



## GOVERNMENT NOTICE No. 359.

## ARRIVALS.

Name.	Rank.	From leave or on 1st Appointment.	Date of leaving England.	Date of Embarkation.	Date of arrival at Kilindini.
J. Pugh	Senior Medical Officer	Leave	July 22nd, 1921	July 22nd, 1921	Sept. 2nd, 1921
A. C. Taylor	2nd Grade Gaoler	"	do	do	do
Miss Violet Painter	Nurse, Medical Department	"	Aug. 6th, 1921*	Aug. 6th, 1921	do
Miss Alice Leary	Nurse, Medical Department	"	do	do	do
Lt.-Commander, E. C. Bosanquet, R.N.R., Retd.	Commander	"	Aug. 4th, 1921	Aug. 4th, 1921	Sept. 9th, 1921
Lt.-Commander, F. R. Hemsted, R.N.R.	Chief Officer	"	do	do	do
S. F. Taylor	Native Affairs	"	do	do	do
E. Brady	Clerk, Secretariat	"	do	do	do
J. L. B. Dlewelin	Asst. District Commissioner	"	do	do	do
F. Roberts	5th K. A. R.	"	do	do	do
Capt. J. Ransome	3rd K. A. R.	"	do	do	do
Major Bradshaw	do	"	do	do	do
F. A. Hemsted	do	"	do	do	do
Dr. J. C. Callanan	Medical Officer	1st appointment	do	do	do
A. S. Walker	Post and Telegraphs	do	do	do	do
H. Taylor	do	do	do	do	do
S. D. Overton	Police Constable	do	do	do	do

\*Date of leaving Durban.

## APPOINTMENTS:

S. 21115.  
CAPTAIN JOHN HORACE CLIVE, to be Assistant Resident Commissioner, Mombasa, with effect from the 8th August, 1921.

S. 22379.  
VERNON GRENVILLE COLE, to be Assistant District Commissioner, Kyambu, Kikuyu Province, with effect from the 15th August, 1921.

S. 9331.  
FREDERICK TREVOR BAMBER, to be Assistant District Commissioner, Kabarnet, with effect from the 4th September, 1921.

S. 18816/269.  
ROBERT JOHN HARLEY-MASON, M.R.C.S. (Eng.), L.R.C.P. (Lond.), to be a Medical Officer, with effect from the 15th July, 1921.

S. 18816/128.  
JOHN CHARLES JOSEPH CALLANAN, M.B., B.CH., B.A.O. (Dubl.), to be Medical Officer, with effect from the 4th August, 1921.

S. 20210.  
ARTHUR EDWARD VICTOR BARTON, to be Acting Collector of Customs, Mombasa, with effect from the 20th August, 1921.

## MAGISTERIAL WARRANTS.

S. 9331.  
FREDERICK TREVOR BAMBER, to be a Magistrate of the Second Class with power to hold a Subordinate Court of the Second Class whilst holding his present appointment as Assistant District Commissioner, Kabarnet.

S. 21007.  
CAPTAIN GEOFFREY BRISCO RIMINGTON, to be a Magistrate of the Second Class, with power to hold a Subordinate Court of the Second Class, whilst holding his present appointment as Assistant District Commissioner, Meru.

## SWAHILI EXAMINATION.

LOWER STANDARD SWAHILI (Pass).

R. W. R. MILLER, Chemical Officer.

S. 46/V.

## SECRETARIAT,

NAIROBI.

21st September, 1921.

G. A. S. NORTHCOTE,

Acting Colonial Secretary.

## NOTICE

*Supplement No. 8 of 1921.*—Containing Bills for Legislative Council, is published with this issue of the *Official Gazette*.

*Reference to previous Supplements:—*

*Supplement No. 1 of 1921.*—Containing Bills for Legislative Council, published with *Official Gazette* of February 2nd, 1921.

*Supplement No. 2 of 1921.*—Containing revised Registers of Voters for Electoral Areas, for the year 1921, published with *Official Gazette* of June 15th, 1921.

*Supplement No. 3 of 1921.*—Containing Bills for Legislative Council, published with *Official Gazette* of July 27th, 1921.

*Supplement No. 4 of 1921.*—Containing names of persons liable to serve as Jurors and Assessors, published with *Official Gazette* of August 17th, 1921.

*Supplement No. 5 of 1921.*—Containing Bills for Legislative Council, published with *Official Gazette* of August 24th, 1921.

*Supplement No. 6 of 1921.*—Containing Bill for Legislative Council, published with *Official Gazette* of August 31st, 1921.

*Supplement No. 7 of 1921.*—Containing Bill for Legislative Council, published with *Official Gazette* of September 7th, 1921.

# COLONY AND PROTECTORATE OF KENYA.

## AN ORDINANCE.

No. 26 OF 1921.

Assented to in His Majesty's name this 6th day of September, 1921.

W. K. NOTLEY,  
*Acting Governor.*

### **An Ordinance to Define the term "Native" and to apply the provisions of Law applicable to Natives to certain other Persons.**

BE it enacted by the Acting Governor of the Colony of Kenya, with the advice and consent of the Legislative Council thereof:—

1. This Ordinance may be cited as "The Definition of the term 'Native' Ordinance, 1921." Short title.

2. In this Ordinance and in every law (other than an Imperial Statute or applied Indian Act) whether enacted before or after the commencement of this Ordinance the term native shall unless it is specifically stated in such Ordinances or law that this Ordinance shall not apply and save as in Section 5 hereof appearing mean and include any person who by birth or adoption belongs to any of the races or tribes of Africa, but shall not include Somalis or Swahilis. General definition of the term "Native."

3. The Somali Exemption Ordinance, 1919, is hereby repealed. Repeal of Somali Exemption Ordinance 1919.

4. In the Ordinances and Rules mentioned in the first column of the first schedule hereto annexed the provisions applicable to Natives shall apply also to those persons mentioned in the second column of the said schedule. Special definition in certain Ordinances.

5. Notwithstanding anything in this Ordinance which might be construed to affect the Ordinances, Proclamations, Rules and Regulations set out in the second schedule hereto annexed the said Ordinances, Proclamations, Rules and Regulations shall not be deemed to be in any way affected by this Ordinance.

## SCHEDULE I.

<i>Ordinance.</i>	<i>Application to other Persons.</i>
The Branding of Stock Ordinance, 1907	The provisions dealing with natives shall apply to any Swahili or Somali.
Liquor Ordinance, 1909	The provisions dealing with natives shall apply to any Swahili or Somali.
Native Hut and Poll Tax Ordinance, 1910	The provisions dealing with natives shall apply to any Swahili.
Master and Servants Ordinance, 1910	The provisions dealing with natives shall apply to any Swahili and Somali.
Native Authority Ordinance, 1912	The provisions dealing with natives shall apply to any Somali and may also include any community of natives living in any settlement, area or location outside the limits of a tribal area.
Stock and Produce Theft Ordinance, 1912	The provisions dealing with natives shall apply to any Swahili or Somali.
Trespass Ordinance, 1913	The provisions dealing with natives shall apply to any Swahili or Somali.
Prisons Ordinance, 1914	The provisions dealing with natives shall apply to any Somali or Swahili.
Native Registration Ordinance, 1915 and any Ordinance amending the same.	The provisions dealing with natives shall only apply to any male native apparently above the age of 16 years provided that the Governor may by Proclamation in the "Official Gazette" specify any age at which the said provisions shall apply to all male natives resident in any specified area, and the said provisions shall also apply to any Swahili and to any Somali of an age as hereinbefore mentioned.
Rules published under the East Africa Townships Ordinance, 1903, dated September 7th, 1917. Nairobi Township Rules	The provisions of Part III. of Section VIII., shall apply to any Swahili, Arab or Somali provided that in the case of any native Somali, Swahili or Arab who is the owner or lessee of a plot in the Township such owner or lessee shall if he so wishes occupy by himself and his family such plot, provided that such occupation is in accordance with the sanitary and other conditions governing the occupation of such plot and the provisions of Part III. of Section VIII., shall not apply to such native Somali, Swahili or Arab accordingly.
Native Arms Ordinance, 1918	The provisions dealing with natives shall apply to any Somali or Swahili.
Resident Natives Ordinance, 1918	The provisions dealing with natives shall apply to any Swahili.
Traders Licensing Ordinance, 1919	The provisions dealing with natives shall apply to any Swahili or Somali.
Vagrancy Ordinance, 1920	The provisions dealing with natives shall apply to any Swahili or Somali.
Native Exemption Ordinance, 1920	The provisions dealing with natives shall apply to any Swahili or Somali.
Cleansing of Cattle Ordinance, 1920	The provisions dealing with natives shall apply to any Swahili or Somali.

## SCHEDULE II.

No. 1	of 1893	...	...	Proclamation <i>re</i> Dhows.
" 2	" 1894	...	...	Regulations <i>re</i> Dhows.
" 29	" 1902 and the amendment No. 1 of 1909	...	...	King's African Rifles Ordinance.
" 2	" 1903	...	...	Application to Natives of Indian Acts Ordinance, 1903
" 10	" 1905	...	...	East Africa Plague Ordinance, 1905
		...	...	Regulations respecting Passports, June 9th, 1905.
" 4	" 1907	...	...	East Africa Plague and Cholera Ordinance, 1907.
" 9	" 1908	...	...	Land Titles Ordinance, 1908.
" 18	" 1909	...	...	Removal of Natives Ordinance, 1909.
" 19	" 1909	...	...	Game Ordinance, 1909.
" 7	" 1913	...	...	Criminal Law Amendment Ordinance, 1913.
" 6	" 1914	...	...	Criminal Procedure Ordinance, 1913. Courts Ordinance, 1907, and Amendments.
" 35	1918	...	...	Military Labour Corps Distribution of Pay and Personal Property Ordinance, 1918.

## AN ORDINANCE.

## No. 27 OF 1921.

Assented to in His Majesty's name this 6th day of September, 1921.

W. K. NOTLEY,  
*Acting Governor.*

**An Ordinance to Amend the Electric Power Ordinance, 1919.**

BE it enacted by the Acting Governor of the Colony of Kenya with the advice and consent of the Legislative Council thereof:—

1. This Ordinance may be cited as the Electric Power (Amendment) Ordinance, 1921, and shall be read and construed with the Electric Power Ordinance, 1919, (hereinafter called the "Principal Ordinance"). Short title.

2. The Principal Ordinance shall not apply to the undertaking of the Nairobi Electric Power and Lighting Company, Limited, carried on pursuant to the Provisions of the Agreement made on the 26th of July, 1906, between Clement Hirtzel of the one part and the Crown Agents for the Colonies (on behalf of the Government of the East Africa Protectorate) of the other part, or to any works of the said Company established or to be established under the Provisions of the said Agreement, and nothing in the Principal Ordinance contained shall be deemed to affect any of the provisions of the said Agreement provided that all regulations made by the Governor-in-Council under Section 142, sub-section 1 of the Principal Ordinance shall apply to the said Company and nothing herein contained shall be deemed to relieve the Company from compliance with such regulations. Company exempted from operation of Principal Ordinance.

3. There shall be added in the definition of "Company" contained in Section 2 of the Principal Ordinance, after the word "registered" the words "in the United Kingdom or." Definition of "Company."

4. Section 19 sub-section (a) of the Principal Ordinance is amended by the substitution in line 2 of "42 years" for "25 years" and in line 5 of "7 years" for "5 years." Extension of period for application.

Alteration of system of supply.

5. In Section 49 sub-section (a) (ii) of the Principal Ordinance there shall be added after the words "twelve months" the words "or of such longer period as the Governor-in-Council may sanction."

Standard of works.

6. The words "provided that the total extension of time granted shall not exceed two years" appearing at the end of Section 49 (a) (iv) of the Principal Ordinance are hereby repealed.

Change of terms

7. The following words shall be added to Section 50 sub-section 1 of the Principal Ordinance that is to say "provided that the Governor-in-Council may by Regulation specify as the mode material or apparatus to be or which may be used for any of the purposes contemplated therein, any mode material or apparatus other than those prescribed."

8. Where in the Principal Ordinance mention is made of the "British Board of Trade" or of the "Engineering Standards Committee of Great Britain" these terms shall be construed to include and mean respectively the Ministry of Transport and the British Engineering Standards Association and any other authority for the time being exercising the functions of these bodies.

Repeal.

9. Ordinance XXIX of 1919 being "The Maintenance of Electrical Supply Ordinance, 1919" is hereby repealed.

## AN ORDINANCE.

No. 28 OF 1921.

Assented to in His Majesty's name this 6th day of September, 1921.

W. K. NOTLEY,  
*Acting Governor.*

### **An Ordinance to make Provision for the Appointment and Duties of a Senior Liwali.**

BE it enacted by the Acting Governor of the Colony of Kenya, with the advice and consent of the Legislative Council thereof:—

Short title.

1. This Ordinance may be cited as "The Liwalis' Courts Ordinance, 1921."

Application.

2. This Ordinance shall apply to the Protectorate of Kenya.

Senior Liwali.  
Appointment and powers of.

3. The Governor may by notice in the Gazette appoint a Senior Liwali, and in addition to his ordinary powers conferred by the Courts Ordinance, 1907, and the Criminal Procedure Ordinance, 1913, and any amendments thereof, such Senior Liwali shall have power to inspect all books, records and proceedings of Liwalis', Cadis' and Mudirs' Courts and to render reports to the High Court relative to such inspections.

## AN ORDINANCE.

No. 29 OF 1921.

Assented to in His Majesty's name this 6th day of September, 1921.

W. K. NOTLEY,  
*Acting Governor.*

**An Ordinance to Repeal "The Fugitive Offenders (German East Africa) Surrender Ordinance, 1920."**

BE it enacted by the Acting Governor of the Colony of Kenya, with the advice and consent of the Legislative Council thereof:—

1. This Ordinance may be cited as "The Fugitive Offenders (German East Africa) Surrender Repeal Ordinance, 1921." Short title.
2. The Fugitive Offenders (German East Africa) Surrender Repeal Ordinance, 1920, shall be and is hereby repealed.

## AN ORDINANCE.

No. 30 OF 1921.

Assented to in His Majesty's name this 6th day of September, 1921.

W. K. NOTLEY,  
*Acting Governor.*

**An Ordinance to Provide for a Revised Edition of the Laws of the Colony and Protectorate of Kenya.**

BE it enacted by the Acting Governor of the Colony of Kenya, with the advice and consent of the Legislative Council thereof:—

1. This Ordinance may be cited as "The Revised Edition of the Laws Ordinance, 1921." Short title.
2. In this Ordinance,—
  - "The Colony" includes the Protectorate of Kenya; and
  - "The Edition" means the new and revised edition of the Ordinances of the Colony to be prepared under the authority of this Ordinance.Interpretation.
3. (1) His Honour JACOB WILLIAM BARTH, C.B.E., Chief Justice of the Colony, and the Honourable ROBERT WILLIAM LYALL GRANT, Attorney General, are hereby appointed Commissioners for the purpose of preparing a new and revised edition of the Ordinances of the Colony. Commissioners appointed.
  - (2) In case the said Commissioners or either of them shall from any cause be unable to act before the new edition shall have been completed, the Governor may appoint some other fit and proper persons or person to be Commissioners or Commissioner in their or his stead.

Provided that if one Commissioner only is unable to act it shall not be necessary to make a fresh appointment.
4. In the preparation of the new edition the Commissioners shall have the following powers (that is to say):— Powers of Commissioners.

## (1) To omit—

(a) All Ordinances or parts of Ordinances which have been expressly or specifically repealed or which have expired or have had their effect;

(b) All repealing enactments contained in Ordinances and also all tables or lists of repealed enactments whether contained in schedules or otherwise;

(c) All preambles to Ordinances or to sections of Ordinances where such omissions can in the opinion of the Commissioners conveniently be made;

(d) All enactments prescribing the date when an Ordinance or part of an Ordinance is to come into operation, where such omission or omissions can in the opinion of the Commissioners conveniently be made; and

(e) All amending Ordinances or parts thereof where the amendments effected thereby have been embodied by the Commissioners in the Ordinances to which they relate.

(2) To consolidate into one Ordinance any two or more Ordinances in *pari materia* making the alterations thereby rendered necessary and affixing such date thereto as may seem most convenient;

(3) To alter the order of sections in any Ordinance and in all cases where it is necessary to do so to renumber the sections of any Ordinance and to make consequent corrections in references to any sections so renumbered;

(4) To alter the form or arrangement of any section of an Ordinance by transposing words, by combining it in whole or in part with another section or other sections or by dividing it into two or more sub-sections;

(5) To transfer any enactment contained in an Ordinance from that Ordinance to any other Ordinance to which it more properly belongs;

(6) To divide any Ordinance whether consolidated or not into parts or divisions;

(7) To add a short title to any Ordinance which may require it and if necessary to alter the short title of any Ordinance;

(8) To shorten and simplify the phraseology of any enactment;

(9) To make such formal alterations as to names, localities, offices and otherwise as may be necessary to bring any Ordinance into conformity with the circumstances of the Colony;

(10) To correct grammatical and typographical mistakes in the existing copies of Ordinances, and for that purpose to make verbal additions, omissions, or alterations not affecting the meaning of any enactment; and

(11) To do all other things relating to form and method which may be necessary for the perfecting of the new edition.

5. There shall be attached to each Ordinance contained in the new edition a number showing its place among the Ordinances of the year to which it belongs.

6. (1) The powers conferred upon the Commissioners in Section 4 hereof shall not be taken to imply any power in them to make any alteration or amendment in the matter or substance of any Ordinance or part of an Ordinance.

(2) Subject to the provisions of sub-section (4) in every case where any such alteration or amendment is in the opinion of the Commissioners desirable the following procedure shall be observed, that is to say:—

(a) The Commissioners shall draw up a memorandum setting forth in a concise form the proposed alterations and amendments, and shall submit it to the Governor-in-Council;

(b) After the Governor-in-Council has considered the memorandum and has made such additions thereto and alterations therein as he may think fit, he shall cause a copy thereof to be furnished to every member of the Legislative Council;

Numbering of Ordinances.

Mode of dealing with alterations of substance.

(c) At a convenient time thereafter the memorandum shall be laid before the Legislative Council in Committee, and the Council shall have a full opportunity of considering and discussing it, and shall deal with it by way of addition, omission or alteration as it shall think fit;

(d) The Governor may cause the memorandum to be referred back to the Legislative Council, as often as may be necessary, with such directions with respect thereto as may appear to him expedient.

(e) When the memorandum has been finally dealt with by the Legislative Council, the alterations and amendments of law thereby directed to be made shall be duly embodied by the Commissioners in the Ordinances to which they respectively relate; or

(f) In any case where the Commissioners may think fit, they may draft a Bill setting forth the alterations and amendments and authorising them to be made in the new edition, and every such Bill shall, subject to the sanction of the Governor-in-Council, be submitted to the Legislative Council and be dealt with in the ordinary way.

(3) Any such memorandum or Bill may have reference to one Ordinance or to more Ordinances than one although they may not be *in pari materia*.

(4) In any case where a law, whether consolidated or not, requires such considerable alterations and amendments as to involve its entire re-casting the Commissioners shall draft a Bill accordingly, and every such Bill shall, subject to the sanction of the Governor-in-Council, be submitted to the Legislative Council and be dealt with in the ordinary way.

7. (1) Each volume of every copy of the new edition when printed shall be impressed on the title-page thereof with the Public Seal of the Colony; and on some convenient day thereafter the Governor shall by a proclamation published in the *Gazette* notify that the copies of the new edition have been duly impressed as aforesaid and are ready for issue at the Secretariat.

Bringing into force of the new edition.

(2) Immediately on the publication of the proclamation the new edition shall become and be, without any question, in all Courts of Justice and for all purposes whatsoever, the sole authentic edition of the Statute Law of the Colony in force on the thirty-first day of December, 1921.

Validity of new edition.

8. The new edition may also contain a reprint of such Imperial Statutes, Letters Patent, Royal Instructions, and other Instruments as may be considered necessary.

Complementary matter in new edition.

9. (1) There shall be issued, as supplementary to the revised edition of the Ordinances, a volume containing all local Orders-in-Council, Proclamations, Rules and Regulations in force on the said thirty-first day of December, 1921.

Subsidiary legislation.

(2) Any such supplementary volume may also contain such tables, appendices, and other supplementary matter, including an index, as the Commissioners may consider necessary for completing such volume.

10. There shall be omitted from the revised edition all statutory provisions or regulations which are expressed or purport to remain in force only during the continuance of the present war, but the said statutory provisions and regulations shall continue to be in force notwithstanding their omission from the said revised edition.

Exclusion of emergency or temporary legislation.

11. Where in any enactment or in any document of whatever kind reference is made to any enactment repealed or otherwise affected by the operation of this Ordinance the reference shall, where necessary and practicable, be deemed to extend and apply to the corresponding enactment in the new edition.

Construction of references to repealed enactments.

12. Nothing in this Ordinance contained and nothing done or omitted hereunder or in pursuance thereof shall affect the validity of anything already done or suffered or any right, title or interest already acquired or accrued.

Saving clause.

13. The Governor may by warrant addressed to the Treasurer, direct the payment of all expenses of and incidental to the preparation and publication of the revised edition.

Expenses of publication.

14. This Ordinance shall be printed at the commencement of the new edition.

Place of this Ordinance in the new edition.

## AN ORDINANCE.

No. 31 OF 1921.

Assented to in His Majesty's name this 6th day of September, 1921.

W. K. NOTLEY,  
*Acting Governor.*

**An Ordinance to Amend the Law relating to Prisons.**

BE it enacted by the Acting Governor of the Colony of Kenya, with the advice and consent of the Legislative Council thereof:—

Short title.

1. This Ordinance may be cited as "The Prisons Amendment Ordinance, 1921," and shall be read as one with the Prisons Ordinance, 1914, hereinafter referred to as "The Principal Ordinance."

Amendment of Section 94 of the Principal Ordinance.  
Confirmation of sentences of corporal punishment required.

2. Section 94 of the Principal Ordinance is hereby amended by the addition of the following proviso:—

"(k) Every sentence of corporal punishment imposed on a non-native, other than a European, shall, before being carried into execution, be confirmed, after due enquiry, by a Magistrate of the first class; or if such sentence is imposed in a district where no first class Magistrate is resident, then it shall be confirmed by a Magistrate of the second class."

## AN ORDINANCE.

No. 32 OF 1921.

Assented to in His Majesty's name this 6th day of September, 1921.

W. K. NOTLEY,  
*Acting Governor.*

**An Ordinance to amend the Vagrancy Ordinance, 1920.**

BE it enacted by the Acting Governor of the Colony of Kenya, with the advice and consent of the Legislative Council thereof:—

Short Title.

1. This Ordinance may be cited as "The Vagrancy (Amendment) Ordinance, 1921," and shall be read as one with the Vagrancy Ordinance, 1920, hereinafter referred to as the Principal Ordinance.

Definition of "Vagrant."

2. Section 2 of the Principal Ordinance is amended as follows:—

The definition of the word "Vagrant" is repealed and the following definition substituted.

"Vagrant" means

- (a) Any person asking for alms.
- (b) Any person wandering about and unable to show that he has visible and sufficient means of subsistence.
- (c) Any person lodging in any verandah, outhouse, shed or unoccupied building or in any cart, vehicle or other receptacle without leave of the owner thereof and not having any visible means of subsistence.

Juveniles apparently under the age of 16 years.

3. Section 14 of the Principal Ordinance is repealed and replaced as follows:—

- (1) "Any person apparently under the age of 16 years who is not in regular employment nor resident with his parents or other lawful guardian shall on being found wandering about be taken before a Magistrate who may issue an order for his return to the custody of the parent or guardian, and thereupon he shall be handed over to the custody of such parent or guardian without undue delay.

(2) "Should any such person be again found wandering about without employment, having left such custody, he shall be deemed to have committed an offence.

"And if a male may in lieu of other punishment be punished with whipping not exceeding six strokes with a light cane. Provided that nothing in this sub-section shall be deemed to affect the power of a magistrate to issue an order for the return of a vagrant as provided for in sub-section (1) of this section as often as may be found necessary."

## AN ORDINANCE.

No. 33 OF 1921.

Assented to in His Majesty's name this 6th day of September, 1921.

W. K. NOTLEY,  
*Acting Governor.*

### **An Ordinance to facilitate the enforcement in the Colony and Protectorate of Maintenance Orders made in England and Ireland and vice versa.**

WHEREAS it is enacted by the Maintenance Orders (Facilities for Enforcement) Act, 1920, that His Majesty may by Order-in-Council extend the provisions of the said Act to any part of His Majesty's dominions where reciprocal provisions have been made for the enforcement within that part of maintenance orders made by courts within England and Ireland. And whereas it is desirable that the provisions of the said Act should be extended to the Colony and Protectorate of Kenya.

Be it therefore enacted by the Acting Governor of the Colony of Kenya with the advice and consent of the Legislative Council thereof:—

1. This Ordinance may be cited as "The Maintenance Orders Enforcement Ordinance, 1921." Short title.

2. For the purposes of this Ordinance:— Interpretation.

The expression "maintenance Order" means an order other than an order of affiliation for the periodical payment of sums of money towards the maintenance of the wife or other dependants of the person against whom the order is made; and includes an order or decree for the recovery or repayment of the cost of relief or maintenance made in Ireland by virtue of the provisions of the Poor Relief (Ireland) Acts, 1839 to 1914.

The expression "dependants" means such persons as that person is, according to the law in force in England or Ireland, liable to maintain;

The expression "certified copy" in relation to an order of a court means a copy of the order certified by the proper officer of the court to be a true copy; and the expression "prescribed" means prescribed by rules of court.

The expression "Colony" includes "Protectorate."

Enforcement in the Colony of maintenance orders made in England and Ireland.

3. (1) Where a maintenance order has, whether before or after the passing of this Ordinance, been made against any person by any court in England or Ireland, and a certified copy of the order has been transmitted by the Secretary of State to the Governor, the Governor shall send a copy to the prescribed officer of a Court in the Colony for registration; and on receipt thereof the order shall be registered in the prescribed manner, and shall, from the date of such registration, be of the same force and effect, and, subject to the provisions of this Ordinance, all proceedings may be taken on such order as if it had been an order originally obtained in the court in which it was so registered and that court shall have power to enforce the order accordingly.

(2) The court in which an order is to be so registered as aforesaid shall, if the order was made in England by the Probate, Divorce and Admiralty Division of the High Court, or in Ireland by the King's Bench Division (Matrimonial) of the High Court of Justice in Ireland, be the High Court, and, if the order was made by a court of summary jurisdiction be a subordinate court of the first class.

Transmission of maintenance orders made in the Colony.

4. Where a court in the Colony has, whether before or after the commencement of this Ordinance, made a maintenance order against any person, and it is proved that court that the person against whom the order was made is resident in England or Ireland, the court shall send to the Governor for transmission to the Secretary of State a certified copy of the order.

Power to make provisional orders of maintenance against persons resident in England or Ireland.

5. (1) Where an application is made to a subordinate court of the first class in the Colony for a maintenance order against any person, and it is proved that that person is resident in England or Ireland, the court may, in the absence of that person, if after hearing the evidence it is satisfied of the justice of the application, make any such order as it might have made if a summons had been duly served on that person and he had failed to appear at the hearing, but in such case the order shall be provisional only, and shall have no effect unless and until confirmed by a competent court in England or Ireland.

(2) The evidence of any witness who is examined on any such application shall be put into writing, and such deposition shall be read over to and signed by him.

(3) Where such an order is made, the Court shall send to the Governor for transmission to the Secretary of State the depositions so taken and a certified copy of the order, together with a statement of the grounds on which the making of the order might have been opposed if the person against whom the order is made had been duly served with a summons and had appeared at the hearing, and such information as the court possesses for facilitating the identification of that person, and ascertaining his whereabouts.

(4) Where any such provisional order has come before a court in England or Ireland for confirmation and the order has by that court been remitted to the subordinate court which made the order for the purpose of taking further evidence, that court or any other subordinate court of the first class sitting and acting for the same place shall, after giving the prescribed notice, proceed to take the evidence in like manner and subject to the like conditions in support of the original application.

If upon hearing of such evidence it appears to the court that the order ought not to have been made, the court may rescind the order, but in any other case the depositions shall be sent to the Governor and dealt with in like manner as the original depositions.

(5) The confirmation of an order made under this Section shall not affect any power of a subordinate court to vary or rescind that order provided that on the making of a varying or rescinding order the court shall send a certified copy thereof to the Governor for transmission to the Secretary of State and that in the case of an order varying the original order the order shall not have any effect unless and until confirmed in like manner as the original order.

(6) The applicant shall have the same right of appeal, if any, against a refusal to make a provisional order as he would have had against a refusal to make the order had a summons been duly served on the person against whom the order is sought to be made.

