



THE OFFICIAL GAZETTE OF THE COLONY AND PROTECTORATE OF KENYA

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SUPPLEMENTS

ORDINANCE

KENYA PROCLAMATIONS, RULES AND REGULATIONS

GOVERNMENT NOTICE NO. 767

ARRIVALS

Name	Rank	From leave or on 1st Appointment	Date of leaving England	Date of Embarkation	Date of arrival at Mombasa
A. F. Wake	Clerk, Agricultural Department	Leave	19th Oct., 1934	—	15th Nov., 1934
Miss E. A. Hart	Clerk, Secretariat	do	do	—	do
M. M. Jack	Registrar of the Supreme Court of Kenya	do	do	—	do
C. G. MacArthur	Asst. Game Warden	do	do	—	do
Major J. L. Willcocks D.S.O., M.C.	Commissioner of Prisons	do	26th Oct., 1934	27th Oct., 1934*	do
Capt. F. D. Hislop	District Officer	do	19th Oct., 1934	—	do
J. W. Francis	Education Officer	do	do	—	do
Miss B. C. Millett	Clerk, Local Government, Lands and Settlement	do	do	—	do
J. R. Burgess	Clerk, Audit Department	do	do	—	do
G. H. D. Curtis	Fireman Class II, K.U.R. & H.	do	do	19th Oct., 1934	do
W. T. Chappel	Inspector, Class II, K.U.R. & H.	do	do	do	do
W. E. Lane	Sr. Clerk, K. U. R. & H.	do	do	do	do
S. Fraser	Artisan I Class, K. U. R. & H.	do	do	do	do
J. P. McBrierley	Traffic Instructor Class II, K. U. R. & H.	do	do	do	do
A. G. R. Higgins	Asst. Supt. Class I. K.U.R. & H.	do	do	do	do
F. Fawcett	Driver, K. U. R. & H.	do	do	do	do
J. E. Brown	Train Controller, K.U.R. & H.	do	12th Nov., 1934†	12th Nov., 1934	20th Nov., 1934

* Marseilles.

† Durban.

APPOINTMENTS.

HAROLD BERTRAM WATERS, B.A., Director of Agriculture, is seconded for special duty, with effect from the 23rd day of November, 1934.

HENRY WOLFE, M. SC. (AGRIC.), Deputy Director (Plant Industry), to be Acting Director of Agriculture, with effect from 23rd November, 1934, and to perform the duties of Director in addition to the duties of his own post, during the period of secondment for special duty of Harold Bertram Waters, B.A.

JOHN GERALD HEMUS HOPKINS to be Officer in Charge, Turkana District, with effect from 13th November, 1934.

AUBREY CHARLES MADGEWICK MULLINS to be District Commissioner, Lamu District, Coast Province, in addition to his present duties as District Commissioner, Tana River District, with effect from 19th November, 1934.

GEORGE JAMES ROBBINS to be Acting Principal Registrar of Titles, with effect from the 10th November, 1934.

KENYA AND UGANDA RAILWAYS AND HARBOURS.

HERBERT ARTHUR BAILEY, Assistant Chief Accountant, to be Acting Chief Accountant, with effect from 20th November, 1934, *vice* Alfred Edward Robert Mayne proceeding on leave pending retirement.

ARTHUR GEORGE REGINALD HIGGINS, Assistant Superintendent, Class I, returned from leave and assumed duty, with effect from 19th November, 1934.

DOUGLAS VICTOR BUNTING, Acting Assistant Superintendent, Class I, reverted to his substantive rank of Assistant Traffic Superintendent, with effect from 19th November, 1934.

PROMOTIONS.

CHARLES BRODRICK THOMPSON to be Senior District Commissioner, with effect from the 21st May, 1934.

GEORGE HENRY CARNE BOULDERSON to be Senior District Commissioner, with effect from the 11th November, 1934.

MONTAGUE RICHARD REYNOLDS VIDAL to be Senior District Commissioner, with effect from the 21st November, 1934.

GEORGE HENRY CARNE BOULDERSON to be Provincial Commissioner, with effect from the 21st November, 1934.

REVERSIONS.

MONTAGUE DARDS reverted to his substantive rank of Senior Superintendent of Prisons, with effect from the 20th November, 1934.

EDWARD JOSEPH O'FARRELL reverted to his substantive post of Deputy Registrar, Supreme Court of Kenya, with effect from 19th day of November, 1934.

MAGISTERIAL WARRANT.

CAPTAIN CYRIL GEORGE USHER, M.C., to be a Magistrate of the First Class with power to hold a Subordinate Court of the First Class in the Central Province, whilst holding his present appointment of District Commissioner, Thika.

PRELIMINARY ORAL SWAHILI EXAMINATION.

PASS.

M. Halcrow, Department of Agriculture.

JUXON BARTON,
for Colonial Secretary.

Colony and Protectorate of Kenya

GOVERNMENT NOTICE No. 768

His Excellency the Governor in Council has approved of the following Bill being introduced into the Legislative Council.

J. F. G. TROUGHTON,
Acting Clerk of the Legislative Council.

A Bill to make Provision for the Levy of a Non-Native Poll Tax at a Rate Graduated According to the Taxpayer's Income.

BE IT ENACTED by the Governor of the Colony of Kenya, with the advice and consent of the Legislative Council thereof, as follows :—

1. This Ordinance may be cited as the Non-Native Poll Short Title. Tax Ordinance, 1934.

2. (1) In this Ordinance unless the context otherwise Interpretation. requires :—

“collector” means a person appointed by the Treasurer to be a collector for any area or areas of the Colony ;

“final date” means the last day upon which the tax can be paid without a penalty falling to be added thereto and, subject to the provisions of section 9 of this Ordinance, shall be the 30th day of June, 1935 ;

“taxable income” means the aggregate amount of the income of any taxpayer from all the sources specified in section 4 remaining after allowing the appropriate deductions and exemptions under this Ordinance ;

“taxpayer” means an individual liable to tax under this Ordinance.

