



THE
OFFICIAL GAZETTE
OF THE
COLONY AND PROTECTORATE OF KENYA.
(SPECIAL ISSUE)

Published under the authority of His Excellency the Governor of the
Colony and Protectorate of Kenya.

[Vol. XXVI.—No. 942]

NAIROBI, April 22, 1924.

[PRICE 50 CENTS.]

Registered as a Newspaper at the G. P. O.

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

*E. J. WADDINGTON,
Clerk to the Legislative Council.*

TABLE OF CONTENTS.

	PAGE
A Bill Intituled An Ordinance to Amend the Criminal Procedure Ordinance, 1913	... 381
A Bill Intituled An Ordinance Further to Amend the Law Relating to Masters and Servants	... 384
A Bill Intituled An Ordinance to Amend the Nairobi (Rating of Unimproved Site Values) Ordinance, 1921, and the Nairobi (Rating of Unimproved Site Values) Amendment Ordinance, 1922	... 385
A Bill Intituled An Ordinance Further to Amend the Native Authority Ordinance, 1912	391

COLONY AND PROTECTORATE OF KENYA.

GOVERNMENT NOTICE No. 139.

A Bill

Intituled

An Ordinance to Amend the Criminal Procedure Ordinance, 1913.

1. This Ordinance may be cited as "The Criminal Procedure (Amendment) Ordinance (No. 2), 1924," and shall be read as one with the Criminal Procedure Ordinance, 1913, hereinafter referred to as "the Principal Ordinance," and with the Criminal Procedure (Amendment) Ordinances of 1918 and 1920. Short title.

2. The Criminal Procedure (Amendment) Ordinance, 1921, is hereby repealed. Repeal.

3. Section 331 of the Principal Ordinance is repealed and replaced as follows:— Summary dismissal of Appeal.

331. (1) On receiving the petition and copy under Section 329 or Section 330 the Supreme Court shall peruse the same, and if it considers that there is no sufficient ground for interfering, it may dismiss the appeal summarily;

Provided that no appeal presented under Section 329 shall be dismissed unless the appellant if not in custody, or his advocate, has had a reasonable opportunity of being heard in support of the same, and provided further that no appeal presented under Section 330 shall be dismissed unless the appellant's advocate (if the Court has been notified that he has an advocate) has had such opportunity.

(2) Before dismissing an appeal under this section, the Court may call for the record of the case, but shall not be bound to do so.

4. Section 332 of the Principal Ordinance is repealed and replaced as follows:— Notice of Appeal.

332. If the Supreme Court does not dismiss the appeal summarily it shall cause notice to be given to the appellant or his advocate, and to the Attorney General of the time and place at which such appeal will be heard, and shall furnish the Attorney General with a copy of the proceedings and of the grounds of appeal. Notice of time and place of hearing.

5. Section 333 of the Principal Ordinance is repealed and replaced as follows:— Powers of Appellate Court.

333. (1) The Supreme Court shall then send for the record of the case, if such record is not already in Court. After perusing such record and hearing the appellant or his advocate if he appears and the Attorney General if he appears the Court may, if it considers that there is no sufficient ground for interfering, dismiss the appeal, or may:—

(a) in an appeal from a conviction

- (1) reverse the finding and sentence and acquit or discharge the accused, or order him to be retried by a Court of competent jurisdiction or commit him for trial, or
- (2) alter the finding, maintaining the sentence, or with or without altering the finding, reduce or increase the sentence, or
- (3) with or without such reduction or increase and with or without altering the finding, alter the nature of the sentence.

(b) in an appeal from any other order alter or reverse such order.

(c) make any amendment or any consequential or incidental order that may be just or proper.

(2) An appellant who is in custody shall not be entitled to be present at the hearing of an appeal: Provided that the Court may in any case in which it considers it to be in the interest of the appellant that he be present, direct his attendance.

CHAPTER XL.

CASE STATED.

6. Sections 447, 448 and 449 of the Principal Ordinance are hereby repealed and replaced by the following sections:—

Case stated
by Magistrate.

447. After the hearing and determination by any Magistrate of any summons, charge, information or complaint, either party to the proceedings before the said Magistrate may, if dissatisfied with the said determination as being erroneous in point of law, or as being in excess of jurisdiction apply in writing within thirty days after the said determination to the said Magistrate to state and sign a case setting forth the facts and the grounds of such determination for the opinion thereon of the Supreme Court, and such party, hereinafter called the appellant, shall within fourteen days after receiving such case transmit the same to the Supreme Court, first giving notice in writing of such appeal, with a copy of the case so stated and signed, to the other party to the proceedings in which the determination was given, hereinafter called the respondent.