6. (1) Where a maintenance order has been made by a court in England or Ireland, and the order is provisional only and has no effect unless and until confirmed by a subordinate court of the first class in the Colony, and a certified copy of the order, together with the depositions of witnesses and a statement of the grounds on which the order might have been opposed has been transmitted to the Governor and it appears to the Governor that the person against whom the order was made is resident in the Colony the Governor may send the said documents to the prescribed officer of a subordinate court of the first class with a requisition that a summons be issued calling upon the person to shew cause why that order should not be confirmed, and upon receipt of such documents and requisition the court shall issue such a summons and cause it to be served upon such person.

Power of subordinate court to confirm maintenance order made in England and Ireland.

(2) A summons so issued may be served in the Colony in the same manner as if it had been originally issued or subsequently endorsed by a subordinate court having jurisdiction in the place where the person happens to be.

(3) At the hearing it shall be open to the person on whom the summons was served to raise any defence which he might have raised in the original proceedings had he been a party thereto, but no other defence, and the certificate from the court which made the provisional order stating the grounds on which the making of the order might have been opposed if the person against whom the order was made had been a party to the proceedings shall be conclusive evidence that those grounds are grounds on which objection may be taken.

(4) If at the hearing the person served with the summons does not appear or, on appearing, fails to satisfy the court that the order ought not to be confirmed, the court may confirm the order either without modification or with such modifications as to the Court after hearing the evidence may seem just.

(5) If the person against whom the summons was issued appears at the hearing and satisfies the court that for the purpose of any defence it is necessary to remit the case to the court which made the provisional order for the purpose of taking any further evidence the court may so remit the case and adjourn the proceedings for the purpose.

(6) Where a provisional order has been confirmed under this section it may be varied or rescinded in like manner as if it had originally been made by the confirming court and where on an application for rescission or variation the court is satisfied that it is necessary to remit the case to the court which made the order for the purpose of taking any further evidence, the court may so remit the case and adjourn the proceedings for the purpose.

(7) Where an order has been so confirmed, the person bound thereby shall have the same right of appeal, if any, against the confirmation of the order as he would have had against the making of the order had the order been an order made by the court confirming the order.

Mode of enforcing orders.

7. (1) The court in which an order has been registered under this Ordinance or by which an order has been confirmed by this Ordinance and the officers of such court shall take all such steps for enforcing the order as may be prescribed.

(2) Every such order shall be enforceable in like manner as if the order were for payment of a civil debt.

(3) A warrant of distress or commitment issued by a subordinate court for the purpose of enforcing any order so registered or confirmed may be executed in any part of the Colony in the same manner as if the warrant had been originally issued or subsequently endorsed by a subordinate court having jurisdiction in the place where the warrant is executed.

Proof of documents signed by officers of court.

8. Any document purporting to be signed by a judge of a court in England or Ireland shall, until the contrary is proved, be deemed to have been so signed without proof of the signature or judicial or official character of the person appearing to have signed it, and the officer of a court by whom a document is signed shall, until the contrary is proved, be deemed to have been the proper officer of the court to sign the document.

ns to be evidence.

9. Depositions taken in a court in England or Ireland may be received in evidence in proceedings before subordinate courts under this Ordinance.

## AN ORDINANCE.

No. 34 OF 1921.

Assented to in His Majesty's name this 6th day of September, 1921.

W. K. NOTLEY,  
*Acting Governor.*

### **An Ordinance to Amend the Native Hut and Poll Tax Ordinance, 1910.**

BE it enacted by the Acting Governor of the Colony of Kenya, with the advice and consent of the Legislative Council thereof:—

Short title.

1. This Ordinance may be cited as "The Native Hut and Poll Tax (Amendment) Ordinance, 1921," and shall be read as one with the Native Hut and Poll Tax Ordinance, 1910, hereinafter referred to as "the Principal Ordinance."

Repeal of Section 8 of the Principal Ordinance.

2. The Principal Ordinance is hereby amended by the deletion of Section 8 thereof as amended by Section 5 of the Native Hut and Poll Tax (Amendment) Ordinance, 1920.

## AN ORDINANCE.

## No. 35 OF 1921.

Assented to in His Majesty's name this 6th day of September, 1921.

W. K. NOTLEY,  
*Acting Governor.*

**An Ordinance Relating to the Destruction or Misuse of Currency.**

BE it enacted by the Acting Governor of the Colony of Kenya, with the advice and consent of the Legislative Council thereof:—

1. This Ordinance may be cited as "The Currency Ordinance, 1921." Short title.
2. No person shall melt down, break up or use otherwise than as Currency any silver coin current for the time being in the Colony or Protectorate. Prohibition of melting down of Currency.
3. Any person who contravenes any of the provisions of this Ordinance shall on conviction be liable to a fine not exceeding Fls. 1,000 or to imprisonment of either description for a term not exceeding six months or to both such fine and imprisonment. Penalties.
4. The Gold and Silver Currency Protection Ordinance, 1920, is hereby repealed. Repeal.

## AN ORDINANCE.

## No. 36 OF 1921.

Assented to in His Majesty's name this 6th day of September, 1921.

W. K. NOTLEY,  
*Acting Governor.*

**An Ordinance to amend "The Land Titles Amendment Ordinance, 1910."**

BE it enacted by the Acting Governor of the Colony of Kenya, with the advice and consent of the Legislative Council thereof:—

1. This Ordinance may be cited as "The Land Titles (Amendment) Ordinance, 1921," and shall be read as one with the Land Titles Amendment Ordinance, 1910, hereinafter referred to as "The Principal Ordinance." Short title.
2. Section 15 of the Principal Ordinance is hereby repealed and replaced as follows:—
  - "15. (1) A document (other than a judgment decree or order of a Court) to which there is attached a map or plan which is not signed by the Director of Land Surveys shall not be accepted for registration.
  - (2) The Registrar shall not register any document presented for registration unless a clearly written description of the property concerned is attached signed by the Director of Land Surveys, nor shall any document be presented for registration if the description is insufficient to identify the parcel therein referred to without a plan attached signed by the Director of Land Surveys.

Provided, however, in the case of such refusal if the document is presented for registration together with a plan to the satisfaction of the Registrar within such time as the Registrar shall consider reasonable under the circumstances of the case the registration of the document shall take effect as from the time when it was first presented for registration.

And provided further an appeal shall lie against an order made by a Registrar under this Sub-Section to the Principal Registrar, and the Principal Registrar may reverse or alter such order; and if the order of the Principal Registrar directs the document to be registered, the Registrar shall obey the same; but if the Principal Registrar confirms the order of the Registrar his decision thereon shall be final."

## AN ORDINANCE.

No. 37 of 1921.

Assented to in His Majesty's name this 6th day of September, 1921.

W. K. NOTLEY,  
Acting Governor.

**An Ordinance to amend the Administrator General's Ordinance, 1919.**

BE it enacted by the Acting Governor of the Colony of Kenya, with the advice and consent of the Legislative Council thereof:—

Short title.

1. This Ordinance may be cited as "The Administrator General's Amendment Ordinance, 1921," and shall be construed as one with "The Administrator General's Ordinance, 1909," and "The Administrator General's Amendment Ordinance, 1919."

Repeal of Section 18 of Ordinance, No. 6 of 1919.

2. Section 18 of the Administrator General's Amendment Ordinance, 1919, including the scale of fees is hereby repealed.

Fees.

3. The Administrator General shall charge for work done by him in respect of the administration of Estates the following fees shewn in the scale set forth below.

## SCALE OF FEES.

ASSESSED ON THE GROSS VALUE OF ESTATES.

						Fls.	Cts.
Estates not exceeding	Fls. 10/-	...	...				0-50
Estates exceeding	Fls. 10/-	but not exceeding	Fls. 30/-				1-00
"	" 30/-	"	" 50/-				2-00
"	" 50/-	"	" 100/-				4-00
"	" 100/-	"	" 200/-				7-50
"	" 200/-	"	" 300/-				12-50
"	" 300/-	"	" 20,000/-	5%			
"	" 20,000/-	"	" 50,000/-	5%			
							on the first 20,000 and 3% on the sum over and above 20,000/-.
Estates exceeding	Fls. 50,000/-	but not exceeding	Fls. 100,000/-	5%			
							on the 1st 20,000, 3% on 20,000 to 50,000 and 2½% on the sum over and above 50,000.
Estates exceeding	Fls. 100,000/-	but not exceeding	Fls. 200,000/-	5%			
							on the 1st 20,000 3% on 20,000 to 50,000/- 2½% on 50,000/- to 100,000/-.
							2% on the sum above 100,000/-.
Estates exceeding	Fls. 200,000/-	but not exceeding	Fls. 300,000/-	5%			
							on the 1st 20,000/- 3% on 20,000/- to 50,000/-.
							2½% on 50,000/- to 100,000/-.
							2% on 100,000/- to 200,000/-.
							1½% on the sum above 200,000/-.

SCALE OF FEES.—(CONTD.)

Estates exceeding Fls. 300,000/- but not exceeding Fls. 500,000/-	5% on the 1st, 20,000/-
	3% on 20,000/- to 50,000/-.
	2½% on 50,000/- to 100,000/-.
	2% on 100,000/- to 200,000/-.
	1½% on 200,000/- to 300,000/-.
	1% on the sum above 300,000/-.
Estates exceeding Fls. 500,000/-	5% on the 1st 20,000/-
	3% on 20,000/- to 50,000/-.
	2½% on 50,000/- to 100,000/-.
	2% 100,000/- to 200,000/-.
	1½% on 200,000/- to 300,000/-.
	1% on 300,000/- to 500,000/-.
	½% on all sums above 500,000/-.

	Fls. Cts.
Searches per hour or part thereof ... ..	10-0
COPIES.	
Certified first 4 folios or part thereof per folio ... ..	2-00
Each subsequent folio ... ..	1-00
Uncertified first 4 folios or part per folio ... ..	1-00
Each subsequent folio ... ..	0-25

AN ORDINANCE.

No. 38 of 1921.

Assented to in His Majesty's name this 6th day of September, 1921.

W. K. NOTLEY,  
*Acting Governor.*

**An Ordinance to make Provision for Securing and Maintaining Health.**

BE it enacted by the Acting Governor of the Colony of Kenya, with the advice and consent of the Legislative Council thereof:—

1. This Ordinance may be cited as "The Public Health Ordinance, 1921." Short title

2. This Ordinance is divided into parts as follows:— Divisions

PART I.

PRELIMINARY.

PART II.

ADMINISTRATION.

PART III.

NOTIFICATION OF INFECTIOUS DISEASES.

PART IV.

PREVENTION AND SUPPRESSION OF INFECTIOUS DISEASES.

SUB-DIVISION I.—GENERAL PROVISIONS.

SUB-DIVISION II.—HOSPITALS.

SUB-DIVISION III.—SPECIAL PROVISIONS REGARDING FORMIDABLE EPIDEMIC, ENDEMIC OR INFECTIOUS DISEASES.

**PART V.****VENEREAL DISEASES.****PART VI.****PORTS AND INLAND BORDERS OF THE COLONY  
AND PROTECTORATE.****PART VII.****LEPROSY.****PART VIII.****PREVENTION OF THE SPREAD OF SMALL-POX.****PART IX.****SANITATION AND HOUSING.****PART X.****PROTECTION OF FOODSTUFFS.****PART XI.****PUBLIC WATER SUPPLIES, MEAT, MILK AND OTHER  
ARTICLES OF FOOD.****PART XII.****THE PREVENTION AND DESTRUCTION OF MOSQUITOES.****PART XIII.****CEMETERIES.****PART XIV.****GENERAL.****PART XV.****MISCELLANEOUS.**

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**PART I.****PRELIMINARY.****Interpretation of terms.**

3. In this Ordinance and in any Regulations made under this Ordinance, unless the context otherwise requires, the following terms have the following meanings:—

“Adult” means a person of eighteen years of age or over.

“Approved and prescribed” means respectively approved or prescribed by the Governor or the Board or by the appointed officers or by the Regulations framed under this Ordinance as the case may be.

“Basement” means any cellar, vault, or underground room.

"Board" means the Central Board of Health constituted under this Ordinance.

"Building" includes any structure whatsoever for whatever purpose used.

"Burial" means burial in earth, interment or any other form of sepulture, or the cremation or any other mode of disposal of a dead body, and "buried" has a corresponding meaning.

"Child" means a person under eighteen years of age.

"Commercial area" means any area in any Municipality, Township or District which the Governor may from time to time define by Proclamation.

"Dairy" means and includes any farm-house, cow-shed, milk-store, milk-shop or other place from which milk is supplied on, or for, sale or in which milk is kept or used for purposes of sale or manufacture into butter, cheese, dried milk or condensed milk for sale.

"Dairyman" includes any cow-keeper, purveyor of milk, or occupier of a dairy, and in cases where a dairy is owned by a corporation or company, the secretary or other person actually managing such dairy.

"District" means in relation to a local authority, the area which is under the jurisdiction of that local authority.

"Dwelling" means any house, room, shed, hut, cave, tent, vehicle, vessel or boat or any other structure or place whatsoever, any portion whereof is used by any human being for sleeping or in which any human being dwells.

"Drain" means any drain used for the drainage of one building only, or of premises within the same curtilage and made merely for the purpose of communicating therefrom with a cess-pool or other like receptacle for drainage, or with a sewer into which the drainage of two or more buildings or premises occupied by different persons is conveyed.

"Drainage authority" means the Public Works Department or any other authority that the Governor may appoint for any particular area.

"European" means a person of European origin.

"European reservation" means any area in any Municipality, Township, or District which the Governor may from time to time define by Proclamation.

"Factory" means any building or part of a building in which machinery is worked by steam, water, electricity or other mechanical power, for the purposes of trade.

"Food" means any article used for food or drink other than drugs or water, and any article intended to enter into or be used in the preparation of such food, and flavouring matters and condiments.

"Guardian" means any person having by reason of the death, illness, absence or inability of the parent or any other cause, the custody of a child.

"Infectious disease" means any disease (not including any venereal disease except gonorrhoeal ophthalmia) which can be communicated directly or indirectly by any person suffering therefrom to any other person.

"Infected" means suffering from, or in the incubation stage of, or contaminated with the infection of, any infectious or communicable disease.

"Isolated" means the segregation and the separation from and interdiction of communication with others, of persons who are or are suspected of being infected; "isolation" has a corresponding meaning.

"Keeper of a lodging-house" means any person licensed to keep a lodging house.

"Land" includes any right over or in respect of immovable property.

"Latrine" includes privy, urinal, earth closet and water closet.

"Local authority" means the Council of any Municipality constituted under the Municipal Corporations Ordinance, 1909, or any Ordinance substituted therefor. Any Committee or other authority appointed under the East Africa Townships Ordinance, 1903, for the purposes of the said Ordinance; and the District Commissioner of the district under his jurisdiction and the Medical Officer for such district when available (not being within the district of any existing municipal authority) shall be the local authority for such district.

"Lodging house" means a building or part of a house including the verandah thereof, if any, which is let or sub-let in lodgings or otherwise, either by storeys, by flats, by rooms, or by portions of rooms.

"Magistrate" means any Magistrate empowered to hold a Subordinate Court of the 1st, 2nd or 3rd class.

"Medical observation" means the segregation and detention of persons under medical supervision.

"Medical Officer of Health" means the Principal Medical Officer, the Chief Sanitation Officer the Medical Officer of Health appointed to a Municipality or District, and includes any Government Medical Officer, District Surgeon any Medical Practitioner, or any member of the subordinate medical staff appointed by the Principal Medical Officer to act as such in any district.

"Medical practitioner" means a person who is registered as such under any law in force in the Colony and Protectorate governing the registration of medical practitioners.

"Medical surveillance" means the keeping of a person under medical supervision. Persons under such surveillance may be required by the Medical Officer of Health or any duly authorised officer to remain within a specified area or to attend for medical examination at specified places and times.

"Municipality" means the district under the control of every municipality, constituted under the Municipal Corporations Ordinance, 1909, or any Ordinance substituted therefor.

"Non-European reservation" means any area in any Municipality, Township or District which the Governor may from time to time define by Proclamation.

"Occupier" shall include any person in actual occupation of land or premises without regard to the title under which he occupies and in case of premises sub-divided and let to lodgers or various tenants the person receiving the rent payable by the lodgers or tenants whether on his own account or as an agent for any person entitled thereto or interested therein.

"Offensive trade" includes the trade of blood-boiler, bone-boiler, fell-monger, soap-boiler, tallow-melter, tripe-boiler and any other noxious or offensive trade, business or manufacture whatsoever.

"Owner" shall as regards immovable property include any person, other than His Majesty, receiving the rent or profits of any lands or premises from any tenant or occupier thereof or who would receive such rent or profits if such land or premises were let whether on his own account or as agent for any person, other than His Majesty entitled thereto or interested therein. The term includes any lessee or licensee from the Crown and any superintendent, overseer or manager of such lessee or licensee residing on the holding.

"Parent" means and includes the father and mother of a child, whether legitimate or not.

“Premises” includes any building or tent together with the land on which the same is situated and the adjoining land used in connection therewith, and includes any vehicle, conveyance or vessel.

“Public building” means a building used or constructed or adapted to be used either ordinarily or occasionally as a place of public worship or as a hospital, college, school, theatre, public hall or as a public place of assembly for persons admitted by ticket or otherwise, or used or adapted to be used for any other public purpose.

“Public latrine” means any latrine to which the public are admitted on payment or otherwise.

“Regulations” mean and include rules and bye-laws made or deemed to be made under this Ordinance.

“Slaughter-house” means the premises set apart for the purposes of a slaughter-house by a local authority the words “Pig slaughter-house” means the premises set apart by a local authority for the slaughtering of pigs; (and the words “Meat Inspector” mean the person employed by any authority to act as Meat Inspector or other qualified person authorised by them to act in that behalf).

“Stock” shall mean and include all domesticated animals of which the flesh or milk is used for human consumption.

“Street” shall mean any highway, road or sanitary lane, or strip of land reserved for a highway, road or sanitary lane, and shall include any bridge, footway, square, court, alley or passage whether a thoroughfare or not, or a part of one.

“Trade premises” means any premises (other than a factory) used or intended to be used for carrying on any trade or business.

“Township” means any township proclaimed under the East Africa Townships Ordinance, 1903.

“Verandah” includes any stage, platform, or portico projecting from the main wall of any building.

“Veterinary Officer” means a Veterinary Surgeon in the employment of the Government.

“Workshop” means any building or part of a building in which manual labour is exercised for purposes of trade.

## PART II.

### ADMINISTRATION.

4. There shall be established a Central Board of Health (hereinafter referred to as “the Board”) having its seat at Nairobi, which shall consist of the Principal Medical Officer (who shall be Chairman) the Chief Sanitation Officer, a Sanitary Engineer, or such person as may be appointed by the Governor to perform the duties of Sanitary Engineer, a Secretary, and such other person or persons not exceeding six (three of whom shall be Medical Practitioners), as shall be appointed from time to time by the Governor. In the absence of the Principal Medical Officer the Board shall elect a Chairman from the members present.

Central Board of Health.

5. The names of all members appointed to the Board shall be forthwith notified in the “Official Gazette” and any number of the Gazette containing a notice of any such appointment shall be deemed sufficient evidence thereof for all purposes.

Evidence of appointment of any officer of the Board.

6. The Governor shall as soon as possible, fill up vacancies occurring in the Board but the Board shall continue to exercise its powers as long as there shall remain on the Board at least five members of whom the Principal Medical Officer, or Chief Sanitation Officer shall be one.

Filling vacancies.

7. If any member of the Board be at any time prevented by absence or other cause from acting the Governor may appoint some other person to replace such member until he shall return or be able to resume his functions.

Substitute members.

Power to make regulations for convening and holding meetings of Board, etc.

8. The Governor may make regulations as to the convening and holding meetings of the Board, the quorum thereof, and the procedure thereat, allowances payable to members thereof and the circumstances in which any member shall vacate his membership.

Functions of the Board.

9. The functions of the Board shall be to advise the Governor on all matters affecting the public health and particularly on all matters mentioned in Section 11 (2).

Appointment and duties of officers.

10. (1) The Governor shall from time to time appoint a Principal Medical Officer, a Deputy Principal Medical Officer, a Chief Sanitation Officer and Sanitation Officers, Medical Officers of Health, Assistant Medical Officers of Health, Medical Officers, Pathologists, Sanitary Inspectors, Port Health Officers and such other officers as he may deem necessary.

(2) Every Medical Officer and every Medical Officer of Health appointed under this section shall be a Medical Practitioner and the Chief Sanitation Officer shall in addition possess a degree, diploma or certificate in public health.

(3) The officers appointed under this section shall carry out such duties in relation to public health as the Principal Medical Officer may respectively assign to them. The Principal Medical Officer or Chief Sanitation Officer, Sanitation Officer, Medical Officer of Health, Assistant Medical Officer of Health, Port Health Officer or Sanitary Inspector acting on his authority and behalf, shall also make any necessary inquiries and inspections in regard to or advise local authorities on any matter incidental to public health.

Functions of Medical Department.

11. (1) There shall be for the Colony and Protectorate a Department to be known as the Medical Department which shall be under the control of the Principal Medical Officer.

(2) The functions of the Medical Department shall be, subject to the provisions of this Ordinance to prevent and guard against the introduction of infectious disease into the Colony and Protectorate from outside; to promote the public health and the prevention, limitation or suppression of infectious, communicable or preventable diseases within the Colony and Protectorate, to advise and direct local authorities in regard to matters affecting the public health; to promote or carry out researches and investigations in connection with the prevention or treatment of human diseases; to prepare and publish reports and statistical or other information relative to the public health, and generally to carry out in accordance with directions the powers and duties in relation to the public health conferred or imposed by this Ordinance.

(3) It shall be the duty of the department to obtain and publish periodically such information regarding infectious disease and other health matter in the Colony and Protectorate, and such procurable information regarding epidemic disease in territories adjacent to the Colony and Protectorate or in other countries, as the interests of the public health may require.

Power to direct inquiries.

12. The Governor may, on the advice of the Board or of the Medical Department, cause to be made such inquiries as he may see fit in relation to any matters concerning the public health in any place.

Powers of persons directed to make inquiries.

13. When an inquiry is directed to be made by the Governor, the person directed to make the same shall have free access to all books, plans, maps, documents, and other things relevant to the inquiry, and shall have in relation to witnesses and their examination and the production of documents similar powers to those conferred upon Magistrates by the Criminal Procedure Ordinance, 1913, and may enter and inspect any building, premises, or place, the entry or inspection whereof appears to him requisite for the purpose of such inquiry.

General duties of local authorities.

14. It shall be the duty of every local authority to take all lawful necessary and under its special circumstances reasonably practicable measures for preventing the occurrence or dealing with any outbreak or prevalence of any infectious, communicable or preventable disease, to safeguard and promote the public health, and to exercise the powers and perform the duties in respect of the public health conferred or imposed on it by this Ordinance or by any other law.

15. Whenever complaint is made to the Board that the public health in any locality is endangered by the failure or refusal on the part of any local authority to exercise its powers or perform the duties devolving upon it under the provisions of this Ordinance or any other Ordinance which it is its duty to enforce, the Governor on the recommendation of the Board, if satisfied after due inquiry that the local authority has been guilty of the alleged default may make an order directing the local authority to perform its duty in the matter of such complaint, and prescribing a time for such performance.

Proceedings on complaint to Board of local authorities.

If such duty is not performed with the time prescribed in the order, the Governor may appoint some person to perform the duty, and shall by order direct that the expenses of performing the same, together with a reasonable remuneration to the person appointed for superintending such performance, and amounting to a sum specified in the order, shall be paid by the local authority in default, and any order made for the payment of such expenses and costs may be recovered in a Court of competent jurisdiction.

Any person appointed under this section to perform the duty of a defaulting local authority shall, in the performance and for the purposes of such duty, have all the powers of such local authority other than the powers of levying rates vested in any local authority pursuant to the provision of any Ordinance in that behalf; and the Governor may from time to time by order change any person so appointed.

16. Regulations made by a local authority affecting the public health, notwithstanding the provisions of any other Ordinance to the contrary, shall not take effect unless and until they have been submitted to and confirmed by the Board. All such regulations shall, if confirmed by the Board, be submitted for the approval of the Governor and if approved shall be published in the "Official Gazette" and thereupon such regulations shall have the force of law in the district of the local authority.

Regulations by local authority to be confirmed by Board, etc.

Provided that local authority shall give notice by advertisement in the Gazette at least 28 days before the submission of proposed regulations to the Board, of the compilation of regulations for which it is proposed to request the sanction of the Board and such advertisement shall specify some convenient place at which copies of the proposed regulations may be seen.

17. Save as is specially provided in this Ordinance the provisions of this Ordinance shall be deemed to be in addition to and not in substitution for any provisions of any other Ordinance which are not in conflict or inconsistent with this Ordinance.

Provisions of this Ordinance in relation to other Ordinances.

If the provisions of any earlier Ordinance are in conflict or inconsistent with this Ordinance, the provisions of this Ordinance shall prevail.

### PART III.

#### NOTIFICATION OF INFECTIOUS DISEASES.

18. (1) The provisions of this Ordinance, unless otherwise expressed, shall, so far as they concern notifiable infectious diseases, apply to small-pox, plague, cholera, scarlatina or scarlet fever, typhus fever, diphtheria or membranous croup, measles, whooping cough, erysipelas, puerperal fever (including septicaemia, pyaemia, septic pelvic cellulitis, or other serious septic condition occurring during the puerperal state) enteric or typhoid fever (including para-typhoid fever) epidemic cerebro-spinal meningitis or cerebro-spinal fever, acute poliomyelitis leprosy, anthrax, glanders, rabies, malta fever, sleeping sickness or human trypanosomiasis, beri-beri, yaws and all forms of tuberculosis which are clinically recognisable apart from reaction to the tuberculin test.

Notification of infectious diseases.

(2) The Governor may, by notice in the Gazette:—

(a) declare that any infectious disease other than those specified in sub-section (1) shall be notifiable diseases under this Ordinance;

(b) declare that only such provisions of this Ordinance as are mentioned in such notice shall apply to any notifiable infectious disease;

(c) restrict the provisions of this Ordinance, as regards the notification of any disease, to the district of any local authority or to any area defined in such notice.

Notification of infectious diseases.

19. (1) Where an inmate of any building in the Colony and Protectorate used for human habitation is suffering from any notifiable infectious disease, unless such building is a hospital in which persons suffering from any notifiable infectious disease are received, the following provisions shall have effect:—

(a) the head of the family to which such inmate (in this Ordinance referred to as "the patient") belongs, and in his default the nearest relatives of the patient present in the building or in their default the person in charge of or in attendance on the patient, and in default of any such person the occupier of the building shall, as soon as he becomes aware that the patient is suffering from any notifiable infectious disease to which this Ordinance applies, send notice thereof to the nearest Medical Officer of Health.

(b) every medical practitioner attending on or called in to visit the patient shall forthwith on becoming aware that the patient is suffering from any notifiable infectious disease to which this Ordinance applies, send to the nearest Medical Officer of Health a certificate stating the name of the patient, the situation of the building and the notifiable infectious disease from which in the opinion of such medical practitioner, the patient is suffering.

(c) in any case in which a Medical Practitioner has been called in, the obligation to notify an infectious disease shall rest on such medical practitioner only.

(d) every medical practitioner who becomes aware, by post mortem examination or otherwise that any person has died of a notifiable infectious disease shall immediately furnish a written certificate thereof to the nearest Medical Officer of Health and shall also inform the head of the household or the occupier of the premises or any person who has been in attendance on such diseased person of the infectious nature of the disease and the precautions to be taken to prevent its conveyance to others.

(2) Every person required by this section to give a notice or certificate who fails to give the same, shall be liable to a penalty not exceeding four pounds.

Provided that if a person is not required to give notice in the first instance, but only in default of some other person, he shall not be liable to any fine if he satisfies the Court that he had reasonable cause to suppose that the notice had been duly given.

Fees for certificates.

20. The local authority, or where there is no local authority the Government, shall pay to every medical practitioner, other than a Government Medical Officer, for each certificate duly sent by him in accordance with this Ordinance a fee of two florins if the case occurs in his private practice.

Notices and certificates.

21. A notice or certificate to be sent to a Medical Officer of Health in pursuance of this Ordinance, may be sent by being delivered to the officer or being left at his office or residence, or may be sent by post addressed to him at his office or his residence.

#### PART IV.

##### PREVENTION AND SUPPRESSION OF INFECTIOUS DISEASE.

##### SUB-DIVISION I.—GENERAL PROVISIONS.

Inspection of infected premises and examination of persons suspected to be suffering from infectious disease.

22. A Medical Officer of Health, may at any time enter and inspect any premises in which he has reason to believe that any person suffering or who has recently suffered from any infectious disease is or has recently been present, or any inmate of which has recently been exposed to the infection of any infectious disease, and may medically examine any person in such premises for the purpose of ascertaining whether such person is suffering or has recently suffered from any such disease.

Duty of local authority to cause premises to be cleansed and disinfected.

23. (1) Where any Medical Officer of Health is of opinion, that the cleansing and disinfecting of any building or part thereof, and of any articles therein likely to retain infection, would tend

to prevent or check infectious disease, it shall be his duty to give notice in writing to the owner or occupier of such building or part thereof, specifying the steps to be taken to cleanse and disinfect such building or part thereof and articles within a time specified in such notice.