(2) An individual shall be deemed to attain the age of eighteen on the eighteenth anniversary of his birth.

(3) Subject to the provisions of section 5 of this Ordinance an individual shall be deemed to be a taxpayer for the purposes of this Ordinance for the year 1935 if—

(a) he is in the Colony for a period or periods amounting in all to six months or more during the year 1935 ;

(b) he was during the year 1934 in the Colony for a period or periods amounting in all to six months or more and also in the Colony for any period during the year

1935 and leaves the Colony during the year 1935, and subsequently returns to the Colony; or

- (c) he comes to the Colony during the year 1935 intending to stay in the Colony for a period of six months or more.

Treasurer to
administer
Ordinance.

3. (1) The Treasurer of the Colony shall be charged with the due administration of this Ordinance.

(2) The Treasurer may from time to time give general or special instructions to collectors as to the performance of their duties, and may direct or authorize them to refer to him for decision any questions of doubt or difficulty in connection with their duties.

(3) All or any of the powers and duties conferred or imposed by this Ordinance on a collector may be exercised or performed by the Treasurer.

Levy of
poll tax.

4. (1) There shall be charged, levied and collected in manner hereinafter mentioned a non-native poll tax (in this Ordinance referred to as "the tax") for the year 1935, assessed on every non-native male or female taxpayer at the rate applicable to his or her taxable income accruing in, derived from or received in the Colony in respect of—

- (a) gains or profits from any trade, adventure in the nature of trade, business, profession, vocation or employment;
- (b) dividends, interests or discounts;
- (c) any pension, allowance, charge or annuity;
- (d) rents, royalties, premiums and any other profit arising from property.

(2) For the purposes of sub-section (1) of this section the words "taxable income accruing in the Colony" shall be deemed to include taxable income received by a taxpayer for services rendered or work performed in the Colony, whether such income is received in the Colony or not.

Exemptions.

5. There shall be exempted from the payment of the tax under this Ordinance—

- (a) every person who has not attained the age of eighteen;
- (b) every female whose taxable income does not exceed £120 per annum;

6. For the year 1935 the tax shall be charged and levied upon and collected from the taxpayer by reference to his taxable income for the year 1934 ascertained in accordance with the rules contained in the Second Schedule to this Ordinance.

Tax to be levied on income for 1934.

7. Where a collector is satisfied that any person has made up the accounts of his trade or business for the year 1934 on some day other than the 31st day of December, 1934, he may permit the gains or profits of that trade or business to be computed for the purposes of this Ordinance upon the income of the year terminating on that day in the year 1934 on which the accounts of the said trade or business have been made up :

Special periods of assessment.

Provided that where, under the provisions of section 7 of the Non-Native Poll Tax Ordinance, 1933, such permission had been given to any person in respect of payment of the tax last payable under that Ordinance, tax shall be charged levied and collected for the year 1935 upon the gains and profits for the full year terminating on the like date in the year 1934, subject to any such adjustments as, in the opinion of the collector, may be just and reasonable.

8. The tax shall be charged at the following rates :—

Rates of tax.

						Sh.
Where the taxable income does not exceed £100 ...						30
Where the taxable income exceeds—						
£100 but does not exceed	£200	...	...	...	...	40
£200	£300	...	...	...	...	60
£300	£400	...	...	...	...	80
£400	£500	...	...	...	...	100
£500	£600	...	...	...	...	140
£600	£700	...	...	...	...	180
£700	£800	...	...	...	...	220
£800	£900	...	...	...	...	260
£900	£1,000	...	...	...	...	300
£1,000	£1,100	...	...	...	...	340
£1,100	£1,200	...	...	...	...	380
£1,200	£1,300	...	...	...	...	420
£1,300	£1,400	...	...	...	...	460
£1,400	£1,500	...	...	...	...	500
£1,500	£2,000	...	...	...	...	1,000
£2,000	£2,500	...	...	...	...	1,500
£2,500	£3,000	...	...	...	...	2,000
£3,000	£3,500	...	...	...	...	2,500
£3,500	£4,000	...	...	...	...	3,000
£4,000	£5,000	...	...	...	...	4,000
£5,000	£6,000	...	...	...	...	5,000
£6,000	£7,000	...	...	...	...	6,000
£7,000	£8,000	...	...	...	...	7,000
£8,000	£9,000	...	...	...	...	8,000
£9,000	£10,000	...	...	...	...	9,000
£10,000	...	...	...	...	...	10,000

Tax of persons coming to or returning to Colony and of persons attaining the age of eighteen.

9. (1) Any taxpayer who—

- (a) comes to the Colony after the thirty-first day of March, 1935; or
- (b) attains the age of eighteen years on or after the thirty-first day of March, 1935,

and has not already made a return under section 10 of this Ordinance and paid tax in accordance therewith in respect of the year 1935 shall make a return of his taxable income and pay the tax for the year 1935 in accordance with such return within ninety days after his so coming to or returning to the Colony or after his so attaining the age of eighteen.

(2) Any taxpayer who leaves the Colony between the thirty-first day of December, 1934, and the first day of April, 1935, and who subsequently returns to the Colony and who, prior to his departure, had not made a return under section 10 of this Ordinance and paid the tax in accordance therewith for the year 1935 shall make a return of his taxable income and pay the tax for the year 1935 in accordance with such return within ninety days after the date of his return to the Colony.

