of a licence to be at large or other criminal offences committed by the holder to entail punishment and forfeiture of licence

7 Where any licence under this Ordinance is forfeited or revoked under any of the provisions herein contained, the person whose licence is forfeited or revoked shall, after undergoing any other punishment to which he may be sentenced for the offence (if any) in consequence of which his licence is forfeited or revoked, further undergo a term of rigorous imprisonment equal to the portion of his term that remained unexpired at the time of his licence being granted

Consequences of forfeiture or revocation of licence to be at large

8 If the holder of any licence granted under the provisions of this Ordinance shall prove to the satisfaction of a Magistrate that he has lost his licence through no fault of his own he shall not be guilty of an offence and shall be entitled to a duplicate of such licence

Loss of licence

9 (1) In any case in which the Governor has revoked a licence under this Ordinance, it shall be lawful for the Governor to signify to any Magistrate entitled to hold a Subordinate Court of the first or second class that such licence has been revoked and to require such Magistrate to issue a warrant for the apprehension of the prisoner to whom such

Procedure to be followed in the event of revocation of a licence to be at large by the Governor or in case of forfeiture thereof by Judge or Magistrate

licence was granted, and such Magistrate shall issue his warrant accordingly, which shall and may be executed in any part of the Protectorate and shall have the same force and effect in all districts of the Protectorate as if the same had been originally issued by a Magistrate having jurisdiction in the place where the same was executed and such prisoner when apprehended under such warrant shall be brought, as soon as conveniently may be before the Magistrate of the Court from which the warrant shall have issued and such Magistrate shall thereupon make out his warrant for the recommitment of such prisoner to the prison or place of confinement from which he was released by virtue of the said licence, and such prisoner shall, subject to the provisions of section 7 hereof, thereupon undergo the residue of his original sentence

(2) And in any case in which any licence is forfeited by the order of the Judge or Magistrate pursuant to section 6 hereof, such Judge or Magistrate shall make out his warrant for the recommitment of such prisoner to the prison or place of confinement from which he was released by virtue of the said licence to undergo, subject to the provisions of section 7 hereof, the residue of his original sentence

AN ORDINANCE

No 27 OF 1918

An Ordinance to amend the Law Relating to the Issue of Stock Traders Licences.

Date of Assent and
Commencement

[December 31st, 1918]

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

Short title

1 This Ordinance may be cited as "The Stock Traders Licence Amendment Ordinance, 1918," and shall be read as one with the Stock Traders Licence Ordinance, 1918, hereafter referred to as the Principal Ordinance

Definition

2 The expression "Stock Trader" shall for the purposes of the Ordinance and the Principal Ordinance mean any person who ordinarily buys and sells stock for cash or by barter by way of trade

Exemption for auctioneers.

3 It shall not be necessary for any person who is a holder of a licence issued under the Sales by Auction Ordinance, 1912, to be in possession of a licence under the Principal Ordinance in order to sell any stock by auction

Amendment of section 2 of
Principal Ordinance

4 In section 2 of the Principal Ordinance the definition of the term "dairymen" shall be deleted

Licence to sell by persons
other than stock traders

5 No person shall carry on the trade and business of a Stock Trader without a licence Provided that it shall not be necessary for a farmer to be in possession of a licence to buy, sell or barter stock in the course of his business as a farmer And provided that it shall not be necessary for a native living in a reserve or area set apart for the tribe to which he belongs to be in possession of a Stock Traders licence in such reserve or area And further provided that it shall not be necessary for a native living in a Reserve or area set apart for the tribe to which he belongs to be in possession of a Stock Traders licence to sell or barter outside the limits of such Reserve or area stock bred in such Reserve or area And provided further that it shall not be necessary for the employee or agent of a stock trader who is in possession of a Stock Traders licence to be in possession of such a licence when buying, selling or bartering stock for and on behalf of his employer or principal as the case may be

Reduction of licence fee

6 Section 4 of the Principal Ordinance shall be amended by the deletion of the expression Rs. 300/- and by the substitution therefor of the expression Rs. 150/-

- 7 Any Police Officer may demand for inspection any licence issued under the Principal Ordinance or this Ordinance and such licence shall forthwith be produced Power of Police to call for production of licences
- 8 Any person who sells stock in contravention of any licence issued under this Ordinance or otherwise contravenes the provisions of this Ordinance shall, on conviction, be liable to a fine not exceeding one thousand five hundred rupees or to imprisonment for a term not exceeding six months or to both Penalties
- 9 Sections 3 and 5 of the Principal Ordinance are hereby repealed Repeal

AN ORDINANCE

No 28 OF 1918

An Ordinance to regulate the Making and Sale of Bread and to prevent the Adulteration thereof and of Meal and Flour.

[December 31st 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 Bread Ordinance, 1918” Short title
- 2 It shall and may be lawful for any baker or seller of bread to make and sell or offer for sale in his shop or to deliver to his customer or customers bread made of flour or meal of wheat, barley, rye, oats, buck wheat, Indian corn, peas, beans, rice, or potatoes or any of them, and with any common salt, pure water, eggs, milk, barm, leaven, potato or other yeast, and mixed in such proportions as he shall think fit, and with no other ingredient or matter whatever, subject to the provisions hereinafter contained Bread made of the articles herein mentioned may be sold
- 3 The several sorts of bread which shall be made for sale or sold or exposed for sale shall always be well made and in their several and respective degrees according to the quality of the meal or flour whereof the same ought to be made and no alum or mixture in which alum shall be an ingredient or any other mixture or ingredient whatsoever other than and except as hereinbefore mentioned shall be put into or in anywise used in making of bread for sale under any colour or pretence whatsoever on pain that every person who shall knowingly offend in the premises shall on conviction of every such offence forfeit and pay any sum not exceeding Rs 150/ Bread to be well made
- 4 All bread made for sale within the Protectorate except as hereinafter excepted shall be made into loaves weighing not less than half a pound, one pound, two pounds and four pounds respectively according to the standard weight by law established and which loaves shall be called respectively half pound loaf, one pound loaf two pound loaf and four pound loaf and any person who shall make for sale or sell or offer for sale bread of any other denomination or size or shall sell or offer for sale any loaf which shall be found deficient of its due weight when weighed in the shop at the time it is sold or offered for sale and which shall have been baked within twenty four hours next preceding the time or its being so sold or offered for sale the proof of which shall be on the baker or seller thereof shall on conviction forfeit and pay for every such offence any sum not exceeding Rs 75/ Penalty for adulteration
- Provided always that nothing herein contained shall extend or be construed to extend to prevent any baker or seller of bread from making or selling fancy bread or rolls of such weight or size as he shall think fit and without previously weighing the same. Fancy bread for the purposes of this Section shall mean bread of exceptional quality and of different shape and appearance from ordinary bread Bread to be sold in loaves of certain weights
- And provided always that any baker or seller of bread may in the event of the weight of a loaf being found to be deficient make up the deficiency by the addition of bread cut from another loaf baked within 24 hours next preceding the time of the sale Fancy bread or rolls excepted
- Deficiency in weight of bread to be made good

Standard wheaten bread

5 From and after the commencement of this Ordinance all bread made of the flour of wheat which flour without any mixture or division shall be the whole produce of the grain, the bran or hull thereof only excepted, and which shall weigh two third parts of the weight of the wheat whereof it shall be made shall be called and understood to be standard wheaten bread

Household wheaten bread

6 From and after the commencement of this Ordinance all wheaten bread made for sale of any meal or flour of an inferior quality to the flour used for standard wheaten bread as hereinbefore directed shall be called and understood to be household wheaten bread and every loaf of such bread shall be marked with a large Roman H

Mixed bread

7 All bread made for sale wholly or partially of the meal or flour of any other sort of corn or grain than wheat or of the meal or flour of any peas, beans or potatoes shall be called and understood to be mixed bread and every loaf of such bread shall be marked with a large Roman M

Penalty for not marking household or mixed bread

8 Any person who shall make for sale or sell or expose for sale any household wheaten bread or any mixed bread without being respectively marked as hereinbefore directed then and in every such case every person so offending shall on conviction forfeit and pay the sum of Rs 7/50 for every pound or part thereof of weight of such bread which shall be so made for sale or sold or exposed for sale without being so marked as aforesaid

Bakers to use avoirdupois weight

9 The several bakers or sellers of bread respectively shall use avoirdupois weight of sixteen ounces to the pound and the several gradations of the same for any less quantity than a pound, and in case any such baker or seller of bread shall at any time use any other than the avoirdupois weight, and the several gradations of the same, he shall, for every such offence forfeit and pay any sum not exceeding Rs 75/- as the Magistrate before whom such conviction shall take place shall from time to time order and adjudge

Bakers to provide in their shops beams, scales, and weights, etc, and to weigh bread, etc