Recognizance
to be taken
and fees paid.

448. The appellant, at the time of making such application and before the case shall be stated and delivered to him by the Magistrate shall in every instance enter into a recognizance before such Magistrate with or without surety or sureties and in such sum as to the Magistrate shall seem meet, conditioned to prosecute without delay such appeal, and to submit to the judgment of the Supreme Court, and pay such costs as may be awarded by the same; and before he shall be entitled to have the case delivered to him, pay to the clerk of such Magistrate his fees for and in respect of the case and recognizances, and any other fees to which such clerk shall be entitled, which fees shall be in accordance with the schedule to this Ordinance, and which shall be paid in stamps to be affixed to the original case stated, recognizance or certificate of refusal, as the case may be, and shall be cancelled by the Magistrate.

The appellant if then in custody, shall be liberated upon the recognizance being further conditioned for his appearance before the same Magistrate, or if that is impracticable, before some other Magistrate exercising the same jurisdiction who shall be then sitting, within fourteen days after the judgment of the Supreme Court shall have been given, to abide such judgment unless the determination appealed against be reversed.

Provided that nothing in this section shall apply to an application for a case stated by or under the direction of the Attorney General.

449. If the Magistrate be of opinion that the application is merely frivolous, but not otherwise, he may refuse to state a case, and shall, on the request of the appellant, sign and deliver to him a certificate of such refusal: Provided that the Magistrate shall not refuse to state a case when the application for that purpose is made to him by or under the direction of the Attorney General, who may require a case to be stated with reference to proceedings to which he was not a party.

Magistrate may refuse case when he thinks application frivolous.

450. When a Magistrate has refused to state a case as aforesaid it shall be lawful for the appellant to apply to the Supreme Court within two months of such refusal upon an affidavit of the facts for a rule calling upon such Magistrate, and also upon the respondent, and the said Court may make the same absolute or discharge it, with or without payment of costs, as to the Court shall seem meet, and the Magistrate upon being served with such rule absolute, shall state a case accordingly, upon the appellant entering into such recognizance as is hereinbefore provided.

Procedure on refusal of Magistrate to state case.

451. The Supreme Court shall (subject to the provisions of Section 452) hear and determine the question or questions of law arising on the case stated, and shall thereupon reverse, affirm or amend the determination in respect of which the case has been stated, or remit the matter to the Magistrate with the opinion of the Court thereon, or may make such other order in relation to the matter, and may make such order as to costs as to the Court may seem fit, and all such orders shall be final and conclusive on all parties: Provided always that no Magistrate who shall state and deliver a case in pursuance of this Ordinance or *bona fide* refuse to state one shall be liable to any costs in respect or by reason of such appeal against his determination or refusal.

Supreme Court to determine the questions on the case: its decision to be final.

452. The Supreme Court shall have power, if it thinks fit,

Case may be sent back for amendment or re-hearing, and Supreme Court may draw inference.

(a) to cause the case to be sent back for amendment or re-statement, and thereupon the same shall be amended or re-stated accordingly, and judgment shall be delivered after it has been so amended or re-stated;

(b) to remit the case to the Magistrate for re-hearing and determination with such directions as it may deem necessary;

(c) to draw any inference of fact which might have been drawn by the Magistrate.

453. After the decision of the Supreme Court has been given on a case stated the Magistrate in relation to whose determination the case has been stated, or any other Magistrate exercising the same jurisdiction, shall have the same authority to enforce any conviction or order, which may have been affirmed, amended or made by the Supreme Court, as the Magistrate who originally decided the case would have had to enforce his determination if the same had not been appealed against; and no action or proceeding whatsoever shall be commenced or had against the Magistrate for enforcing such conviction or order, by reason of any defect in the same respectively.

Powers of Magistrate after decision of Supreme Court.

454. No person who has appealed under Chapter XXVII of this Ordinance shall be entitled to have a case stated and no person who has taken any proceedings under this chapter shall be entitled to appeal under Chapter XXVII.

Appellant may not proceed under both Chapter XXVII and this Chapter

455. A case stated by a Magistrate under this chapter shall set out

Contents of case stated

(a) the charge, summons, information or complaint.