(3) Any taxpayer who leaves the Colony after the thirty-first day of March, 1935, and before the thirtieth day of June, 1935, and who subsequently returns to the Colony and who, prior to his departure, had not already made a return under section 10 of this Ordinance and paid the tax in accordance therewith shall make a return of his taxable income and pay the tax for the year 1935 in accordance with such return within the same number of days after the date of his return to the Colony as the number of days which elapsed between the date of his departure from the Colony and the thirtieth day of June, 1935.

Submission of return of income.

10. On or before the final date every taxpayer shall submit to the collector a return of income in the form set out in the First Schedule to this Ordinance, and shall at the same time pay to a collector the tax due in accordance with such return.

Tax to be paid to collector of area.

11. All returns and payments of tax shall be made to a collector of the area in which the taxpayer resides or carries on business.

Verbal returns.

12. Where a collector is satisfied that any taxpayer owing to his insufficient knowledge of the English language or by reason of physical disability is unable to make a return of

taxable income in writing he may permit such taxpayer to make a verbal return of taxable income and to pay the tax due thereon, but every such verbal return shall be recorded in writing and authenticated by the thumb print of the taxpayer or by other satisfactory means of identification. Such record shall for all the purposes of this Ordinance be deemed to be a return of taxable income made by the taxpayer.

13. When a taxpayer has made a return and paid tax as provided in section 9 or section 10 of this Ordinance the collector shall receive the tax so paid and give a receipt therefor, and may thereafter—

Powers of collector.

- (a) accept the amount so paid in full satisfaction of the tax; or
- (b) refuse to accept the return, and to the best of his judgment determine the amount of the taxable income of the taxpayer and assess him accordingly.

14. (1) Where a taxpayer has not made a return of taxable income by the final date a collector may by notice call upon him to make a return and pay the tax within a time to be specified in such notice.

Collector may determine tax when taxpayer fails to make return.

(2) If, on the expiry of the period specified in such notice, the taxpayer has not made a return and paid tax in accordance therewith, the collector may, according to the best of his judgment, determine the amount of the taxable income of such taxpayer and assess him accordingly, and thereafter proceed in accordance with the provisions of section 17 of this Ordinance :

Provided that, if a collector is satisfied that the amount of tax due from any such taxpayer does not exceed Sh. 30, he may, without calling upon such taxpayer to make a return and pay the tax as provided in sub-section (1) of this section, assess the tax payable by such taxpayer at Sh. 30 and may without complying with the provisions of section 17 of this Ordinance forthwith proceed to recover the tax and penalty, if any, in accordance with the provisions of section 24 of this Ordinance.

15. Where a taxpayer has made a return of taxable income but has not paid tax according to such return by the final date, a collector may—

- (a) if he is satisfied that the return of taxable income is correct, without giving any further notice to the taxpayer forthwith proceed to recover the tax due

according to such return and penalty, if any, in accordance with the provisions of section 24 of this Ordinance; or

- (b) if he is not satisfied that the return of income is correct, determine according to the best of his judgment the amount of the taxable income of such taxpayer and assess him accordingly, and thereafter proceed in accordance with the provisions of section 17 of this Ordinance.

Power to call
for returns,
books, etc.

16. For the purpose of obtaining full information in respect of an individual's income a collector may give notice to such individual requiring him within the time limited by such notice, which time shall not be less than twenty-one days from the date of such notice, to complete and deliver to the collector a prescribed return and/or to attend personally before him and to produce for examination any books, documents, accounts and returns which the collector may deem necessary.

Tax to be
paid within
one month
of the date
of service of
notice of
amount of tax.

17. Save as provided in paragraph (a) of section 15 and in the proviso to section 14 of this Ordinance, where a collector has according to the best of his judgment determined the amount of the taxable income of a taxpayer and has assessed him accordingly notice of the amount of tax so assessed shall be served upon the taxpayer, and the amount of such tax together with any penalty due thereon in accordance with section 18 of this Ordinance shall be due and payable within one month of the date of service of such notice.

Penalty added
when return
not made or
tax not paid.

18. There shall be added to the tax due in respect of each year a penalty equal to twenty per centum of the amount of such tax in the following cases—

- (i) if a return of taxable income is not made and tax in accordance therewith is not paid by the final date;
- (ii) if a return of taxable income is made but tax in accordance therewith is not paid by the final date;
- (iii) if tax or additional tax is declared to be due from a taxpayer upon an assessment under sections 13 and 14 or 17 hereof.

The penalties referred to in this section shall be deemed to be part of the tax due and shall be recoverable accordingly.

Power to remit
penalty.

19. The Governor may remit the whole or any part of any penalty under section 18 for any reason which to him may seem fit.

20. (1) Every employer when required to do so by notice from a collector shall, within the time limited by the notice, prepare and deliver for any year a return containing—

Obligations of employers.

(a) the names and places of residence of all non-native persons employed by him; and

(b) the payments and allowances made to those non-native persons in respect of that employment,

and the provisions of this Ordinance with respect to the failure to deliver returns or particulars in accordance with a notice from a collector shall apply to any such return.

(2) Where the employer is a body of persons the manager or other principal officer shall be deemed to be the employer for the purposes of this section, and any director of a company or person engaged in the management of a company shall be deemed to be a person employed.

21. A collector may give notice in writing to any person requiring him within the time limited by such notice to furnish a return containing the name of every inmate or lodger who is at the date of the notice resident in his house, hotel or institution and has been so resident, except for temporary absences, throughout the preceding three months.