10 Every baker or seller of bread shall cause to be fixed in some conspicuous part of his shop on or near the counter a correct beam and scales with proper weights or other sufficient balance for weighing loaves of bread of the regulated weights of half a pound, one pound, two pounds and four pounds respectively, and any person who may purchase any such loaf of bread from any such baker or seller of bread may if he shall think proper require the same to be immediately weighed in his presence, and any such baker or seller of bread who shall neglect to fix such beam and scales or to provide and keep for use such regulated weights or other sufficient balance, or who shall refuse to weigh any loaf or loaves purchased in his shop in the presence of the party requiring the same shall on conviction forfeit and pay for every such offence any sum not exceeding Rs 75/

Bakers and sellers of bread, etc, delivering by cart, etc, to be provided with scales and weights, etc for weighing bread

11 Every baker or seller of bread and every journeyman, servant or other person employed by such baker or seller of bread who shall convey and carry out bread for sale in any cart or other carriage drawn by a horse or other animal, or by any other means howsoever, shall be provided with and constantly carry a correct beam and scale with proper weights or other sufficient balance for weighing loaves of bread of the regulated weights of half a pound, one pound, two pounds and four pounds respectively, and any person who may purchase any such loaf of bread may if he shall think proper require the same to be weighed in his presence, and in case any such baker or seller of bread or his journeyman, servant or other person shall at any time carry out or deliver any bread without being provided with proper weights or other sufficient balance or shall at any time refuse to weigh any bread purchased of him or delivered by his journeyman, servant or other person in the presence of the person purchasing or receiving the same then and in every such case every such baker or seller of bread shall for every such offence forfeit and pay any sum not exceeding Rs 75/

Provided always that a baker or seller of bread or his journeyman servant or other person employed by such baker or seller of bread may convey and carry out bread purchased in the shop of the baker or seller of bread for the purpose of delivery only at the premises of the purchaser without being provided with a correct beam and scale with proper weights or with sufficient balance

12 If any person shall put into any corn, meal or flour which shall be ground, dressed, bolted or manufactured for sale either at the time of grinding, dressing, bolting or manufacturing the same or at any other time any ingredient or mixture whatever not being the real and genuine produce of the corn or grain which shall be so ground or if any person shall knowingly sell or offer for sale either separately or mixed any meal or flour of one sort of corn or grain as the meal or flour of any other sort of corn or grain or any ingredient whatsoever mixed with the meal or flour so sold or offered or exposed for sale then and in every such case every person so offending shall on conviction forfeit and pay for every offence any sum not exceeding Rs 300/

Penalty for adulterating meal or flour or selling flour of one sort of corn as the flour of another

Provided that nothing herein contained shall apply to any ingredient article or material employed or used for cleansing or preserving such corn or grain from smut or other disease weevil or other insect or impurity so as that every such ingredient article or material so employed or used be carefully and effectually removed from such corn or grain before the same shall be ground

13 It shall be lawful for any Magistrate and also for any Police Officer authorised by any warrant under the hand of a Magistrate at seasonable times in the day time to enter into any house, mill, shop, stall, bakehouse, bolting house, pastry warehouse, outhouse or ground of or belonging to any miller, mealman or baker or other person who shall grind, grain or dress or bolt meal or flour or make bread for reward or sale and to search or examine whether any mixture or ingredient not the genuine produce of the grain such meal or flour shall import or ought to be shall have been mixed up with or put into any meal or flour in the possession of such miller, mealman or baker either in the grinding of any grain at the mill or in the dressing, bolting or manufacturing thereof whereby the purity of any meal or flour is or shall be in anywise adulterated or whether any mixture or ingredient other than is allowed by this Ordinance shall have been mixed up with or put into any dough or bread in the possession of any baker or other person whereby any such dough or bread is or shall be in anywise adulterated and also to search for any mixture or ingredient which may be intended to be used in or for any such adulteration or mixture, and if upon any such search it shall appear that any such meal, flour, dough or bread so found shall have been so adulterated by the person in whose possession it shall then be or any mixture or ingredient shall be found which shall seem to have been deposited there in order to be used in the adulteration of meal, flour or bread then and in every such case it shall be lawful for every such Magistrate or Police Officer authorised as aforesaid to seize and take any meal, flour, dough or bread which shall be found in any such search and deemed to have been adulterated and all ingredients and mixtures which shall be found and deemed to have been used or intended to be used in or for any such adulteration as aforesaid and such part thereof as shall be seized by any Police Officer authorised as aforesaid shall with all convenient speed after seizure be carried to the nearest Magistrate, and if any Magistrate shall make such seizure in pursuance of this Ordinance or to whom anything so seized under the authority of this Ordinance shall be brought shall adjudge upon the evidence of any competent person or persons taken upon oath that any such meal, flour, dough or bread so seized shall have been adulterated by any mixture or ingredient put therein other than is allowed by this Ordinance or shall adjudge that any ingredient or mixture so found as aforesaid shall have been deposited or kept where so found for the purpose of adulterating meal, flour or bread then and in any such case such Magistrate is hereby required to dispose of the same as he in his discretion shall from time to time think proper

Baker's shop, etc., may be searched for adulterated flour and bread or ingredients for adulterating the same

and any found seized

Penalty on persons in whose possession ingredients for the adulteration of bread shall be found

14 Every miller, mealman or baker in whose house, mill, shop, stall, bakehouse, bolting house, pastry warehouse, outhouse, ground or possession any ingredient or mixture shall be found which shall after due examination be adjudged by any Magistrate to have been deposited there for the purpose of being used in adulterating the purity or wholesomeness of any meal, flour, dough or bread shall on conviction forfeit and pay for every such offence any sum not exceeding Rs 30/- for the first offence, Rs 75/- for the second offence, and Rs 150/- for every subsequent offence unless it shall be made to appear to the satisfaction of any Magistrate that such ingredient or mixture was so deposited without the knowledge or privity of the party accused

Penalty for obstructing any search authorised by this Ordinance

15 If any person shall wilfully obstruct or hinder any search as hereinbefore is authorised to be made or the seizure of any meal, flour, dough or bread or of any ingredient or mixture which shall be found on any such search and shall be deemed to have been lodged with an intent to adulterate the purity or wholesomeness of any meal, flour, dough or bread or shall wilfully oppose or resist any search being made or the carrying away any such ingredient or mixture as aforesaid or any meal, flour, dough or bread which shall be seized as being adulterated or as not being made pursuant to this Ordinance the person so offending shall on conviction of every such offence forfeit and pay any sum not exceeding Rs 150/

Jurisdiction of offences

16 All offences against this Ordinance hereinbefore directed to be heard and determined by any Magistrate may be heard and determined by any Magistrate holding a Court of the First or Second class. Provided always that no person shall be convicted for any offence under this Ordinance unless the complaint be made within 48 hours next after the time the offence shall have been committed

Recovery of penalties

17 All forfeitures and penalties imposed by this Ordinance may be recovered as a civil debt recoverable summarily

AN ORDINANCE

No 29 OF 1918

An Ordinance to amend the Provisions of the Stock and Produce Theft Ordinance, 1912

[December 31st, 1918]

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

Date of Assent and Commencement

1 This Ordinance may be cited as "The Stock and Produce Theft Amendment Ordinance, 1918," and shall be read as one with the Stock and Produce Theft Ordinance, 1912, hereinafter referred to as the Principal Ordinance, and the Stock and Produce Theft Amendment Ordinance 1914

Short title.

2 Whenever any native ordinarily and voluntarily resides within a village of any sub-tribe or tribe of different origin, such native shall be deemed to be a member of such sub-tribe or tribe for the purposes of the Principal Ordinance and shall be subject to the provisions of the Principal Ordinance or any amendment thereof

Natives residing with tribes other than their own

3 In any case in which it has been proved that the stock or produce in respect of which theft has been committed has been found in a village or place other than the village or place in which the accused ordinarily resides then on the conviction of the accused the Court may notwithstanding the provisions of section 4 of the Principal Ordinance depart from the order set out in such section and may levy the fine or part of the fine on the inhabitants of the village or place wherein such stock or produce has been found

Levying of fine

4 Notwithstanding anything in the Principal Ordinance to the contrary contained in any case in which an accused has been convicted of an attempted theft of stock or produce the fine inflicted by the Court shall not exceed Rs 3,000

AN ORDINANCE

No 30 of 1918

An Ordinance to amend the Master and Servants Ordinance, 1910.