(2) If the person to whom notice is so given fails to comply therewith, he shall be liable to a penalty not exceeding ten pounds for every day during which he continues to make default; and the local authority or Medical Officer of Health may cause such building or part thereof and articles to be cleansed and disinfected, and may recover the expenses incurred from the owner or occupier in default as a civil debt recoverable summarily.

(3) Where the owner or occupier of any such building or part thereof is from poverty or otherwise unable, in the opinion of the local authority or the Medical Officer of Health, effectually to carry out the requirements of this section, such authority may, without enforcing such requirements on such owner or occupier, with or without his consent enter, cleanse and disinfect such building or part thereof and articles, and defray the expenses thereof.

24. Any local authority may direct the destruction of any building, bedding, clothing or other articles which have been exposed to infection from any infectious disease, or in the opinion of the Medical Officer of Health are infected, and may give compensation for the same.

Destruction of infected bedding, etc.

25. Any local authority may provide a proper place, with all necessary apparatus and attendance, for the disinfection of bedding, clothing or other articles which have become infected, and may cause any articles brought for disinfection to be disinfected free of charge, and any such direction shall be sufficient authority for a Medical Officer of Health or Sanitary Inspector or person authorised thereto to destroy the same.

Provision of means of disinfection.

26. Any local authority may provide and maintain a carriage or carriages suitable for the conveyance of persons suffering from any infectious disease, and may pay the expenses of conveying therein any person so suffering to a hospital or other place of destination.

Provision of conveyance for infected persons.

27. Where in the opinion of the Medical Officer of Health, any person certified by a medical practitioner to be suffering from an infectious disease is not accommodated or is not being treated or nursed in such manner as adequately to guard against the spread of the disease, such person may, on the order of the Medical Officer of Health, be removed to a hospital or temporary place which in the opinion of the Medical Officer of Health is suitable for the reception of the infectious sick and there detained until such Medical Officer of Health or any medical practitioner duly authorised thereto by the local authority is satisfied that he is free from infection or can be discharged without danger to the public health.

Removal to hospital of infected persons

28. Any person who:—

(a) while suffering from any infectious disease wilfully exposes himself without proper precautions against spreading the said disease in any street, public place, shop, inn, or public conveyance, or enters any public conveyance without previously notifying the owner, conductor or driver thereof that he is so suffering; or

(b) being in charge of any person so suffering so exposes such sufferer; or

(c) gives, lends, seils, transmits or exposes, without previous disinfection, any bedding, clothing, rags or other things which have been exposed to infection from any such disease,

Penalty on exposure of infected persons and things

shall be liable to a penalty not exceeding fifteen pounds or three months rigorous imprisonment or to both; and a person who, while suffering from any such disease, enters any public conveyance without previously notifying to the owner or driver that he is so suffering, shall in addition be ordered by the Court to pay such owner and driver the amount of any loss and expenses they may incur in carrying into effect the provisions of this Ordinance with respect to disinfection of the conveyance.

Provided that no proceedings under this section shall be taken against persons transmitting with proper precautions any bedding, clothing, rags or other things for the purpose of having the same disinfected.

Penalty on failing to provide for disinfection of public conveyance.

29. Every owner or driver of a conveyance shall immediately provide for the disinfection of such conveyance after it has to his knowledge conveyed any person suffering from an infectious disease; and if he fails to do so he shall be liable to a penalty not exceeding twenty pounds; but no such owner or driver shall be required to convey any persons so suffering until he has been paid a sum sufficient to cover any loss or expenses incurred by him in carrying into effect the provisions of this section.

Penalty for letting infected houses.

30. Any person who knowingly lets for hire any dwelling or premises or part thereof in which any person has been suffering from an infectious disease without having the same and all articles therein liable to retain infection, efficiently disinfected to the satisfaction of a Medical Officer of Health as testified by a certificate signed by him shall be liable to a penalty not exceeding fifty pounds.

The provisions of this section shall apply to any owner or keeper of an hotel or boarding house who lets any room or part thereof to any person.

Duty of person letting house lately infected to give true information.

31. Any person letting for hire or showing for the purpose of letting for hire any dwelling or premises or part thereof who on being questioned by any person negotiating for the hire of such house as to the fact of there being or within six weeks previously having been therein any person suffering from any infectious disease knowingly makes a false answer to such question shall be liable to a fine not exceeding fifty pounds.

#### SUB-DIVISION II.—HOSPITALS.

Power of local authority to provide hospital.

32. (1) Any local authority with the sanction of the Board may provide for the use of the inhabitants of its district hospitals or temporary places for the reception of the sick, and for that purpose may

(a) Themselves build such hospitals or places of reception; or

(b) Contract for the use of any such hospital or part of a hospital or place of reception; or

(c) Enter into any agreement with any person having the management of any hospital, for the reception of the sick inhabitants of their district, on payment of such annual or other sum as may be agreed on.

(2) Two or more local authorities may combine in providing a common hospital.

Recovery of cost of maintaining patient in hospital.

33. Any expenses incurred by a local authority in maintaining in a hospital, or in a temporary place for the reception of the sick (whether or not belonging to such hospital) a patient who is not a pauper, shall be deemed to be a debt due from such patient to the local authority, and may be recovered from him after his discharge from such hospital or place of reception, or from his estate in the event of his dying in such hospital or place.

Power to provide temporary supply of medicine.

34. Any local authority may, with the sanction of the Board, themselves provide or contract with any person to provide a temporary supply of medicine and medical assistance for the poorer inhabitants of their district, but may at their discretion charge for the same.

#### SUB-DIVISION III.—SPECIAL PROVISIONS REGARDING FORMIDABLE EPIDEMIC, ENDEMIC OR INFECTIOUS DISEASES.

Formidable epidemic endemic or infectious diseases.

35. The provisions of this Ordinance, unless otherwise expressed, in so far as they concern formidable epidemic, endemic or infectious diseases, shall be deemed to apply to small-pox, plague, asiatic cholera, yellow fever, sleeping sickness or human trypanosomiasis and any other disease which the Governor may declare by proclamation to be a formidable epidemic disease for the purpose of this Ordinance.

36. Whenever any part of the Colony or Protectorate appears to be threatened by any formidable epidemic, endemic or infectious disease, the Governor may make and from time to time alter and revoke regulations for all or any of the following purposes, (namely):—

Power of Board to make regulations for prevention of diseases.

- (a) for the speedy interment of the dead; and
- (b) for house to house visitation; and
- (c) for the provision of medical aid and accommodation, for the promotion of cleansing, ventilation and disinfection, and for guarding against the spread of disease;
- (4) for preventing any person from leaving any infected area without undergoing all or any of the following:—medical examination, disinfection, inoculation, vaccination or re-vaccination or passing a specified period in an observation camp or station;
- (5) for the formation of hospitals and observation camps or stations, and for placing therein persons who are suffering from, or have been in contact with persons suffering from infectious disease;
- (6) for the destruction or disinfection of buildings, furniture, goods, or other articles which have been used by persons suffering from infectious disease, or which are likely to spread the infection;
- (7) for the removal of persons who are suffering from an infectious disease and persons who have been in contact with such persons;
- (8) for the removal of corpses;
- (9) for the destruction of rats, the means and precautions to be taken on shore or on board vessels for preventing them passing from vessel to the shore or from the shore to vessels, and the better prevention of the danger of spreading infection by rats;
- (10) for the regulation of hospitals used for the reception of persons suffering from an infectious disease and of observation camps and stations;
- (11) for the removal and disinfection of articles which have been exposed to infection.
- (12) for prohibiting any person living in any building or using any building for any other purpose whatsoever if in the opinion of the Medical Officer of Health any such use is liable to cause the spread of any infectious disease.

Any regulation made under this section may give the Health Officer or a Medical Officer of Health power to prescribe the conditions on which such a building may be used;

- (13) for any other purpose whether of the same kind or nature as the foregoing or not, having for its object the prevention, control or suppression of infectious diseases;

and may by order declare all or any of the regulations so made to be in force within the whole or any part or parts of the district of any local authority and such district or part or parts thereof shall be deemed an infected area and to apply to any vessels, whether on inland waters or on arms or parts of the sea within the territorial jurisdiction of the Colony and Protectorate.

37. The local authority of any area within which or part of which regulations so issued by the Governor are declared to be in force, shall do and provide all such acts, matters and things as may be necessary for mitigating any such disease, or aiding in the execution of such regulations, or for executing the same, as the case may require. Moreover, the local authority or the Medical Officer of Health may from time to time direct any prosecution or legal proceedings for or in respect of the wilful violation or neglect of any such regulations.

Local authority to see to the execution of regulations.

38. The Principal Medical Officer and his officers shall have power of entry on any premises or vessels for the purpose of executing or superintending the execution of any regulations so issued by the Governor as aforesaid.

Power of entry.

Board may combine local authorities.

39. The Governor may, if he thinks fit, by order authorise or require any two or more local authorities to act together for the purposes of the provisions of this Ordinance relating to preventions of epidemic, endemic or infectious diseases, and may prescribe the mode of such joint action and of defraying the costs thereof.

Notification of sickness or mortality in animals suspected of plague.

40. (1) Every person who becomes aware of any unusual sickness or mortality among rats, mice, cats, dogs or other animals susceptible to plague or other formidable epidemic disease, not due to poison or other obvious cause, shall immediately report the fact to the local authority or Medical Officer of Health.

(2) Any person who fails so to report shall be guilty of an offence.

Local authorities to report notification of formidable epidemic diseases by telegraph.

41. Every local authority shall immediately report to the Principal Medical Officer or the nearest Medical Officer of Health, by telegraph or other expeditious means, particulars of every notification received by such authority of a case or suspected case of any formidable epidemic disease, or of any unusual sickness or mortality in animals made under the last preceding section.

Principal Medical Officer may requisition buildings equipment or other articles.

42. (1) Where an outbreak of any formidable epidemic exists or is threatened it shall be lawful for the Principal Medical Officer to require any person owning or having charge of any land or any buildings or dwellings, not occupied or any person owning or having charge of tents, transport, bedding, hospital equipment, drugs, food, or other appliances, materials or articles urgently required in connection with the outbreak, to hand over the use of any such land or building or to supply or make available any such article, subject to the payment of a reasonable amount as hire or purchase price.

(2) Any person who without reasonable cause, fails or refuses to comply with any such requirement shall be guilty of an offence.

## PART V.

### VENEREAL DISEASES.

Venereal diseases.

43. The provisions of this Ordinance, unless otherwise expressed, in so far as they concern venereal diseases, shall be deemed to apply to syphilis, gonorrhoea, gonorrhoeal ophthalmia, soft chancre, venereal warts and venereal granuloma.

Persons suffering from venereal disease to have themselves treated until cured.

44. (1) Every person who knows or has reason to believe that he is suffering from any venereal disease shall forthwith consult a medical practitioner with respect thereto, and shall place himself under treatment by that medical practitioner or by some other medical practitioner, or shall attend for treatment at any hospital or other place available for the treatment of venereal diseases.

(2) Every person undergoing treatment for any venereal disease as aforesaid shall, until cured or free from such disease in a communicable form, continue to submit himself to treatment at such intervals as may be prescribed by any such medical practitioner.

(3) Any person who fails to comply with any provision of this section shall be guilty of an offence.

Duties of Medical Practitioners.

45. Every medical practitioner who attends or advises any patient in respect of any venereal disease from which the patient is suffering shall—

(a) direct the attention of the patient to the infectious nature of the disease and to the penalties prescribed by this Ordinance for infecting any other person with such disease;

(b) warn the patient against contracting marriage unless and until he has been cured of such disease or is free from such disease in a communicable form; and

(c) give to the patient such printed information relating to the treatment of venereal disease and to the duties of persons suffering therefrom, as may be supplied to the medical practitioner by the Medical Department.

46. (1) Every parent or guardian of a child who knows or has reason to believe that such child is suffering from any venereal disease shall cause such child to be treated for such disease by a medical practitioner until such child is cured or free from such disease in a communicable form.

Duties of parents or guardians of infected children.

(2) Every parent or guardian of any such child who fails or neglects to have that child treated as aforesaid shall be guilty of an offence, and shall be liable to a fine not exceeding fifty pounds or to imprisonment for a period not exceeding three months or to both.

47. (1) Every person who, while suffering from any venereal disease in a communicable form, accepts or continues in employment in or about any factory, shop, hotel, restaurant, house, or other place in any capacity entailing the care of children or the handling of food or food utensils intended for consumption or use by any other person shall be guilty of an offence, unless he proves that he did not know or suspect, and had no reasonable means of knowing or suspecting that he was so suffering.

Infection by employees.

(2) Every person shall be guilty of an offence who employs or continues to employ any person suffering from any venereal disease in a communicable form if, by reason of such employment, such person is required or is permitted to have the care of children or to handle any food or food utensils intended for consumption or use by any person other than the person employed, unless the defendant proves that he did not know or suspect, and had no reasonable means of knowing or suspecting, that the person so employed by him was suffering from such disease.

48. (1) It shall be the duty of every Medical Officer of Health in his official capacity and of every Government Medical Officer and District Surgeon who knows or has reason to believe that any person is suffering from any venereal disease in a communicable form and is not under treatment by a medical practitioner or is not attending for medical treatment regularly and as prescribed by such medical practitioner, to give such notice as is prescribed by regulations to such person of the requirements of this Ordinance in regard to attendance for treatment of persons suffering from venereal disease and, if thereafter such person does not comply with those requirements, to report the matter to the Magistrate.

Duties of Medical Officers of Health and District Surgeons, to report, and powers of Magistrates.

(2) Upon receipt of any such report the Magistrate shall make such further enquiry, or shall make such order or orders, or shall institute such proceedings, as he may deem necessary for the proper enforcement of the provisions and for the attainment of the objects of this Part.

(3) An order under this section may require the person named therein—

(a) to furnish a certificate by a medical practitioner as to whether he is or is not suffering from a venereal disease in a communicable form; or

(b) to attend at a specified time and place for examination by a medical practitioner named in the order; or

(c) to attend regularly for medical treatment at times and at a place specified in such order; or

(d) to proceed or be removed to and to remain or be detained under treatment in a special hospital or place of accommodation provided or established under this Part, either for a specified time or until cured or free from the disease in a communicable form.

(4) Any person who fails to comply with any order made under this section, or who escapes or attempts to escape from any hospital in which he has been ordered to remain or to be detained, shall be guilty of an offence.

49. Every person who, wilfully or by culpable negligence infects any other person with venereal disease, or does or permits or suffers any act likely to lead to the infection of any other person with any such disease, shall be guilty of an offence, and shall be liable to a fine not exceeding two hundred pounds or to imprisonment for a period not exceeding six months or to both.

Conveyance of infection an offence.

Detention in hospital of infected person.

50. (1) Where any person sentenced to imprisonment under this Ordinance or any other law is suffering from a venereal disease in a communicable form, he may, by order of the Magistrate, be removed to a special hospital or place of accommodation and be detained under treatment therein until the expiry of his sentence, and the Magistrate on the representation of the medical practitioner treating such person, and if satisfied that the public health cannot otherwise adequately be safeguarded and that such person when released is unlikely to undergo treatment by a medical practitioner for such disease, may order that he be detained in such hospital or place either for a specified period after the expiry of his sentence or until he is cured or free from the disease in a communicable form.

(2) Any person so detained in a hospital or other place of accommodation who escapes or attempts to escape therefrom shall be guilty of an offence.

Medical examination of inhabitants of localities where venereal disease believed to be prevalent.

51. Where the Governor, on a report by a Medical Officer, has reason to believe that a person is suffering from venereal disease he may issue an order requiring the examination by a medical practitioner of such person. Any person who refuses to comply with such order or with any lawful instructions given thereunder or who obstructs any medical practitioner or other duly authorized officer in the carrying out of such order shall be guilty of an offence.

Examination of females by women medical practitioners.

52. Where any order is made under this Part requiring the medical examination of any female and such female desires to be examined by a woman medical practitioner, such examination shall be made by a woman medical practitioner if one is reasonably available.

Rights of persons detained in hospital.

53. Any person detained in hospital under this Part shall be entitled to arrange, at his own expense, for his examination by any medical practitioner, and a report of such examination shall be furnished to the Magistrate who may thereupon cause to be made any further examination of such person which he may deem necessary. No person shall be detained in hospital under this Part who is not, or is no longer, suffering from a venereal disease in a communicable form.

Proceedings to be *in camera* and reports, etc., not to be published.

54. Enquiries and proceedings before a Magistrate or any court of law under this Part shall be secret and conducted *in camera* and the records thereof shall be kept in the manner and form prescribed by regulation, subject to the provisions of Section 48, anything to the contrary notwithstanding in any other law. Any person publishing or divulging the name of any person dealt with under this Part or the nature, proceedings or the contents of any report, certificate, document or order in connection therewith or any other matter coming to his knowledge in connection with anything arising under this Part to any unauthorised person, and any person who without lawful justification or excuse falsely alleges that any person is suffering or has suffered from venereal disease, shall be guilty of an offence.

Publication of advertisements of cures.

55. (1) No person shall publish any advertisement or statement intended to promote the sale of any medicine, appliance or article for the alleviation or cure of any venereal disease or disease affecting the generative organs or functions, or of sexual impotence, or of any complaint or infirmity arising from or relating to sexual intercourse.

(2) Any person who publishes any such advertisement or statement by printing it in any newspaper or exhibiting it to public view in any place or delivering or offering or exhibiting it to any person in any street or public place or in any public conveyance, or who sells, offers or shows it or sends it by post to any person, shall be guilty of an offence. For the purposes of this section "advertisement" or "statement" includes any paper, document or book containing any such advertisement or statement.

(3) This section shall not apply to publications by the Medical Department or by any local authority, public hospital, or other public body in the discharge of its lawful duties or by any society or person acting with the authority of the Governor first obtained, or to any books, documents or papers published in good faith for the advancement of medical science.

(4) No prosecution under this section shall be instituted except on information laid by the Principal Medical Officer.

## PART VI.

### PORTS AND INLAND BORDERS OF THE COLONY AND PROTECTORATE.

56. For the purposes of this Part—

Definition of terms  
used in this Part.

“Master” in relation to any vessel means the person (other than a pilot) having at the time command or charge of that vessel;

“Oversea vessel” means a vessel other than one plying only between ports or places in the Colony and Protectorate;

“Port Health Officer” means any Medical Practitioner appointed by, or acting as such under the authority and instructions of, the Principal Medical Officer.

57. The provisions of this Ordinance as regards vessels, except where otherwise expressly stated, shall apply to every vessel of whatsoever kind anchoring off or arriving in any port or being elsewhere within the territorial waters of the Colony and Protectorate: Provided that the Governor may, subject to such conditions or limitations as may be prescribed by him, exempt from any such provision any of His Majesty's warships or any warship of any foreign country, or any vessel engaged solely in the coasting trade and plying only between ports of the Colony and Protectorate.

Application of  
provisions.

58. (1) Except in case of danger, no master of a vessel arriving at any port or place in the Colony and Protectorate and no person on board thereof shall communicate or attempt to communicate with the shore or with any other vessel or any boat, and no person from the shore or from any other vessel or boat shall communicate with such vessel, otherwise than by signal, until pratique has been granted to such vessel in accordance with regulations made under this Part. Provided that nothing in this sub-section shall prevent any port officer, pilot, or other duly authorized officer from coming alongside or boarding any such vessel.

Prohibition of  
communication between  
vessels and the shore  
before granting of  
pratique.

(2) No fee shall be payable in respect of the examination by the port health officer of, and the granting of pratique to, any vessel arriving at any port or place in the Colony and Protectorate.

59. (1) The provisions of the Ordinance in respect of the notification of the occurrence of cases of infectious disease in man, or of sickness or mortality in rodents or other animals susceptible to plague, shall apply to every vessel at any port or place in the Colony and Protectorate, but wherever it is therein required that notification be made to the local authority or Medical Officer of Health, such notification shall be made to the Port Health Officer.

Notification of occurrence  
of infectious disease or  
deaths on board of  
vessels.

(2) No fee shall be payable to any ship surgeon or other medical officer of a vessel or shipping company in respect of the notification of any case of infectious disease on board of any vessel.

(3) For all purposes of this Ordinance every vessel shall be deemed to be a dwelling or premises and the master thereof shall be deemed to be the head of the household or the owner or occupier of the premises.

(4) It shall be the duty of the master to report to the port health officer the death of any person who has died from any cause whatever on the vessel during the voyage just completed or while the vessel is in port and also the cause of death.

Port Health Officer may inspect vessels and persons on board for the purpose of ascertaining whether infection exists on board.

60. (1) The Port Health Officer may at any time board any vessel and inspect any part thereof or anything therein, and may medically examine any person on board and require any such person to answer any question for the purpose of ascertaining whether or not infection exists or has recently existed on board.

(2) Any person who refuses to allow any such officer to board any vessel or to make any inspection or medical examination as aforesaid or otherwise obstructs or hinders any such officer in the execution of his duty, or who fails or refuses to give any information which he may lawfully be required to give, or who gives false or misleading information to any such officer knowing it to be false or misleading, shall be guilty of an offence, and shall be liable to a fine not exceeding one hundred pounds.

Notifications to local authorities at ports.

61. Upon the occurrence on any vessel of any case of or death from any notifiable infectious disease, or of such other disease as the Governor may prescribe, or of any sickness or mortality among rodents or other animals on any vessel or within the harbour area suspected to be due to any formidable epidemic disease, the port health officer shall forthwith inform the local authority or Medical Officer of Health of the district in or adjoining which the port is situated of the occurrence and the measures taken or intended to be taken in connection therewith.

Granting of restricted or conditional pratique to and quarantining of vessels.

62. In the case of any vessel having, or suspected on reasonable grounds of having, on board in any person, animal or thing the infection of any infectious disease, the port health officer, acting in accordance with instructions and with regulations made under this Part, may grant or continue pratique to such vessel subject to such conditions or restrictions as may be deemed necessary, or, if he deems it necessary so to do, may withhold or withdraw pratique and place the vessel in quarantine: Provided that when pratique restrictions are imposed or any vessel is placed in quarantine or when any person on board of or landed from any vessel is compulsorily detained, isolated or removed, the port health officer shall immediately report, by telegraph or other expeditious means, the action taken by him and the reasons therefor to the Principal Medical Officer and the nearest Medical Officer of Health.

Proclamation of infected places, ports of entry, etc.

63. (1) The Governor may, by proclamation—

(a) declare that any place beyond or within the Colony and Protectorate is infected with a formidable epidemic disease or that a formidable epidemic disease is liable to be brought or carried from or through that place, and thereupon, and for so long as such proclamation remains in force, that place shall be a proclaimed place within the meaning of this Ordinance;

(b) declare any port in the Colony and Protectorate to be a first port of entry for all or for any particular class or description of, oversea vessels, coming from a port proclaimed as above and require masters of such vessels bound for the Colony and Protectorate to enter a port so proclaimed before entering any other Colony or Protectorate port, except in case of danger or for other sufficient reason;

(c) prohibit, restrict or regulate the immigration or importation into the Colony and Protectorate of any person, animal, article or thing likely, in his opinion, to introduce any infectious disease, or impose restrictions or conditions as regards the examination, detention, disinfection or otherwise of any such animal, article or thing.

(2) Any person who contravenes or fails to comply with any such proclamation shall be guilty of an offence, and shall be liable to a fine not exceeding one hundred pounds.

Master of a vessel from a proclaimed place to take precautionary measures to prevent infection.

64. (1) The master of any vessel bound for any port or place in the Colony and Protectorate which comes from or calls or touches at any proclaimed place, shall, while his vessel is at that place and during the voyage to the Colony and Protectorate, take in respect of the vessel, her crew, passengers and cargo, all such precautionary measures as may be prescribed by the proclamation.

(2) Any master of a vessel failing so to do and thereafter entering any Colony and Protectorate port shall be guilty of an offence unless he satisfies the court that he was unaware of the measures required to be taken by him and that he took all reasonable means to ascertain whether it was his duty to take any such measures and shall be liable to a fine not exceeding one hundred pounds.

(3) Where a vessel has arrived from a proclaimed place and the prescribed precautionary measures have not been taken, any measures considered necessary by the port health officer, acting on the instructions of the Principal Medical Officer may be carried out with respect to the vessel, her crew, passengers and cargo, at the expense of the owner of the vessel.

65. Where a vessel has been placed in quarantine at any port or place in the Colony and Protectorate, the Governor may, for the purpose of more effectually dealing with the infection on board, require the master thereof to remove such vessel, at his own risk and expense, to any other port or place within the territorial waters of the Colony and Protectorate.

Removal of quarantined vessels.

66. (1) Where the master of a vessel has been informed by the port health officer or other duly authorized officer of the intention of placing that vessel in quarantine or of requiring him to move that vessel in quarantine to another port or place in the Colony and Protectorate, and where such master declines to submit to quarantine or refuses to remove the vessel as aforesaid, he shall immediately inform such officer accordingly and shall forthwith hoist the quarantine signal, as defined in regulations made under this Part, on the vessel and remove the vessel from the neighbourhood of any wharf or landing place or any other vessel and shall leave the port with all possible dispatch after notifying the port health officer of the next intended port of call of the vessel.

Masters of vessels may decline to submit to quarantine or removal.

(2) Any vessel dealt with in the manner described in subsection (1) shall, before leaving the port, take on board, subject to such precautions as may be prescribed by the port health or other duly authorized officer, any coal, water, provisions or stores.

67. (1) Where any person on board of any vessel is suffering from any infectious or other disease and, in the opinion of the port health officer, is not accommodated or is not being nursed or treated in such manner as to guard adequately against the spread of the disease or to promote recovery, the port health officer may cause such person to be removed to a hospital or place of isolation on shore and there accommodated and treated for such period as may be considered necessary in the interests of the patient or to prevent spread of infection.

Removal of patients from vessels and their treatment on shore.

(2) All reasonable expenses necessarily incurred in dealing with a patient under this section will be a charge against the master or agent of the vessel, and may be recovered from either or both of them by the Government.

68. (1) Where any person on board of any vessel is believed to have been recently exposed to the infection, and may be in the incubation stage of any notifiable infectious disease, the port health officer may require such person to remain on board such vessel, or alternatively to land and proceed direct to his place of destination and there report himself to the medical officer of health for medical surveillance by such medical officer of health until considered to be free from infection. Where in the opinion of the port health officer any such person cannot otherwise be properly kept under medical surveillance or the public health cannot be otherwise adequately safeguarded, such person may be removed to a place of isolation on shore and there detained until considered free from infection.

Surveillance or isolation of persons who have been exposed to infection.

(2) The port health officer shall notify to the medical officer of health of the district in or adjoining which the port is situated, and to the Medical Officer of Health of the district where such person's place of destination is, the fact that such person is believed to have been recently exposed to infection and has been allowed to land and proceed to his destination.

(3) Any person who refuses or fails to comply with, or wilfully obstructs the execution of, any requirement lawfully made under this section shall be guilty of an offence and shall be liable to a fine not exceeding fifty pounds or to imprisonment for a period not exceeding three months or to both.

69. Where there is any dead body on board any vessel at any port or place in the Colony and Protectorate, it shall be the duty of the master of such vessel to cause such body to be properly buried; any reasonable and necessary expenses thereby incurred may be recovered by the master from any person legally liable for the same.

Burial of the bodies of persons dying on board of vessels.

Clearance papers may be withheld from vessels pending inquiry into offence.

70. Whenever the port health officer has reasonable grounds for believing that the master of any vessel has committed an offence against this Ordinance or fails or refuses to pay any charges lawfully made thereunder, the Commissioner of Customs or any officer authorized thereto by the Commissioner may, on the request of the port health officer, withhold clearance papers from such vessel pending the institution of proceedings in any competent court: Provided that clearance papers shall not be withheld for more than thirty-six hours (Sundays and holidays always excepted), unless such proceedings have been commenced before the expiry of that period.

Powers to enforce precautions at inland borders of Colony and Protectorate.

71. (1) When it is considered necessary for the purpose of preventing the introduction of infectious disease into the Colony and Protectorate the Governor may, by proclamation—

(a) regulate, restrict or prohibit the entry into the Colony and Protectorate at its inland borders or any part thereof of any persons, or of persons of any specified class or description or from any specified locality or area;

(b) regulate, restrict or prohibit the introduction into the Colony and Protectorate, at its inland borders or any specified part thereof, of any animal, article or thing.

(c) impose requirements or conditions as regards the medical examination, detention, quarantine, disinfection, vaccination, isolation or medical surveillance or otherwise of persons entering, or the examination, detention or disinfection or otherwise of such persons as aforesaid or of articles or things introduced into the Colony and Protectorate at its inland border or any part thereof;

(d) apply with or without modifications any particular provisions of this Part to persons, animals, articles or things entering or introduced into or departing or removed from the Colony and Protectorate by means of aircraft.

(2) Any person who contravenes or fails to comply with any such proclamation shall be guilty of an offence, and shall be liable to a fine not exceeding fifty pounds or to imprisonment for a period not exceeding three months or to both.