Return of inmates and lodgers.

22. (1) Any individual who is dissatisfied with the amount at which he is assessed, or claims that he is not liable to tax, may within seven days of being notified of such assessment give notice in writing to the collector who made the assessment specifying his objections and if such objections be disallowed such person may appeal to the Supreme Court.

Objections to assessment and appeals to Supreme Court.

(2) The appeal shall be presented within twenty-one days from the date of notification of such disallowance.

(3) No appeal under this section shall be entertained unless the tax due and payable according to the assessment and any penalty added thereto are deposited with the collector:

Provided that where the Supreme Court is satisfied that it is inequitable to call upon the appellant to make such deposit the Supreme Court may absolve the appellant from the requirement of this sub-section, or may call upon him to deposit with the collector such sum as to the Court may appear reasonable.

(4) The Supreme Court may on appeal confirm, amend or cancel any assessment and order a refund of tax paid or an additional payment of tax to such extent as the circumstances require. The Supreme Court shall send a copy of its decision to the collector and to the appellant.

(5) The proceedings of the Supreme Court shall be heard *in camera* if so required by the appellant.

(6) The costs of the appeal shall be in the discretion of the Supreme Court.

Rules govern-
ing appeals.

(7) The Supreme Court may make rules governing such appeals and providing for the method of tendering evidence and prescribing the procedure to be followed.

Onus of proof
on appellant.

23. (1) In any appeal under this Ordinance the onus of proving that the assessment complained of is excessive shall be on the appellant.

(2) As from the date of the receipt of the notice of objection mentioned in sub-section (1) of section 22 of this Ordinance until the date on which the objector receives notice of the decision of the collector or the final determination of his appeal (if any) by the Supreme Court time shall not be deemed to run against such objector as regards liability to penalty under section 18 of this Ordinance.

Tax deemed
to be a
debt due to
Government.

24. (1) Tax due shall be deemed to be a debt due to Government and may be sued for and recovered according to law at the suit of the Treasurer or of a collector with full costs of suit.

(2) A certificate under the hand of the Treasurer or a collector stating the amount of tax with which the defendant has been assessed shall be evidence that such amount is due and payable by such defendant.

(3) In any action or proceeding for the recovery of any tax it shall not be competent for the defendant to question the correctness of any assessment :

Provided that—

(a) notice of assessment specifying the tax payable has been served upon the defendant; and

(b) the period allowed to the defendant within which to appeal from such assessment has elapsed :

Provided further that the provisions of paragraphs (a) and (b) of the proviso to sub-section (3) of this section shall not apply to any action or proceeding instituted for the recovery

of any tax under the provisions of the proviso to section 14 of this Ordinance, or under the provisions of paragraph (a) of section 15 of this Ordinance.

25. (1) A collector may, at any time, require any person to produce the receipt granted to such person for the payment of tax under this Ordinance and a collector may retain any receipt produced for such time as he may consider necessary for the purpose of identifying the person named therein with the person producing the same.

Collector may require production of receipt for tax.

(2) A collector may require any person who refuses or neglects to produce his receipt when requested so to do to furnish him with information as to the office at which he has paid the tax in respect of which the request is made, and with such further information as the collector may require for the purpose of ascertaining whether such person has paid such tax.

If receipt not produced information required to be furnished to collector.

(3) Any person who, without lawful excuse, neglects or refuses to produce such receipt when required as aforesaid, or who, having failed or refused to produce his receipt, fails to furnish the information which may be required of him under the preceding sub-section, shall, on conviction, be liable to a fine not exceeding seven pounds ten shillings or to imprisonment for a term not exceeding one month or to both such fine and such imprisonment.

Penalty for refusing to produce receipt or to give information.

(4) Evidence of the non-production of a receipt for the payment of tax upon requisition being made as aforesaid shall, in and for the purposes of any proceedings for the recovery of tax, be *prima facie* evidence that the tax in respect of which the receipt has not been produced has not been paid.

Non-production of receipt to be *prima facie* evidence of non-payment of a tax.

(5) Any person who, on being required by a collector to produce his receipt, produces a receipt granted to some other person, or who, having failed or refused to produce his receipt, furnishes a collector with any false particulars in connection with the information which may be required of him under sub-section (2) of this section, shall, on conviction, be liable to a fine not exceeding forty-five pounds or to imprisonment of either description for a term not exceeding six months or to both such fine and such imprisonment.

Penalty for producing receipt granted to some other person or for giving false information.

26. The Treasurer or a person authorized by him in that behalf may remit the tax wholly or in part on the ground of the poverty of the person liable to pay the same or on any other ground approved by the Governor, and the Treasurer may also for like reasons refund the tax paid or any part thereof.

Power to remit tax.

Refund of
excess
payment
of tax.

27. If it be proved to the satisfaction of the Treasurer that any person has paid tax in excess of the amount with which he is properly taxable such person shall be entitled to have the amount so paid in excess refunded.

Official
secrecy.

28. (1) Every person having any official duty or being employed in the administration of this Ordinance shall regard and deal with all documents, information, returns, assessment lists or copies thereof relating to the income or items of income of any taxpayer as secret and confidential.

(2) Every person having possession of or control over any documents, information, returns or assessment lists or copies thereof relating to the income of any taxpayer who at any time communicates or attempts to communicate such information or anything contained in such documents, returns, lists or copies to any person—

(a) other than a person to whom he is authorized to communicate it; or

(b) otherwise than for the purpose of this Ordinance,
shall be guilty of an offence.

Service and
delivery of
notices.