[December 31st, 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 Master and Servants Amendment Ordinance, 1918,’ and shall be read as one with the Master and Servants Ordinance, 1910, hereafter referred to as the Principal Ordinance, and all Ordinances amending such Ordinance

Short title

2 The Principal Ordinance shall be and is hereby amended as follows —

Amendment of section 47
of the Principal Ordinance

(1) By the deletion in section 47 of the Principal Ordinance of the words “fined a sum not exceeding the amount of one month’s wages and in default of payment of the same may be imprisoned with or without hard labour for any period not exceeding one month,” and by the substitution therefor of the following —

punished with rigorous imprisonment for a term which may extend to one month, or with a fine not exceeding Rs 50/, or with both such imprisonment and fine, at the discretion of the Magistrate ”

(2) After the word “language” in section 47, sub-section (6) shall be added the words ‘or be guilty of insulting behaviour’

(3) Notwithstanding anything in the Principal Ordinance to the contrary it shall be lawful for an employer and servant to enter into a contract of service either orally or in writing for a period of time composed of 30 completed days’ work whether completed in succession or otherwise, in this Ordinance referred to as a “30 days’ contract”, and in the event of such “30 days’ contract” being in writing, it shall not be necessary to comply with any of the formalities prescribed by the Principal Ordinance in the case of written contracts. Provided that subject to the provisions of Section 51 of the Principal Ordinance in no event whatsoever shall such a contract extend beyond a period of 42 consecutive days and on the expiration of such period the servant shall be entitled to the payment of all wages accrued due in respect of the number of days he has worked in the proportion which such number of days bear to 30

Employer and servant may
enter into a contract of
service for a period of time
composed of 30 completed
days work

4 If any servant employed under a 30 days contract shall be absent from work through illness, the employer shall at his own expense, if the servant is residing on the employer’s premises, cause such servant to be properly fed during the period of his illness, for the unexpired period of 42 days

Absence of servant from
work through illness

AN ORDINANCE

No 21 of 1918

An Ordinance to amend the Native Authority (Famine Relief) Ordinance, 1918.

[December 31st, 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 Native Authority (Famine Relief No 2) Ordinance, 1918,” and shall be construed together with “The Native Authority (Famine Relief) Ordinance, 1918,” hereinafter referred to as the Principal Ordinance

Short title

2 The Principal Ordinance shall be and is hereby amended as follows —

Amendment of section 2 of
the Principal Ordinance

(1) By the deletion in section 2, sub-section (1) of the Principal Ordinance of the word “and”

(2) By adding the word "and" at the end of section 2, sub-section (ii) of the Principal Ordinance

(3) By adding to section 2 of the Principal Ordinance the following sub-section (iii) —

(iii) requiring any native residing in his jurisdiction to cultivate land within the local limits of such jurisdiction to such reasonable amount as the headman may prescribe. The crops accruing from any such cultivation shall be the property of the native

3 The provisions of section 4 of the Principal Ordinance shall not apply in the case of clause 3 of section 2 of the Principal Ordinance as amended by the Ordinance hereinbefore set out

AN ORDINANCE

No 32 OF 1918

An Ordinance to Amend the King's African Rifles Ordinance, 1918, in regard to exemptions from Hut Tax and Poll Tax in certain cases.

Date of Assent and Commencement

[December 31st, 1918]

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

Short title

1 This Ordinance may be cited as "The King's African Rifles Amendment (No 2) Ordinance, 1918," and shall be construed together with the King's African Rifles Ordinance, 1912, and the King's African Rifles Amendment Ordinance, 1918

Amendment

2 Section 3 of the King's African Rifles Amendment Ordinance, 1918, is hereby repealed but so nevertheless as not to abridge prejudice or in anywise affect any right duly acquired thereunder at the date hereof

Provision for the remission of hut and poll tax in certain events

3 (1) In the event of any person within the description of any of the classes of persons set out in sub-section (2) hereof, owing to injuries received whether prior or subsequent to the date of this Ordinance on active service against an enemy or otherwise on active service or owing to disease contracted on such active service or as a result thereof, becoming totally or partially disabled to such an extent as materially to affect his wage earning capacity the Commanding Officer of such person at the time of such injuries or disease being received, contracted or resulting as aforesaid or such officer as the Governor may appoint in that behalf may recommend and the Governor may sanction the exemption of such person from the payment of hut tax on one hut for life or from the payment of poll tax in respect of himself for life as the case may be

(2) The following are the classes of persons referred to in sub-section (1) hereof, that is to say —

(a) any native officer, non-commissioned officer or private of the King's African Rifles, or any Protectorate native carrier, or any combatant or non-combatant Protectorate native, recruited or selected under any Ordinance for the time being in force or otherwise for any form of military service (and attached to or serving or employed with, or in anywise subject to the discipline of the King's African Rifles, or of the East Africa Expeditionary Forces), or

(b) any Protectorate native carrier, or any combatant or non-combatant Protectorate native recruited or selected as aforesaid and attached to or serving or employed with any regiment corps or unit formed under the provisions of any Ordinance for the time being in force or otherwise

AN ORDINANCE

No 33 of 1918,

An Ordinance to Regulate the Residence of Native Families on Farms and on Areas not included in Native Reserves.

[December 31st, 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 —

WHEREAS it is desirable to encourage resident native labour on farms and to take measures for the regulation of the squatting or living of natives in places other than those appointed for them by the Government of the Protectorate and for the preservation of law and order amongst such natives

Preamble

1 This Ordinance may be cited as "The Resident Natives Ordinance, 1918," and shall come into operation on such date as the Governor-in-Council may appoint

Short title and date of
commencement

2 For the purposes of this Ordinance the expression —

Definitions

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

"Farm" shall mean any area of land (other than an area of land situated in a Township) not included in a Native Reserve whether such land is leased or sold by the Crown or not and whether such area is unalienated Crown land or Forest Reserve or not but shall not include the Mission Settlement at Freretown in the Seyidie Province the land whereof was originally granted to the Church Missionary Society by His Highness the Sultan of Zanzibar for the purpose of settling released slaves thereon, provided, however, that settlement on the land shall be in accordance with the purposes of the original grant

"Occupier" shall mean and include the owner or lessee or any other person having a legal right to occupy a farm and shall also mean and include in respect of unalienated Crown Lands the Land Officer and in respect of Forest Reserves the Conservator of Forests

"Family" shall mean an able-bodied native male together with his wife or wives and children if any. The expression "Family" shall not include an adult native male who has entered into a contract of service, which is unexpired, with the occupier under the Master and Servants Ordinance, 1910, or any amendment thereof and who is residing with or without his wife and children on the farm

'Stock' shall include cattle, sheep, goats, horses, swine, camels, mules and donkeys

"Magistrate" shall mean any Resident Magistrate or Assistant Resident Magistrate having jurisdiction in the area in which the farm is situated, or, where there is no Resident Magistrate or Assistant Resident Magistrate appointed, such other Magistrate as the Governor may appoint

"Reserve" shall include any area set apart for the use of any native tribe or part of a tribe

"Mission" shall mean any Mission recognized as such by the Governor

3 No occupier shall permit any family to reside on a farm save under the conditions hereafter prescribed by section 5 of this Ordinance

Permits for families
to reside on a farm to
be obtained

4 (1) A Magistrate shall on the application from time to time of any occupier grant a permit in writing to the applicant to allow him to have such number of families resident on the farm as the Magistrate may prescribe having due regard to the labour requirements of the farm

(2) Before granting any application made under this section the Magistrate shall hold an inquiry and such application shall not be granted wholly or in part unless the Magistrate is of the opinion that the applicant has shewn good cause. The Magistrate shall keep a record of any enquiry held under this section

Leave to be obtained by
a family to reside on a
farm

5 A family shall be allowed to reside on a farm when the head thereof produces to the District Commissioner of the district in which he is living on the date on which he requires leave so to reside a permit issued and signed by a Magistrate authorizing such family to reside on a farm. The head of the family shall provide the District Commissioner with full particulars as regards his name, location and wives and children if any proceeding with him to the farm. Such information shall be endorsed on the permit by the District Commissioner who shall also record the particulars in a register to be kept by him. Provided that should any son apparently of the age of 16 years or over desire to accompany his father he shall be a party to any agreement as to labour provided for in section 16 of this Ordinance. Further provided that in the case of a son who at the time his father moves to a farm is apparently under the age of 16 years and arrives at that apparent age while residing on the farm he may remain with the family during the period of the agreement

Permit to be produced

6 Any Magistrate or any person duly authorized by a Magistrate in that behalf may demand the production of any permit granted under the preceding section and the occupier shall forthwith produce such permit

Register of permits
granted

7 The Magistrate shall keep a register of all permits granted under section 4 and section 17 and such register shall set out such particulars as the Governor-in-Council may by rule prescribe

List of natives and their
cattle

8 Every occupier shall keep a register of all families resident on the farm and of all cattle belonging to any natives lawfully resident on the farm and the register shall be in such form as the Governor-in-Council may by rule prescribe

Examination of register

9 Any Magistrate or any person duly authorized by a Magistrate in that behalf may demand from the occupier the register to be kept under the provisions of the preceding section for inspection and he shall satisfy himself that the number and particulars of the families resident on the farm and the cattle belonging to any natives lawfully residing on the farm agree with the number and particulars of the families and cattle entered in the register. The Magistrate or any person duly authorized by a Magistrate in that behalf may demand from the occupier an explanation of any differences between the number and particulars of either families resident on the farm or the cattle belonging to natives lawfully residing on the farm and the number and particulars entered in the register

10 A Magistrate may by notice served upon the occupier or if the occupier has no address in the Protectorate or if such address is unknown then by notice in the Gazette require the occupier of a farm which is not being developed to remove any native found residing on such farm within 28 days from the date of the service of such notice or from the date of the publication of the notice in the Gazette as the case may be and if such native is not so removed then a Magistrate or such other person as he may appoint in that behalf shall remove him and send him to a Native Reserve or such other place as the Magistrate may determine. Provided, however, that when the Magistrate is satisfied that such native although residing on a farm that is not being developed is being employed by the occupier thereof on a another farm under a contract of service he shall allow such native to remain