Agreements with other Governments regarding reciprocal notification of outbreaks.

72. The Governor may enter into agreements with the Imperial Government, or with the Government of any British Dominion or of any foreign country, providing for the reciprocal notification of outbreaks of any formidable epidemic or other disease or any other matter affecting the public health relations of the Colony and Protectorate with other countries. The terms or a summary of every such agreement shall be notified in the Gazette.

73. The Governor may make regulations—

(a) prescribing the powers and duties of port health officers and the procedure to be followed in the examination of, and the granting of pratique to, vessels, and requiring every master of a vessel on arrival at any port or place in the Colony and Protectorate to furnish a declaration of health in respect of the existence or suspected existence on board, in any person, animal or thing, of any infectious disease, or any other disease which the Governor may notify in the Gazette, prescribing the form of declaration, and empowering any port health officer or other duly authorized officer to require the master of any vessel to verify upon oath the statements in the declaration and to administer the necessary oaths: such regulations may prescribe modified requirements or procedure in respect of vessels arriving at a second or subsequent port of call in the Colony and Protectorate on the same voyage;

(b) requiring the master of any vessel having or suspected of having on board the infection of any infectious disease, or which has recently touched at any port or place which is a proclaimed place or is infected with any formidable epidemic disease or is situated near any place which is so infected, to furnish lists of passengers, crew or cargo, and prescribing the information to be given in any such list;

(c) prescribing the measures which shall be taken by masters of vessels to prevent the migration of rodents to or from vessels;

Governor may make regulations regarding certain port health matters.

(d) prescribing the measures which shall be taken for the disinfection of, or the destruction of rats, mice or insects in, vessels, the disposal of bilge or other water on board, the cleansing of vessels, the provision of a supply of pure water on board, and for preventing the pollution of the water of the port with excreta and manure or any infective or offensive matter;

(e) as to the grant, refusal or withdrawal of pratique to vessels and the detention in quarantine of vessels having or suspected of having on board in any person, animal or thing, the infection of any infectious disease, or of persons suffering from, or who have recently been exposed to the infection of any such disease;

(f) as to the prohibition or restriction of intercourse of persons on or from the land with vessels, where deemed necessary in order to prevent the spread of infectious disease;

(g) requiring the disinfection of any article or thing contaminated, or believed to be contaminated, with the infection of any infectious disease, on board of or landed from any vessel or, if such article or thing be of such a nature that it cannot be so disinfected, prohibiting the landing or providing for the destruction thereof;

(h) requiring the vaccination, before landing from any vessel, of any person who may have recently been exposed to the infection of small-pox and who does not produce evidence to the satisfaction of the port health officer of successful vaccination during the five years immediately preceding;

(i) appointing such sanitary anchorages as may be necessary for the purposes of this Ordinance: Provided that until other provisions be made the Sanitary Station at Zanzibar shall be a sanitary station for the purposes of any regulations made or deemed to be made under this Ordinance;

(j) providing for the recovery from masters or owners or agents of vessels of all reasonable and necessary expenses incurred by the Government, or of charges in accordance with a prescribed tariff of charges, or for the furnishing by them of guarantees in respect of the payment of such expenses or charges—

(i) in dealing with any person who is on board or has recently been landed and who is suffering, or suspected to be suffering, from any infectious disease or from other disease which the Governor may notify in the Gazette;

(ii) in connection with the detention in quarantine of any vessel infected with, or the isolation, accommodation, care and treatment of any person suffering from, or who has been exposed to the infection of, any infectious disease, and the detention and repatriation of any such person if he is prohibited from entering the Colony and Protectorate under any law relating to immigration;

(iii) in eradicating the infection of any infectious disease in any vessel, or in any article or thing on board of any vessel, or in any article or thing which, though landed therefrom, was infected before it was landed.

The Governor may, by notice in the Gazette prescribe tariffs of charges which shall be payable by masters or owners or agents of vessels in respect of any of the services aforesaid, but every such tariff shall be fixed as nearly as may be on the basis of average cost;

(k) as to the departure from the Colony and Protectorate, whether by land or sea, of all persons or of persons of any specified class or description, or of persons from any specified locality or place, and as to the restrictions to be imposed on persons leaving the Colony and Protectorate, in relation to medical examination, disinfection or otherwise;

(l) as to the exportation or removal from the Colony and Protectorate whether by land or sea, of any article or thing considered likely to convey the infection of any infectious disease, and the examination, detention, disinfection or otherwise of any such article;

(m) for securing and maintaining cleanliness and efficient sanitation and preventing or remedying any nuisance or danger to health from overcrowding or otherwise on board of any vessel or within any port or harbour;

(n) as to the inspection of food on board vessels or at any port of the Colony and Protectorate and the destruction or safe disposal of any diseased or unsound or unwholesome meat or food intended for human consumption, or of any article of food or drink likely to convey any infectious disease, if such article is on board of any vessel or within any port or harbour, and providing for the recovery of any expense incurred by Government in so doing;

(o) as to the disinfection of any second-hand clothing, bedding, rags or any similar article imported by sea into the Colony and Protectorate and the recovery from the owner thereof or his agent of all expenses incurred by Government in connection therewith,

and generally for better carrying out the provisions and attaining the objects and purposes of this Part.

Proclamations,  
regulations and  
penalties under this  
Part.

74. (1) Any proclamation or regulation made under this Part may provide exemptions therefrom, may define the disease to which any particular provision shall apply and may impose duties in connection therewith on masters or owners or agents of vessels or on persons in charge of railway trains or of vehicles, or on employers of native, coloured or asiatic labour, labour recruiting agents or others.

(2) Any person contravening or failing to comply with any provision of this Part, or of any proclamation or regulation thereunder, shall be liable, save as hereinbefore and in sub-section (3) provided, to a fine not exceeding £50 or to imprisonment without the option of a fine for a period not exceeding three months, or to both such fine and imprisonment.

(3) If the master of a vessel contravenes or fails to comply with any provision of this Ordinance or any regulation thereunder relating to pratique or quarantine, or makes any false statement or false answer to any question in any declaration of health, knowing the same to be false, he shall be liable to a fine not exceeding £200 or to imprisonment without the option of a fine for a period not exceeding twelve months, or to both such fine and imprisonment.

Governor not to be  
liable to pay  
compensation in exercise  
of powers of Ordinance  
if reasonable precautions  
used.

75. Wherever under this Part powers are exercised by the Governor or other officer in accordance therewith and with the regulations and by reason of the exercise of such powers—

(a) any vessel, person, article or thing is delayed or removed or detained; or

(b) any article or thing is damaged or destroyed; or

(c) any person is deprived of the use of any article or thing, the Government shall not be liable to pay compensation, provided due care and reasonable precautions have been taken to avoid unnecessary delay or damage or destruction.

## PART VII.

### LEPROSY.

Definitions.

76. For the purposes of this Part—

“Leprosy” shall mean all forms of disease caused by the bacillus leprae of Hansen;

“Asylum” shall mean any building or collection of buildings erected and established under the provisions of Section 77 of this Ordinance and used for the treatment or detention of persons affected with leprosy together with the land surrounding such buildings and set apart and defined under the said section for the occupation of such persons;

'Proclaimed area' shall mean a local area specified in a proclamation issued by the Governor under sub-section (3) of Section 77 of this Ordinance.

77. (1) It shall be lawful for the Governor to erect and establish from time to time within the Colony or Protectorate asylums for the detention of persons removed thereto under this Ordinance and for the purpose of acquiring sites for the erection and establishment of asylums to appropriate and set apart any unalienated Crown land and to order the fencing and enclosing of any land so appropriated and set apart.

Power to appropriate Crown land and establish leper asylums thereon.

(2) The establishment of any asylum and boundaries of any land appropriated and set apart for such purpose shall be notified and defined by notice in the Gazette.

(3) For the purpose of preventing the spread of leprosy, the Governor may, by proclamation in the Gazette, direct that, from a date named therein, until further order, all persons affected with leprosy found within any local area specified in such proclamation shall be removed to and detained in an asylum.

78. Whenever it shall come to the knowledge of any person that some other person within a proclaimed area, outside an asylum and not exempted under Section 102 from the provisions of this Ordinance is affected with or is suspected of being affected with leprosy such first named person shall forthwith report such fact or suspicion upon oath to a Magistrate of the district in which he is residing. Any person who shall neglect to act in accordance with this section shall be guilty of an offence.

Duty of all persons to notify suspected case of leprosy within a proclaimed area.

79. Every Magistrate to whom a report is made under the last preceding section shall issue an order requiring a police officer to take steps that the person mentioned in such report be detained in a place of isolation in manner prescribed by regulations under this Ordinance until he shall have been examined as in the next succeeding section provided.

Duty of Magistrate to isolate suspect on notification.

80. Every Magistrate who shall have issued such isolation order as aforesaid shall cause such person to be examined as soon as possible by two medical practitioners one of whom shall if possible be a Government Medical Officer and obtain a report from them of such examination.

Duty of Magistrate to cause medical examination to be made of suspect.

81. If such medical practitioners aforesaid shall report that the person alleged to be affected with leprosy is not so affected the Magistrate shall forthwith discharge him from detention in isolation.

Discharge of suspect if not affected.

82. (1) If such medical practitioners aforesaid shall report that the person alleged to be affected with leprosy is so affected or that it is doubtful whether he is so affected or not the Magistrate shall order him as in this section described to be removed to an asylum therein to be detained in accordance with the provisions of this Ordinance.

Issue of interim reception order by Magistrate if medical officers report suspect to be affected and doubtful cases.

(2) Any such order as is in this section described shall be termed an interim reception order and shall be addressed to the Superintendent of some asylum and shall be delivered to a police officer, together with the report mentioned in Section 80.

(3) An interim reception order shall authorise any police officer to conduct the person named therein to the asylum named in such order and shall further authorise the reception and detention of such person in such asylum until the Colonial Secretary shall have transmitted to the Superintendent of the asylum an order of further detention or discharge as hereinafter provided.

83. Any Superintendent who has received any person into an asylum under an interim reception order shall as soon thereafter as possible transmit to the Colonial Secretary—

Duty of superintendent to transmit interim reception order to Chief Secretary.

(a) the interim reception order;

(b) the reports of the medical practitioners mentioned in Section 80.

Voluntary submission to treatment of persons affected with leprosy.

84. If any person within a proclaimed area suspects that he is affected with leprosy and shall desire to submit himself to treatment therefor or to be placed in isolation in accordance with the provisions of this Ordinance he may for such purpose present himself to a Magistrate of the district in which he is residing and such Magistrate shall thereupon having ordered such person to be detained in isolation as in Section 79 is provided require two medical practitioners (one of whom shall if possible be a Government medical officer) to examine such person; and if such medical practitioners shall report that such person is not affected with leprosy the provisions of Section 81 shall apply in the case of such person; and if such medical practitioner shall report that such person is affected with leprosy or that it is doubtful whether such person is so affected or not the provisions of Sections 82 and 83 shall apply to such case.

Issue of detention order by Colonial Secretary when satisfied that person detained under reception order is affected with leprosy.

85. (1) Whenever the Colonial Secretary shall be satisfied that any person detained under an interim reception order as aforesaid is affected with leprosy he shall make and sign an order (herein described as a detention order) which shall be addressed to the superintendent of some asylum.

(2) A detention order shall authorise the detention in accordance with the provisions of this Ordinance of the person named therein and shall be in force until cancelled by the Colonial Secretary.

(3) The medical officer appointed to an asylum shall, at least once a year, and oftener if so required by the Colonial Secretary, transmit to the Colonial Secretary a report as to the condition of each person detained in the asylum, and if on consideration of such report the Colonial Secretary shall consider further detention of any person unnecessary he may cancel the detention order and direct such person to be discharged.

Procedure by Colonial Secretary when not satisfied that person detained under reception order is affected with leprosy.

86. (1) Whenever the Colonial Secretary shall not be satisfied that a person detained under an interim reception order is affected with leprosy he shall submit all medical reports transmitted to him under this Ordinance concerning such person to the Principal Medical Officer for the Colony and Protectorate and may direct any further medical examination he may consider necessary of such person.

(2) If on consideration of the report of the Principal Medical Officer or of the further medical examination (if any) he is satisfied that such person is affected with leprosy he shall make and sign a detention order as in Section 85 is provided.

(3) If on consideration of the report of the Principal Medical Officer aforesaid or of the further medical examination (if any) he shall not be satisfied that a person detained under an interim reception order is affected with leprosy he shall transmit an order to the superintendent of the asylum in which such person is detained directing his discharge therefrom.

Power to Colonial Secretary to order discharge from asylum at any time.

87. The Colonial Secretary may notwithstanding anything in this Ordinance contained at any time on sufficient reason to him appearing issue an order to the superintendent of any asylum directing the discharge of any person from detention therein or the removal of any person detained therein to another asylum for detention under this Ordinance, or, with the consent of such person, to a private asylum which has been named in a notice issued by the Governor under Section 102 sub-section (1).

Appointment of superintendents of asylum.

88. The Governor may appoint from time to time superintendents who shall have the direction and management of any asylum to which they shall respectively be appointed but shall in carrying out their powers and duties be subject to the supervision and directions of the Principal Medical Officer. The Principal Medical Officer may from time to time subject to any regulations made under this Ordinance appoint medical officers, attendants, guards and other officers to any asylums and remove such officers.

Duties of superintendents.

89. It shall be the duty of every superintendent to inspect from time to time in accordance with regulations made hereunder the asylum to which he shall have been appointed and the persons detained therein and to cause proper food and necessary comforts to be supplied to such persons and to cause the premises to be properly and cleanly kept and to perform such other duties and exercise such powers as may be imposed and conferred upon him by this Ordinance or by any regulations made thereunder.

90. (1) No person shall be permitted to enter any asylum except in accordance with the regulations to be made in that behalf under this Ordinance.

Intercourse of persons detained in asylums with each other and persons outside.

(2) Save as in this Ordinance provided and save as may be provided by any regulations made thereunder no communication or intercourse shall be allowed between persons detained in any asylum and any person not detained therein who is not an officer or attendant thereof.

91. (1) Every person placed in isolation or during the course of removal to or while detained in an asylum under the provisions of this Ordinance shall be deemed to be in lawful custody until discharged therefrom under this Ordinance and while in such custody shall be subject to the provisions of this Ordinance and any regulations made thereunder.

Suspects and detained lepers to be deemed in lawful custody.

(2) Any person who shall escape from such lawful custody may be pursued, arrested without warrant and taken back into custody by any person whomsoever wheresoever he may be found.

92. Every person detained in lawful custody under the provisions of this Ordinance shall be permitted to receive visits from relatives, friends or legal advisers at such reasonable times and subject to such restrictions as may be determined by regulations made under this Ordinance.

Persons detained may receive visits subject to regulations.

93. The cost of the erection, establishment, and maintenance of asylums, of the removal of persons to, and of the maintenance of any person detained therein (save in so far as such cost of maintenance may be otherwise defrayed in accordance with Section 94 of this Ordinance) the salaries and wages of superintendents, attendants or other officers of asylums and of the disinfecting and cleansing of the residence of persons isolated and the maintenance of such persons during the period of isolation shall be defrayed out of the general revenues of the Colony and Protectorate.

Cost of erection and maintenance of asylum to be defrayed out of public revenue

94. It shall be lawful subject to the approval of the Governor for the Superintendent in the case of any inmate of an asylum under this Part to receive or recover from such inmate the expense of his maintenance and to allow such inmate or any other person to erect for the inmate (or contract for the erection of) a building within the limits of an asylum and such Superintendent may for such purposes enter into on behalf of the Government special agreements with such person or his lawful representative.

Power to superintendent to allow persons detained to build habitations for themselves and defray cost of maintenance.

95. (1) The High Court may appoint a manager for the temporary or permanent care and administration of any property of a person removed to an asylum for detention under this Ordinance and the provisions of Sections 9 to 22 inclusive of the Indian Lunacy Act XXXV of 1858 shall *mutatis mutandis* apply for the purposes of such care and administration of the property of any such person.

Care and administration of property of persons confined or detained in asylums.

(2) It shall be lawful for the Attorney General to lay any reports of evidence concerning the removal of a person for detention under this Ordinance together with evidence as to any property possessed by such person before the High Court for its consideration and the High Court may upon consideration of such reports and evidence appoint a manager for the care or custody of the property of any such person aforesaid and where it appears to the High Court desirable that temporary provision should be made for the maintenance or other necessary requirements of such person or any member of his family out of any money or available securities belonging to him in the hands of his bankers or of any other person the High Court may authorise such banker or other person to pay to the manager such sums as may be deemed necessary and may give directions as to the application thereof for the benefit of such person aforesaid or for the relief of his family or any member thereof.

96. Whenever any person shall have been placed in isolation by order of a Magistrate under Section 79 of this Ordinance or Medical Officer of Health shall cause the residence of such person to be forthwith cleansed and disinfected.

Cleansing and disinfecting of residence of persons isolated.

Photographing of persons confined in asylums.

97. (1) It shall be the duty of every person detained in an asylum under this Ordinance to submit himself to be photographed from time to time as the superintendent shall think fit.

(2) Any such person who shall refuse to allow himself to be photographed as aforesaid or shall obstruct any person entrusted with this duty in the execution of such duty shall be guilty of an offence, punishable on receipt of a report alone, in such manner as the Governor shall by regulation direct.

(3) Any person who shall give, supply, or exhibit any such photograph obtained under this section to any person to whom he is not expressly or by regulation authorised to give supply or exhibit such photograph shall be guilty of an offence.

Penalties for contravention of Ordinance.

98. Any person guilty of an offence under this Part shall be liable on conviction to a fine not exceeding seventy-five pounds or to imprisonment of either description for a period not exceeding six months or to both such fine and imprisonment.

Power to Governor to make Regulations and provide penalties for the breach thereof.

99. It shall be lawful for the Governor to make regulations and to prescribe the penalties for the breach thereof not exceeding the penalties in the last preceding section mentioned—

(a) for the isolation, examination and removal to asylums of persons affected or suspected of being affected with leprosy;

(b) for the appointment and duties of superintendents, medical officers, guards, attendants, and other officers of asylums and the removal of such officers;

(c) for the classification, treatment, instruction, and employment of persons detained in asylums;

(d) as to the rations and clothing of persons detained in asylums;

(e) as to the intercourse of persons detained in an asylum with each other and with persons not so detained and generally for the discipline and good order of persons so detained;

(f) for the removal to and detention within an asylum of any person serving or sentenced to a term of imprisonment if certified by a medical officer to be affected with leprosy;

(g) as to the setting apart of places within any asylum for the special confinement and punishment of persons convicted and sentenced during detention or whilst employed in an asylum, or of persons who have been convicted and sentenced for any offence by any competent Court and removed to an asylum under this Ordinance;

(h) for the appointment and duties of a Visiting Committee to any asylum, or otherwise providing for the visitation of asylums;

(i) prescribing forms to be used for the purposes of this Ordinance.

Examination and report of one medical practitioner to temporarily suffice where two not available.

100. Notwithstanding anything in this Ordinance contained the examination and report of one medical practitioner shall suffice for the purpose of an interim reception order under this Ordinance whenever undue delay or inconvenience would result in obtaining an examination and report by two medical practitioners; provided always that the results of an examination and the report of one medical practitioner be confirmed by another medical practitioner as soon as the same can conveniently be obtained.

Duty of police officer to execute orders made under Ordinance.

101. It shall be the duty of every police officer to execute any lawful order of the Colonial Secretary or any Magistrate issued under the provisions of this Ordinance and any person resisting or obstructing any Magistrate, medical practitioner or other person charged with a duty under this Ordinance in the execution of such duty shall be guilty of an offence.

102. (1) If the Governor is satisfied that proper provision will be made for the care, comfort and custody of persons affected with leprosy and for regulating intercourse between such persons and persons not so affected, in any private leper asylum established before the commencement of this Ordinance or thereafter intended to be established, he may by notice in the Gazette exempt from the provisions of this Ordinance all persons affected with leprosy if and so long as they shall remain within the private leper asylum specified in such notice.

Governor may exempt from operation of Ordinance persons affected with leprosy whilst inmates of approved private asylums.

(2) The Governor may at any time, by notice in the Gazette cancel any exemption made by him under the preceding subsection either in respect of all the inmates of a private leper asylum specified in such notice or in respect of such inmate or inmates as may be specified in the notice.

Cancellation of exemption.

(3) Any Government medical officer may at any time enter any private leper establishment specified in any notice under sub-section (1) of this section, and inspect the same and examine the inmates; and every such asylum shall be inspected, and a report thereon sent to the Governor, by a medical practitioner appointed by the Principal Medical Officer on that behalf, at least once in every six months.

Inspection of private asylums.

## PART VIII.

### PREVENTION AND SPREAD OF SMALL-POX.

103. For the purposes of this Part—

Definitions.

“Child” means a person who is under, or who appears to be under 15 years of age.

“Public Vaccinator” shall include a public vaccinator appointed by the Principal Medical Officer and any person appointed by the Principal Medical Officer to assist or act for a public vaccinator and includes any Government Medical Officer, Medical Officer of Health or District Surgeon.

“Unprotected person” includes a child and means a person who has not been protected from small-pox by having had the disease either naturally or by inoculation or by having been successfully vaccinated, and who has not been certified under the provisions of this Ordinance to be insusceptible of vaccination.

104. The parent or guardian of every child in the Colony or Protectorate shall, unless such child is insusceptible or unfit or has suffered from small-pox, cause such child to be successfully vaccinated by a public vaccinator or other medical practitioner and the parent or guardian of every such child shall procure one of the following certificates on the form prescribed, signed by a public vaccinator or other medical practitioner:—

Vaccination of children

- (a) Certificate of successful vaccination.
- (b) Certificate of insusceptibility to vaccination.
- (c) Certificate of unfitness for vaccination.
- (d) Certificate that such child has suffered from small-pox.

105. Every unvaccinated adult person, or the parent or guardian of every unvaccinated child, in or entering the Colony or Protectorate shall cause himself or such child to be successfully vaccinated within twelve months after the commencement of this Act or after entering the Colony or Protectorate as the case may be.

Vaccination of persons entering the Colony or Protectorate and of unvaccinated persons in the Colony or Protectorate.

The conditions and exceptions described in section 104 shall *mutatis mutandis* apply to any adult person or child described in this section.

A person shall be deemed to be unvaccinated if he has not been, or fails to prove that he has been successfully vaccinated.

Provided that the provisions of this section shall not apply to any person who can prove that reasonable facilities for vaccination were not obtainable.

106. In the event of the occurrence or threatened outbreak of small-pox in any area:—

Emergency vaccination of population in areas threatened with small-pox

(1) The local authority or the medical officer of health or the district surgeon or other Government medical officer may require any person to be forthwith vaccinated or re-vaccinated who

has or is suspected to have been in any way recently exposed to smallpox infection or may require the parent or guardian of any child who has or is suspected to have been so exposed to have such child vaccinated or re-vaccinated forthwith. Any person failing to comply with such requirement shall be guilty of an offence.

(2) The local authority may, or when instructed by the Governor on the advice of the Board so to do shall require all persons within an area defined to attend at centres according to instructions issued and to undergo inspection, vaccination or re-vaccination as circumstances may require. Such instructions may be issued by notice in the press, or by notices posted in public places or otherwise as may be deemed sufficient by the local authority. Non-attendance shall be deemed to be an offence.

(3) Any district surgeon, public vaccinator or medical practitioner duly authorized by the Principal Medical Officer may require any person in such area to furnish satisfactory proof (including the exhibition of vaccination scars) that he has been successfully vaccinated within five years immediately preceding the date of such requirement. Any person who fails to furnish such proof as regards himself or as regards any child of which he is the parent or guardian, and refuses to allow himself or such child to be vaccinated, shall be guilty of an offence.

If adult or child be unfit for vaccination certificate in form of Schedule I to be given.

107. If any public vaccinator or medical practitioner shall be of opinion that any adult or child is not in a fit state to be vaccinated, he shall give to the adult or to the parent or guardian of the child a certificate under his hand according to the form of Schedule I, hereto annexed, or to the like effect, that the adult or child is then in a state unfit for vaccination.

The said certificate shall remain in force for 6 months only but shall be renewable for successive periods of 6 months until the public vaccinator or medical practitioner shall deem the adult or child to be fit for vaccination when the adult or child shall, with all reasonable despatch, be vaccinated.

Certificate of insusceptibility to be given.

108. (a) If any public vaccinator or medical practitioner shall find that any adult or child whom he has three times unsuccessfully vaccinated is insusceptible of successful vaccination, or that the adult or child coming or brought to him for vaccination has already been successfully inoculated or had the small-pox, he shall deliver to the adult or to the parent or guardian of the child a certificate under his hand, according to Schedule II, annexed hereto.

(b) A certificate of insusceptibility to vaccination shall only be given by a public vaccinator or other medical practitioner after three unsuccessful attempts at vaccination at intervals of not less than one month have been made by him with calf vaccine lymph of known efficiency.

Certificate to be given for successful vaccination.

109. Every public vaccinator or medical practitioner who shall have performed the operation of vaccination upon any adult or child and shall have ascertained that the same has been successful, shall deliver to such adult or to the parent or guardian of such child a certificate in the form Schedule III, annexed hereto, or to the like effect, certifying that the said adult or child has been successfully vaccinated.

No fee to be charged for a certificate or for vaccination by public vaccinator.

110. (1) No fee or remuneration shall be charged to the person vaccinated by any public vaccinator for any certificate granted under this Ordinance, nor for any vaccination done by him in pursuance of this Ordinance.

Public vaccinator to enter in certificate a description of the person in respect of whom the same is given.

(2) A public vaccinator or medical practitioner giving any certificate under this Ordinance shall enter therein a description of the person in respect of whom the certificate is given sufficient for the purpose of identification.

Vaccination of inmates of institutions.

111. Every superintendent or person in charge of a leper asylum or mental hospital or chronic sick hospital, gaol, prison, reformatory, penitentiary, or other similar institution, shall cause to be vaccinated within fourteen days following his admission to such institution every inmate thereof who, being in a fit state of health to undergo vaccination has not been successfully vaccinated within the five years immediately preceding; if such person is at the time unfit to undergo vaccination he shall be vaccinated as soon as he is so fit.

112. (1) No child shall be admitted to or attend any school until there has been produced to the person in charge thereof a certificate or other satisfactory evidence that the provisions of this Part in respect of such child have been complied with. School attendance.

(2) For the purpose of ascertaining whether the provisions of sub-section (1) are being observed, every public vaccinator is hereby authorised and required whenever instructed by the Principal Medical Officer to visit any school, and make therein such inspection of the children attending thereat as will enable him to furnish prescribed particulars to the Principal Medical Officer as to the children who are unvaccinated.

113. Any person who inoculates himself or any other person with material taken from a person suffering from small-pox, or from a vaccine vesicle on another person or by any method not prescribed in regulations, shall be guilty of an offence. Supply of vaccine lymph and inoculation from arm to arm, etc., forbidden.

114. The Governor on the advice of the Board may make regulations:— The Governor on the advice of the Board may make regulations.

(a) Prescribing forms of certificate, notices, returns, and books of record to be used in connection with public vaccination, and defining the information to be furnished therein, and requiring the furnishing and prescribing the manner of use thereof by registrars of births, public vaccinators, local authorities, medical practitioners, parents or guardians of children, persons in charge of schools, employers of labour and others.

(b) Conferring powers and imposing duties, in connection with the carrying out or enforcement of vaccination, on Magistrates, officers of the Native Affairs Department, Justices of Peace, members of the Police force or other Government officers, local authorities, persons in charge of schools, employers of labour, Native Chiefs, Headmen of locations, and others;

(c) Prescribing the conditions under which vaccine lymph may be supplied free of charge to medical practitioners, local authorities and others;

(d) Providing for the vaccination or re-vaccination of persons and assigning where deemed desirable the responsibility for the carrying out of such vaccination or re-vaccination to local authorities or employers of labour;

(e) As to the application and enforcement of the provisions of this Part to persons entering the Colony or Protectorate, whether by land or sea, and for requiring, where deemed necessary, the vaccination or re-vaccination of any person before so entering.

## PART IX.

### SANITATION AND HOUSING.

115. No person shall cause a nuisance or shall suffer to exist on any land or premises owned or occupied by him or of which he is in charge any nuisance or other condition liable to be injurious or dangerous to health. Nuisances prohibited.

116. It shall be the duty of every local authority to take all lawful, necessary and reasonably practicable measures for maintaining its district at all times in clean and sanitary condition, and for preventing the occurrence therein of, or for remedying or causing to be remedied any nuisance or condition liable to be injurious or dangerous to health and to take proceedings at law against any person causing or responsible for the continuance of of any such nuisance or condition. Duties of local authorities to maintain cleanliness and prevent nuisances.

117. It shall be the duty of every local authority to take all lawful, necessary and reasonably practicable measures for preventing or causing to be prevented or remedied all conditions liable to be injurious or dangerous to health arising from the erection or occupation of unhealthy dwellings or premises, or the erection of dwellings or premises on unhealthy sites or on sites of insufficient extent, or from overcrowding, or from the construction, condition or manner of use of any factory or trade premises, and to take proceedings under the law or regulations in force in its district against any person causing or responsible for the continuance of any such condition. Duty of local authorities to prevent or remedy danger to health arising from unsuitable dwellings.