29. (1) (a) Any notice under this Ordinance may be served on a taxpayer personally or by being sent through registered post or by being left at the usual place or last known place of abode or business of such taxpayer.

(b) In the event of a notice being served through the post the notice shall be deemed to have been served not later than the seventh day succeeding the day on which the notice would have been received in the ordinary course by post and in proving such service it shall be sufficient to prove that the letter containing the notice was properly addressed and posted.

(2) Any notice under this Ordinance required to be submitted to or served on the Treasurer or a collector may be sent through registered post or left at the Treasury, Nairobi, where the Treasurer is the addressee, or at the office of a collector where a collector is the addressee.

Free postage.

30. All returns, additional information and resulting correspondence relating to any matter under this Ordinance shall, if marked with the words "Non-Native Poll Tax" and when addressed to the Treasurer or a collector, be transmitted by the Postal Department free of postage.

31. The Governor in Council may make rules generally **Rules.**
for carrying out the provisions of this Ordinance and, in
particular, for all or any of the following purposes, that is to
say :—

- (a) Prescribing the duties of all persons engaged or
employed in the administration of this Ordinance.
- (b) Prescribing any deductions which may be allowed in
the ascertainment of taxable incomes.
- (c) Prescribing the forms of returns, claims, statements
and notices under this Ordinance and by whom the
same shall be made and the time and the mode of
making and furnishing the same.
- (d) Providing for the deduction of tax from the salary of
any person in the public service or the service of
the Railways and Harbours Administration in such
instalments as shall ensure the payment of tax by the
final date.
- (e) Prescribing any such matters as are authorized by this
Ordinance to be prescribed.

32. Any person guilty of an offence against this **Penalties for**
Ordinance for which no other penalty is specifically provided **offences.**
shall be liable on summary conviction before a magistrate of
the first or second class to a fine not exceeding fifty pounds,
and in default of payment to imprisonment for any term not
exceeding three months.

33. Every person who—

- (a) fails to comply with the requirements of a notice given
to him under this Ordinance; or
- (b) without sufficient cause fails to attend in answer to a
notice issued to him under this Ordinance or having
attended fails to answer any questions lawfully put
to him;

Penalty for
failure to
comply with
notice, etc.

shall be guilty of an offence and shall be liable on summary
conviction before a magistrate of the first or second class to a
fine not exceeding fifty pounds, and in default of payment to
imprisonment for any term not exceeding three months.

34. (1) Every person who without reasonable excuse—

- (a) makes an incorrect return by omitting or understating
any income of which he is required by this Ordin-
ance to make a return; or

Penalty for
making
incorrect
returns, etc.

- (b) gives any incorrect information in relation to any matter or thing affecting his liability to tax;

shall be guilty of an offence and shall on summary conviction by a magistrate of the first or second class be liable to a fine not exceeding the total of one hundred pounds and double the amount of tax which has been undercharged in consequence of such incorrect return or information, or would have been so undercharged if the return or information had been accepted as correct and in default of payment to imprisonment for any term not exceeding six months.

(2) No person shall be liable to any penalty under this section unless the complaint concerning such offence is made in the year 1935 or within three years after the expiration thereof.

(3) The Treasurer may compound any offence under this section and may before judgment stay or compound any proceedings thereunder.

Penal
provisions
relating to
fraud, etc.

35. (1) Any person who wilfully with intent to evade or to assist any other person to evade payment of the tax—

- (a) omits from a return made under this Ordinance any income which should be included; or
- (b) makes any false statement or entry in any return made under this Ordinance; or
- (c) gives any false answer whether verbally or in writing to any question or request for information asked or made in accordance with the provisions of this Ordinance; or
- (d) prepares or maintains or authorizes the preparation or maintenance of any false books of account or other records or falsifies or authorizes the falsification of any books of account or records; or
- (e) makes use of any fraud, art, or contrivance whatsoever or authorizes the use of any such fraud, art or contrivance,

shall be guilty of an offence, and shall for each such offence be liable on summary conviction by a magistrate of the first or second class to a fine not exceeding the total of two hundred

pounds and treble the amount of tax for which he is liable under this Ordinance, or to imprisonment for any term not exceeding six months, or to both such fine and imprisonment.

(2) The Treasurer may compound any offence under this section and may before judgment stay or compound any proceedings thereunder.

36. The institution of proceedings for, or the imposition of a penalty, fine, or term of imprisonment under this Ordinance shall not relieve any person from liability to payment of any tax for which he is or may be liable.

Tax to be payable notwithstanding proceedings for penalties, etc.

37. No prosecution in respect of an offence under section 33, section 34 or section 35 of this Ordinance may be commenced except at the instance of or with the sanction of the Treasurer.

Prosecution to be with the sanction of the Treasurer.

38. The provisions of this Ordinance shall not affect any criminal proceedings under any other Ordinance or law.

Savings for criminal proceedings.

39. (1) This Ordinance shall continue in force until the thirty-first day of December, 1935, and shall then expire :

Duration of Ordinance.

Provided that such expiry shall not affect any liability, penalty or punishment incurred under this Ordinance or any legal proceeding or remedy in respect of any such liability, penalty or punishment, but any such legal proceeding or remedy may be carried on or sought as if this Ordinance had not expired.

(2) The Non-Native Poll Tax Ordinance is hereby repealed, but, on the expiry of this Ordinance, the provisions of the said Non-Native Poll Tax Ordinance shall revive and be of full force and effect.

Repeal.
Cap. 52.

FIRST SCHEDULE.

Station.....

I, (name)
of (address)
(trade, profession or occupation)
state that my taxable income calculated in accordance with the

provisions of the Non-Native Poll Tax Ordinance, 1934, did not exceed £..... for the year ending 31st December, 193..... and I tender Sh., being the amount of tax payable by me.