Natives on unoccupied farm and removal by Magistrate

11 Whenever any adult male native who is residing on a farm under a permit issued in accordance with the provisions of section 4 of this Ordinance is employed by the occupier of the farm for a period of less than 180 days in any one year a Magistrate may with the consent of the native find him employment elsewhere and failing such other employment or in the event of the native refusing to go to such employment the Magistrate may order him to return to his Reserve. Provided that if the Magistrate be satisfied that such unemployment on the farm is temporary only he may after inquiry and with the approval of the occupier of the farm and at the native's request allow such native to continue his residence thereon. The Magistrate shall keep a record of any inquiry held and of any order made by him under this section

Unemployed natives on farms

12 Subject to the provisions of section 11 of this Ordinance a Magistrate may if it appears to him that there is no longer a necessity for the number of families resident on a farm to reside there under the permit granted under section 4 of this Ordinance hold an inquiry and may after full investigation withdraw or modify the permit granted under section 4 or may with the consent of the occupier allow such families to remain on the farm provided they can be employed on work elsewhere and also provided that the families are willing to be so employed. In case no such work can be found or in the event of any family refusing to work elsewhere the Magistrate shall return them to their Reserve. The Magistrate shall keep a record of the proceedings of any inquiry held under this section and shall record in writing the reasons for his decision and if required shall supply a copy of such decision and the reasons therefor to the occupier of the farm

Revocation of Permits

13 The head of a family possessing a permit issued under this Ordinance to reside on a farm may with the consent of the occupier take on the farm any cattle which is his property or the property of any member of the family included in the permit on such conditions as to numbers or otherwise as may be agreed by the occupier and the head of the family with the approval of the Magistrate. Provided that in each case no cattle shall be taken from a Reserve without a certificate being granted by the District Commissioner that the cattle are the property of the head of the family or of any member thereof included in the permit. Every head of cattle over the age of six months taken on a farm under the provisions of this section and every other subsequent head of cattle over the age of six months lawfully possessed on such farm by the head of a family and any member thereof shall be branded by the occupier with the letter " S " together with the brand of the occupier. Nothing in this section shall be construed as entitling any cattle to be moved in contravention of any restrictions imposed under the law relating to the Diseases of Animals for the time being in force. Provided that should there be any such restrictions in force at the time of the termination by whatever cause of the agreement which prevent the moving of cattle from the farm such cattle shall remain on the farm, and the owner thereof may also remain on the farm until such time as such restrictions are removed, and the agreement shall be deemed to be extended for such time

Movement of cattle

Payment forbidden

14 No payment in money or in kind shall be made by any native for the right to cultivate any land on such farm or for the right to graze any stock which may under the provisions of this Ordinance lawfully be brought by a native on the farm on which he is resident and no occupier shall enter into any contract with the head of a family or any other native whereby the occupier shares any profit derived by such head of a family or other native from his cultivation on the farm or from the increase of his stock on the farm

Rate of pay

15 Upon a head of a family or any member thereof entering into an agreement with the occupier to work for him the rate of pay or other consideration shall be that agreed upon between the parties in the presence of a Magistrate

Agreement

16 (1) The occupier shall enter into an agreement with the head of a family and any male member of the family who is of the apparent age of 16 years or over lawfully resident or who is about to reside on the farm under the provisions of this Ordinance providing—

(a) for the term during which the family may reside on the farm,

(b) for a period of not less than 180 days in any one year during which the head of the family and any male member thereof who is of the apparent age of 16 years or over undertakes to work for the occupier during the term of the agreement,

(c) for the supply of building material for the family's huts,

(d) for the use of land for cultivation and grazing when agreed upon,

(e) for the rate of pay or other consideration to be paid or given to the head of the family and any member thereof for the period during which they work for the employer,

(f) for the termination of the agreement by notice on either side, (the Magistrate to be informed in the event of such notice being given by either party),

(g) for taking off crops, or for payment of compensation in lieu thereof

(h) in the case of Missions for the regular attendance of the children at school for the purpose of education as defined in section 18 of this Ordinance

(2) Each agreement entered into under this section shall be in the form provided in the schedule annexed to this Ordinance and shall be entered into before a Magistrate after it has been fully explained to the native by the Magistrate

Return of natives to Reserves

17 Subject to the provisions of sections 11 and 12 of this Ordinance a Magistrate may issue a warrant for the return of any native residing outside the area reserved for the tribe to which such native belongs to such reserved area unless such native has obtained a permit from a Magistrate to reside outside such area on a farm or at such other place as the permit may prescribe, or unless such native is in the continuous employment of a non-native

Mission land

18 Natives employed on lands in the occupation of Missions in receiving or imparting industrial or technical instruction with or without literary or theological instruction or training for not less than 180 days in each year shall be deemed to be employed for the purpose of this Ordinance provided that such instruction or training is under proper and responsible control to the satisfaction of the Magistrate

Power to suspend temporarily operation of Ordinance

19 The Governor-in-Council may by notice in the Gazette suspend the application of this Ordinance to any area of the Protectorate and may at any time revoke such suspension

21 Any person committing a breach of the provisions of this Ordinance shall be liable on conviction to a fine not exceeding Rs 750/- or to a term of imprisonment of either description not exceeding two months or to both Penalty.

(8) That with the consent of a Magistrate this agreement may be terminated by either the employer or the native giving to the other six calendar months' notice provided that the native shall suffer no prejudice in regard to the care and reaping of his crops or in regard to the removal of his family or stock And provided that the employer may demand the fulfilment by the native of any conditions of this agreement to which the native may be liable in respect of his obligation to work

(Clause to be added in the case of Missions or farms on which schools to the satisfaction of the Magistrate are provided)

- (9) That in the event of the native leaving the employer's land he shall be entitled to move all his moveable property but that the native shall not move his buildings and shall not be entitled to any compensation therefor or for any improvements to immovable property made by him
- (10) That the native shall cause his children to attend regularly at the school provided by the employer on the said land
- (11) That in the event of the native being convicted for theft of stock or produce or of any offence punishable under the Indian Penal Code or if he fails to comply with the demands of the employer as in this agreement provided the employer shall be entitled to terminate this agreement forthwith provided that the native shall retain the right to remove his moveable property and to return and reap and remove his crops unless the employer elects to give the native reasonable compensation therefor In the event of any dispute as to the amount of compensation payable the Magistrate shall determine the amount thereof
- (12) *(Any other provision agreed to by the parties which is not in contravention of the provisions of this Ordinance)*
- (13) That this agreement shall be null and void unless entered into by the native before a Magistrate after it has been fully explained to the native

AS WITNESS the hands of the parties hereto

Witness to the signature }
of the employer }
Witness to the signature }
or mark of the native }

I hereby certify that the contents of this agreement have been read and explained by me to the native and that he appears to have executed this agreement with a full knowledge of its contents

The day of 19

Resident Magistrate

AN ORDINANCE

No 34 OF 1918

An Ordinance to restrict temporarily the persons who may engage in business connected with certain Non-Ferrous Minerals

Date of Assent and Commencement

[December 31st, 1918]

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

Short title and duration

- 1 (1) This Ordinance may be cited as "The Non-Ferrous Mineral Industry Ordinance, 1918 "
- (2) This Ordinance shall continue in force only during the continuance of the present war and for a period of five years after the termination thereof

Prohibition against dealing in certain minerals and ores without licence

- 2 (1) It shall not be lawful for any company, firm, or individual after the expiration of six months from the passing of this Ordinance, or such longer period as the Governor may generally or in any particular case allow, to carry on the business of winning, extracting, smelting, dressing, refining, or dealing by way of wholesale trade, in the minerals to which this Ordinance applies, unless licensed to do so by the Governor such licence to be in the form set out in the Second Schedule to this Ordinance

Provided that the purchase and sale of minerals to which this Ordinance applies shall not be deemed to be dealing in any such minerals where such purchase or sale is incidental only to the trade carried on by the purchaser or seller

Provided also that no licence shall be required when the mining, extracting, smelting, dressing, refining, or dealing is carried on wholly outside the Protectorate

(2) In the case of a company, firm, or individual with respect to which any of the conditions set forth in the First Schedule to this Ordinance apply, or which is controlled by a company, firm, or individual in respect of which any such conditions apply, no licence shall be granted unless the Governor is of opinion that the grant of a licence is expedient, but save as aforesaid any company, firm, or individual carrying on or proposing to carry on such business as aforesaid shall on making application in the prescribed manner, and on furnishing such information and allowing inspection of such books and documents as may be reasonably required, and on payment of the prescribed fee, which shall not exceed Rs 15/- be entitled to a licence under this Ordinance

(3) A licence under this Ordinance shall remain in force unless and until it is suspended or revoked