(b) the facts found by the Magistrate to be admitted or proved.

(c) any submission of law made by or on behalf of the prosecutor or complainant during the trial.

(d) any submission of law made by or on behalf of the accused or defendant during the trial.

(e) the finding, and in case of conviction the sentence of the Magistrate.

(f) any question or questions of law which the Magistrate or any of the parties may desire to be submitted for the opinion of the Supreme Court.

(g) any question of law which the Attorney General may require to be submitted for the opinion of the Supreme Court.

Constitution
of Court
hearing case
stated.

456. A case stated for the opinion of the Supreme Court shall be heard by not less than two Judges. If on the hearing of a case stated the Court is equally divided in opinion the decision of the Magistrate shall be affirmed.

Supreme
Court may
enlarge time.

457. The Supreme Court may if it deems fit enlarge any period of time prescribed by the preceding sections of this chapter.

Power to
reserve ques-
tions arising
in original
jurisdiction of
Supreme
Court.

458. (1) When any person has, in a trial before a Judge of the Supreme Court acting in the exercise of its original criminal jurisdiction, been convicted of an offence, the Judge, if he thinks fit, may reserve and refer for the decision of a Court consisting of two or more Judges of the Supreme Court any question which has arisen in the course of the trial of such person, and the determination of which would affect the event of the trial.

(2) If the Judge reserves any such question, the person convicted shall, pending the decision thereon, be remanded to jail, or, if the Judge thinks fit, be admitted to bail; and the Supreme Court shall have power to review the case, or such part thereof as may be necessary, and finally determine such question, and thereupon to alter the sentence passed by the Court of original jurisdiction, and to pass such judgment or order as the Supreme Court thinks fit.

SCHEDULE.

FEES TO BE TAKEN BY MAGISTRATES.

(See Section 448).

	Shs.	Cts.
For drawing case and copy, when the case does not exceed five folios of one hundred words each ...	10	00
When the case exceeds five folios, then for every additional folio ...	1	00
For the recognizance to be taken in pursuance of Section 448 ...	5	00
For every enlargement or renewal thereof ...	2	50
For certificate of refusal of case ...	2	00

A Bill

Intituled

An Ordinance further to Amend the Law relating to Masters and Servants.

Short title.

1. This Ordinance may be cited as "The Master and Servants (Amendment) Ordinance, 1924," and shall be read as one with the Master and Servants Ordinance, 1910 (hereinafter referred to as "the Principal Ordinance") and all amendments thereof.

Amendment of
Section 41 of
the Principal
Ordinance.

2. Section 41 of the Principal Ordinance is hereby amended by the deletion of the following words:—

"And every such Magistrate shall have jurisdiction in any such case brought before him against any person being at the time within the area of his jurisdiction, whether the grounds of such case arose within such area or not or whether the person against whom such case is brought has his usual residence or place of abode within such area or not."

Amendment of
Section 8 of the
Master and
Servants
(Amendment)
Ordinance, 1924.

3. Section 8 of the Master and Servants (Amendment) Ordinance, 1924, and the marginal note thereto are hereby amended by the deletion of the word "cattle" therein appearing and by the substitution therefor of the word "stock."

A Bill

Intituled

An Ordinance further to Amend the Nairobi (Rating of Unimproved Site Values) Ordinance, 1921, and the Nairobi (Rating of Unimproved Site Values) Amendment Ordinance, 1922.

1. This Ordinance may be cited as "The Nairobi (Rating of Unimproved Site Values) Amendment Ordinance, 1924," and shall be read as one with the Nairobi (Rating of Unimproved Site Values) Ordinance, 1921, (hereinafter referred to as "the Principal Ordinance") and the Nairobi (Rating of Unimproved Site Values) Amendment Ordinance, 1922.

Short title.

2. Section 2 of the Principal Ordinance is hereby amended—

Amendment of Section 2 of the Principal Ordinance.

(a) By inserting the words "or registered" immediately after the word "actual" appearing in the definition of the word "owner."

(b) By adding the following definitions:—

"Registered owner" shall mean the person who appears from any Land Registry of the Colony to be the actual owner.

"The Court" shall, except where otherwise specially provided, means the Resident Magistrate's Court, Nairobi, which shall be a Court of special jurisdiction for the purposes of this and the Principal Ordinance.