**What constitutes a nuisance.**

118. (1) The following shall be deemed to be nuisances liable to be dealt with in the manner provided in this part:—

(a) Any vessel, and any railway carriage or other conveyance in such a state or condition as to be injurious or dangerous to health.

(b) Any dwelling or premises or part thereof which is or are of such construction or in such a state or so situated or so dirty or so verminous as to be in the opinion of the Medical Officer of Health, injurious or dangerous to health or which is or are liable to favour the spread of any infectious disease.

(c) Any street, road or any part thereof, any stream, pool, ditch, gutter, water-course, sink, water tank, cistern, water-closet, earth-closet, privy, urinal, cess-pool, soakaway pit, septic tank, cess-pit, soil-pipe, waste-pipe, drain, sewer, garbage receptacle, dust-bin, dung-pit, refuse pit, slop-tank, ash-pit, manure heap so foul or in such a state or so situated or constructed as in the opinion of the Medical Officer of Health to be offensive or to be injurious or dangerous to health.

(d) Any well or other source of water supply or any cistern or other receptacle for water, whether public or private, the water from which is used or is likely to be used by man for drinking or domestic purposes or in connection with any dairy or milkshop or in, or in connection with the manufacture or preparation of any article of food intended for human consumption, which is in the opinion of the Medical Officer of Health polluted or otherwise liable to render any such water injurious or dangerous to health.

(e) Any noxious matter, or waste water, flowing or discharged from any premises, wherever situated, into any public street, or into the gutter or side channel of any street or into any nullah, or water-course, irrigation channel, or bed thereof not approved for the reception of such discharge.

(f) Any stable, cowshed, or other building or premises used for keeping of animals or birds which is so constructed, situated, used or kept as to be offensive or which is injurious or dangerous to health.

(g) Any animal so kept as to be a nuisance or injurious to health.

(h) Any accumulation or deposit of refuse, offal, manure or other matter whatsoever which is offensive or which is injurious or dangerous to health.

(i) Any accumulation of stones, timber or other building material if such in the opinion of the Medical Officer of Health is likely to harbour rats or other vermin.

(j) Any premises in such a state or condition and any building so constructed as to be likely to harbour rats.

(k) Any dwelling or premises which is so overcrowded as to be injurious or dangerous to the health of the inmates or are dilapidated or defective in lighting or ventilation or is not provided with or is so situated that it cannot be provided with sanitary accommodation to the satisfaction of the Medical Officer of Health.

(l) Any public or other building which is so situated, constructed, used or kept as to be unsafe, or injurious or dangerous to health.

(m) Any occupied dwelling for which such a proper, sufficient and wholesome water supply is not available within a reasonable distance as under the circumstances it is possible to obtain.

(n) Any factory or trade premises not kept in a cleanly state and free from offensive smell arising from any drain, privy, water-closet, earth-closet, or urinal, or not ventilated so as to destroy or render harmless and inoffensive as far as practicable any gases, vapours, dust or other impurities generated, or so overcrowded or so badly lighted or ventilated as to be injurious or dangerous to the health of those employed therein.

(o) Any factory or trade premises causing or giving rise to smells or effluvia which are offensive or which are injurious or dangerous to health.

(p) Any area of land kept or permitted to remain in such a state as to be offensive, or liable to cause any infectious communicable or preventable disease or injury or danger to health.

(q) Any chimney sending forth smoke in such quantity or in such manner as to be offensive or injurious or dangerous to health.

(r) Any cemetery, burial-place or place of sepulture so situated or so crowded or otherwise so conducted as to be offensive, or injurious or dangerous to health.

(s) Any act, omission, or thing which is, or may be dangerous to life, or injurious to health.

(2) The author of a nuisance means the person by whose act default or sufferance, nuisance is caused exists or is continued whether he is the owner or occupier or both owner and occupier or any other person.

119. The local authority or Medical Officer of Health if satisfied of the existence of a nuisance shall serve a notice on the author of the nuisance, or if he cannot be found, then on the occupier or owner of the dwelling or premises on which the nuisance arises or continues, requiring him to remove it within the time specified in the notice and to execute such work and do such things as may be necessary for that purpose and if the local authority or Medical Officer of Health think it desirable (but not otherwise) specifying any work to be executed to prevent a recurrence of the said nuisance.

Notice to remove nuisance.

Provided that—

(a) Where the nuisance arises from any want or defect of a structure or character, or where the dwelling or premises are unoccupied, the notice shall be served on the owner.

(b) Where the author of the nuisance cannot be found and it is clear that the nuisance does not arise or continue by the act or default or sufferance of the occupier or owner of the dwelling or premises, the local authority or Medical Officer of Health shall remove the same and may do what is necessary to prevent the recurrence thereof.

120. (1) If the person on whom a notice to remove a nuisance has been served as aforesaid fails to comply with any of the requirements thereof within the time specified, the local authority or Medical Officer of Health shall cause a complaint relating to such nuisance to be made before a Magistrate and such Magistrate shall thereupon issue a summons requiring the person on whom the notice was served to appear before his Court.

Procedure in case owner fails to comply with notice.

(2) If the Court is satisfied that the alleged nuisance exists, the Court shall make an order on the author thereof, or the occupier or owner of the dwelling or premises as the case may be, requiring him to comply with all or any of the requirements of the notice or otherwise to remove the nuisance within a time specified in the order and to do any works necessary for that purpose.

(3) The Court may by such order impose a fine not exceeding ten pounds on the person on whom the order is made and may also give directions as to the payment of all costs incurred up to the time of the hearing or making of the order for the removal of the nuisance.

(4) If the nuisance although removed since the service of the notice in the opinion of the Medical Officer of Health or local authority is likely to recur on the same premises, the local authority or Medical Officer of Health shall cause a complaint relating to such nuisance to be made before a Magistrate and the Magistrate shall thereupon issue a summons requiring the person on whom the notice was served to appear before him.

(5) If the Court is satisfied that the alleged nuisance although removed is likely to recur on the same premises the Court shall make an order on the author thereof or the occupier or owner of the dwelling or premises as the case may be, requiring him to do any specified work necessary to prevent the recurrence of the nuisance and prohibiting its recurrence.

(6) In the event of the person on whom such order as is specified in sub-sections 4 and 5 not complying with the order within a reasonable time the local authority or Medical Officer of Health shall again cause a complaint to be made to a Magistrate who shall thereupon issue a summons requiring such person to appear before him and on proof that the order has not been complied with may impose a fine not exceeding ten pounds and may also give directions as to the payment of all costs up to the time of the hearing.

(7) Before making any order the Court may, if it thinks fit, adjourn the hearing or further hearing of the summons until an inspection, investigation or analysis in respect of the nuisance alleged has been made by some competent person.

(8) Where the nuisance proved to exist is such as to render a dwelling unfit, in the judgment of the Court, for human habitation, the Court may issue a closing order prohibiting the use thereof as a dwelling until in its judgment the dwelling is fit for that purpose; and may further order that no rent shall be due or payable by or on behalf of the occupier of that dwelling in respect of the period in which the closing order exists; and on the Court being satisfied that it has been rendered fit for use as a dwelling the Court may terminate the closing order and by a further order declare the dwelling habitable, and from the date thereof such dwelling may be let or inhabited.

Notwithstanding any such last-mentioned order, further proceedings may be taken in accordance with this section in respect of the same dwelling in the event of any nuisance occurring or of the dwelling being again found to be unfit for human habitation.

Penalties in relation to nuisances.

121. (1) Any person who fails to obey an order to comply with the requirements of the local authority or Medical Officer of Health or otherwise to remove the nuisance, shall, unless he satisfies the Court that he has used all diligence to carry out such order be liable to a fine not exceeding forty florins for every day during which the default continues; any person wilfully acting in contravention of a closing order issued under the last preceding section shall be liable to a fine not exceeding forty florins for every day during which the contravention continues.

(2) The local authority or Medical Officer of Health may in such a case enter the premises to which any such order relates, and remove the nuisance and do whatever may be necessary in the execution of such order and recover in any competent Court the expenses incurred from the person on whom the order is made.

Court may order local authority to execute works in certain cases.

122. Whenever it appears to the satisfaction of the Court that the person by whose act or default the nuisance arises, or that the owner or occupier of the premises is not known or cannot be found, the Court may at once order the local authority to execute the works thereby directed and the cost of executing the same shall be a charge on the property on which the said nuisance exists.

Examination of premises.

123. The local authority or any of its officers or the Medical Officer of Health or any Sanitary Inspector or on the order of a Magistrate, any European Police Officer, may enter any building or premises for the purpose of examining as to the existence of any nuisance therein at all reasonable times; and the local authority or any of its officers may, if necessary open up the ground of such premises and cause the drains to be tested or such other work to be done as may be necessary for the effectual examination of the said premises: Provided that if no nuisance is found to exist the local authority shall restore the premises at its own expense.

Demolition of unfit dwellings.

124. (1) Where under Section 118 a nuisance is proved to exist with respect to a dwelling and the Court is satisfied that such dwelling is so dilapidated, or so defectively constructed, or so situated, that repairs to or alterations of the same are not likely to remove the nuisance and make such dwelling fit for human habitation, the Court may order the owner thereof to commence to demolish the dwelling and any other structures on

the premises on or before a specified day, being at least one month from the date of issuing the order and to complete the demolition and to remove the materials which comprised the same from the site before another specified day.

(2) The Court shall give notice to the occupier of a dwelling in respect of which such an order has been issued requiring him to move therefrom within a time to be specified in such notice, and if any person fails to comply with such notice or enter the dwelling or premises after the date fixed except for the purpose of demolition he shall be guilty of an offence.

(3) If any person fails to comply with such an order for demolition he shall be guilty of an offence and be liable to pay the daily fine provided in Section 121, and the local authority may cause the dwelling and any other structures on the premises to be demolished and may recover from the owner the expense incurred in doing so after deducting the net proceeds of the sale of the materials, which the local authority may sell by auction.

(4) No compensation shall be paid by the local authority to the owner or occupier of any dwelling or other structure in respect of the demolition thereof has aforesaid, and from the date of the demolition order no rent shall be due or payable by or on behalf of the occupier in respect of such dwelling or structure.

125. (1) It shall be the duty of the Medical Department:—

Duty of department  
in respect of over  
crowding, etc.

(a) To collect, investigate and consider and publish the facts as to any overcrowding or bad or insufficient housing in the various districts of the Colony and Protectorate.

(b) To enquire into the best methods of dealing with any overcrowding or bad housing so ascertained to exist.

(c) To make or publish such recommendations as may seem necessary in respect of the result of any such investigation or enquiry.

126. (1) The Governor on the advice of the Board may make regulations and may confer powers and impose duties in connection with the carrying out and enforcement thereof on local authorities, Magistrates, owners and others as to—

Regulations.

(a) The inspection of land, dwellings, buildings, factories and trade premises, and for securing the keeping of the same clean and free from nuisance and so as not to endanger the health of the inmates or the public health.

(b) The construction of buildings, the provision of proper lighting and ventilation and the prevention of overcrowding.

(c) The periodical cleansing and whitewashing or other treatment of dwellings and the cleansing of land attached thereto and the removal of rubbish or refuse therefrom.

(d) The drainage of land, streets or premises, the disposal of offensive liquids and the removal and disposal of rubbish, refuse, manure and waste matters.

(e) The standard or standards of purity of any liquid which, after treatment in any purification works, may be discharged therefrom as effluent.

(f) The keeping of animals or birds and the construction, cleanliness and drainage of places where animals or birds are kept.

(g) The establishment and carrying on of factories or trade premises which are liable to cause offensive smells or effluvia, or to discharge liquid or other material liable to cause such smells or effluvia, or to pollute streams, or are otherwise liable to be a nuisance or injurious or dangerous to health, and for prohibiting the establishment or carrying on of such factories or trade premises in unsuitable localities or so to be a nuisance or injurious or dangerous to health.

(h) The sub-division and general lay-out of land intended to be used as building sites, the level construction, number, direction and the width of streets and thoroughfares, the limitation of the number of dwellings or other buildings to be erected on such land, the proportion of any building site which may be built upon and the establishment of zones within which different

limitations shall apply, and of zones within which may be prohibited the establishment or conduct of occupations or trades likely to cause nuisance or annoyance to persons residing in the neighbourhood.

(i) The inspection of the district of any local authority, by that local authority with a view to ascertain whether the lands and buildings thereon are in a state to be injurious or dangerous to health and the preparation, keeping and publication of such records as may be required.

## PART X.

### PROTECTION OF FOODSTUFFS.

Construction and regulation of buildings used for the storage of foodstuffs.

127. (1) All warehouses, godowns or buildings of whatever nature used for the storage of foodstuffs shall be constructed of such materials and in such manner as shall in the opinion of the Medical Officer of Health render such warehouse, godown or building rat proof.

(2) Where any warehouse, godown or building intended for the storage of foodstuffs aforesaid has fallen into a state of disrepair, or does not in the opinion of the Medical Officer of Health afford sufficient protection against rat invasion by reason of the materials used in the construction of the same being defective the local authority may by written notice require the owner to effect such repairs and alterations as the notice shall prescribe within a time to be specified in the said notice, and if such requirement is not complied with the local authority may enter upon the premises and effect such repairs and alterations, and may recover all costs and expenses incurred from the owner.

(3) Where in the opinion of the Medical Officer of Health any foodstuffs within a warehouse, godown or building are insufficiently protected the owner thereof shall observe all written instructions and directions of the Medical Officer of Health within a time to be specified in the said notice for the better protection of the same.

Provided that in the case of any prosecution under this section the Court may in its discretion acquit the accused if it is satisfied that all reasonable steps have been taken to exclude rats having regard to all the circumstances of the case.

No person shall reside or sleep in any room in which foodstuffs are stored, etc.

128. (1) No person shall reside or sleep in any kitchen or room in which foodstuffs are prepared or stored for sale.

(2) If it appears to the Medical Officer of Health that any such kitchen or room is being so used contrary to the provisions of this section, or that any part of the premises adjoining the room in which foodstuffs are stored or exposed for sale is being used as a sleeping apartment under such circumstances that the foodstuffs are likely to be contaminated or made unwholesome he may serve upon the offender or upon the owner of the house, or upon both, a notice calling for such measures to be taken as shall prevent the improper use of such kitchen and premises within a time to be specified in the notice and if such notice be not complied with the party upon whom it was served shall be guilty of an offence.

## PART XI.

### PUBLIC WATER SUPPLIES, MEAT, MILK, AND OTHER ARTICLES OF FOOD.

Duty of local authority as to pollution of water supplies.

129. It shall be the duty of every local authority to take all lawful, necessary and reasonably practicable measures.

(a) For preventing any pollution dangerous to health, of any supply of water which the public within its district has a right to use and does use for drinking or domestic purposes (whether such supply is derived from sources within or beyond its district; and

(b) For purifying any such supply which has become so polluted,

and to take measures (including, if necessary, proceedings at law) against any person so polluting any such supply or polluting any stream so as to be a nuisance or danger to health.

130. (1) The Governor on the advice of the Board may make, and impose on local authorities and others the duty of enforcing, regulations in respect of defined areas— **Regulations.**

(a) Prohibiting bathing in, and prohibiting or regulating the washing of clothes or other articles or of animals in, or in any place draining into, any such water supply as is in the last preceding section mentioned.

(b) Prohibiting or regulating the erection of dwellings, sanitary convenience, stables, cattle kraals, pig-styes, ostrich pens, dipping tanks, factories or other works likely to entail risk of harmful pollution of any such water supply, or prohibiting or regulating the deposit in the vicinity of, or in any place draining into, any such supply, of any manure, filth or noxious or offensive matter or thing,

and generally, for preventing the pollution dangerous to health of any supply of water which the public within its district has a right to use and does use for drinking or domestic purposes and for purifying any such supply which has become so polluted, and for preventing the pollution of streams so as to be a nuisance or a danger to health.

(2) Regulations under this section shall be made with due regard to the interests of agricultural or any other industries.

131. (a) No person shall sell or expose for sale or bring into the Colony or Protectorate or into any market or have in his possession without reasonable excuse any food for man in a tainted, adulterated, diseased or unwholesome state, or which is unfit for use, or any food for any animal which is in an unwholesome state or unfit for their use and any Medical Officer of Health, Veterinary Officer, Sanitary Inspector, Meat Inspector or European Police Officer may seize any such food, and any Magistrate on the recommendation of the Medical Officer of Health, Sanitary Inspector or of a Veterinary Officer may order it to be destroyed, or to be so disposed of as to prevent it from being used as food for man or animal as the case may be. **Sale of unwholesome food prohibited.**

(b) No person shall collect, prepare, manufacture, keep, transmit or expose for sale any foodstuffs without taking adequate measures to guard against or prevent any infection or contamination thereof.

132. Any Medical Officer of Health, or other person duly authorised by the local authority in writing, may, at any time between the hours of 6 a.m. and 6 p.m., enter any shop or premises used for the sale or preparation for sale, or for the storage of food to inspect and examine any food found therein which he shall have reason to believe is intended to be used as human food, and should such food appear to such officer to be unfit for such use, he may seize the same, and any Magistrate may order it to be disposed of as in the foregoing section. The proof that such food was not exposed or deposited for any such purpose shall rest with the person charged. **Seizure of unwholesome food.**

133. Any person in whose possession there shall be found any food liable to seizure under Sections 131 and 132 shall further be liable to a penalty not exceeding one hundred pounds or to imprisonment for a period not exceeding six months or to both. **Penalty.**

134. The Governor on the advice of the Board may make regulations regarding all or any of the following matters:—

(a) The inspection of dairy stock and of animals intended for human consumption, and of dairies, stock sheds or yards, milk-shops, milk vessels and slaughter houses, and of factories, stores, shops and other places where any article of food is manufactured or prepared or kept.

(b) The taking and examination of samples of milk, dairy produce, meat or other articles of food and the removal or detention, pending examination or enquiry of animals or articles which are suspected of being diseased or unsound or unwhole-

The Governor on the advice of the Board may make regulations regarding the sale, etc., of milk and of articles of food.

some or unfit for human consumption, and the seizure and destruction or treatment or disposal so as not to endanger health, of any such article which is found to be unwholesome or unsound or diseased or infected or contaminated, and of diseased animals sold or intended or offered or exposed for sale for human consumption; such regulations may empower a Medical Officer of Health, or (in the case of meat) a Veterinary Officer, to detain, seize or destroy any diseased, unsound or unwholesome article of food, but shall not confer on any other person any power beyond that of detention of such article for the purpose of examination by a Medical Officer of Health, or (in the case of meat) a Veterinary Officer.

(c) Fixing standards of cleanliness of milk and prescribing the warning to be given to any cow-keeper, dairy-man or purveyor of milk that any milk sold or kept or transmitted or exposed for sale by him has been found to be below any such standard, and the issue of orders prohibiting the sale or the keeping or exposure for sale of milk from any particular animal or animals, or requiring the closing of any dairy, stockshed or yard or milk shop, the milk from which is found, after analysis and official warning to be below any such standard.

(d) The conveyance and distribution of milk and the labelling or marking of receptacles used for the conveyance of milk.

(e) The Veterinary inspection of dairy stock, the sampling and bacteriological examination of milk and dairy produce and the prevention of the sale, or the keeping, transmission or exposure for sale of milk from a diseased or infected animal.

(f) The duties of cow-keepers, dairymen and purveyors of milk in connection with the occurrence of infectious disease amongst persons residing or employed in or about their premises and the furnishing by them of the names and addresses of their customers, and of cow-keepers in connection with reporting the occurrence, in animals on the premises or any dairy cattle, of diseases which are communicable to man and of any disease of the udder.

(g) The inspection and examination of, and the regulation, inspection and supervision of the manufacture, preparation, storage, keeping and transmission of, any article of food intended for sale or for export from the Colony and Protectorate, and the prohibition of the manufacture, preparation, storage, keeping, transmission, sale or export from the Colony and Protectorate of any such article which is, or contains an ingredient which is, diseased or unsound or unfit for human consumption, or which has been exposed to any infection or contamination.

(h) The establishment, locality, supervision, equipment, maintenance and management of slaughter houses and the disposal of the waste products of slaughtering and the inspection of slaughter houses and the animals therein, and prohibiting, restricting or regulating the slaughtering of animals.

(i) Prohibiting the importation into the Colony and Protectorate of any article of food which is not clean wholesome, sound and free from any disease or infection or contamination, and the seizure and disposal by destruction or otherwise of any such article so imported.

(j) The preparation, manufacture or importation and the storage and sale of or trade in articles of food which are packed in air-tight receptacles or are otherwise preserved, and the marking of any such article or receptacle with the date of manufacture or preparation.

(k) Prohibiting the importation, sale, possession or use of vessels which are intended to contain milk or any liquid or semi-solid article of food and which are rusty or defectively soldered or are made of material containing in any part likely to come in contact with the contents, lead or other poisonous or injurious substance in such proportion as to be likely to cause injury or danger to health, and fixing the maximum proportions of such substances which may be used in such vessels.

135. The Governor on the advice of the Board may make orders—

Governor's power to make orders on the advice of the Board.

(a) Requiring the medical examination of any person in any premises in which any milk or dairy produce or other article of food intended for sale is collected, kept, sold, or exposed for sale, or of any person who has been engaged in the collection, preparation, keeping, conveyance or distribution of any such milk or produce or article.

(b) Prohibiting the registration as cow-keeper, dairyman or purveyor of milk or the employment in connection with the collection, preparation, storage, distribution or sale of milk, or dairy produce or any article of food of any person who has been proved to be a carrier of the infection of typhoid or enteric fever or other infectious disease.

(c) Requiring the closing of any stock-shed, or, yard dairy or milk shop, or the exclusion from any stock-shed or dairy premises of any animal, the milk from which is believed to have conveyed or to be liable to convey any infectious disease.

(d) Prohibiting the sale or exposure for sale of milk by any cow-keeper, dairyman or purveyor of milk who has been three times convicted of offences under any laws or regulations regarding the milk trade.

## PART XII.

### THE PREVENTION AND DESTRUCTION OF MOSQUITOES.

136. For the purposes of this Ordinance—

Breeding places of mosquitoes to be nuisances.

(a) all collections of water, sewage, rubbish, refuse, ordure, or other fluid or solid substances, which permit or facilitate the breeding or multiplication of animal or vegetable parasites of men or domestic animals, or of insects or of other agents, which are known to carry such parasites or which may otherwise cause or facilitate the infection of men or domestic animals by such parasites;

(b) Any collection of water in any well, pool, gutter, channel, depression, excavation, barrel, tub, bucket, or any other article, and found to contain any of the immature stages of the mosquito;

(c) Any cess-pit latrine, urinal, dung-pit, or ash-pit found to contain any of the immature stages of the mosquito;

shall be nuisances liable to be dealt with in the manner hereinbefore provided for the treatment of nuisances.

137. The occupier or owner of any premises shall keep such premises free from all bottles whole or broken, whether fixed on walls or not, tins, boxes, calabashes, earthenware vessels, shells or any other articles which are kept so that they are likely to retain water. Any occupier or owner of any premises failing to comply with the provisions of this section shall be liable to a fine not exceeding five pounds.

Yards to be kept free from bottles whole or broken, &c.

138. No person shall within a Township permit any premises or lands owned or occupied by him or over which he has control to become overgrown with bush or long grass of such a nature as, in the opinion of the Medical Officer of Health, to be likely to harbour mosquitoes.

139. It shall not be lawful for any person to keep, or for the occupier or owner of any premises to allow to be kept thereon, any collection of water, in any well, barrel, tub, bucket, tank, or other vessel intended for the storage of water, unless such well, barrel, tub, bucket, tank, or other vessel is fitted with a sufficient cover and is properly protected or screened to the satisfaction of the Medical Officer of Health, so as to prevent the ingress of mosquitoes into the same. Any person offending against the provisions of this section shall be liable to a fine not exceeding five pounds and after notice received from the Medical Officer of Health to a further fine not exceeding one pound for each day during which he shall make default.

Wells, etc., to be covered.

Cess-pits to be screened filled.

140. The occupier or owner of any premises upon or attached to which is any cess-pit shall cause such cess-pit to be properly protected or screened to the satisfaction of the Medical Officer of Health so as to prevent the ingress of mosquitoes into the same, and in default he shall be liable to a fine not exceeding five pounds, and to a further fine not exceeding one pound for each day during which he shall continue to make such default after notice received from the local authority to comply with the provisions of this section.

Gutters may be required to be perforated.

141. It shall be lawful for the Medical Officer of Health by written notice to require the occupier or owner of any premises upon or attached to which is any gutter, pipe, groove, or water way used or intended for carrying off water from any roof or other place, to cause the same to be perforated by holes at least every two feet in such a manner as to prevent the collection or accumulation of water therein, and if any person duly served with such notice shall fail to comply with the provisions thereof within such times as may be specified therein, he shall be liable to a fine not exceeding five pounds, and to a further fine not exceeding one pound for each day during which he shall continue to make such default.

Larvae, etc., may be destroyed.

142. Where any of the immature stages of the mosquito are found on any premises in any collection of water in any cess-pit, well, pool, channel, barrel, tub, bucket, tank, or any other vessel, or in any bottle, whole or broken, whether fixed on a wall or not, tin, box, calabash, shell, or any other article, it shall be lawful for the Medical Officer of Health to take immediate steps to destroy any such immature stages of the mosquito by the application of oil or larvicide or otherwise, and to take such action as is necessary to prevent the recurrence of the nuisance and to render any pools or collections of water unfit to become breeding places for mosquitoes.

Mere presence of mosquito larvae an offence.

143. Notwithstanding any provision of this Ordinance, the occupier or owner of any house or premises, or the owner or person having the charge of any vessel, timber, cask, or other article, in or about which there is any collection of water found by the Medical Officer of Health to contain any of the immature stages of the mosquito, shall be liable in respect of each and every such collection of water to a fine not exceeding five pounds, or in default to be imprisoned with or without hard labour for seven days.

### PART XIII.

#### CEMETERIES.

Cemeteries to be appointed.

144. It shall be lawful for the Governor to select and appoint within the Colony and Protectorate and to notify in the Gazette, sufficient and proper places to be the sites of, and to be used as cemeteries; and it shall be obligatory where such cemeteries exist to bury the dead in such cemeteries in conformity with the provisions of regulations made by any local authority. Any person who shall be guilty of a breach of any such regulation shall be liable on conviction to a fine not exceeding seventy-five pounds.

Penalty for improper interment.

List of authorised cemeteries.

145. All cemeteries now being used as such and such other cemeteries as may be authorised by the Governor, notice whereof shall be published in the Gazette, shall be deemed authorised cemeteries.

Permit to exhume.

146. (1) Subject to the provisions of Section 147 it shall not be lawful to exhume any body or the remains of any body which may have been interred in any authorised cemetery or in any other cemetery, burial ground, or other place without a permit granted in manner hereinafter provided.

(2) Such permit shall be granted only to the legal personal representative or next of kin of the person buried, or to his or their duly authorised agent.

(3) Such permit may be granted by the Governor, under the hand of the Colonial Secretary, in respect of any body or the remains of any body interred in any cemetery or burial ground or any other place

The permitting authority may prescribe such precautions as he may deem fit as the condition of the grant of such permit, and any person who shall exhume any body or the remains of any body contrary to this Ordinance, or who shall neglect to observe the precautions prescribed as the condition of the permit, shall be liable to a fine not exceeding seventy-five pounds.

Conditions of permit to exhume.

Provided always that nothing herein contained shall be deemed to affect the right of a Magistrate to order the exhumation of a body or the remains of any body for the purpose of holding an inquiry into the cause of death of any person.

Magistrate to make order of exhumation.

147. (1) It shall be lawful for the Governor whenever he shall deem it expedient for the execution of any public work or any public purpose, to remove any body or the remains of any body from any grave whether in an authorised cemetery or elsewhere, and by order under his hand to direct such removal to be made in such manner as he shall think fit.

Exhumation needed for execution of public works may be ordered.

(2) No such order shall be made in respect of any grave situated in an authorised cemetery until six months notice of the intention to make it shall have been given by notification in the Gazette. Copies of such notice shall be posted at or near the grave, and copies shall be sent by post in a registered letter to the legal personal representative or next of kin of the person buried, if his or their address can be ascertained. Such copies shall be accompanied by a translation in the language of the race to which the deceased person belonged.

(3) When an order is made directing a removal from any grave aforesaid elsewhere than in an authorised cemetery, due notice of such order shall, so far as it is possible to do so, be given to the legal representative or next of kin of the person buried before the work of removal is undertaken.

(4) The Government shall make proper and fitting arrangements for the re-interment in an authorised cemetery of any body or remains of any body removed under this section, and for the removal and re-erection of any monument, all charges in connection therewith being defrayed out of the public revenue.

Re-interment.