(4) The Governor, if satisfied by evidence not before him at the time when the licence was granted that such company, firm, or individual is, or has become, subject to any of the conditions set forth in the First Schedule to this Ordinance, or in the case of a company, firm, or individual to which a licence has been granted notwithstanding that it is subject to any such conditions as aforesaid, that it is expedient that the licence should be revoked or suspended, may revoke or suspend the licence

(5) If any question arises between the Governor and any company, firm, or individual —

(a) as to whether or not the business carried on by the company, firm, or individual is such as to require a licence under this Ordinance, or

(b) as to whether or not any of the conditions set forth in the First Schedule of this Ordinance apply in respect of the company, firm, or individual, or

(c) as to whether or not the company, firm, or individual is controlled by a company, firm, or individual in respect of which any such conditions apply, or

(d) as to the requirements of the Governor for the production of books or documents for inspection,

the question shall, subject to Rules of Court, be referred by or on behalf of the Governor to the High Court for determination, and the decision of the Court on any such reference shall be final, and no appeal therefrom shall lie to any other Court

(6) Where at the expiration of the said six months or longer period allowed by the Governor proceedings on any such application are pending in the High Court, the Court shall, on application being made for the purpose extend the said period of six months or longer period as respects that company, firm, or individual for such period as may be necessary to allow the question to be determined by the Court, and where the application is made with reference to the suspension or revocation of a licence the licence shall not be suspended or revoked until the question has been determined by the Court

(7) The Governor shall publish in the 'Official Gazette'

the name of any company, firm, or individual to whom a licence has been granted under this Ordinance or whose licence has been suspended or revoked

3 The Governor shall have power at any time to require the applicant for a licence or a licensee, or any person who, being a director, partner, manager, or officer of, or the holder of, or a person interested in, shares or securities of, any company or firm, which has applied for the grant of a licence, or to which a licence has been granted under this Ordinance, or by which the applicant or licensee is controlled, or being the

Power to require information and inspection of documents

manager of the business carried on by an individual applicant or licensee, is able to give any information as to the constitution, control or management of the company or firm, or the business carried on by the company, firm, or individual, or the beneficial interest of any person in such business, or in any shares or securities of the company or firm, to furnish such information within such time as the Governor may direct, and for the purpose of obtaining or verifying such information any person appointed by the Governor in that behalf shall be entitled to inspect any books and also any documents belonging to or under the control of such company, firm, or individual, the inspection of which may reasonably be required for the purpose aforesaid

Offences

4 (1) If any person carries on the business of winning, extracting, smelting, dressing, refining, or dealing in any minerals in contravention of this Ordinance without a licence, he shall, on an information being laid by or on behalf of the Governor, be liable on conviction to imprisonment of either description for a term not exceeding three months, or to a fine not exceeding Rs 1 500/- for each day during which the offence continues, or to both such imprisonment and fine

(2) If any person refuses or neglects to furnish any information which under this Ordinance is required to be furnished within the time within which it is to be furnished, or knowingly furnishes any information required to be furnished under this Ordinance which is false in any material particular, or having custody of any book or document which a person is authorised to inspect under this Ordinance, refuses or wilfully neglects to produce the book or document for inspection, or forges or fraudulently alters or uses or permits to be fraudulently used any licence issued under this Ordinance, he shall be liable on conviction to imprisonment of either description for a term not exceeding three months, or to a fine not exceeding Rs 300/- or to both such imprisonment and fine

(3) Where the person guilty of an offence under this Ordinance is a company, every director, manager, secretary, and other officer of the company who is knowingly a party to the default, shall also be guilty of the like offence, and liable to the like punishment

Provisions as to warrants to bearer

5 (1) A company carrying on any business to which section two of this Ordinance applies, which has issued share warrants to bearer, may give notice requiring the holders of the share warrants to surrender their warrants for cancellation and to have their names entered in the register

(2) The notice shall be given by advertisement in the "Official Gazette" and by any other method by which notices to, or for the information of, holders of share warrants to bearer are required to be given by the regulations of the company or the conditions of issue of the warrants

(3) Where such a notice has been given no person shall, as holder of a share warrant, be entitled to attend or vote at any meeting of the company and any dividends or interest which may become payable in respect of any shares represented by share warrants shall be retained by the company until the share warrants have been surrendered for cancellation

(4) For the purposes of this Ordinance the expression "share warrants to bearer" includes any bearer securities which confer on the holder thereof any voting power with respect to the management of the company

Provisions as to secrecy

6 No information as to any person or any business obtained under this Ordinance shall be published except for the purposes of legal proceedings under this Ordinance, and if any person knowingly publishes any information in contravention of this provision he shall be liable on conviction to imprisonment of either description for a term not exceeding three months, or to a fine not exceeding Rs 300/- or to both such imprisonment and fine

Rules.

7 The Governor may prescribe fees and make rules in respect of anything which under this Ordinance is to be prescribed and generally for carrying this Ordinance into

effect, and such rules shall provide for excluding from dealings by way of wholesale trade within the meaning of this Ordinance dealings in quantities below such limits as may be prescribed generally or as respects any particular mineral

Provided that all such rules shall be laid before the Legislative Council as soon as may be after they are made, 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

8 All documents purporting to be documents made by the Governor shall be received in evidence and shall be deemed to be such documents without further proof unless the contrary is shown Evidence of documents

9 (1) A company carrying on any business to which section two of this Ordinance applies may give notice requiring a shareholder or debenture holder to make a declaration under the Statutory Declarations Act, 1835, as to the beneficial ownership of the shares or debentures standing in his name, and as to the nationality of such beneficial owner Declarations

(2) The notice shall be given by any method by which notices to, or for the information of, holders of shares or debentures are required to be given by the regulations of the company or the conditions of issue of the debentures

(3) Where such a notice has been given no person shall as holder of a share be entitled to attend or vote at any meeting of the company and any dividends or interest which may become payable in respect of any shares or debentures shall be retained by the company until the shareholder or debenture holder shall have made such declaration as aforesaid

(4) For the purposes of this section the expression "shares" and "debentures" include stock and debenture stock and "shareholder" and "debentureholder" have corresponding meanings

10 The minerals to which this Ordinance shall apply are coal, graphite, mica, also zinc, copper, tin, lead, nickel, aluminium, chromium, tungsten molybdenum vanadium, manganese thorium, and the ores thereof, and the natural salts of potash and any other minerals to which this Ordinance may be applied by order of the Governor the expression "mineral" shall not include metal which has been subjected to any manufacturing process except such as may be prescribed but shall include ores, concentrates, mattes, precipitates and other intermediate products Minerals to which Ordinance applies

FIRST SCHEDULE

Section 2

CONDITIONS

1 That any director of the company or any partner of the firm, or the individual, or any manager or other principal officer employed by the company, firm, or individual, is a person who is or has been a subject of a State which is now at war with His Majesty or an enemy controlled corporation

2 That in the case of a company, any capital of the company is or was at any time after the commencement of this Ordinance held by or on behalf of an enemy, including any stock or shares of the company vested in the Custodian or a Liquidator by virtue of any order made under the Trading with the Enemy Ordinances, 1915 to 1916

3 That the company, firm, or individual is or was at any time after the commencement of this Ordinance party to any agreement, arrangement or understanding, which enables or enabled an enemy to influence the policy or conduct of the business

4 That the company, firm, or individual is or was at any time after the commencement of this Ordinance interested, directly or indirectly, to the extent of one-fifth or more of the capital profits or voting power in any undertaking whether or not in the Protectorate, engaged in business of a kind to which this Ordinance applies, in which enemies are also interested, directly or indirectly, to the extent of one-fifth or more of the capital profits or voting power

5 That the company, firm, or individual, is by any means whatever subject, directly or indirectly, in the conduct of their or his business to enemy influence or association

6 That, in the case of a company, the company has issued share warrants to bearer and has not given notice under this Ordinance requiring the holders of the share warrants to surrender their warrants for cancellation

For the purpose of this schedule —

The expression “enemy” means a subject of a State which is now at war with His Majesty and shall also include an enemy controlled corporation

The expression “enemy controlled corporation” means any corporation —

(a) where the majority of the directors or the persons occupying the position of directors by whatever name called, are subjects of such a State as aforesaid, or

(b) where the majority of the voting power is in the hands of persons who are subjects of such a State as aforesaid, or who exercise their voting powers directly or indirectly on behalf of persons who are subjects of such a State as aforesaid, or

(c) where the control is by any means whatever in the hands of persons who are subjects of such a State as aforesaid, or

(d) where the executive is an enemy controlled corporation or where the majority of the executive is appointed by an enemy controlled corporation

The expression “capital” in relation to a company means any shares or securities issued by the company which carry, or would, if the necessary formalities were complied with, carry any voting power with respect to the management of the company, and shall also include debentures and debenture stock and money lent to the company

Section 2 (1)

SECOND SCHEDULE

FORM OF LICENCE

(Name of company, firm, or individual) of
is hereby licensed under the Non-Ferrous Mineral Industry Ordinance, 1918, to carry on the business of winning, extracting, smelting, dressing, refining, and dealing by way of wholesale trade in the minerals to which the said Ordinance applies

Governor

AN ORDINANCE

No 35 of 1918

An Ordinance to make provision for
the Distribution of Pay and Per-
sonal Property belonging to Natives
attached to the Military Labour
Corps.