.....
Signature.

Date.....

SECOND SCHEDULE.

RULES FOR ASCERTAINING TAXABLE INCOME.

1. All outgoings and expenses wholly and exclusively incurred in the production of the income may be deducted, including—

- (a) sums paid by way of interest upon any money borrowed where the collector is satisfied that the interest was payable on capital employed in acquiring the income;
- (b) rent paid by any tenant of land or buildings occupied by him for the purpose of acquiring the income;
- (c) any sum expended for repair of premises, plant and machinery employed in acquiring the income or for the renewal, repair or alteration of any implement, utensil or article so employed;
- (d) such other deductions as may be prescribed by any rule made under this Ordinance;
- (e) actual bad debts.

Nos. 57 and 58
of 1931.

2. In ascertaining the taxable income of any person who shall have been subject to a levy on salary imposed under the Levy on Official Salaries Ordinance, 1931, or the Levy on Salaries (Transport-Services) Ordinance, 1931, the amount of salary shall be deemed to be the amount of the salary as reduced by such levy.

3. In ascertaining the taxable income of any public officer or other employee of the Government or of the Railways and Harbours Administration no account shall be taken of any amount which such officer or employee receives as an allowance in lieu of free quarters.

4. A deduction shall be allowed in respect of—
- (a) the official emoluments of the Governor;
 - (b) the official emoluments of members of the permanent consular services of foreign countries;
 - (c) the official emoluments of persons in the permanent service of the Imperial Government or a Dominion Government;
 - (d) pensions granted in respect of wounds and disability caused in war.
5. No deduction in ascertaining the taxable income shall be allowed in respect of—
- (a) domestic or private expenses;
 - (b) any disbursements or expenses not being money wholly and exclusively paid or expended for the purpose of acquiring the income;
 - (c) any capital withdrawn or any sum employed or intended to be employed as capital;
 - (d) any capital employed in improvements;
 - (e) any sum recoverable under an insurance or contract of indemnity;
 - (f) rent of or cost of repairs to any premises or part of premises not paid or incurred for the purpose of producing the income;
 - (g) reserves for bad debts;
 - (h) salary drawn as leave pay during absence from the Colony.

OBJECTS AND REASONS.

The object of this Bill is to provide for the collection from *non-natives* of a graduated poll tax for the year 1935.

Other than a few amendments which are designed to simplify the collection of the tax, the Bill reproduces the provisions of the Non-Native Poll Tax Ordinance, 1933.

No additional expenditure of public moneys will be involved if the provisions of this Bill become law.

GOVERNMENT NOTICE NO. 769

His Excellency the Governor in Council has approved of the following Bill being introduced into the Legislative Council.

J. F. G. TROUGHTON,
Acting Clerk of the Legislative Council.

A Bill to provide for the Licensing of Certain Professions, Businesses, Trades, Arts, Callings and Industries within the Colony and to Fix the Licence Fees Payable.

BE IT ENACTED by the Governor of the Colony of Kenya, with the advice and consent of the Legislative Council thereof, as follows:—

Short title.

1. This Ordinance may be cited as the Licensing Ordinance, 1934, and shall come into operation on the 1st day of January, 1935.

Definitions.

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

“accountant and/or auditor” means any person who practises as such;

“advocate” means a practising advocate who is resident in the Colony;

“architect” means any person registered as such under the provisions of the Architects and Quantity Surveyors Ordinance, 1933;

“banker” means any company, person or body of persons, British or foreign, whether incorporated or not, and whether registered in the Colony or not, engaged in the business of banking in the Colony who shall be declared by the Governor in Council by notice to be a banker for the purposes of this Ordinance;

“businesses” means any of the businesses, trades, arts, callings or industries set out in Schedule B, Schedule C and Schedule D to this Ordinance;

“commercial traveller” means any person who, not being ordinarily resident in the Colony, solicits orders for goods on behalf of other persons but does not include a person employed as a traveller by a firm or persons licensed under this Ordinance;

"commission agent and/or manufacturer's representative" means any person resident in the Colony who receives or orders from abroad goods on account of others, whether such goods are imported in his own name or not;

"dentist or dental surgeon" means any person practising as such and registered under the Medical Practitioners and Dentists Ordinance;

Cap. 119.

"exchange banker" means a person who carries on for profit the business of operating in foreign currency outside the Colony but shall not include a money-changer or any company, person or body of persons who may hold a licence as a banker;

"hawker" means any person who, whether as principal agent or employee, carries on the trade or business of offering or exposing for sale, barter or exchange elsewhere than at a fixed place any goods and for that purpose travels about from place to place with goods on any vehicle (other than a vehicle propelled by himself), or with a pack animal or carrier;

"hotel, boarding and/or lodging house" means any premises in which not less than two bed or sleeping rooms are set apart and furnished for letting;

"licensing authority" means the Treasurer or any person appointed by the Treasurer to be a licensing authority;

"medical practitioner" means any person practising as such and registered under the Medical Practitioners and Dentists Ordinance;

Cap. 119.