148. There shall be kept a record of every permit granted and of every order made under the provisions of the last two sections. Such record shall contain particulars, so far as the same can be ascertained, of the race, nationality, name, sex, and age of the persons buried, date of burial and of the place of original burial, and of re-burial or removal. Such record shall be open during office hours to inspection by any person.

Record of permit for exhumation.

149. It shall be lawful for the Governor-in-Council to notify in the Gazette that any cemetery or burial ground shall, from a time in such notification to be specified, be closed, and the same shall be closed accordingly, and whosoever, after the said specified time, shall bury any body or the remains of any body in the said cemetery or burial ground, shall be liable to a fine not exceeding seventy-five pounds.

Closing of cemeteries by Governor-in-Council.

150. All reasonable expenses incurred by the Board in consequence of any default in complying with any order or notice issued under the provisions of this Ordinance shall be deemed to be money paid for the use and at the request of the person on whom the said order or notice was made, and shall be recoverable from him at the suit of the Board as a civil debt recoverable summarily. The provisions of this section shall apply to any orders or notices issued under any regulations by the local authority.

Reimbursement of expenses to the Board.

#### PART XIV.

##### GENERAL.

151. It shall not be lawful to live in, occupy or use or to let or sub-let, or to suffer or permit to be used any basement for habitation, nor shall it be lawful, without the written permission of the local authority, to use such basement, as a shop, workshop, or factory or for the preparation or storage of food, and no basement shall be used unless it is well lit and ventilated, and is free from damp and is rendered rat-proof to the satisfaction of the Medical Officer of Health.

Basements not to be occupied without permission.

Lodging houses to be registered and the keeper licensed.

152. The Governor on the advice of the Board may make regulations for the conduct and inspection of lodging houses and no person shall open, or keep open, a lodging house, unless the house is registered and the keeper thereof is licensed by the local authority.

Nursing homes to be licensed.

153. (1) No person shall open or keep open a nursing home, convalescent home, private hospital, infirmary or any institution where invalids or convalescents are treated or received upon payment of fees or charges unless the house is registered and the keeper thereof licensed by the Board.

Nursing houses may be inspected by the Board.

(2) The Principal Medical Officer on the advice of the Board may authorise a medical practitioner on its behalf to visit any such premises as in this section mentioned to report to the Board upon any matter or thing connected with the premises or the use thereof.

Obstructing an inspection.

(3) Any person who knowingly obstructs an authorised medical practitioner in any such inspection as is authorised by the Principal Medical Officer and in regulations shall be guilty of an offence.

Markets.

154. For the purposes of this Ordinance the Governor may make regulations for the establishment, control and closing of all markets and market buildings.

Board may apply to the Government for additional public latrines.

155. When in the opinion of the local authority additional public latrine accommodation is required in any locality upon unleased Crown land, the local authority shall apply in writing to the Governor, specifying the site upon which it desires the erection of a public latrine, and the accommodation to be provided by such latrine, and the Governor shall after due enquiry, give his decision on the matter.

Regulation of public washermen.

156. Every local authority may by public notice, prohibit the washing of clothes by washermen in the exercise of their calling except at public wash-houses or at such other places as it may appoint for the purpose.

Control of irrigated land.

157. (1) Where it is shewn to the satisfaction of the Governor-in-Council, upon the advice of the Board, that the growing of any crop or the irrigation of any land being within the boundaries of a Township or within three miles of such boundaries is unhealthful or insanitary, the Governor-in-Council may, by order published in the "Official Gazette," prohibit the growing of any crop or the irrigation of any land within any area, within the boundaries of a Township or within three miles of such boundaries, and may cause any permit or authorization issued for the diversion, abstraction or use of water for such purpose to be cancelled upon such terms as may appear to him equitable.

(2) The Governor may make regulations for ensuring that the health of the inhabitants of a district may be safeguarded in respect of:—

(a) The prevention of pools of standing water.

(b) The drainage and control of such pools when they exist.

(c) The inspection, repair and cleansing of open channels, canals and drains.

Supervision of importation or manufacture of vaccines, etc.

158. (1) The Governor may provide for the inspection, sampling and examination, by officers of the Medical Department, of vaccines, vaccine lymphs sera and similar substances imported into or manufactured in the Colony and Protectorate and intended or used for the prevention or treatment of human diseases, and may prohibit the importation, manufacture, or use of any such substance which is considered to be unsafe or to be liable to be harmful or deleterious.

(2) The Governor may make such regulations as he may consider necessary for properly carrying out the provisions of the section.

## PART XV.

## MISCELLANEOUS PROVISIONS.

159. Notices, orders and other documents under this Ordinance, may be in writing or print, or partly in writing and partly in print, and if the same require authentication by the Board, or a local authority the signature thereof respectively by the Secretary, Town Clerk, Medical Officer of Health, Sanitary Inspector or District Commissioner, as the case may be shall be sufficient authentication. Notices, etc., may be printed or written.

160. Notices, orders and other documents required or authorised to be served under this Ordinance may be served by delivering the same to or at the residence of the person to whom they are respectively addressed, or where addressed to the owner or occupier of premises by delivering the same, or a true copy thereof, to some person on the premises, or if there is no person on the premises who can be served by fixing the same on some conspicuous part of the premises, they may also be served by post by a prepaid letter, and if served by post shall *prima facie* be deemed to have been served at the time when the letter containing the same would be delivered in the ordinary course of post, and in proving such service it shall be sufficient to prove that the notice, order or other document was properly addressed and put in the post. Service of notices.

161. The Deputy Principal Medical Officer, the Chief Sanitation Officer, any Sanitation Officer, Medical Officer of Health, Port Health Officer or Medical Officer of the Department may with the authority and on behalf of the Principal Medical Officer discharge any of the duties or functions of the Principal Medical Officer and any duties imposed or powers conferred by this Ordinance or Medical Officers of Health, Port Health Officers, District Surgeons or Medical Officers may be carried out or exercised by the Principal Medical Officer, Deputy Principal Medical Officer, Chief Sanitation Officer or any Medical Officer designated by the Principal Medical Officer for that purpose. Power and duties of officers of the Medical Department.

162. No defect in the form of any notice or order made under this Ordinance shall invalidate or render unlawful the administrative action, or be a ground for exception to any legal proceedings which may be taken in the matter to which such notice or order relates provided the requirements thereof are substantially and intelligibly set forth. Defect in form not to invalidate notices, etc.

163. (1) Any Medical Officer of Health or Sanitary Inspector, District Surgeon or Port Health Officer, or any European Police Officer or any other person generally or specially authorised in writing by the Principal Medical Officer, Medical Officer of Health or local authority may, at any hour reasonable for the proper performance of the duty, enter any land or premises to make any inspection or to perform any work or to do anything which is required or authorised by this Ordinance or any other law to do, if such inspection, work or thing is necessary for or incidental to the performance of his duties or the exercise of his powers. Powers of entry and inspection of premises and penalties for obstruction.

(2) Any person who fails to give or refuses access to any officer, inspector or person mentioned in or authorised under subsection (1) if he requests entrance on any land or premises, or obstructs or hinders him in the execution of his duties under this Ordinance, or who fails or refuses to give information that he may lawfully be required to give to such officer, inspector or person, or who gives to such officer, inspector or person false or misleading information knowing it to be false or misleading, or who prevents the owner or any of his servants or workmen from entering any land or dwelling or premises for the purposes of complying with any requirement under this Ordinance, shall be guilty of an offence.

Penalties where not expressly provided.

164. Any person guilty of an offence against, or contraventions of, or default in complying with, any provision of this Ordinance shall, if no penalty is expressly provided for such offence, contravention or default, be liable on conviction to a fine not exceeding twenty-five pounds, and if the offence, contravention or default is of a continuing nature to a further fine not exceeding three pounds for each day during which he shall make default.

Liability of secretary or manager of company.

165. Where a contravention of any of the provisions of this Ordinance is committed by any company or corporation, the secretary or manager thereof may be summoned and shall be held liable for such contravention and the consequences thereof.

Proceedings against several persons.

166. Where proceedings under this Ordinance are competent against several persons in respect of the joint act or default of such person, it shall be sufficient to proceed against one or more of them without proceeding against the others.

Prosecutions.

167. (1) A local authority may, by any of its officers or by any person generally or specially authorised in writing by the mayor or chairman thereof, prosecute for any contravention of, or offence against, or default in complying with, any provision of this Ordinance or any regulation made or deemed to be made thereunder, if the contravention, offence or default is alleged to have been committed within or to affect his district.

(2) Where an officer or person authorised by a local authority has under sub-section (1) prosecuted any person for any contravention of, offence against or default in complying with, any provision of this Ordinance or any regulation made or deemed to be made thereunder and the accused has been convicted of that contravention, offence or default all fines and penalties imposed may be recovered by such officer or person authorised by a local authority as a civil debt recoverable summarily.

Power of Local Authority outside its District.

168. Nothing in any law specially governing any local authority shall be construed as preventing such local authority from exercising any power or performing any duty under this Ordinance by reason only that in exercising such power or performing such duty it must do some act or thing or incur expenditure outside its district.

Regulations under repealed Ordinance to remain in force.

169. Regulations made under any Ordinance repealed by this Ordinance shall remain in force unless in conflict with this Ordinance and be deemed to be made thereunder until superseded by regulations made under this Ordinance.

Power to make regulations.

170. (1) The Governor shall have power to make regulations generally for the carrying out of the purposes of this Ordinance.

(2) Any regulations under this Ordinance made by the Governor shall be laid before the Legislative Council at the next meeting thereof, after they are made.

Repeal.

171. The Infectious Diseases Ordinance, 1903, the Infectious Diseases Amendment Ordinance, 1917, the East Africa Sleeping Sickness Ordinance, 1909, the Vaccination Ordinance, 1912, the Vaccination Amendment Ordinance, 1913, and the Leprosy Ordinance, 1913, are hereby repealed.

Until other provision is made in that behalf the East Africa Plague and Cholera Ordinance, 1907, shall be deemed to be and shall have the effect of regulations made under this Ordinance.

SCHEDULE I.

I, the undersigned, hereby certify, that in my opinion *See Section 107.*  
 .....is not now  
 in a fit and proper state to be vaccinated, and I do hereby  
 recommend that the vaccination be postponed for the period of  
 6 months from this date.

Dated this.....day of.....19.....

.....  
*(Signature of Medical Practitioner  
 or Public Vaccinator).*

SCHEDULE II.

I, the undersigned, hereby certify, that I have three times *See Section 108.*  
 unsuccessfully vaccinated.....  
 .....(or that.....has already had  
 small-pox as the case may be) and I am of opinion that the said  
 .....is insusceptible of successful  
 vaccination

Dated this.....day of.....19.....

.....  
*(Signature of Medical Practitioner  
 or Public Vaccinator).*

SCHEDULE III.

I, the undersigned, hereby certify, that..... *See Section 109.*  
 .....  
 .....has been successfully vaccinated  
 by me.

Dated this.....day of.....19.....

.....  
*(Signature of Medical Practitioner  
 or Public Vaccinator).*

GOVERNMENT NOTICE No. 360.

S. 12730/4.

THE following Draft Rules are published for general information and criticism. Any criticism desired to be offered must be addressed to the Colonial Secretary, P.O. Box 132, Nairobi, and must reach him not later than the 30th of November, 1921.

### THE INDIAN PETROLEUM ACT, 1899.

#### RULES.

IN EXERCISE of the powers conferred upon him by The Indian Petroleum Act, 1899, as applied to the Colony and Protectorate His Excellency the Acting Governor-in-Council has been pleased to make the following Rules:—

1. These Rules may be cited as "The Petroleum Possession and Transport Rules, 1921."

2. In these Rules:—

"The Act" means the Indian Petroleum Act, 1899.

Words and expression defined in the Act have the same meaning as defined in the Act.

"Petroleum in bulk" means petroleum in quantities exceeding five hundred gallons contained in any one receptacle.

"Protected works" include buildings in which persons dwell or assemble, docks, wharves, timber yards, other petroleum stores, and any other place not forming part of an installation, which the Governor-in-Council may by notification declare as such.

"District Commissioner" includes "Resident Commissioner."

3. Licences for keeping non-dangerous petroleum exceeding five hundred gallons in quantity or dangerous petroleum exceeding forty gallons may be issued by a District Commissioner and shall ordinarily be granted only when the premises intended to be used for the storage of such petroleum are separated by a clear open space of not less than 20 feet on every side from any other building, and when they also fulfil the following conditions, namely:—

(a) In any Municipality or Township the building in which the Petroleum is to be stored shall be constructed of masonry with terraced or iron roof, and with tiled concrete, earthen or other non-inflammable floors, and the doorways and openings of the building shall be built up to a height of not less than two feet above the level of the floor, and so that petroleum cannot flow out of the building in the event of fire.

(b) Outside any Municipality or Township the building in which the petroleum is to be stored shall conform to the conditions specified in Clause (a) or in default thereof shall be built of brick or earth and no inflammable material shall be used in the construction of any portion thereof except the doors or windows; and such building shall be surrounded by a wall or earthen embankment not less than four feet high with a trench between

such wall or embankment and the building, close to and completely surrounding the building and of sufficient capacity to hold all the petroleum that can be stored therein and to prevent its escape beyond the limits of the trench in the event of fire;

Provided that the District Commissioner with the approval of the Governor, may, for special reasons to be recorded by him in writing before granting such licence, dispense with any or all of the said conditions.

And provided further that the District Commissioner may, in his discretion and subject to such conditions as he may prescribe, grant a licence for any quantity of petroleum in a place specially prepared and approved of by the Governor or a Municipal or local authority for the storage of petroleum in bulk, in accordance with plans and specifications approved by the Director of Public Works. The capacity in gallons shall be conspicuously marked on every storage tank or other receptacle in such place.

4. The District Commissioner or any officer deputed by him for the purpose or any Police Officer of or above the rank of European Police Constable may enter any premises in respect of which a licence for the possession of petroleum has been granted for the purpose of inspecting the same at any time between sunrise and sunset.

5. The District Commissioner or any officer deputed by him for the purpose or any police officer as aforesaid may, on such entry, require any Licensee to show him any of the vessels in which any of the petroleum in his possession is stored or contained, to give him such assistance as he may require for examining the same and to deliver to him a sample from any vessel which he indicates for this purpose on payment of the value of such sample.

The procedure prescribed in Section 13 of the Act shall be followed in respect of the testing of any sample so obtained in like manner as if the Licensee were a dealer in petroleum.

6. (1) All applications for licences to possess petroleum shall be in writing and shall be submitted to the District Commissioner.

(2) Application for licences for the possession of petroleum shall specify:—

(a) The description and quantity of petroleum which the applicant desires to keep.

(b) The name and position of the premises in which it is proposed to keep the petroleum, and whether the said premises fulfil the conditions required by Rule 4.

(c) The total amount of petroleum (in case a previous licence has been granted) to be kept in the same premises.

7. Every licence for the possession of petroleum shall expire on the 31st day of December of the year for which it is issued.

8. Every application for the renewal of a licence for the possession of petroleum shall be made in the same manner as an application for an original licence, and shall be made not less than fifteen days before the day on which the original licence expires.

9. The following fees shall be charged for licences for the possession of petroleum, namely:—

NON-DANGEROUS PETROLEUM.

	Fls.
(a) When the quantity to be stored exceeds five hundred, but does not exceed five thousand gallons	10
(b) When the quantity to be stored exceeds five thousand gallons	10
Fls. 10 for each five thousand gallons to a maximum of Fls. 250.	

DANGEROUS PETROLEUM.

(c) When the quantity to be stored exceeds forty gallons, but does not exceed five thousand gallons	10
(d) When the quantity to be stored exceeds five thousand gallons.	
The same fees as those laid down for non-dangerous petroleum.	

10. Licences granted under these rules shall be in the form and shall have inserted in them the conditions respectively prescribed in the Schedule hereto.

11. Every licence granted under these Rules may be revoked at any time by the Governor or by the officer who granted it, or his successor, on its being established to the satisfaction of the Governor or of such officer that the Licensee or any person in his employ has infringed any of its conditions or any provision of these Rules or Act.

12. The transport of dangerous petroleum in bulk is absolutely prohibited.

13. Petroleum otherwise than in bulk whether dangerous or not shall be transported only if it is packed in airtight tins or other vessels not easily broken, or is contained in bottles securely corked and carefully packed so as to avoid risk of breakage.

14. Petroleum in bulk other than dangerous petroleum may be transported:—

- (a) By rail if the petroleum is contained in tank-wagons or portable tanks approved by the Railway Administration.
- (b) By steamer or barge, if the vessel is certified to be fit for the service by the Port Captain.
- (c) By carts if the carts are certified to be fit for such transport by a District Commissioner or any person he may appoint in his behalf.

15. It shall be the duty of all police officers to see that the petroleum which is being transported is conveyed in the manner prescribed by these rules and in general to see that the foregoing rules are properly enforced and any such officer may stop and inspect any petroleum in transit and if necessary require the person in charge of the same to comply with these rules.

16. The Petroleum Possession and Transport Rules, 1920, shall be and are hereby revoked.

18. These Rules shall come into force on the 1st day of January, 1923.

SCHEDULE OF FORMS.

FORM A.

Licence to possess dangerous petroleum to be granted under the Indian Petroleum Act, 1899.

No..... Fee.....

Licence is hereby granted to..... for the storage in the premises described below, of .....gallons dangerous petroleum, subject to the conditions prescribed by the Petroleum Possession and Transport Rules, 1921, and to the further conditions prescribed on the reverse.

This licence shall continue in force for one year from the date hereof, and may be renewed on application being made for this purpose not less than fifteen days previous to the expiry of the said year.

Description of premises above referred to:—

.....  
District Commissioner.

ENDORSEMENT ON FORM A.

CONDITIONS.

This licence is granted subject to the following conditions:—

1. No goods of a combustible nature shall be stored in the premises in respect of which this licence is granted.
2. Every case (or tin, etc.) in which the petroleum is contained must bear a label as required by Section 7 of the Act.
3. No vessel containing petroleum shall be opened and no oil shall be drawn from any vessel within the building in which the petroleum is stored.
4. No smoking, fire or light of any kind shall be permitted at any time within the said building.
5. If the licensing officer, requires the holder of this licence, by notice in writing, to execute any repairs which may, in the opinion of such officer, be necessary for the safety of the premises in respect of which this licence is granted, the holder of this licence shall execute the same within such period, not being less than one week from the date of the receipt of the notice, as may be fixed by the notice.
6. The licence holder shall not deliver any quantity of the petroleum covered by this licence exceeding forty gallons to any person who does not hold a licence to possess the same under the Act.

FORM B

Licence to possess petroleum other than dangerous petroleum to be granted under the Indian Petroleum Act, 1899.

No..... Fee.....

Licence is hereby granted to..... for the storage in the premises described below, of .....gallons of petroleum other than dangerous petroleum, subject to the conditions prescribed

by the Petroleum Possession and Transport Rules, 1921, and to the further conditions prescribed on the reverse.

This licence shall continue in force for one year from the date hereof and may be renewed on application being made for this purpose not less than fifteen days previous to the expiry of the said year.

Description of the premises above referred to:—

.....  
District Commissioner.

**ENDORSEMENT ON FORM B.**

**CONDITIONS.**

This licence is granted subject to the following conditions:—

1. No goods of a combustible nature shall be stored in the premises in respect of which this licence is granted.
2. No vessel containing petroleum shall be opened and no oil shall be drawn from any vessel within the building in which the petroleum is stored.
3. No smoking, fire or light in any form shall be permitted at any time within such building.
4. If the licensing officer requires the holder of this licence, by notice in writing, to execute any repairs which may, in the opinion of such officer, be necessary for the safety of the premises in respect of which this licence is granted, the holder of this licence shall execute the same within such period, not less than one week from the date of the receipt of the notice, as may be fixed by the notice.

**FORM C.**

Licence to possess petroleum in bulk not being dangerous petroleum, to be granted under the Indian Petroleum Act, 1899.

No..... Fee.....

Licence is hereby granted to.....  
for the storage in the premises described below, of .....gallons of petroleum not being dangerous petroleum, subject to the conditions prescribed by the Petroleum Possession and Transport Rules, 1921, and to the further conditions prescribed on the reverse.

This licence shall continue in force for one year from the date hereof, and may be renewed on application being made for this purpose not less than fifteen days previous to the expiry of the said year.

Description of the premises above referred to:—

.....  
District Commissioner.

**ENDORSEMENT ON FORM C.**

**CONDITIONS OF LICENCE.**

1. Each tank shall either be separately surrounded by a wall or embankment of substantial construction, or shall be partially sunk in an excavation. The enclosure thus formed shall be of dimensions sufficient to contain an amount of oil equal to 25% of the amount which the tank is capable of contain-

ing, and shall be so constructed as to prevent the escape therefrom of any oil in the form of liquid, whether under the action of fire or otherwise. Settling or measuring tanks may be situated within the wall or excavation, but otherwise the space enclosed by such wall or excavation, and not occupied by the tank, shall be kept entirely clear and unoccupied.

2. In the case of all storage sheds within the installation either the doorway and other openings of the building shall be built up to a height of three feet above the level of the ground outside it, or the floor shall be sunk to a depth of three feet below the level of the ground, or the building itself shall be surrounded with a masonry wall or embankment or both not less than three feet high.

3. The height of any storage tank shall not be more than three-fifths of its diameter.

4. A distance of not less than fifty feet shall be kept clear between one storage tank and another, or between a storage tank and a storage shed, the distance being measured between the nearest points of the perimeters of the storage tanks or storage sheds, as the case may be.

5. A distance of not less than one hundred feet shall be kept clear between any storage tank or shed and any protected work.

6. The distance specified in the conditions 4 and 5 may be reduced by the Governor in Council on the recommendation of the Director of Public Works in cases where screen walls are provided, or other special precautions taken or where there are special circumstances that, in the opinion of the Director of Public Works, warrant the reduction.

7. No fire or lights other than those necessary for soldering purposes shall be permitted within the installation, except in the office, living quarters, engine room, boiler house and smithy.

GOVERNMENT NOTICE No. 361. S. 11402.

Information has been received from the Secretary of State for the Colonies to the effect that this Order-in-Council will come into operation on 1st October, 1921.

**ORDER-IN-COUNCIL.**

At the COURT at BUCKINGHAM PALACE, the 14th day of July, 1921.

PRESENT,

The KING's Most Excellent Majesty in Council.

WHEREAS by an Order in Council bearing even date with this Order provision has been made as to the constitution of His Majesty's Court of Appeal for Eastern Africa for the hearing of appeals from the Colony and Protectorate of Kenya, the Uganda Protectorate, the Nyasaland Protectorate, the Zanzibar Protectorate, and the Tanganyika Territory (in this Order referred to as "the said Territories"):

And whereas it is expedient that further provision should be made for regulating appeals from His Majesty's Court of Appeal for Eastern Africa to His Majesty in Council:

It is hereby ordered by the King's Most Excellent Majesty, by virtue and in exercise of all the powers in that behalf in His Majesty vested, and by and with the advice of His Privy Council as follows:

1.—(1) This Order may be cited as the "Eastern African (Appeal to Privy Council) Order in Council 1921."

(2) On the commencement of this Order the Eastern African Protectorates (Appeal to Privy Council) Order in Council 1909, the Eastern African Protectorates (Appeal to Privy Council) Amendment Order in Council 1915, and the Eastern African Protectorates (Appeal to Privy Council) Amendment Order in Council (No. 2) 1915, shall be and the same are hereby revoked and repealed without prejudice to anything lawfully done thereunder.

2. In this Order, unless the context otherwise requires:—

"Appeal" means Appeal to His Majesty in Council.

"His Majesty" includes His Majesty's heirs and successors.

"Judgment" includes decree, order, sentence, or decision.

"Court" means either the Full Court or one or more Judges of His Majesty's Court of Appeal for Eastern Africa according as the matter in question is one which under the Rules and Practice of His Majesty's Court of Appeal for Eastern Africa, properly appertains to a Full Court or to one or more Judges.

"Record" means the aggregate of papers relating to an Appeal (including the pleadings, proceedings, evidence and judgments) proper to be laid before His Majesty in Council on the hearing of the Appeal.

"Registrar" means the Registrar or other proper Officer having the custody of the Records in the Court appealed from.

"Month" means calendar month.

Words in the singular include the plural, and words in the plural include the singular.

3. Subject to the provisions of this Order, an Appeal shall lie—

(a) as of right, from any final judgment of the Court, where the matter in dispute on the Appeal amounts to or is of the value of £650 sterling or upwards, or where the Appeal involves directly or indirectly, some claim or question to or respecting property or some civil right amounting to or of the value of Rs. 10,000 or upwards; and

(b) at the discretion of the Court, from any other judgment of the Court, whether final or interlocutory, if, in the opinion of the Court, the question involved in the Appeal is one which, by reason of its great general or public importance or otherwise, ought to be submitted to His Majesty in Council for decision.

4. Where in any action or other proceeding no final judgment can be duly given in consequence of a difference of opinion between the Judges, the final judgment may be entered *pro forma* on the application of any party to such action or other proceeding according to the opinion of the Senior Member of the Court or in his absence of the Member

of the Court next in seniority, but such judgment shall only be deemed final for purposes of an appeal therefrom, and not for any other purpose.

5. Applications to the Court for leave to appeal shall be made by motion or petition within 21 days in the case of applications from the Colony or Protectorate of Kenya or the Uganda Protectorate, within three months in the case of applications from the Nyasaland Protectorate, within two months in the case of applications from the Zanzibar Protectorate and within two months in the case of applications from the Tanganyika Territory, from the date of the judgment to be appealed from, and the Applicant shall give the opposite party notice of his intended application.

6. Leave to appeal under Article 3 shall only be granted by the Court in the first instance—

(a) upon condition of the Appellant, within a period to be fixed by the Court, but not exceeding three months from the date of the hearing of the application for leave to appeal, entering into good and sufficient security, to the satisfaction of the Court, in a sum not exceeding Rs. 7,500 for the due prosecution of the Appeal, and the payment of all such costs as may become payable to the Respondent in the event of the Appellant not obtaining an order granting him final leave to appeal, or of the Appeal being dismissed for non-prosecution, or of His Majesty in Council ordering the Appellant to pay the Respondent's costs of the Appeal (as the case may be); and

(b) upon such other conditions (if any) as to the time or times within which the Appellant shall take the necessary steps for the purpose of procuring the preparation of the Record and the dispatch thereof to England as the Court, having regard to all the circumstances of the case, may think it reasonable to impose.

7. Where the judgment appealed from requires the Appellant to pay money or perform a duty, the Court shall have power, when granting leave to appeal, either to direct that the said judgment shall be carried into execution or that the execution thereof shall be suspended pending the Appeal, as to the Court shall seem just, and in case the Court shall direct the said judgment to be carried into execution, the person in whose favour it was given shall, before the execution thereof, enter into good and sufficient security, to the satisfaction of the Court, for the due performance of such Order as His Majesty in Council shall think fit to make thereon.

8. The preparation of the Record shall be subject to the supervision of the Court, and the parties may submit any disputed question arising in connection therewith to the decision of the Court, and the Court shall give such directions thereon as the justice of the case may require.

9. The Registrar, as well as the parties and their legal agents, shall endeavour to exclude from the Record all documents (more particularly such as are merely formal) that are not relevant to the subject matter of the Appeal, and, generally, to reduce the bulk of the record as far as practicable, taking special care to avoid the duplication of documents and the unnecessary repetition of headings and other merely formal parts of documents; but

the documents omitted to be copied or printed shall be enumerated in a list to be placed after the index or at the end of the Record.

10. Where in the course of the preparation of a Record one party objects to the inclusion of a document on the ground that it is unnecessary or irrelevant and the other party nevertheless insists upon its being included, the Record, as finally printed (whether in any of the said Territories, or in England), shall, with a view to the subsequent adjustment of the costs of and incidental to such document, indicate in the index of papers, or otherwise, the fact that, and the party by whom, the inclusion of the document was objected to.

11. The Record shall be printed in accordance with the Rules set forth in the Schedule hereto. It may be so printed either in any of the said Territories or in England.

12. Where the Record is printed in any of the said Territories the Registrar shall, at the expense of the Appellant, transmit to the Registrar of the Privy Council 40 copies of such Record, one of which copies he shall certify to be correct by signing his name on, or initialling, every eighth page thereof and by affixing thereto the seal of the Court.

13. Where the Record is to be printed in England the Registrar shall, at the expense of the Appellant, transmit to the Registrar of the Privy Council one certified copy of such Record, together with an index of all the papers and exhibits in the case. No other certified copies of the Record shall be transmitted to the Agents in England by or on behalf of the parties to the Appeal.

14. Where part of the Record is printed in any of the said Territories and part is to be printed in England, Articles 12 and 13 shall, as far as practicable, apply to such parts as are printed in the said Territory and such as are to be printed in England respectively.

15. The reasons given by the Judge, or any of the Judges, for or against any judgment pronounced in the course of the proceedings out of which the Appeal arises shall by such Judge or Judges be communicated in writing to the Registrar, and shall by him be transmitted to the Registrar of the Privy Council at the same time when the Record is transmitted.