[December 31st, 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 Military Labour Corps Distribution of Pay and Personal Property Ordinance, 1918 ” Short title

2 In this Ordinance —

Definitions

“District Commissioner” shall include an Assistant District Commissioner

“Native” shall mean any native who is a member of the Military Labour Corps

“Paymaster” shall mean any officer performing the duty of Paymaster to the Military Labour Corps, and shall include a person having control of any Department designated by the Governor, under section 9, to carry out the provisions of this Ordinance

3 It shall be lawful for the Governor by notice published in the Official Gazette, to appoint any person or persons, to act as a Central Board, and also District Boards in any areas in the Protectorate, in this Ordinance referred to as the Central Board and the District Board respectively, to adjudicate on all claims made pursuant to the provisions of this Ordinance

Power of Governor to
appoint a Central and
District Boards in any
areas in the Protectorate

4 It shall be lawful for any native to declare the name of any person or persons to whom, in the event of his decease without having made a valid will, any money or personal property due or belonging to him at the date of his decease should be paid or delivered, and the name of such person or persons shall be recorded at the office of the Military Labour Corps. The record shall be verified periodically and it shall be the duty of the Military Labour Corps to note any alteration in the record which the native wishes made

Native may name person
to whom estate is to be
paid in the event of his
dying intestate

5 The Paymaster or any officer subject to the direction of the Paymaster having under his charge or control any pay, accumulations of pay, or other allowance, or personal property or money belonging to any native at the date of his decease and dying intestate who has complied with the conditions of the last preceding section, may pay or deliver the same to the person or persons whose name or names has or have been recorded by the native in the manner prescribed

Power of Paymaster or
any officer subject to his
direction to pay moneys
and property to designated
persons

6 (1) Any will made by a native shall be valid for disposing of money or other personal property which shall be due or belonging to him at his decease —

Form of will

If it is in writing and signed or attested by his mark and acknowledged by him in the presence of, and in his presence attested by, one witness, being an officer attached to the Military Labour Corps or public officer of the Protectorate, or if it is executed with the formalities required by any law now or hereafter in force in the Protectorate

Such will shall be deemed well made for the purpose of being admitted to probate, and the person taking out representation to the testator under such will shall exclusively be deemed the testator's representative with respect to the money or personal property thereby bequeathed

Accumulation of pay, etc., if less than Rs 750/- may be paid without probate

(2) The Paymaster or other officer as aforesaid having under his charge or control any pay, accumulations of pay, or other allowance, or any personal property or money which shall be due or belonging to such testator not exceeding in the aggregate the value of Rs 750/-, may pay or deliver the same to any person entitled thereto under the will, or to the person entitled to procure probate of, or administration under, such will, although probate or administration may not have been taken out

Probate to be taken if value exceeds Rs 750/

If the value of the said money and personal property exceeds the said sum of Rs 750/-, the Paymaster or other officer as aforesaid, having the same under his charge or control, shall require probate or administration to be taken out, and thereupon, subject as aforesaid, pay and deliver the said money and effects to the legal representative of the deceased

Distribution in case of intestacy

7 In case any native dies without having complied with the requirements of section 4 of this Ordinance, and without having made any valid will under this or any law or Ordinance regulating the execution of wills for the time being in force in the Protectorate, the Paymaster or other officer as aforesaid having in his charge or control any money or personal property due or belonging to such native at the date of his decease, may with the concurrence of the District Commissioner pay or deliver such money or personal property to any person showing herself or himself to be a person or persons entitled in succession according to the custom of the tribe to which the deceased belonged, and where there are more such claimants than one, then in such shares and proportion as the claimants would be entitled according to the custom of such tribe or as nearly as may be

Provided that if the deceased left him surviving a widow to whom he was married in accordance with the East Africa Marriage Ordinance, 1902, or the Uganda Marriage Ordinance, 1902, or any amendment of either of such Ordinances, and any child or children she may have had by the deceased or any previous husband, then and in such case such widow, child or children as the case may be shall be entitled to a share of money or personal property as aforesaid in accordance with the Indian Succession Act, 1865, as applied to the Protectorate

Property distributed subject to rights of creditors

8 In all cases where the money or personal property of the deceased or any part thereof is paid or delivered to any person as being interested therein under the provisions of this Ordinance, any creditor of the deceased shall have the same rights and remedies against such person as if he or she had received the same as a legal personal representative of the deceased

Military Labour Corps to prepare lists of natives reported dead, as having deserted, and as being missing

9 (1) The Military Labour Corps until demobilized, and thereafter such Department as shall be designated by the Governor for the purpose, shall from time to time prepare lists of all moneys appearing in the books of the Military Labour Corps, and other personal property, if any, due and belonging to all natives reported dead, as having deserted and as being missing, and shall forward such lists to all District Commissioners or other officers in charge of districts from which natives have been recruited

District Commissioner to use best endeavours to trace natives reported dead, etc

(2) Every District Commissioner or such other officer shall, on receipt by him of such lists, use his best endeavours to ascertain whether the native or natives so reported dead, or as having deserted, or as being missing, is or are resident in the district under his control or in any other part of the Protectorate, or whether any widow or widows, child or children, or other person or persons entitled to benefit under the provisions of this Ordinance, is or are resident in such district

(3) If any native reported dead, or as having deserted, or as being missing, is found, then and in every such case, the Paymaster shall, on being satisfied by the District Commissioner that the native so found is the person reported dead, or as having deserted, or as being missing pay and deliver to such native all money and personal property which shall be due or belonging to him

Paymaster to satisfy claims of natives reported dead, etc, if found

(4) If after due search a native reported dead, or as having deserted, or as being missing cannot be found and has failed for one year since last officially reported as serving with the Military Labour Corps to make any claim for any money and personal property due and belonging to him, the District Board shall proceed to adjudicate on all claims, if any, made by or on behalf of any widow or widows, child or children, or other person or persons entitled to benefit under the provisions of this Ordinance and the Board on being satisfied that such claims are genuine shall pay and distribute the money and personal property due and belonging to such native, as though he were dead, in manner provided by sections 5, 6 and 7 of this Ordinance, according as to whether such native complied with the requirements of section 4 of this Ordinance, made a valid will or failed to make a will, and no claim in respect thereof, made subsequent to such payment or distribution, shall be entertained

Paymaster to satisfy claims of widows, children, etc, if native cannot be found

10 Any Board acting under this Ordinance shall have power to summon witnesses, and to call for the production of books or other documents, and to examine the witnesses and parties concerned on oath. All summonses for the attendance of witnesses, or for the production of books or documents shall be signed by a member of the Board, and any member of the Board shall have the power to administer oaths

Power for any Board to summon witnesses

11 Any person refusing or omitting without sufficient cause, to attend at the time and place mentioned in the summons served upon him, or refusing to produce any books or documents referred to in the summons served upon him, shall be liable to a fine not exceeding Rs 75/-

Penalty for failing to obey summons

12 If any question arises between a District Commissioner and the Paymaster as to the payment and distribution of any moneys and personal property directed to be distributed under the provisions of this Ordinance, or as to the validity of any claims, the rate of pay due to any native, the duration of service with the Military Labour Corps, the question shall be referred to the Central Board for determination and the decision of the Board on any such reference shall be final

Disputes between District Commissioner and Paymaster to be referred to Central Board

13 If any money or personal property belonging to a native, or any part thereof, remains for three years undisposed of, and without any valid claim thereto having been made, then the Central Board may apply and make over the same for the benefit of the tribe to which the native belongs in such manner as may be prescribed by any order or regulations of the Governor, and no claim in respect thereof, made subsequent to such application, shall be entertained

Money, etc, undisposed of, and not claimed to be applied for the benefit of the tribe to which the native belongs

14 No action shall be brought or claim made against the Government in respect of anything done or omitted to be done under this Ordinance, nor against any person in respect of any decision or adjudication given or made by him in good faith, nor in respect of anything done or omitted to be done by him in good faith, in the execution or supposed execution of his powers or duty under this Ordinance

Protection of persons administering this Ordinance

AN ORDINANCE

No 36 OF 1918

An Ordinance to provide for the Collection of Statistics Relating to Agricultural and Industrial undertakings in the East Africa Protectorate.