"Land" shall include crops.

3. Section 15 of the Principal Ordinance is hereby amended:—

Amendment of Section 15 of the Principal Ordinance.

(a) By inserting the words "as valued in the Valuation Roll, payable by the owner or owners," immediately after the word "land" therein first appearing.

(b) By inserting the words "as valued in the Valuation Roll" immediately after the word "land" therein last appearing, and

(c) By adding thereto the following words:—

It shall be no objection to the making of a rate that, at the date on which it is imposed, any part of the period in respect of which it is imposed has elapsed.

4. Section 16, Clause (b) of the Principal Ordinance is hereby amended:—

Amendment of Section 16 of the Principal Ordinance.

(a) By inserting the words "in the discretion of the Council" immediately after the words "or" therein first appearing, and

(b) By adding thereto the following words:—

Provided that it shall be no objection to the making or publishing of any rate, whether before or after the date of this Ordinance, that such rate is not expressly declared to be payable in one sum.

Amendment of
Section 17 of
the Principal
Ordinance.

5. Section 17 of the Principal Ordinance is hereby amended:—

(a) In Sub-section (1) thereof, by the deletion of the figures "VI," and by the substitution therefor of the figures "III," and

(b) In Sub-section (2) thereof, by the deletion of the words from the word "Provided" to the end of that sub-section, and by the substitution therefor of the following words:—

And it shall be sufficient to describe such owner in the Rate Book and in any proceedings to recover a rate as the owner of the property on which the rate is assessed without further description: Provided further that in any proceedings which may be taken for the recovery of any rate, it shall be no objection that the name of the owner, or in the case of a firm the names of the partners, have not been properly set out, or in the case of a deceased person that the name or names of the executor or executors have not been disclosed.

Amendment of
Section 22 of
the Principal
Ordinance.

6. Section 22 of the Principal Ordinance is hereby amended by adding thereto the following words:—

The Town Clerk shall, as may be necessary from time to time, make any alteration or correction in the names of the owners of property appearing in the Rate Book and shall verify such alteration or correction by his initials.

Amendment of
Section 24 of
the Principal
Ordinance.

7. Section 24 of the Principal Ordinance is hereby amended by the deletion of the words "and in such other mode as it may by resolution direct."

Amendment of
Section 25 of
the Principal
Ordinance.

8. Section 25 of the Principal Ordinance is hereby amended:—

(a) In Sub-section (1) thereof, by inserting the following words:—

Without registration maintainable (unless satisfied) for twelve years from the date of the imposition thereof, whether such date was before or after the date of this Ordinance.

immediately after the word "charge," and by the deletion of the words from the words "and if not paid" to the end of that sub-section, and

(b) In Sub-section (2) thereof, by the deletion of the words "the seizure or sale of his property for non-payment by the owner of the rate or rates due in respect of his land has," and by the substitution therefor of the words "disturbance of his rights or interference with the peaceful or beneficial enjoyment of his tenancy shall have."

Proceedings
for the
recovery of
unpaid rates.

9. Sections 27 and 28 of the Principal Ordinance as amended by the Nairobi (Rating of Unimproved Site Values) Amendment Ordinance, 1922, and Section 29 of the Principal Ordinance are hereby repealed and the following section is hereby substituted therefor:—

27. (a) If any sum payable in respect of any rate remains unpaid after the date on which it became due, the Council may apply to the Court for an order of sale of the land charged with such rate, or of any movable property whatsoever and to whomsoever belonging which may be found thereon, or of any movable property whatsoever and wheresoever found belonging to the person liable to pay such rate. Thereupon the Court shall, upon payment of a Court fee of five shillings, by notice of sale, declare its intention of selling any such land or movable property at the expiration of one month from the date of such notice. If at the expiration of such period such rate has not been paid or satisfied, the Court shall by warrant attach and sell by public auction any such land or movable property.

(b) Such notice of sale shall be served by the Court by publication in one issue of the Gazette and by being posted on the land charged with such rate; and where the Court has reason to believe that, at the time of such application by the

Council, the registered owner of such land or his manager, agent or attorney, or any person interested in such land as mortgagee or the manager, agent or attorney of such mortgagee, is resident within the Municipal Area, it may direct the manner of any further service. Provided that if personal service or service by post on such registered owner or other person as aforesaid shall be made the posting of such notice on such land shall not be necessary.