16. Where there are two or more applications for leave to appeal arising out of the same matter, and the Court is of opinion that it would be for the convenience of the Lords of the Judicial Committee and all parties concerned that the Appeals should be consolidated, the Court may direct the appeals to be consolidated and grant leave to appeal by a single order.

17. An Appellant who has obtained an order granting him conditional leave to appeal may at any time prior to the making of an order granting him final leave to appeal withdraw his Appeal on such terms as to costs and otherwise as the Court may direct.

18. Where an Appellant, having obtained an order granting him conditional leave to appeal, and having complied with the conditions imposed on him by such order, fails thereafter to apply with due diligence to the Court for an order granting him

final leave to appeal, the Court may, on an application in that behalf made by the respondent, rescind the order granting conditional leave to appeal, notwithstanding the Appellant's compliance with the conditions imposed by such an order, and may give such directions as to the costs of the Appeal and the security entered into by the Appellant as the Court shall think fit, or make such further or other order in the premises as, in the opinion of the Court, the justice of the case requires.

19. On an application for final leave to appeal, the Court may enquire whether notice or sufficient notice, of the application has been given by the Appellant to all parties concerned, and, if not satisfied as to the notices given, may defer the granting of the final leave to appeal, or may give such other directions in the matter as, in the opinion of the Court, the justice of the case requires.

20. An Appellant who has obtained final leave to appeal shall prosecute his Appeal in accordance with the rules for the time being regulating the general practice and procedure in Appeals to His Majesty in Council.

21. Where an Appellant, having obtained final leave to appeal, desires, prior to the dispatch of the Record to England, to withdraw his appeal, the Court may, upon an application in that behalf made by the Appellant, grant him a certificate to the effect that the Appeal has been withdrawn, and the Appeal shall thereupon be deemed, as from the date of such certificate, to stand dismissed without express Order of His Majesty in Council, and the costs of the Appeal and the security entered into by the Appellant shall be dealt with in such manner as the Court may think fit to direct.

22. Where an Appellant, having obtained final leave to appeal, fails to show due diligence in taking all necessary steps for the purpose of procuring the dispatch of the Record to England, the Respondent may, after giving the Appellant due notice of his intended application, apply to the Court for a certificate that the Appeal has not been effectually prosecuted by the Appellant, and if the Court sees fit to grant such a certificate the Appeal shall be deemed, as from the date of such certificate, to stand dismissed for non-prosecution without express Order of His Majesty in Council, and the costs of the Appeal and the security entered into by the Appellant shall be dealt with in such manner as the Court may think fit to direct.

23. Where at any time between the order granting final leave to appeal and the dispatch of the Record to England, the Record becomes defective by reason of the death, or change of status, of a party to the Appeal, the Court may, notwithstanding the order granting final leave to appeal, on an application in that behalf made by any person interested, grant a certificate showing who, in the opinion of the Court, is the proper person to be substituted or entered on the Record in place of, or in addition to, the party who has died, or undergone a change of status, and the name of such person shall thereupon be deemed to be so substituted or entered on the Record as aforesaid without express Order of His Majesty in Council.

24. Where the Record subsequently to its dispatch to England becomes defective by reason of the death or change of status of a party to the appeal, the Court shall, upon an application in that behalf made by any person interested, cause a certificate to be transmitted to the Registrar of the Privy Council showing who, in the opinion of the Court, is the proper person to be substituted, or entered, on the Record, in place of, or in addition to, the party who has died or undergone a change of status.

25. The case of each party to the Appeal may be printed either in any of the said Territories or in England and shall, in either event, be printed in accordance with the Rules set forth in the Schedule hereto, every tenth line thereof being numbered in the margin, and shall be signed by at least one of the Counsel who attends at the hearing of the Appeal, or by the party himself if he conducts his appeal in person.

26. The Case shall consist of paragraphs numbered consecutively and shall state, as concisely as possible, the circumstances out of which the Appeal arises, the contentions to be urged by the party lodging the same, and the reasons of Appeal. Reference by page and line to the relevant portions of the Record as printed shall, as far as practicable, be printed in the margin, and care shall be taken to avoid, as far as possible, the reprinting in the Case of long extracts from the Record. The taxing officer, in taxing the costs of the Appeal, shall, either of his own motion, or at the instance of the opposite party, inquire into any unnecessary prolixity in the Case, and shall disallow the costs occasioned thereby.

27. Where the Judicial Committee directs a party to bear the costs of an Appeal incurred in any of the said Territories such costs shall be taxed by the proper officer of the Court in accordance with the rules for the time being regulating taxation in the Court.

28. The Court shall conform with, and execute, any Order which His Majesty in Council may think fit to make on an appeal from a judgment of the Court in like manner as any original judgment of the Court should or might have been executed.

29. Nothing in this Order contained shall be deemed to interfere with the right of His Majesty upon the humble Petition of any person aggrieved by any judgment of the Court, to admit his Appeal therefrom upon such conditions as His Majesty in Council shall think fit to impose.

30. This Order shall commence and have effect on such day as may be fixed by notification in the *London Gazette* by one of His Majesty's Principal Secretaries of State.

And the Right Honourable Winston Spencer Churchill, one of His Majesty's Principal Secretaries of State, is to give the necessary directions herein accordingly.

ALMERIC FITZ-ROY.

#### SCHEDULE.

I. Records and Cases in Appeals to His Majesty in Council shall be printed in the form known as Demy Quarto.

II. The size of the paper used shall be such that the sheet, when folded and trimmed, will be 11 inches in height and 8½ inches in width.

III. The type to be used in the text shall be Pica type, but Long Primer shall be used in printing accounts, tabular matter, and notes.

IV. The number of lines in each page of Pica type shall be 47 or thereabouts, and every tenth line shall be numbered in the margin.

GOVERNMENT NOTICE No. 362.

S. 11402.

INFORMATION has been received from the Secretary of State for the Colonies to the effect that this Order-in-Council will come into operation on 1st October, 1921.

#### ORDER-IN-COUNCIL.

At the COURT at BUCKINGHAM PALACE, the 14th day of July, 1921.

PRESENT.

The KING'S Most Excellent Majesty in Council.

WHEREAS by an Order of His late Majesty King Edward the Seventh in Council, bearing date the 15th day of February, 1909, and entitled the Eastern African Protectorates (Court of Appeal) Order in Council, 1909, a Court, called His Majesty's Court of Appeal for Eastern Africa, was constituted for the hearing and determining of appeals from His Majesty's Courts in the East Africa, Uganda, and Nyasaland Protectorates.

And whereas by an Order of His Majesty in Council, bearing date the 21st day of January, 1914, and entitled the Eastern African Protectorates (Court of Appeal) Amendment Order in Council, 1914, provision was made for the hearing and determining of appeals from His Britannic Majesty's Court for Zanzibar by His Majesty's said Court of Appeal for Eastern Africa:

And whereas by an Order of His Majesty in Council bearing date the 11th day of June, 1920, and entitled the Kenya (Annexation) Order in Council, 1920, it was provided that certain of the territories formerly comprised in the East Africa Protectorate should be annexed to and form part of His Majesty's Dominions and should be known as the Colony of Kenya:

And whereas by an Order of His Majesty in Council bearing date the 13th day of August, 1920, and entitled the Kenya Protectorate Order in Council, 1920, provision was made for the peace, order and good government of the territories formerly comprised in the East Africa Protectorate other than those annexed and included in the Colony of Kenya as aforesaid, and it was provided that the territories within the limits of the said Order should be known and described as the Protectorate of Kenya:

And whereas by the said last recited Order it was provided that the Courts then or thereafter established in the said Colony should have in respect of matters occurring within the Protectorate, so far as such matters were within the jurisdiction of His

Majesty, the same jurisdiction, civil and criminal, original and appellate, as they respectively possessed from time to time in respect of matters occurring within the Colony:

And whereas by an Order of His Majesty in Council bearing date the 27th day of June, 1921, and entitled the Kenya Colony Order in Council, 1921, it is provided that there shall be a Court of Record styled His Majesty's Supreme Court of Kenya, with full jurisdiction, civil and criminal, over all persons and over all matters in the Colony:

And whereas the said Colony is a British Settlement within the meaning of the British Settlements Act, 1887:

And whereas by Treaty, grant, usage, sufferance and other lawful means His Majesty has power and jurisdiction within the Uganda and Nyasaland Protectorates, the Protectorate of Kenya, the Zanzibar Protectorate, and the Tanganyika Territory:

And whereas it is expedient that further provision should be made as to the constitution of His Majesty's Court of Appeal for Eastern Africa:

Now, therefore, His Majesty, by virtue and in exercise of the powers in this behalf by the British Settlements Act, 1887 the Foreign Jurisdiction Act, 1890, or otherwise in His Majesty vested, is pleased, by and with the advice of His Privy Council, to order, and it is hereby ordered as follows:—

1. This Order may be cited as the "Eastern African Court of Appeal Order in Council, 1921," and shall extend to the Colony and Protectorate of Kenya, the Uganda Protectorate, the Nyasaland Protectorate, the Zanzibar Protectorate, and the Tanganyika Territory (in this Order referred to as "the said territories").

2. A Court shall be, and is hereby, constituted, called His Majesty's Court of Appeal for Eastern Africa (in this Order referred to as "The Court of Appeal") which shall be a superior Court of Record and shall, subject to the provisions of this Order, have jurisdiction to hear and determine appeals (including reserved questions of law) from the Courts of the said territories in all causes and matters in which under any law for the time being in force in any of the said territories respectively an appeal lies to the Court of Appeal. The said Court in the exercise of its appellate jurisdiction shall have full power to determine any question and to pass any Decree Judgment or Order the determining or the passing of which may appear necessary to the said Court for the purpose of doing justice in the cause or matter before it.

3. The process of the Court of Appeal shall run throughout the said territories, and any Judgment, Decree, or Order of the Court of Appeal shall have full force and effect in every such territory, and shall be executed and enforced by a Court in such territory in like manner as if it were an original Judgment, Decree, or Order of the Court from which the appeal is brought, and, for all purposes of, and incidental to, the hearing and determination of any appeal within its jurisdiction, the Court of Appeal shall have all the power, authority, and jurisdiction vested in the Court from which the appeal is brought.

4. In the hearing and determining of an appeal

from any territory the substantive law to be applied shall be the substantive law in operation in that territory.

5. The Court of Appeal shall have a seal bearing the style of the Court and a device approved by His Majesty's Principal Secretary of State for the Colonies (in this Order referred to as "the Secretary of State") and until such a seal is provided the stamp and seal at present used by His Majesty's Court of Appeal for Eastern Africa may be used instead thereof.

6. The Judges of the Court of Appeal shall be the Judges and Acting Judges for the time being of the Supreme Court of Kenya, the Judges and Acting Judges for the time being of His Majesty's High Courts of the Uganda and Nyasaland Protectorates and the Tanganyika Territory, and the Judge, Assistant Judges and Acting Judges for the time being of His Britannic Majesty's Court for Zanzibar, and such other competent person or persons, if any, each being a member of the Bar of England, Scotland, or Ireland, of not less than five years' standing, as the Secretary of State may from time to time appoint.

7. The seniority of the Members of the Court of Appeal shall be determined according to the instructions to be given from time to time by the Secretary of State.

8. For the purpose of the hearing and determining of appeals the Court of Appeal shall be duly constituted if it consists of not less than three Judges, but provision may be made by Rules of Court for the hearing and determining of interlocutory applications and of specified classes of cases by two Judges of the Court of Appeal.

9. A Judge of the Court of Appeal shall not sit as a Judge on the hearing of an appeal from any judgment or order made by himself or made by any Court if he was present and acting as a member of the Court at the time when the decision appealed from was made, or at the argument of the case decided.

10. The Court of Appeal may, in any case in which it appears to be expedient, call in the aid of one or more assessors specially qualified and hear such case wholly or partially with the assistance of such assessors.

The remuneration (if any) to be paid to such assessors shall be determined by the Court.

11. The Court of Appeal may sit at such places in any of the said territories as may be fixed by Rules of Court.

12. The Secretary of State may appoint a Registrar and such other officers of the Court of Appeal as may be necessary.

13. (1) Three Judges of the Court of Appeal, one of whom shall be the President, shall have power to make Rules of Court with respect to all matters of practice and procedure relating to the exercise of its jurisdiction; such power shall include the power to rescind, revoke, amend or vary by Rule of Court any Rules of Court which may from time to time be in force.

(2) Rules of Court shall, after receiving the approval of the Secretary of State for the Colonies, have effect as if contained in this Order; provided that in case of urgency declared in the Rules the same shall take effect before such approval and shall continue to have effect until they have been disallowed, modified or altered by the Secretary of State and such disallowance, modification or alteration has been published by the Court of Appeal.

14. On the commencement of this Order the Eastern African Protectorates (Court of Appeal) Order in Council, 1909, and the Eastern African Protectorates, (Court of Appeal) Amendment Order in Council, 1914, shall be repealed.

Provided as follows:—

(1) In all appeals and proceedings whatsoever which shall have been fully heard by the Court of Appeal established under the said Orders (in this Article referred to as "the former Court") and in which judgment shall not have been given, or having been given shall not have been signed, drawn up or otherwise perfected at the commencement of this Order, any judgment, decree, rule or order may be given or made, signed, drawn up or perfected respectively after the commencement of this Order in the name of the former Court by the Court of Appeal established by this Order, and shall take effect to all intents and purposes as if the same had been duly perfected before the commencement of this Order:

(2) Every judgment, decree, rule, or order of the former Court which shall have been duly perfected at any time before the commencement of this Order may be executed and enforced and, if necessary, amended or discharged by the Court of Appeal in the same manner as if it had been a judgment, decree, rule, or order of the said Court of Appeal.

(3) All appeals, matters and proceedings whatsoever, whether civil or criminal, which shall be pending in the former Court at the commencement of this Order shall be continued and concluded before the Court of Appeal according to the form and manner of procedure of the said Court of Appeal.

(4) All Rules of Court and other provisions made under the said repealed Eastern African Protectorates (Court of Appeal) Order in Council, 1909, shall be and remain in force throughout the said territories until otherwise provided under this Order.

15. This Order shall commence and have effect on such day as may be fixed by notification by the Secretary of State, published in the *London Gazette*.

And the Right Honourable Winston Spencer Churchill, one of His Majesty's Principal Secretaries of State, is to give the necessary directions herein accordingly.

ALMERIC FITZ-ROY.

GOVERNMENT NOTICE No. 363.

CONFIRMATION OF ORDINANCE.

NOTICE.

THE Secretary of State for the Colonies has been pleased to notify that His Majesty's power of disallowance will not be exercised with respect to the undermentioned Ordinance:—

S. 21657/24.

"AN ORDINANCE TO SUPPLY A FURTHER SUM OF MONEY FOR THE SERVICE OF A PERIOD FROM APRIL 1ST, 1921 TO DECEMBER 31ST, 1921."

(No. XXIV OF 1921).

By command of His Excellency the Acting Governor,

Nairobi, G. A. S. NORTHCOTE,  
September 12th, 1921. *Ag. Colonial Secretary.*

GOVERNMENT NOTICE No. 364. S. 21558/1.

BOARD OF SURVEY TO INSPECT CURRENCY STOCKS.

WITH reference to Government Notice No. 356, published on page 955 of the "Official Gazette" dated 27th October, 1920, His Excellency the Acting Governor has been pleased to appoint as Chairman of the Board of Survey,

ADRIAN JOHN MACLEAN, Esq.,

Nairobi,  
13th September, 1921.

G. A. S. NORTHCOTE,  
*Acting Colonial Secretary.*

GOVERNMENT NOTICE No. 365. S. 16201/1.

APPOINTMENT OF AUTHORITY AND ORDER TO PREPARE A TOWN PLANNING SCHEME FOR MOMBASA.

IN EXERCISE of the powers conferred upon the Governor-in-Council by the Town Planning Ordinance, 1919, Section 3 (1), His Excellency the Acting Governor-in-Council has been pleased to appoint

P. BARRY, Esq.,

to be a member of the Authority in place of P. H. CLARKE, Esq., M.B.E., appointed in Government Notice No. 129 of 14th, April.

Nairobi,  
16th September, 1921.

H. MALPASS,  
*Clerk to the Executive Council.*

## GENERAL NOTICE No 1042.

## NOTICE.

TO ALL WHOM IT MAY CONCERN.

TAKE NOTICE that objections to the list of Jurors and Assessors liable to be summoned before the High Court to serve during the year 1921-22, for the province of Nyanza, will be heard by the Judge of the High Court and the Resident Commissioner, Kisumu, on Monday the 31st day of October, 1921, at 10 a.m. in the High Court, sittings at Kisumu.

The list was published in the "Official Gazette" Supplement No. 4, on the 17th day of August, 1921.

Mombasa,  
13th September, 1921.

L. LLOYD-BLOOD,  
*Registrar, High Court.*

## GENERAL NOTICE No. 1043.

## NOTICE.

TO ALL WHOM IT MAY CONCERN.

TAKE NOTICE that objections to the list of Jurors and Assessors liable to be summoned before the High Court to serve during the year 1921-22, for the Province of Naivasha, will be heard by the Judge of the High Court and the Senior Commissioner, Nakuru, on Wednesday the 9th day of November, 1921, at 10 a.m. in the High Court, sittings at Nakuru.

The list was published in the "Official Gazette" Supplement No. 4, on the 17th day of August, 1921.

Mombasa,  
13th September, 1921.

L. LLOYD-BLOOD,  
*Registrar, High Court.*

## GENERAL NOTICE No. 1044.

## THE MEDICAL PRACTITIONERS AND DENTISTS ORDINANCE, 1910.

## NOTICE.

THE undermentioned have been registered in accordance with the terms of the "Medical Practitioners and Dentists Ordinance, 1910."

Name.	Qualifications.
Harley-Mason, Robert John	M.R.C.S., Eng., 1913; L.R.C.P., Lond., 1913.
Callanan, John Charles Joseph	M.B., B.CH., U. Dubl., 1919.
Nairobi, September 13th, 1921.	JOHN L. GILKS, <i>Registrar.</i>

## GENERAL NOTICE No. 940.

## HIS MAJESTY'S COURT OF APPEAL FOR EASTERN AFRICA.

THE next Session of His Majesty's Court of Appeal for Eastern Africa has been fixed to be holden at Mombasa and to commence on Monday the 5th day of December, 1921, at 10 a.m. or as soon thereafter as cases can be heard.

All appeal papers should be forwarded to the Registrar, His Majesty's Court of Appeal for Eastern Africa at Mombasa not later than the 15th day of November, 1921.

Mombasa,  
13th August, 1921.

L. LLOYD-BLOOD,  
*Registrar,*  
*H.M. Court of Appeal for Eastern Africa.*

## GENERAL NOTICE No. 1045.

## NOTICE.

ONE of His Majesty's Judges will proceed on Circuit and hold Sittings of the High Court at the places and on the dates hereinafter mentioned :—

## PROVISIONAL CAUSE LIST.

**Nyeri, 3rd October, 1921.**

For hearing objections *re* Jurors and Assessors List.

Criminal Case No. 75 of 1921. Rex. *vs.* Muhoro wa Ngarakari, alias Njeru wa Nguro.

**Meru, 6th October, 1921.**

Criminal Case No. 52 of 1921. Rex. *vs.* 1. Muntu Muikiambu wa Muntu Irandu  
2. Muntu Ngorogoro wa Muuihirua.  
" " " 70 " " " " 1. Baintanguru (Akithe Autuanthangu)  
2. Muntumingiui (Njia Antuamua).

**Embu, 10th October, 1921.**

Criminal Case No. 66 of 1921 Rex. *vs.* Mutua wa Ikirukianderi.

**Kisumu, 31st October, 1921.**

Hearing of Objections and Settlement of List of Jurors and Assessors for 1921.

Criminal Case No. 69 of 1921. Rex. *vs.* Mnenye s/o Bwari.  
Divorce Cause. Minyaja s/o Rawaka " Amenda Ogala.  
Nairobi Civ. C. No. 487 of 1919. Khialiram Mukandlal & Co. *vs.* Metwal Dass.  
Kisumu " " 53 of 1920. Jaganath Karamchand " Sheikh Noordin Gulmohamed.  
" " " 3 of 1921. Hazarasingh s/o Sundersingh & Nanak Chaud s/o Nandas " Lalji Walji.  
" " " 20 of 1921. Mawji Ismail " Parbhu Parshotam Budhia Valla and Gopal Mitha.

Insolvency Cause No. 7 of 1921. E. A. Fontaine and R. Battley.

**Nakuru, 9th November, 1921.**

Hearing of Objections and Settlement of List of Jurors and Assessors for 1921.

Civil Case No. 15 of 1921. Kemani wa Chege *vs.* Belatimo wa Munyara

Mombasa,  
September 16th, 1921.

L. LLOYD-BLOOD,  
*Registrar, High Court.*

GENERAL NOTICE No. 1046.

TRADE MARKS ORDINANCE.

No. 17 of 1912.

No. 106/21.



TO ALL WHOM IT MAY CONCERN.

TAKE NOTICE that an application for the registration as a Trade Mark of the label shown above to be used in connection with goods mentioned in Class 42 of Part III. of the Schedule to the above-mentioned Ordinance, in respect of Substances used as food or as ingredients in food, has been lodged by California Packing Corporation, of 101, California Street, City of San Francisco, State of California, U.S.A.

The label will be registered as a Trade Mark after the expiration of the period mentioned in Section 13 of the said Ordinance, provided no notice of opposition is received.

A specimen of the Trade Mark, the registration of which is applied for, can be seen at the office of the undersigned at Mombasa.

Mombasa,  
30th August, 1921.

L. LLOYD-BLOOD,  
Registrar of Trade Marks.

GENERAL NOTICE No. 1047

TRADE MARKS ORDINANCE

No. 17 of 1912.

No. 107/21.



TO ALL WHOM IT MAY CONCERN.

TAKE NOTICE that an application for the registration as a Trade Mark of the label shown above to be used in connection with goods mentioned in Class 4 of Part III. of the Schedule to the above-mentioned Ordinance, in respect of Turpentine and turpentine substitutes and all other products of petroleum included in that Class, has been lodged by the British Imperial Oil Company (South Africa), Limited, of St. Helen's Court, London, E.C.3; Oil Merchants.

The label will be registered as a Trade Mark after the expiration of the period mentioned in Section 13 of the said Ordinance, provided no notice of opposition is received.

A specimen of the Trade Mark, the registration of which is applied for, can be seen at the office of the undersigned at Mombasa.

Mombasa,  
30th August, 1921.

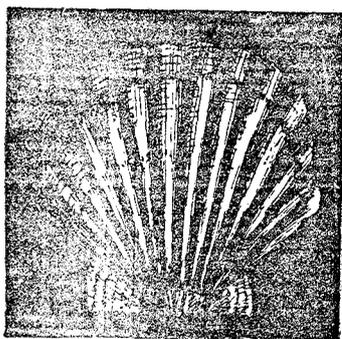
L. LLOYD-BLOOD,  
Registrar of Trade Marks.

GENERAL NOTICE No. 1048.

TRADE MARKS ORDINANCE.

No. 17 of 1912

No. 108/21.



SHELL BRAND.

TO ALL WHOM IT MAY CONCERN.

TAKE NOTICE that an application for the registration as a Trade Mark of the Label shown above to be used in connection with goods mentioned in Class 4 of Part III. of the Schedule to the above-mentioned Ordinance, in respect

of all goods included in that Class, has been lodged by the British Imperial Oil Company (South Africa), Limited, of St. Helen's Court, London, E.C.3; Oil Merchants.

The label will be registered as a Trade Mark after the expiration of the period mentioned in Section 13 of the said Ordinance, provided no notice of opposition is received.

A specimen of the Trade Mark, the registration of which is applied for, can be seen at the office of the undersigned at Mombasa.

Mombasa,  
30th August, 1921.

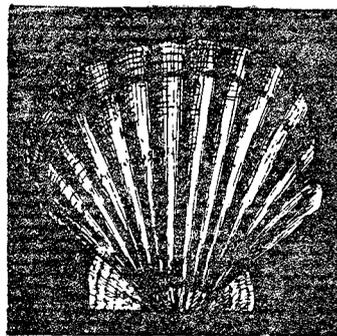
L. LLOYD-BLOOD,  
Registrar of Trade Marks.

GENERAL NOTICE No. 1049.

TRADE MARKS ORDINANCE.

No. 17 of 1912.

No. 109/21.



SHELL BRAND.

TO ALL WHOM IT MAY CONCERN.

TAKE NOTICE that an application for the registration as a Trade Mark of the label shown above to be used in connection with goods mentioned in Class 17 of Part III. of the Schedule to the above-mentioned Ordinance, in respect of all goods included in that Class, has been lodged by The British Imperial Oil Company (South Africa), Limited, of St. Helen's Court, London, E.C.3; Oil Merchants.

The label will be registered as a Trade Mark after the expiration of the period mentioned in Section 13 of the said Ordinance, provided no notice of opposition is received.

A specimen of the Trade Mark, the registration of which is applied for, can be seen at the office of the undersigned at Mombasa.

Mombasa,  
30th August, 1921.

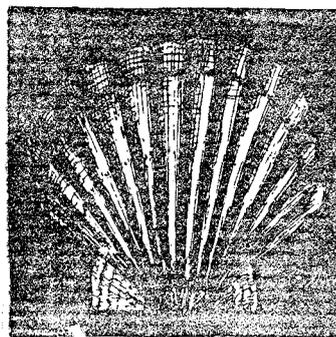
L. LLOYD-BLOOD,  
Registrar of Trade Marks.

GENERAL NOTICE No 1050.

TRADE MARKS ORDINANCE

No. 17 of 1912.

No. 110/21.



SHELL BRAND.

TO ALL WHOM IT MAY CONCERN.

TAKE NOTICE that an application for the registration as a Trade Mark of the label shown above to be used in connection with goods mentioned in Class 43 of Part III. of the Schedule to the above-mentioned Ordinance, in respect of all goods included in that Class but not including Beer and like goods, has been lodged by The British Imperial Oil Company (South Africa), Limited, St. Helen's Court, London, E.C.3; Oil Merchants.

The label will be registered as a Trade Mark after the expiration of the period mentioned in Section 13 of the said Ordinance, provided no notice of opposition is received.

A specimen of the Trade Mark, the registration of which is applied for, can be seen at the office of the undersigned at Mombasa.

Mombasa,  
30th August, 1921.

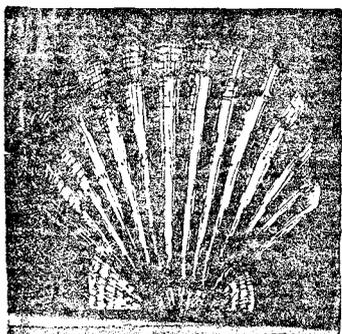
L. LLOYD-BLOOD,  
Registrar of Trade Marks.

GENERAL NOTICE No. 1051.

## TRADE MARKS ORDINANCE.

No. 17 OF 1912.

No. 111/21.



SHELL BRANS.

TO ALL WHOM IT MAY CONCERN.

TAKE NOTICE that an application for the registration as a Trade Mark of the label shown above to be used in connection with goods mentioned in Class 47 of Part III. of the Schedule to the above-mentioned Ordinance, in respect of all goods included in that Class but not including starch and blues, has been lodged by The British Imperial Oil Company (South Africa), Limited, of St. Helen's Court, London, E.C.3, England; Oil Merchants.

The label will be registered as a Trade Mark after the expiration of the period mentioned in Section 13 of the said Ordinance, provided no notice of opposition is received.

A specimen of the Trade Mark, the registration of which is applied for, can be seen at the office of the undersigned at Mombasa.

Mombasa,  
30th August, 1921.

L. LLOYD-BLOOD,  
*Registrar of Trade Marks.*

GENERAL NOTICE No. 1052.

## TRADE MARKS ORDINANCE.

No. 17 OF 1912.

No. 112/21.



CROWN

TO ALL WHOM IT MAY CONCERN.

TAKE NOTICE that an application for the registration as a Trade Mark of the label shown above to be used in connection with goods mentioned in Class 47 of Part III. of the Schedule to the above-mentioned Ordinance, in respect of all goods included in that Class, has been lodged by The British Imperial Oil Company (South Africa), Limited, of St. Helen's Court, London, E.C.3, England; Oil Merchants.

The label will be registered as a Trade Mark after the expiration of the period mentioned in Section 13 of the said Ordinance, provided no notice of opposition is received.

A specimen of the Trade Mark, the registration of which is applied for, can be seen at the office of the undersigned at Mombasa.

Mombasa,  
30th August, 1921.

L. LLOYD-BLOOD,  
*Registrar of Trade Marks.*

GENERAL NOTICE No. 1053.

## TRADE MARKS ORDINANCE.

No. 17 OF 1912.

No. 113/21.

Silverlight

TO ALL WHOM IT MAY CONCERN.