Date of Assent and Commencement

[December 31st, 1918]

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

Short title

1 This Ordinance may be cited as the "Statistics Ordinance, 1918"

Interpretation of terms

2 In this Ordinance, unless inconsistent with the context —

'Prescribed' shall mean prescribed by or under the authority of this Ordinance, and, in the case of a prescribed form or manner, shall mean a form or manner substantially as prescribed,

'Statistics' shall mean the information which may be collected of and incidental to matters specified in, or prescribed under, section 3,

"This Ordinance" shall include any regulations made under this Ordinance and for the time being in force

Matters as to which statistics shall be collected

3 (1) Subject to the provisions of this Ordinance and to the directions of such officer as the Governor may appoint statistics shall be collected annually in relation to all or any of the following matters —

(a) agricultural, dairying, horticultural, and pastoral industries,

(b) factories, manufacturing and other productive industries generally,

(2) The duty of collecting any such statistics shall be performed by such officer or officers in the public service as the Governor may by notice in the Gazette designate thereto

Duty of prescribed person to fill in the prescribed forms

4 For the purpose of enabling the statistics to be collected, every prescribed person shall to the best of his knowledge, when required by the prescribed officer so to do, fill up and supply in accordance with the instructions contained in or accompanying the prescribed form, the particulars specified in that form

Duty of persons to answer

5 Every person shall, to the best of his knowledge and belief, answer, when so required, all such questions asked of him by the prescribed officer, or by an officer authorized in writing by a prescribed officer, as are necessary for obtaining any information required for the collection of statistics

Powers of prescribed officers

6 (1) For the purpose of making any enquiries or observations necessary for the carrying out of this Ordinance, the prescribed officer or any officer authorized by him in writing may at any time during working hours after reasonable notice to the owner or the person in charge enter upon any land on which any agricultural, horticultural, or pastoral industry is carried on, and may enter any factory, workshop, dairy or other place where persons are employed, or any industrial undertaking is carried on, or any building where any goods produced by any of the aforesaid industries or by any factory, workshop, or dairy are stored, and may inspect any part of such factory, workshop, dairy, other place or building, and

all plant and machinery used in connection with such factory, workshop, dairy, other place or building, and may make such enquiries as are prescribed or allowed by this Ordinance

(2) Any person who hinders, obstructs or delays any officer mentioned in sub-section (1) in the execution of any power conferred by this section, shall be guilty of an offence and liable on conviction to a fine not exceeding Rs 150/-

7 Every prescribed officer shall compile and tabulate the statistics collected by him under this Ordinance. Such statistics or abstracts thereof, shall be published in such manner as the officer appointed under section 3 (i) of this Ordinance may direct. Compilation and tabulation of statistics

8 Any person who makes in any form or document filled up or supplied in pursuance of this Ordinance or in answer to any question asked him under authority of this Ordinance, any statement which is false in any material particular, knowing the same to be false shall be guilty of an offence, and be liable on conviction to a fine not exceeding Rs 750/- or, in the discretion of the Court, to imprisonment of either description for a period not exceeding three months, or to both such fine and imprisonment. Punishment for making false statements

9 Any person who forges any form or document which is used or prescribed under this Ordinance or utters such a document knowing it to be forged shall be guilty of an offence and liable on conviction to imprisonment of either description for a term not exceeding two years and shall also be liable to a fine. Penalty for forging documents

10 The Governor may make regulations not inconsistent with this Ordinance — Regulations

(a) prescribing the particulars and information to be furnished in relation to any matter in respect of which statistics may be collected under this Ordinance,

(b) prescribing the manner and form in which, the times and places at which, and the persons by whom and to whom, such particulars and information shall be furnished

The regulations may provide that any person who, without reasonable cause, makes default in complying therewith shall be guilty of an offence and liable on conviction to a fine not exceeding Rs 375/- or, in the case of a continuing default, to a fine not exceeding Rs 15/- for every day during which the default continues

11 Every form, notice or other document given or issued by an officer under this Ordinance shall be sufficiently authenticated if the name of the officer by whom it is given or issued has been printed or stamped thereon. Authentication of forms, notices and documents

12 No entry in any return, book, register or record made by an officer or by any person under this Ordinance shall be admissible in any legal proceedings, civil or criminal, except upon a charge of an offence against this Ordinance, anything to the contrary in the law of evidence notwithstanding. Entries not admissible in evidence

13 Any statistics collected under the provisions of this Ordinance shall in so far as they relate to the business of any person providing such statistics be deemed to be confidential and no person shall communicate to any one other than a prescribed person any such statistics relating to any business the property of any person. Any person contravening the provisions of this section shall be guilty of an offence and shall on conviction be liable to imprisonment of either description for a term not exceeding six months or to a fine not exceeding Rs 5,000 or to both. Penalty for communicating statistics collected to any one other than a prescribed person

AN ORDINANCE

No 37 OF 1918

An Ordinance to amend the Compulsory Service Ordinance, 1915.

Date of Assent and
Commencement

[December 31st, 1918]

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

Short title

1 This Ordinance may be cited as “The Compulsory Service Amendment Ordinance (No 2) 1918,” and shall be read as one with “The Compulsory Service Ordinance, 1915,” hereafter referred to as the Principal Ordinance, and all Ordinances amending the same

Application of section 145
of Army Act

2 The provisions of section 145 of the Army Act 44 and 45 Victoria, Chapter 58, and all amendments thereof, or sections substituted therefor, shall as far as applicable apply to all officers, non-commissioned officers and soldiers of European origin selected or deemed to have been selected for military service under the provisions of the Principal Ordinance, but notwithstanding anything in the said section, and all amendments thereof, or sections substituted therefor, to the contrary, it shall be lawful to deduct a sum not exceeding one third of the daily pay of any such officer, non-commissioned officer and soldier, and pay or apply the same towards the maintenance of his wife, or child, or bastard child, as the case may be

Operation of Ordinance

3 This Ordinance shall remain in operation during the continuance of the present war

GOVERNMENT NOTICE No 399]

(S 4773)

THE EAST AFRICA TOWNSHIPS ORDINANCE, 1903.

RULES

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

1 These Rules may be cited as the Nairobi Township (Municipal Committee) Amendment No 2 Rules, 1918

2 Rule No 7 of the Nairobi Township Rules, 1917, as amended by the Nairobi Township Amendment Rules, 1917, and by the Nairobi Township (Municipal Committee) Amendment Rules, 1918, is hereby further amended by the deletion of clause (c) of such Rule and by the substitution therefor of the following —

“In addition to the foregoing the Governor may in his absolute discretion nominate and appoint to the aforesaid Committee such number, not exceeding three, of non-Europeans as he may deem fit. Such non-Europeans so nominated and appointed shall be persons who are not in the service of the Government and who reside or carry on business in the Township of Nairobi.”

3 These Rules shall come into force on the 1st day of January, 1919

By command of His Excellency the Acting Governor,

Nairobi,

The 27th day of December, 1918

J W BARTH,

Acting Chief Secretary

GOVERNMENT NOTICE No 400]

NOTICE

THE appointment of the 25th of October 1910, (page 631 of the *Official Gazette* 1910) is hereby revoked in so far as it invests the Court of the Town Magistrate at Nairobi with jurisdiction in insolvency

Nairobi,

This 25th day of December, 1918

C C BOWRING,

Acting Governor

GOVERNMENT NOTICE No 401]

APPOINTMENTS.

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

To be Acting Assistant Chief Secretary to the Government —

(S 805)

CYRIL EDWARD SPENCER, with effect from the 20th December, 1918

To be Assistant District Commissioner, Mombasa —

NORMAN DERMEE PAGDEN, with effect from the 16th December, 1918.

To be Assistant District Commissioner, Eldama Ravine —

WILLIAM MARSTON LOGAN, with effect from the 14th December, 1918

SECRETARIAT, NAIROBI,

December 30th, 1918

J W BARTH,

Acting Chief Secretary

GOVERNMENT NOTICE No 402]

OBITUARY.

HIS EXCELLENCY the Acting Governor deeply regrets to announce the death from influenza, at Dar-es-Salaam on the 18th December, 1918, of LIEUT-COLONEL H C DICKINSON, Commanding the 3/3rd King's African Rifles

GOVERNMENT NOTICE No 403]

LAW AND SWAHILI EXAMINATIONS.

NOTICE

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

Lower Swahili Examination.

29th January, 1919

Law Examination.

30th and 31st January, 1919

GENERAL NOTICE No 1400]

NOTICE

THE Notice of the 21st of February 1910, appointing the Town Magistrate of Nairobi, for the time being, to be District Delegate for the grant of Probate and Letters of Administration in non-contentious cases relating to non-Natives within the Provinces of Kenia and Ukanba is hereby cancelled

Mombasa,

December 16th, 1918

R W HAMILTON,

Chief Justice

GENERAL NOTICE No 1401]

R. CONSOLATO D'ITALIA. MOMBASA.

AVVISO

I cittadini italiani residenti nei Protettorati dell'Africa Orientale Britannica e Uganda, Sultanato di Zanzibar e Territori conquistati dell'Africa Orientale Germanica soggetti ad obblighi di leva i quali vogliano rimpatriare, dovranno—prima di partire—presentarsi a questo Consolato anche per munirsi di un certificato comprovante la regolarità della loro posizione rispetto al servizio militare

Dato a Mombasa, B E A addì 9 Dicembre, 1918

IL R CONSOLE REGGENTE,
FRIGERIO

GENERAL NOTICE No 1402]

CHANGE IN LOCATION OF THE AMERICAN CONSULATE.