"native" means any native of Africa not of European or Asiatic origin and includes a Swahili and a Somali;

"oil company" means any person or body of persons, incorporated or unincorporated, carrying on, either as principal or agent, the business of importation and wholesale distribution of dangerous petroleum or petroleum as defined by the Indian Petroleum Act, 1899, as applied to the Colony;

"pedlar" means any person who, whether as principal, agent or employee, carries on the trade or business of offering or exposing for sale, barter or exchange elsewhere than at a fixed place any goods and for that purpose travels with his goods from place to place either on foot or with a vehicle propelled by himself;

"profession" means any of the professions set out in Schedule A to this Ordinance;

“quantity surveyor” means any person registered as such under the provisions of the Architects and Quantity Surveyors No. 60 of 1933. Ordinance, 1933;

“restaurant” means any place where food is sold for consumption on the premises;

“shipping company” means any person or body of persons, incorporated or unincorporated carrying on, either as principal or agent, the business of carrying goods or passengers overseas in mechanically propelled vessels, but the term does not include passenger agents or shipping companies engaged solely in coasting trade within the meaning of the Shipping Ordinance, 1930, or the agents of such companies.

Profession or
business to be
licensed.

3. (1) No person shall for profit or for gain practise or carry on in the Colony, whether as principal or agent, any profession or business as defined in section 2 of this Ordinance, unless he holds a licence for the time being in force issued under the provisions of this Ordinance authorizing him to do so.

(2) No person shall for profit or for gain practise or carry on in the Colony whether as principal or agent, any profession or business as defined in section 2 of this Ordinance in any place other than that specified in his licence.

(3) Nothing in this Ordinance contained shall be deemed to confer upon a person holding any licence under this Ordinance the right to practise any profession, or to carry on any business which he is not authorized by law to practise or to carry on.

Exceptions.

(4) Save as is provided in section 4 of this Ordinance a person shall not be deemed to be practising a profession or carrying on any of the businesses specified in Schedule B to this Ordinance if such person is not practising a profession or carrying on business on his own account and is a full-time employee of, and is in receipt of a salary from, a person or business duly licensed under this Ordinance.

Offence.

(5) If any person contravenes the provisions of this section, he shall be liable for a first offence to a fine not exceeding fifty pounds or in default of payment to imprisonment for any term not exceeding two months, and for a second or subsequent offence to a fine not exceeding two hundred and fifty pounds or in default of payment to imprisonment for a term not exceeding six months.

4. (1) Where two or more members of a firm practise a profession, each of the said members shall take out a separate licence in his own name. Separate licences.

(2) No person other than a person employed in the service of Government or of the Railways and Harbours Administration, or a person solely employed by a municipal council or board shall practise as an advocate, whether in receipt of a salary or not, unless he is duly licensed under this Ordinance. Advocates.

5. (1) Professional licences shall be of the kind described in Schedule A to the Ordinance and business licences shall be of the kinds described respectively in Schedule B, Schedule C and Schedule D to this Ordinance; and, subject to the provisions of sub-section (2) of section 6 and of sub-section (2) of section 15 of this Ordinance, the annual fee for each licence shall be that set opposite to the description of such licence in such Schedules. Kinds of licences.

(2) (a) The Governor in Council may, by order in the Gazette, authorize the exercise of any profession, business, trade, art, calling, or industry not specifically mentioned in this Ordinance, upon payment of such licence fee, and upon such conditions, as to him may seem fit.

(b) When an Order has been made by the Governor under paragraph (a) of the sub-section the licensing authority shall issue a special licence for the exercise of such profession, business, trade, art, calling or industry on payment of the fee, and subject to the conditions prescribed in such Order.

6. (1) Licences under this Ordinance shall be taken out on the second day of January in each year and shall expire on the thirty-first day of December next following: Provided that— Period of validity of licences.

(a) in any case where the annual fee for a licence is not less than three hundred shillings, it shall be lawful for a licensing authority to issue in any year a licence which shall expire on the thirtieth day of June in the same year of issue and the amount of fee payable for such licence shall be half the amount of the annual fee;

(b) a licence to carry on the business of a commercial traveller may be taken out upon any day in each

year but shall expire within a period of three months from the date upon which such licence fell due to be taken out.

(2) Where a licence is due after the thirtieth day of June in any year, the fee for the licence shall be one-half of the annual fee specified in this Ordinance, and where a licence is due after the thirtieth day of September in any year, the fee for that licence shall be one-quarter of the fee so specified.

**Surrender of
licences.**

7. (1) Any person to whom a professional licence or a business licence has been issued under the provisions of this Ordinance may, if he ceases to carry on the business, or ceases to practise the profession, in respect of which the licence has been issued, surrender such licence to a licensing authority.

(2) When a licence is surrendered under the provisions of sub-section (1) of this section, then—

- (a) if the licence has six months or more to run, one-half of the fee paid shall be returned to the licensee;
- (b) if the licence has less than six and more than three months to run, one-fourth of the fee paid shall be returned to the licensee.

**Transfer of
licences.**

8. (1) A professional licence or a business licence may, by endorsement of a licensing authority and on payment of a fee of five shillings, be transferred to different premises.

(2) Upon good reasons being adduced therefor a business licence may, by endorsement of a licensing authority and on payment of a fee of five shillings, be transferred to another person.

**Issue of
duplicate
licences.**

9. A licensing authority, on being satisfied that a licence issued by him under this Ordinance has been lost or destroyed and on payment to him of a fee of five shillings, shall issue a duplicate licence to the licensee.

**Licences to be
exhibited
at place of
business.**

10. (1) Every business licence shall be exhibited in a prominent place in the premises to which it relates or if the business is not carried on in definite premises, such licence shall be kept at the place where the person carrying on the business usually resides.

(2) Every professional licence shall be kept on the premises where the person practising the profession usually practices.

(3) Every licence issued under this Ordinance shall be produced for inspection to any administrative or police officer, or licensing authority on reasonable notice being given by him.

Licences to be produced for inspection.