TAKE NOTICE that an application for the registration as a Trade Mark of the label shown above to be used in connection with goods mentioned in Class 47 of Part III. of the Schedule to the above-mentioned Ordinance, in respect

of Illuminating, Heating and Lubricating Oils included in that class, has been lodged by the British Imperial Oil Company (South Africa), Limited, of St. Helen's Court, London, E.C.3, England; Oil Merchants.

The label will be registered as a Trade Mark after the expiration of the period mentioned in Section 13 of the said Ordinance, provided no notice of opposition is received.

A specimen of the Trade Mark, the registration of which is applied for, can be seen at the office of the undersigned at Mombasa.

Mombasa,  
30th August, 1921.

L. LLOYD-BLOOD,  
*for Registrar of Trade Marks.*

GENERAL NOTICE No. 1054.

## TRADE MARKS ORDINANCE.

No. 17 OF 1912.

No. 114/21.

EXOX

TO ALL WHOM IT MAY CONCERN.

TAKE NOTICE that an application for the registration as a Trade Mark of the label shown above to be used in connection with goods mentioned in Class 3 of Part III. of the Schedule to the above-mentioned Ordinance, in respect of a medicinal wine for human use, has been lodged by Messrs. Bonovin, Limited, of 116a Islington, Liverpool, Lancashire, and Albin House, 59, New Oxford Street, London, England; Manufacturers.

The label will be registered as a Trade Mark after the expiration of the period mentioned in Section 13 of the said Ordinance, provided no notice of opposition is received.

A specimen of the Trade Mark, the registration of which is applied for, can be seen at the office of the undersigned at Mombasa.

Mombasa,  
30th August, 1921.

L. LLOYD-BLOOD,  
*Registrar of Trade Marks.*

GENERAL NOTICE No. 1055.

## TRADE MARKS ORDINANCE.

No. 17 OF 1912.

No. 115/21.

MEDICATED WINE  
"BONOVIN"  
BRAND

TO ALL WHOM IT MAY CONCERN.

TAKE NOTICE that an application for the registration as a Trade Mark of the label shown above to be used in connection with goods mentioned in Class 42 of Part III. of the Schedule to the above-mentioned Ordinance, in respect of The Extract of Meat, has been lodged by Messrs. Bonovin, Limited, of 116a Islington, Liverpool, Lancashire, and Albin House, New Oxford Street, London, England; Manufacturers.

The label will be registered as a Trade Mark after the expiration of the period mentioned in Section 13 of the said Ordinance, provided no notice of opposition is received.

A specimen of the Trade Mark, the registration of which is applied for, can be seen at the office of the undersigned at Mombasa.

Mombasa,  
30th August, 1921.

L. LLOYD-BLOOD,  
*Registrar of Trade Marks.*

GENERAL NOTICE No. 1056.

## TRADE MARKS ORDINANCE.

No. 17 OF 1912.

No. 116/21.

Fordson

TO ALL WHOM IT MAY CONCERN.

TAKE NOTICE that an application for the registration as a Trade Mark of the label shown above to be used in connection with goods mentioned in Class 7 of Part III. of the Schedule to the above-mentioned Ordinance, in respect of Tractors, has been lodged by Ford Motor Company of Detroit, Michigan.

The label will be registered as a Trade Mark after the expiration of the period mentioned in Section 13 of the said Ordinance, provided no notice of opposition is received.

A specimen of the Trade Mark, the registration of which is applied for, can be seen at the office of the undersigned at Mombasa.

Mombasa,  
30th August, 1921.

L. LLOYD-BLOOD,  
*Registrar of Trade Marks.*

GENERAL NOTICE No. 1057.

TRADE MARKS ORDINANCE.

No. 17 of 1912.

No. 117/21.



TO ALL WHOM IT MAY CONCERN.

TAKE NOTICE that an application for the registration as a Trade Mark of the label shown above to be used in connection with goods mentioned in Class 45 of Part III. of the Schedule to the above-mentioned Ordinance, in respect of Cheroots, has been lodged by A. Scott & Company of 13 Merchant Street, Rangoon, Burmah; Storekeepers.

The label will be registered as a Trade Mark after the expiration of the period mentioned in Section 13 of the said Ordinance, provided no notice of opposition is received.

A specimen of the Trade Mark the registration of which is applied for can be seen at the office of the undersigned at Mombasa.

Mombasa,

30th August, 1921.

L. LLOYD-BLOOD,  
Registrar of Trade Marks.

GENERAL NOTICE No. 1058.

TRADE MARKS ORDINANCE.

No. 17 of 1912.

No. 118/21.



TO ALL WHOM IT MAY CONCERN.

TAKE NOTICE that an application for the registration as a Trade Mark of the label shown above to be used in connection with goods mentioned in Class 45 of Part III. of the Schedule to the above-mentioned Ordinance, in respect of Manufactured Tobacco, has been lodged by British American Tobacco Company, Limited, of Westminster House, 7 Millbank, London, S.W., England; Tobacco Manufacturers.

The label will be registered as a Trade Mark after the expiration of the period mentioned in Section 13 of the said Ordinance, provided no notice of opposition is received.

A specimen of the Trade Mark, the registration of which is applied for, can be seen at the office of the undersigned at Mombasa.

Mombasa,

30th August, 1921.

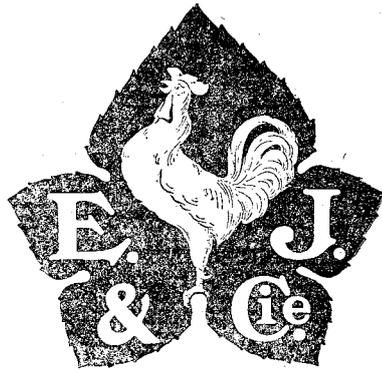
L. LLOYD-BLOOD,  
Registrar of Trade Marks.

GENERAL NOTICE No. 1059.

TRADE MARKS ORDINANCE.

No. 17 of 1912.

No. 119/21.



TO ALL WHOM IT MAY CONCERN.

TAKE NOTICE that an application for the registration as a Trade Mark of the label shown above to be used in connection with goods mentioned in Class 43 of Part III. of the Schedule to the above-mentioned Ordinance, in respect of Fermented Liquors and Spirits, has been lodged by Emile Jardin & Cie of Government Road, Nairobi.

The label will be registered as a Trade Mark after the expiration of the period mentioned in Section 13 of the said Ordinance, provided no notice of opposition is received.

A specimen of the Trade Mark, the registration of which is applied for, can be seen at the office of the undersigned at Mombasa.

Mombasa,

30th August, 1921.

L. LLOYD-BLOOD,  
Registrar of Trade Marks.

GENERAL NOTICE No. 1060.

TRADE MARKS ORDINANCE.

No. 17 of 1912.

No. 122/21.



TO ALL WHOM IT MAY CONCERN.

TAKE NOTICE that an application for the registration as a Trade Mark of the label shown above to be used in connection with goods mentioned in Class 4 of Part III. of the Schedule to the above-mentioned Ordinance, in respect of Sisal, has been lodged by Saba-Saba, Limited, of Sixth Avenue, Nairobi; Sisal Growers and Producers.

The label will be registered as a Trade Mark after the expiration of the period mentioned in Section 13 of the said Ordinance, provided no notice of opposition is received.

A specimen of the Trade Mark, the registration of which is applied for, can be seen at the office of the undersigned at Mombasa.

Mombasa,

30th August, 1921.

L. LLOYD-BLOOD,  
Registrar of Trade Marks.

## GENERAL NOTICE No. 1062.

IN H. M. HIGH COURT OF THE COLONY AND  
PROTECTORATE OF KENYA, AT NAIROBI.

## INSOLVENCY JURISDICTION.

CAUSE No. 34 of 1921.

RE HUSSEIN AND SALEH MOHEMAD TRADING AS HUSSEIN SALEH  
MOHEMAD & Co., INSOLVENTS.

To all whom it may concern.

NOTICE is hereby given that by an order dated the 22nd day of July, 1921, the above-named Hussein Saleh, Moheamad & Co., merchants of Machakos, in the Colony and Protectorate of Kenya, were adjudged insolvents and that the undersigned were appointed Receivers of the estate of the said insolvents.

All persons claiming to be creditors of the above-named insolvents are hereby required to file particulars of their claims in writing supported by affidavit together with any documents on which they rely with the Registrar, High Court Nairobi, on or before the 15th day of October, 1921, after which date the Court will proceed to settle the schedule of the names and the debts severally due to such creditors and any person having in his possession any properties and money belonging or due to the said insolvents should forthwith hand over or pay same to the said Receivers.

Machakos,

Dated the 16th September, 1921.

DAYALJI JIVRAJ &amp; GOPALJI,

*Joint Receivers, Machakos.*

## GENERAL NOTICE No. 1062

IN H. M. HIGH COURT OF THE COLONY AND  
PROTECTORATE OF KENYA, AT NAIROBI.

## INSOLVENCY JURISDICTION.

CAUSE No. 39 of 1921.

IN THE MATTER OF MRS. L. E. LINDSAY, DEBTOR.

TO ALL WHOM IT MAY CONCERN.

NOTICE is hereby given that any person claiming to be a creditor of the above-named insolvent, is hereby required to tender proof of the alleged debt as required by Sections 24 and 25 of Provincial Insolvency Act of 1917 on or before the 14th day of October, 1921, after which date this Court will proceed to frame a schedule of such persons as have proved themselves to be creditors of the insolvent; and the Receiver will be at liberty without publishing any further notice to distribute all assets which shall have come into his possession.

Dated this 12th day of September, 1921.

E. S. C. BROOKS,  
*Acting Deputy Registrar.*

## GENERAL NOTICE No. 1063.

IN H. M. HIGH COURT OF THE COLONY AND  
PROTECTORATE OF KENYA, AT NAIROBI.

## INSOLVENCY JURISDICTION.

CAUSE No. 40 of 1921.

IN THE MATTER OF ALEXANDER RODGER AND JAMES WHYTE,  
TRADING AS WHYTE & RODGER, DEBTORS.

PURSUANT to a Petition dated the 12th day of August, 1921, by and on the application of the above-named debtors, Alexander Rodger and James Whyte, Cabinet Makers, Government Road, Nairobi, and on reading the said petition and hearing the said Alexander Rodger and James Whyte it is ordered that the debtors be and the said debtors are hereby adjudicated Insolvents, and whereas it appears to the Court that the appointment of a Receiver for the property of the said Insolvents is necessary, it is also ordered that a receiving order be made against the said insolvents and a receiving order is hereby made against the said Insolvents and R. B. Malcolmson of Nairobi is hereby appointed Receiver of the property of the said Insolvents, and it is further ordered that the said Receiver's remuneration be fixed at 5 per cent. on the total amount realised, less any sums paid to creditors out of the proceeds of their securities.

Given under my hand and the Seal of the Court this 14th day of September, 1921.

JOSEPH SHERIDAN,  
*Judge.*

## GENERAL NOTICE No. 1064.

IN H. M. HIGH COURT OF THE COLONY AND  
PROTECTORATE OF KENYA, AT NAIROBI.

## PROBATE AND ADMINISTRATION.

CAUSE No. 38 of 1919.

IN THE MATTER OF MAUDE CROMPTON, DECEASED.

TO ALL WHOM IT MAY CONCERN.

TAKE NOTICE that the final account in the above-estate has been filed in this Court by the Executor John Crompton of Kibwezi and that this Court has fixed the 1st day of October, 1921, at 9-30 a.m. or so soon thereafter as possible on that day to pass the account, after which no objections can be heard thereto.

Dated this 12th day of September, 1921.

E. S. C. BROOKS,  
*Acting Deputy Registrar.*

## GENERAL NOTICE No. 1065.

## PROBATE AND ADMINISTRATION.

CAUSE No. 211 of 1920.

IN THE MATTER OF KANSHI SINGH, DECEASED.

TO ALL WHOM IT MAY CONCERN.

TAKE NOTICE that the account of the estate of the above-named Kanshi Singh deceased has been lodged with the Registrar of the High Court at Mombasa and that he has appointed the 20th day of October, 1921, at 2 o'clock in the afternoon for passing of such account.

Mombasa,

14th September, 1921.

J. W. H. PARKINSON,  
*Administrator General.*

## GENERAL NOTICE No. 1066.

IN THE SENIOR COMMISSIONER'S COURT,  
AT NAKURU.

## PROBATE AND ADMINISTRATION.

CAUSE No. 4 of 1914.

NOTICE OF APPLICATION FOR PROBATE OF THE WILL OF  
ROBERT BABINGTON CURWEN, LATE OF NJORO, DECEASED.

TAKE NOTICE that application having been made in this Court by Suzanne Curwen (wife of late R. B. Curwen) of Njoro, Nakuru, Kenya Colony, for Probate of the Will of Robert Babington Curwen, late of Njoro, Nakuru, who died at Njoro on the 18th day of August, 1921, 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 October, 1921.

Nakuru,

12th September, 1921.

F. W. ISAAC,  
*District Delegate.*

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

## GENERAL NOTICE No. 1067.

## PROBATE AND ADMINISTRATION.

CAUSE No. 33 of 1921.

IN THE MATTER OF LABH SINGH s/o DEVI DITTA, DECEASED.

TO ALL WHOM IT MAY CONCERN.

TAKE NOTICE that on or after the 6th day of October, 1921, I intend to apply to the High Court of the Colony and Protectorate of Kenya at Mombasa, for an order to administer with Will annexed the estate of the above-named Labh Singh s/o Devi Ditta who died at Nairobi on the 14th day of February, 1921.

Mombasa,

14th September, 1921.

J. W. H. PARKINSON,  
*Administrator General.*

## GENERAL NOTICE No. 1068.

## PROBATE AND ADMINISTRATION.

CAUSE No. 70 OF 1921.

IN THE MATTER OF CARPENTER MOHAMED DIN, DECEASED.

To all whom it may concern.

TAKE NOTICE that the account of the estate of the above-named Carpenter Mohamed Din deceased has been lodged with the Registrar of the High Court at Mombasa and that he has appointed the 20th day of October, 1921, at 2 o'clock in the afternoon for passing of such account.

Mombasa,

12th September, 1921.

J. W. H. PARKINSON,  
*Administrator General.*

## GENERAL NOTICE No. 1039.

## IN H. M. HIGH COURT OF THE COLONY AND PROTECTORATE OF KENYA.

IN THE DISTRICT DELEGATES COURT AT ELDORET.

NOTICE OF APPLICATION FOR ADMINISTRATION OF THE ESTATE OF PIETER THEUNIS CHRISTIAAN DU PLESSIS, JUNIOR, OF FARM No. 144, UASIN GISHU DISTRICT.

TAKE NOTICE that application having been made in this Court by Chr'stoffel Johannes Roets, brother-in-law of the deceased for the administration of the estate of the above-named, who was killed in action at Bibirnich, Kenya Colony, on the 20th day of January, 1916, and whose Executor, to whom Probate was formally granted, has since died, 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 10th day of October, 1921.

Eldoret,

10th September, 1921.

H. E. WELBY,  
*District Delegate.*

## GENERAL NOTICE No. 1070

## NOTICE.

RE MR. CHARLES BALDWIN CLUTTERBUCK.

NOTICE is hereby given to all whom it may concern that:

(1) The Power of Attorney dated the 31st day of March, 1921, and given by the above-named in favour of Messrs. Walter Thomas Shapley, Helmuth Eric Schwartz and Edward Barret, and registered in the Crown Lands Registry at Nairobi in Volume No. HP/A1 Folio No. 326/1 has been duly cancelled by the said Charles Baldwin Clutterbuck by a Deed dated the 23rd day of July, 1921, and registered in the said Registry in Volume No. HP/A1 Folio No. 326/2.

(2) By a Power of Attorney dated the 25th day of July, 1921, and registered in the said Registry in Volume No. HP/A1 Fol. No. 326/3 the said Charles Baldwin Clutterbuck appointed Alfred Vincent, of Nairobi, his Attorney.

(3) The said Messrs. Walter Thomas Shapley, Helmuth Eric Schwartz and Edward Barret are no longer concerned as such Attorneys as aforesaid, or in any other way in the matter of the estate of the said Charles Baldwin Clutterbuck save and except in the matter of acting as advocates and solicitors on behalf of the said Alfred Vincent.

(4) A Balance Sheet and Statement of Account herein may be seen at the offices of the said Messrs. Walter Thomas Shapley, Helmuth Eric Schwartz and Edward Barret, and all further communications regarding payment of accounts, etc., should be addressed to the said Alfred Vincent.

Dated at Nairobi this sixteenth day of September, 1921.

WALTER THOMAS SHAPLEY  
HELMUTH ERIC SCHWARTZ

By his Attorney,

EDWARD BARRET.

## GENERAL NOTICE No. 1071.

## PARTNERSHIP NOTICE.

MR. J. FORBES is ceasing to be a member of our firm on the 31st December, 1921.

Mr. Forbes has, owing to ill-health, as from the 1st July, 1921, given up active participation in the firm's operations.

SMITH MACKENZIE &amp; CO.

## GENERAL NOTICE No. 1072.

TO ALL WHOM IT MAY CONCERN.

WHEREAS I am shortly about to leave the Colony and Protectorate of Kenya notice is hereby given that all persons having claims against me should send full particulars of the same to me on or before the 1st October next, after which date no claims will be entertained, and, further, all persons who may have left motor cars, cycles or other articles with me for repairs are required to remove the same from my premises on or before the 1st October next, after which date I shall accept no responsibility for any loss or damage which may happen to the same, and any articles not claimed will be sold by Public Auction.

HIRJI MONJI.

## GENERAL NOTICE No. 1073

## DISSOLUTION OF PARTNERSHIP.

To all whom it may concern.

NOTICE is hereby given that the Partnership heretofore carried on by Lakhasingh and Bishan Singh Chadha at Kiricho, Lumbwa District, under the style or firm of B. S. Chadha & Bros., merchants, has been dissolved by mutual consent as from the 17th day of July, 1921; the said Lakha Singh having retired from the business, which shall hereafter be carried on by the said Bishan Singh Chadha under the style or firm of B. S. Chadha. All accounts due by any persons should be paid forthwith to and any claims against the firm of B. S. Chadha & Bros. should be forwarded to B. S. Chadha, Kericho, P.O. Kericho, District Lumbwa, not later than 17th day of October, 1921, after which date no claim will be entertained.

Dated at Kericho this 10th day of September, 1921.

B. S. CHADHA.

## GENERAL NOTICE No. 8074.

## NOTICE.

## TIMBER CUTTING RIGHTS, LAIKIPIA.

TENDERS are invited for the right to cut timber in the portion of the Laikipia Forests situated South of Farm L. O. No. 2505 on the ridges on both sides of the semi-permanent stream known as the Morigo and comprising an area of approximately 1700 acres.

2. The successful tenderer will receive a licence the terms and conditions of which may be obtained from the undersigned or from the Assistant Conservator of Forests, Rumuruti.

3. The basis of tender to be a royalty per cubic foot of timber, trees to be measured standing.

4. The area may be inspected by arrangement with the Assistant Conservator of Forests, Rumuruti.

5. Tenders should be sent to the Conservator of Forests, P. O. Box 137, Nairobi, and will be received up to and including 20th October, 1921.

6. The highest or any tender will not necessarily be accepted.

Nairobi, E. BATTISCOMBE,  
September 19th, 1921. *Conservator of Forests.*

## GENERAL NOTICE No. 1075.

## NOTICE.

## VALUES FOR EXPORT.

EXPORT duty on the following articles will be assessed on the basis of the undermentioned values for the period from 1st October, 1921 to 31st December, 1921:—

Chillies	...	40 cents per lb.
Buffalo hides (other than sportsmen's trophies)	... 30	" "
Hides and calf skins (sun dried)	... 25	" "
Hides and calf skins (dry salted)	... 23	" "
Hides and calf skins (wet salted)	... 13	" "
Skins:—Goat & kid	... 70	" each.
Sheep	... 20	" "
Hippo teeth (other than sportsmen's trophies)	... Fl. 1/-	per lb.
Rhino horns (other than sportsmen's trophies)	... Fls. 7/-	per lb.

Customs House,  
Mombasa,  
September 15th, 1921.

F. W. MAJOR,  
*Commissioner of Customs,  
Colony and Protectorate of  
Kenya and Uganda Protectorate.*

## GENERAL NOTICE No. 1076.

## CURRENCY BOARD.

## NOTICE.

NOTICE is hereby given that the Left hand half of Currency Note No. C 07400 for Rs. 20 has been presented to the Currency Officer for payment by District Commissioner, Kericho. Any person claiming to be entitled to payment in respect of the said half note, should communicate forthwith with the Currency Officer. In the absence of any such claim being established within three months of this date, payment for the said half note will be made to the said District Commissioner, Kericho, and the half note will be cancelled.

Mombasa,  
September 15th, 1921.

F. W. MAJOR,  
*Currency Officer.*



## GENERAL NOTICE No. 1077.

## UGANDA RAILWAY.

## TARIFF BOOK ALTERATIONS.

PAGE 183.

Delete

Newspapers returned, waste O.R. 3.

Insert

Newspapers waste in bales for wrapping, etc. O.R. 3.

Exempt from Surcharge.

Traffic Manager's Office,  
Nairobi,  
September 15th, 1921.

By Order,  
  
W. McHARDY,  
*Acting Traffic Manager.*



## GENERAL NOTICE No. 1078.

## UGANDA RAILWAY.

## TARIFF BOOK ALTERATIONS.

WITH reference to General Notice No. 1038 of "Official Gazette", Kenya Colony and Protectorate No. 789 for August 10th in line 1 read September 10th.

Traffic Manager's Office,  
Nairobi,  
September 16th, 1921.

W. McHARDY,  
*Ag. Traffic Manager.*

GENERAL NOTICE No. 1079.

NOTICE.

The undermentioned have been appointed Contractors by the Central Tender Board for the Supply of Foodstuffs to the Colony and Protectorate of Kenya for the six months ending 31st March, 1922.

Article.	Contractor.	Place.	Department.
Bears (Mixed)	Simpson & Whitelaw, Nairobi	Nairobi	{ Prison; S. S. & T. O., K. A. R.; Native Civil Hospital; Lunatic Asylum; Chemical Department.
do	Taylor & Searle, Nakuru	Kabete	{ Kabete Reformatory; Kabete Farm.
do	Biharilal Barkitram, Kisumu	Londiani Kisumu	{ Prison; Prison; Native Civil Hospital.
do	Hassanali Jivanjee, Mombasa	Mombasa	{ Prison; P. W. D.
Bread	J. E. Torr, Nairobi	Nairobi	{ European Hospital; Prison; K. A. R. Hospital.
Butter (Fresh)	Lumbwa Co-Operative Society, Lumbwa	do	{ European Hospital; Prison.
Cotton Seed	Sheik Noordin Gulmahomed, Nairobi	Kabete	{ Veterinary Pathologist.
Cattle Cake	Kanji Bhanji & Co., Nairobi	Naivasha	{ Government Farm.
Coconut Oil Cake	Hassanali Jivanjee, Mombasa	Nairobi	{ Bacteriological Laboratory.
Dates	Kirparam & Son, Nairobi	do	{ S. S. & T. O., K. A. R.
Ghee (Kampala)	Imtiazali & Son, Nairobi	do	{ S. S. & T. O., K. A. R.; Prison; P. W. D.; Native Civil Hospital; Lunatic Asylum.
do	do do	Kabete	{ Kabete Reformatory.
do	do do	Kisumu	{ Prison; Native Civil Hospital.
do	Londiani Stores, Londiani	Londiani	{ Prison.
do	Sheik Noordin Gulmahomed, Nairobi	Mombasa	{ Prison; P. W. D.; Native Civil Hospital.
Jogree	do do	Nairobi	{ S. S. & T. O., K. A. R.; Native Civil Hospital.
Maize (Grain)	B. E. A. Farmers' Association, Nakuru	do	{ Prison; P. W. D.; Lunatic Asylum.
do	do do	Kabete	{ Kabete Reformatory.
do	do do	Naivasha	{ Government Farm; Police.
do	D. B. Desai, Nairobi	Kabete	{ Veterinary Pathologist; Kabete Farm.
do	Malawaram Parabdial & Co., Kisumu	Kisumu	{ Conservancy Department; Police.
do	Hassanali Jivanjee, Mombasa	Mombasa	{ Prison.
Maize (crushed)	D. B. Desai, Nairobi	Nairobi	{ S. S. & T. O., K. A. R.; Veterinary Department; Bacteriological Laboratory; Entomological Laboratory; Game Warden.
do	do	Kabete	{ Kabete Reformatory.
do	B. E. A. Farmers' Association, Nakuru	Nakuru	{ P. W. D.; Forest Dept.; Veterinary Department.
do	do do	Naivasha	{ Public Works Department; Administration; Forest Dept. Veterinary Department.
do	do do	Londiani	{ Public Works Department; Veterinary Department.
do	Sheik Noordin Gulmahomed, Nairobi	Kisumu	{ Public Works Department.

The undermentioned have been appointed Contractors by the Central Tender Board for the supply of Foodstuffs to the Colony and Protectorate of Kenya for the six months ending 31st March, 1922.—(Contd.)

Article.	Contractor.	Place.	Department.
Maize (meal) ...	D. B. Desai, Nairobi	Nairobi	{ S.S. & T.O., K.A.R.; Public Works Department; Native Civil Hospital; Land Survey Department; Veterinary Department; Lunatic Asylum; Game Warden; Entomological Laboratory; Government House; Admin. Ngong; Chemical Department; Prison.
do ...	do	Kabete	{ Veterinary Pathologist; Kabete Farm; Kabete Reformatory.
do ...	B.E.A. Farmers' Association, Nakuru	Nakuru	{ Public Works Department; Administration; Native Civil Hospital; Forest Department; Veterinary Department.
do ...	do	Naivasha	{ Public Works Department; Government Farm; Administration; Forest Department; Veterinary Department.
do ...	do	Mombasa	{ Public Works Department; Native Civil Hospital.
do ...	Sheik Noordin Gulmahomed, Nairobi	Londiani	{ Public Works Department; Prison; Forest Department; Veterinary Department.
do ...	do	Kisumu	{ Public Works Department; Native Civil Hospital; Prison.
Meat ...	Smithfield Butchery, Nairobi	Nairobi	{ Prison; Native Civil Hospital; Lunatic Asylum; K.A.R. Hospital.
do ...	G. Foster & Co., Nairobi	"	European Hospital.
do ...	Hassanali Jivanjee, Mombasa	Mombasa	Prison.
Milk (Fresh)	Kabuku Estate, Limoru	Nairobi	European Hospital.
do	J. Hodson, Limoru	"	Native Civil Hospital.
do	Kilima Kiu Estates, Ulu	"	{ Prison; K.A.R. Hospital.
Milk (Condensed)	Nestlé & Anglo-Swiss Condensed Milk Co.	"	{ Medical Stores; Prison.
do ...	do	Mombasa	Prison.
Mtama ...	Hassanali Jivanjee, Mombasa	"	Prison.
Rice (Halwa) ...	Kirparam & Son, Nairobi	Nairobi	{ Prison; Native Civil Hospital; Lunatic Asylum.
do ...	Hassanali Jivanjee, Mombasa	Mombasa	{ Native Civil Hospital; Public Works Department; Prison.
Salt (Coarse) ...	J. Marcus, Nairobi	Nairobi	{ S.S. & T.O., K.A.R.; Public Works Department; Prison; Native Civil Hospital; Lunatic Asylum; Chemical Department.
do ...	do	Kabete	{ Kabete Farm; Kabete Reformatory.
do ...	do	Naivasha	{ Government Farm; Public Works Department; Administration.
do ...	do	Nakuru	Public Works Department.

The undermentioned have been appointed Contractors by the Central Tender Board for the Supply of Foodstuffs to the Colony and Protectorate of Kenya for the six months ending 31st March, 1922.—(Contd)

Article.	Contractor.	Place.	Department.
Salt (coarse) ...	Sheik Noordin Gulnahomed, Nairobi	Londiani	{ Public Works Department; Prison.
do. ...	do	Kisumu	{ Public Works Department; Prison; Native Civil Hospital; Conservancy Department.) Police.
do. ...	do	Mombasa	{ Public Works Department; Prison; Native Civil Hospital.
Salt (Rock) ...	Kirparam & Son, Nairobi	Nairobi	{ S.S. & T.O., K.A.R; Public Works Department.
do. ...	do	Kabete	{ Veterinary Pathologist; Kabete Farm.
do. ...	do	Naivasha	Government Farm.
Vegetables (English Potatoes) ...	D. B. Desai, Nairobi	Nairobi	{ S.S. & T.O., K.A.R Native Civil Hospital; European Hospital; Lunatic Asylum; Chemical Department.
do. ...	do	Kabete	Kabete Reformatory.
do. ...	do	Mombasa	Prison.
Wheat Flour (No. 4) ...	Kirparam & Son, Nairobi	Nairobi	{ Public Works Department; Prison; Native Civil Hospital; Lunatic Asylum.
do. ...	do	Mombasa	{ Public Works Department; Prison; Native Civil Hospital.

The Treasury, Nairobi,

19th September, 1921.

F. V. HODGSON,

Secretary,

Central Tender Board.

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