NOTICE

The Government of the United States of America has decided to discontinue the American Consulate at Mombasa and establish a new Consulate at Nairobi

The Consulate at Mombasa, therefore, will be closed at 4 P M, December 31st, 1918

The new American Consulate will be located in the New Standard Buildings, Sixth Avenue, Nairobi and will be opened for business as soon as possible after January 1st, 1919

The United States Government wishes to cause as little inconvenience by this change of location as possible and the Consul will attend to all urgent business, such as certifying invoices, visas, passports etc, until the new Consulate is fully established. He may be found at the new offices during office hours after January 3rd, 1919

It is suggested that when invoices, together with the other necessary documents, declarations etc, are sent to the Consulate for certification, an envelope, stamped and addressed to whomsoever the shipper wishes the papers to be forwarded (i.e. Bank, Consignee, Agent, etc), be enclosed so as to cause as little delay as possible

The Consul will appreciate it, if the death of any American Citizen occurs in the District (British East Africa, Uganda, Conquered East Africa and Zanzibar,) if the fact be reported to him promptly

All American Citizens, who have not registered at the Consulate at Mombasa, are cordially invited to do so at the Consulate at Nairobi. Application Forms will be sent if requested

There will be in the new Consulate, a Commercial Library, including Trade Journals, Catalogues of American Firms, Price Lists etc, for the benefit of those who may be interested. Everyone is welcome and, if the information sought should not be found, the Consul will gladly endeavour to obtain it

Mombasa,

December 23rd, 1918.

S W EELLS,

American Consul

GENERAL NOTICE No 1403]

IN THE DISTRICT REGISTRY OF H M HIGH COURT AT NAIROBI

INSOLVENCY JURISDICTION

CAUSE No 3 of 1918

IN THE MATTER OF CHANAN RAM, INSOLVENT

To all whom it may concern

NOTICE is hereby given that by an order of this Court made herein and dated the 18th December, 1918, the above-named CHANAN RAM was declared to be insolvent and Mr Dewa Singh of Messrs Ganeshilal Lall Singh & Co, Nairobi, was on the date aforementioned, appointed Receiver of the Insolvent's Estate

All property of the said Insolvent vests in the Receiver as from the date of his appointment. All persons claiming to be creditors of the above-named Insolvent must file particulars of their claims in writing supported by affidavit together with any documents on which they rely in proof of their claims in His Majesty's High Court at Nairobi on or before the 4th day of February, 1919. Any person having in his possession any property belonging to or money due to the said Insolvent should forthwith hand or pay same to the said Receiver Nairobi,

December 24th, 1918

JOSEPH SHERIDAN,
District Registrar, Nairobi

GENERAL NOTICE No 1404]

IN THE RESIDENT MAGISTRATE'S COURT AT NAIROBI

INSOLVENCY JURISDICTION

CAUSE No 14 of 1918

Re KHAIRDIN s/o IBRAHIM, OF NAIROBI

To all whom it may concern

WHEREAS the above-named KHAIRDIN s/o IBRAHIM, of Nairobi has filed a petition in this Court that he be adjudged insolvent

NOTICE IS HEREBY GIVEN that the hearing of the said petition has been fixed for the 21st day of February, 1919, at 10 a.m. or so soon thereafter as it can be heard at the Resident Magistrate's Court, Nairobi

Nairobi,
December 28th, 1918

JOSEPH SHERIDAN,
Senior Resident Magistrate, Nairobi

GENERAL NOTICE No 1405]

IN THE RESIDENT MAGISTRATE'S COURT AT NAIROBI

PROBATE AND ADMINISTRATION

CAUSE No 62 of 1918

NOTICE OF APPLICATION FOR ADMINISTRATION OF ESTATE OF WILFRED RICHARD WEBBER,
LATE OF NAIROBI, DECEASED

TAKE NOTICE that application having been made in this Court by Ada Mary Webber, of Nairobi, for the administration of the Estate of WILFRED RICHARD WEBBER, late of Nairobi, who died at Nairobi on the 23th day of October, 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 15th day of January, 1919

Nairobi,
December 27th, 1918

JOSEPH SHERIDAN,
District Delegate, Nairobi

GENERAL NOTICE No 1406]

PROBATE AND ADMINISTRATION

CAUSE No 324 of 1918

IN THE MATTER OF THAKER SINGH, CARPENTER, DECEASED

To all whom it may concern

TAKE NOTICE that on or after the 16th day of January, 1919, I intend to apply to the High Court of East Africa at Mombasa for an order to administer the Estate of the above-named THAKER SINGH, CARPENTER, who died at Kisumu on the 16th day of November, 1918

Mombasa,
December 20th, 1918

J W H PARKINSON,
Administrator General

GENERAL NOTICE No 1407]

PROBATE AND ADMINISTRATION

CAUSE No 328 OF 1918

IN THE MATTER OF COY SERGT-MAJOR A WISELY, 1/3RD K A R, DECEASED
To all whom it may concern

TAKE NOTICE that on or after the 16th day of January, 1919, I intend to apply to the High Court of East Africa at Mombasa for an order to administer the Estate of the above-named COY SERGT-MAJOR A WISELY, who died at Dar-es-Salaam on the 29th day of November, 1918

Mombasa,
December 24th, 1918

J W H PARKINSON,
Administrator General

GENERAL NOTICE No 1408]

PROBATE AND ADMINISTRATION

CAUSE No 329 OF 1918

IN THE MATTER OF INTELLIGENCE AGENT W D BRAMWELL, DECEASED
To all whom it may concern

TAKE NOTICE that on or after the 16th day of January, 1919, I intend to apply to the High Court of East Africa at Mombasa for an order to administer the Estate of the above-named W D BRAMWELL, who died at Dar-es-Salaam on the 1st day of December, 1918

Mombasa,
December 24th, 1918

J W H PARKINSON,
Administrator General

GENERAL NOTICE No. 1409]

PROBATE AND ADMINISTRATION

CAUSE No 330 OF 1918

IN THE MATTER OF BASANT SINGH S/O DEWAN SINGH, DECEASED
To all whom it may concern

TAKE NOTICE that on or after the 16th day of January, 1919, I intend to apply to the High Court of East Africa at Mombasa for an order to administer the Estate of the above-named BASANT SINGH S/O DEWAN SINGH, who died at Kisumu on the 7th day of August, 1918

Mombasa,
December 23rd, 1918

J W H PARKINSON,
Administrator General

GENERAL NOTICE No 1410]

IN H M HIGH COURT OF EAST AFRICA AT MOMBASA

PROBATE AND ADMINISTRATION

CAUSE No 351 OF 1918

IN THE MATTER OF THE ESTATE OF REHEMA BINTI SAID BIN SOOD, DECEASED

NOTICE is hereby given that on the 17th day of January, 1919, I propose to appoint Sood bin Mohamed bin Sood, to be the Wasī of the Estate of the late REHEMA BINTI SAID BIN SOOD, of Mombasa

If any person objects to the proposed appointment he must give me notice of his objection before the expiration of this notice

Mombasa,
December 20th, 1918

T D MAXWELL,
Judge.

GENERAL NOTICE No 1411]

NOTICE

NOTICE is hereby given that the undermentioned goods will be sold by public auction at the Lamu Custom House, on the 1st February, 1919, if not claimed before that date, and the proceeds will be applied first to the payment of freight and charges and next of duties

The surplus, if any, will be paid to the proprietor of the goods on his application in writing for the same within 12 months from the date of sale, but if on the expiration of that time no such application shall have been made the surplus will be forfeited and will be applied as if it had been originally paid as the duty due and payable

Custom House,
Mombasa, December 24th, 1918

F W MAJOR,
Chief of Customs, E A & Uganda Protectorates

List of Unclaimed Goods lying in the Lamu Customs Godowns over four months and twenty-one days

Date	Steamer.	Marks and Numbers	Number & description of packages
1918 Mar 21st	"Khosrow" @ Bombay	R C J P	1 bag sugar
April 18th	Unknown @ Town	Nil	1 empty box
May 20th	Dhow "Fatehmbarak" @ Bombay via Malindi	"	100 empty K oil tins
May 6th	Unknown @ Town	"	2 bags salt
" 6th	do	"	1 load lime
" 6th	do	"	1 bag sufurias, &c
June 12th	do	"	1 easy chair

GENERAL NOTICE No 1412]

IN Re. TARACHAND HARAKHCHAND & Co.

To all whom it may concern

TAKE NOTICE that Jaichand Javerchand and Dulabhji Nagerchand of Nairobi, Merchants, have not, nor has either of them any authority from the firm of Tarachand Harakhchand & Bros or Keshavlal Zaverchand & Bros to sign cheques, draw or endorse Promissory Notes or hundies or in any way act on behalf of the firm of Tarachand Harakhchand & Coy, and the said firm will not be responsible for any liabilities contracted by the said Jaichand Javerchand and Dulabhji Nagerchand or either of them

(Sd) KESHAVLAL JHAVERCHAND,

pp TARACHAND HARACHNAND & Bros,

Nairobi

pp KESHAVLAL ZAVERCHAND & Bros

Dated this 24th day of December, 1918