(c) Wherever it shall appear that any person or persons liable for a rate under this and the Principal Ordinance has died or become insolvent, and no notice of the appointment of an executor, administrator, liquidator or receiver has been received the Court shall give such orders for service of the notice required under this section as it shall deem just.

10. Section 30 of the Principal Ordinance is hereby amended by the deletion of the words "at the rate of seven," and by the substitution thereof of the words "from the date of the notice of sale at the rate of six."

Amendment of
Section 30 of
the Principal
Ordinance.

11. Section 31 of the Principal Ordinance is hereby amended:—

Amendment of
Section 31 of
the Principal
Ordinance.

(a) In Sub-section (1) thereof, by the deletion of the figures "23" and by the substitution thereof of the figures "27" and by the deletion of the word "right" and by the substitution thereof of the word "property," and

(b) In Sub-section (2) thereof, by the deletion of the words "or right."

12. Section 33 of the Principal Ordinance is hereby amended:—

Amendment of
Section 33 of
the Principal
Ordinance.

(a) By inserting the words "by way of mortgage or otherwise" immediately after the word "interest" therein first appearing, and

(b) By adding thereto the following words:—

And such person shall then be entitled to recover the amount so paid by him with all costs and interest from the person or persons liable for the rate.

13. After Section 33 of the Principal Ordinance there shall be inserted the following section:—

Proceedings
for recovery of
balance of rate
after sale.

33 A. In the event of any land or movable property, sold under Section 27, not realising the amount of the rate with interest and costs, the Council may apply to the Court for a warrant of personal attachment as though on a judgment obtained for a civil debt against the person or persons liable to pay such rate as in manner prescribed by the Civil Procedure Code or by any Ordinance in substitution or amendment thereof.

14. Section 34 of the Principal Ordinance is hereby repealed and the following section is hereby substituted therefor:—

Amendment of
Section 34 of
the Principal
Ordinance.

34. If any person, whose land or movable property has been attached under the provisions of this Ordinance, disputes the propriety of such attachment, he may apply to the Supreme Court within seven days thereof for an order to stay the sale in respect of such attachment, and the Supreme Court, after hearing such person and the Council and making such enquiry as it may deem necessary, shall make such order on such application as it may consider just and proper.

15. Section 36, Sub-section (2) of the Principal Ordinance is hereby repealed and the following sub-section is substituted therefor:—

Amendment of
Section 36 of
the Principal
Ordinance.

(2) Wherever the owner of any rateable property dies or becomes insolvent, it shall be the duty of his executor, administrator, liquidator or receiver to give notice of his appointment to the Town Clerk in writing, within six months of the date thereof.

Limitation in respect of rights, claims and obligations under this and the Principal Ordinance.

16. After Section 36 of the Principal Ordinance there shall be inserted the following section:—

36 A. Notwithstanding any provision in any other Ordinances or applied Acts, the period of limitation assigned under this and the Principal Ordinance in respect of all rights, claims and obligations thereunder shall be twelve years from the date of the constitution thereof whether such date was before or after the date of this Ordinance.

Amendment of Schedule to the Principal Ordinance.

17. The Schedule to the Principal Ordinance is hereby repealed and the Schedule hereto is substituted therefor.

Repeal of Section 2 of the Nairobi (Rating of Unimproved Site Values) Amendment Ordinance, 1922.

18. Section 2 of the Nairobi (Rating of Unimproved Site Values) Amendment Ordinance, 1922, is hereby repealed.

Certain Sections to have retrospective operation.

19. Sections 2, 3, 4, 8, 9, 12, 13 and 16 and the Schedule hereto shall be held to operate retrospectively as from the date of the Principal Ordinance.

General saving clause.

20. Notwithstanding anything to the contrary contained in this or the Principal Ordinance, it shall be no objection or defence to any proceedings for the recovery of unpaid rates that any notice or publication required under either such Ordinance is in any manner defective.

SCHEDULE.

ATTACHMENT, SALES, ETC.

1. The notice issued under Section 27 shall be in Form I hereto.
2. The warrant of attachment issued under Section 27 shall be in the Form II hereto.
3. The attachment of land shall be made by the attaching officer by affixing a copy of the warrant of attachment to a conspicuous part of such land.
4. The attachment of movable property shall be made by the attaching officer by the actual seizure thereof. He shall forthwith make an inventory of such property and shall arrange for and be responsible for the safe custody thereof.
5. When the movable property attached is of a perishable nature, or when the expenses of keeping it in custody will exceed its value, it may be sold at once by the attaching officer.
6. The expense and the maintenance of livestock and the custody of movable property, while under attachment, shall be costs of the attachment.
7. When any property has been attached, the attaching officer shall, after seven days from the date of such attachment, proceed with the sale of such property by public auction.
8. The attaching officer may, if he thinks desirable, advertise, in such manner as he shall think fit, any sale to be held under these Rules, and any expenses incurred in so doing shall be costs of the sale.
9. No officer of the Council nor any person having any duty to perform in connection with any sale shall, either directly or indirectly, bid for, acquire or attempt to acquire any interests in any property sold at such sale.
10. A sale may be adjourned by the attaching officer to any specified day and hour as he shall so deem fit. Every such sale shall be stopped if the sum due and costs (including the costs of sale) are tendered to the attaching officer at any time before the completion of such sale.

11. On the sale of movable property the price of each lot shall be paid for by the purchaser to the attaching officer at the time of the sale, or as soon thereafter as such officer directs; in default of such payment such property shall forthwith again be put up for sale. On payment of the purchase price such officer shall give a receipt for the same to the purchaser of such property.

12. (a) On the sale of the land the person declared to be the purchaser thereof shall pay, immediately after such declaration, a deposit of 25% of the amount of the purchase price to the attaching officer, and in default of such deposit such land shall forthwith again be put up for sale.

(b) The balance of such purchase price shall be paid by the purchaser to the attaching officer on or before the fifteenth day after such sale, or, if the fifteenth day be a Sunday or other holiday, then on the first day following such Sunday or other holiday.

(c) In default of such payment within the period mentioned above, the deposit shall be forfeited to the Council and such land shall again be put up for sale, and the defaulting purchaser shall forfeit all claim to such land and to any part of the sum for which it may subsequently be sold.

13. The sum to be deducted from the proceeds of the sale, besides the sum due to the Council, shall be the costs incurred up to the time of sale.

14. In the case of a sale of land, on payment of the purchase price, the Court shall make an order as provided in Section 55 of the Registration of Titles Ordinance, 1919, preferring the purchaser as proprietor of such land or interest therein sold to him, and he shall forthwith be put in possession of the purchased property, the aid of the police being afforded if needful.

FORM I.

NOTICE OF SALE.

Whereas the sum of S.....
being arrears, interest and costs recoverable under the Nairobi
(Rating of Unimproved Site Values) Ordinance, 1921, and all
amendments thereof, is due to the Council as the rate for the
year.....charged on the land Plot No.....,
Nairobi, of which the registered owner is.....
and whereas the said sum has not been paid.

Notice is hereby given that, at the expiration of one month
from the date of this notice, the Court will proceed by warrant
to attach and sell by public auction the property described at the
foot hereof and all persons are hereby warned against alienating
or receiving such property in any manner whatsoever.

Given under my hand this.....day of.....
19.....

.....
Resident Magistrate.

(Description of Property).

FORM II.

WARRANT OF ATTACHMENT.

To

Whereas the sum of S.....
 being arrears, interest and costs recoverable under the Nairobi
 (Rating of Unimproved Site Values) Ordinance, 1921, and all
 amendments thereof less sums recovered (as noted in the margin
 hereto), is due to the Council as the rate for the year.....
 charged on the land Plot No....., Nairobi, whereof the
 registered owner is.....
 and whereas the said sum of S.....has not been paid.

Rate for 19.....

Interest thereon

Arrears for.....years
 viz: 19..... to 19.....

Attachment Fees S.....

Less recovered to
 account

Total S.....

THESE ARE TO COMMAND
 you to attach and sell by
 public auction the pro-
 perty described at the
 foot hereof unless the said
 sum of S.....
 together with the costs of
 this attachment, be paid
 before such sale.

You are further commanded to return this warrant on or
 before the.....day of.....19.....
 with an endorsement certifying the date and manner in which it
 has been executed or why it has not been executed.

Given under my hand at.....this.....
 day of.....19.....

Resident Magistrate.

(Description of Property).

FORM III.

RATE BOOK.

A rate of.....per centum under the provisions
 of the Nairobi (Rating of Unimproved Site Values) Ordinance,
 1921, and all amendments thereof, imposed by the Council, on
 the.....day of.....19....., for the
 period.....19....., payable in.....equal instalments
 on the.....

1	2	3	4	5	6	7
No. on Roll.	Registered Owner.	Description and Situation of Property.	Rateable Value.	Rate at%	By whom Rate paid.	Date of Payment.

Signed by us, with the corrections initialled, this.....
 day of.....19.....

A.B. }
 C.D. } Members of the Municipal Council.

(N.B.—The two last columns will appear in blank when the rate-
 book is signed, and will be filled in from time to time as
 the rates are paid).

A Bill

Intituled

An Ordinance further to Amend the Native Authority Ordinance, 1912.

1. This Ordinance may be cited as "The Native Authority (Amendment) Ordinance, 1924," and shall be read as one with the Native Authority Ordinance, 1912, hereinafter referred to as "the Principal Ordinance," and all amendments thereof. Short title.

2. The Governor may establish a Council in any district in the Colony, to be known as a District Native Council, which shall be composed of the District Commissioner and the Assistant District Commissioners (if any) of such district together with such Headmen and other natives as the Governor may appoint thereto. Power to establish District Native Councils.

3. The District Commissioner shall be the President of a District Native Council, and in his absence the Senior Assistant District Commissioner of such district shall preside over such Council. President of Council.

4. A District Native Council shall meet, from time to time, at such place and at such time as the President thereof shall determine. Meetings of Council.

5. (1) A District Native Council may make and pass resolutions for the welfare and good Government of the native inhabitants of such district in respect of the following matters:— General powers of Council.

(a) The provision, maintenance and regulation of;

(i) Food and water supplies,

(ii) Forests,

(iii) Outspans,

(iv) Cattle dips,

(v) Roads, bridges and culverts, other than those made or maintained out of the General Revenue of the Colony.

(b) Public Health;

(c) The recruitment of labour for any purpose provided in Section 2 of the Native Authority (Amendment) Ordinance, 1922;

(d) The use of land in Native Reserves;

(e) Any purpose provided in Section 7 of the Principal Ordinance; and

(f) Any other matter not hereinbefore specified or which the Governor may direct to be brought before such District Native Council for consideration.

(2) Any such resolution may require such inhabitants to do or to abstain from doing any act therein specified.

6. (1) A District Native Council may, before the first day of December in each year, make and pass a resolution for the imposition of a rate, to be levied on and collected from the native inhabitants of such district during the ensuing year. Special power of Council.

(2) Such rate shall be known as the District Native Rate, and shall be of such amount and paid in such manner as may be prescribed by such resolution.

(3) Payment of such rate which is made otherwise than by legal tender may be so converted by such District Native Council.

Resolutions of Council to be submitted to Governor.

7. (1) Every resolution passed under Sections 5 and 6 shall be submitted to the Governor.

(2) When any such resolution has been approved by the Governor, any native affected thereby who shall refuse, neglect or fail to comply therewith shall be guilty of an offence.

Council's Fund.

8. A District Native Council may establish a fund, to be known as the District Native Fund, which shall consist of

(a) District Native Rates,

(b) With the approval of the Governor, monies subscribed by the native inhabitants of such district (or any part thereof) for their common benefit, and

(c) any other monies which may lawfully be paid into such fund.

Receipt of monies for Council's Fund.

9. All monies payable to a District Native Fund shall be received by the District Commissioner of such district or by any other person authorised by him in that behalf.

Council's Accounts.

10. The accounts of District Native Funds shall be kept in such manner as the Governor may prescribe, and shall be subject to audit by the Auditor of the Colony.

Disposal of Council's Funds.

11. A District Native Fund shall be devoted to such purposes as may be prescribed by any resolution which has been approved by the Governor under Section 7.

Council's annual estimates.

12. (1) Every District Native Council shall, on or before the first day of December in each year, furnish the Chief Native Commissioner of the Colony with a statement of the estimated receipts of and disbursements from the District Native Fund during the ensuing year, who shall thereafter submit such statement to the Governor.

(2) Such statement shall be made in such form as the Governor may prescribe.

Power to make Rules.

13. The Governor-in-Council may make rules for the better carrying into effect of the provisions of this Ordinance.

Amendment of Section 12 of the Principal Ordinance.

14. Section 12 of the Principal Ordinance is hereby amended by the deletion of the words "Native Council" wherever they appear therein, and by the substitution therefor of the words "Council of Elders."