(4) Any administrative officer, police officer or licensing authority may enter any premises in respect of which a licence has been issued under this Ordinance, and may require to be furnished with such information as will enable him to determine whether or not the provisions of this Ordinance are being complied with.

Power of entry.

(5) Any administrative officer, police officer or licensing authority may enter any premises in respect of which a licence has not been issued under this Ordinance in which he has good reason to suspect that there is carried on any profession, business or trade for which a licence is provided under this Ordinance, and may require to be furnished with any information he may deem to be necessary.

(6) Every person holding a licence under paragraph 2 of Schedule C of this Ordinance shall keep such books as will enable the Treasurer or his duly authorized representative to ascertain the nature of the trade carried on and the value of the goods on hand at any one time.

Books to be kept.

(7) In the case of a petty dealer licensed under paragraph 1 of Schedule C to this Ordinance, the nature of the trade carried on and the value of the goods on hand at any one time may be determined by any administrative officer, European police officer or the Treasurer or his duly authorized representative.

(8) Any person who—

Offences.

- (a) contravenes the provisions of sub-section (1) or sub-section (2) of this section; or
- (b) fails to produce his licence when notice has been given to him to do so under sub-section (3) of this section; or
- (c) fails to furnish any information required from him under the provisions of sub-section (4) or sub-section (5) of this section; or
- (d) fails to keep the books required to be kept under the provisions of sub-section (b) of this section; or

(e) obstructs or hinders any administrative or police officer or licensing authority in the exercise of his duties under this section,
shall be guilty of an offence against this Ordinance.

11. Every licence holder, keeping a shop, office or other place of business or of practice under his licence shall exhibit a signboard or name-plate bearing the name under which he practises or carries on business as shown on his licence.

Hawkers'
licences.

12. (1) No person shall hawk goods in the Colony unless he holds a hawker's licence, for the time being in force authorizing him to do so, in the form set out in Schedule F to this Ordinance.

(2) There shall be paid for a hawker's licence the fee of twenty-five shillings per month.

Pedlars'
licences.

13. (1) No person shall peddle goods in the Colony unless he holds a pedlar's licence, for the time being in force authorizing him to do so, in the form set out in Schedule F to this Ordinance.

(2) There shall be paid for a pedlar's licence a fee of ten shillings per month.

Servants of
hawkers and
pedlars.

14. (1) Subject to the provisions of sub-section (2) of this section, where any person employs servants to hawk goods or to peddle goods on his account such person shall be liable to take out a licence and to pay the fees therefor for each such servant.

(2) A hawker or a pedlar shall not transfer his licence to any person: Provided that a servant may travel with his master's licence and trade for his master's benefit: And provided further that a separate licence shall be taken out for each servant if more than one is employed, as provided in sub-section (1) of this section.

(3) Every person required by this section to be provided with a hawker's licence or with a pedlar's licence shall carry the same with him and shall produce the same on the demand of any district officer or police officer.

Exceptions.

(4) The provisions of sections 12, 13 and 14 of this Ordinance shall not apply to—

(a) any commercial traveller;

(b) any person hawking or peddling only goods in respect of which no licence under this Ordinance is required for the sale thereof in a store;

- (c) any person selling goods in any market legally established;
- (d) any person selling fish, fruit, milk, victuals, firewood or newspapers;
- (e) any person selling religious or instructive literature to natives.

15. Licences shall be issued by the Treasurer or his duly authorized representative: Provided that a licence to practise as an advocate shall be issued by a registrar or deputy registrar of the Supreme Court. Issue of licences.

16. (1) Every application for a professional licence or a business licence shall be in the appropriate form contained in Schedule E to this Ordinance, and every licence issued under this Ordinance shall be in the appropriate form contained in Schedule F to this Ordinance. Application for licences.

(2) Every application for a professional licence or a business licence shall be signed by the person proposing to practise the profession, or by the owner, manager or authorized representative of the business: Provided that a business licence may be issued without written application if the applicant applies in person for the licence and the licensing authority is satisfied that the applicant has not sufficient knowledge of the English language to be able to apply in writing.

17. (1) The following professions and businesses shall be exempt from the operation of this Ordinance:— Exemptions.

- (a) the business or trade of a planter, farmer, stock raiser, market gardener or dairyman disposing of his own produce, but not including a manufacturer of sugar or a manufacturer of tea or a manufacturer of roasted coffee;
- (b) a business for which a licence is taken out under any law for the time being in force relating to intoxicating liquor in respect of brewers or traders dealing solely in intoxicating liquors;
- (c) the business of mining under the authority of a prospecting right, an exclusive prospecting licence, a location or a mining lease granted under the

Mining Ordinance, 1933, or the Oil Production Ordinance, 1924, or any legislation substituted therefor;

(d) domestic industries carried on by natives;

(e) brickmakers, butchers and bakers catering solely for native trade;

Powers of
Governor
to exempt.

(2) The Governor may exempt any profession or business or any person practising any profession or carrying on any business from the operation of this Ordinance either generally or in any area, or he may reduce the fee payable under this Ordinance in respect of any business or profession if, in his opinion, such exemption or reduction is desirable in the interests of the community or for any other reason which may seem to him to be sufficient.

Licensing
Commissioners.

18. (1) The Governor may, from time to time, by order appoint the Treasurer and any other persons employed in the public service to be styled "the Licensing Commissioners" (in this Ordinance referred to as "the Commissioners") to superintend the licensing of professions and businesses under this Ordinance.

(2) The Commissioners may, from time to time, give general or specific directions to licensing authorities as to the performance of their duties, and may direct or authorize any question of doubt or difficulty in connection with their duties to be referred to the Commissioners for decision.

(3) Any direction or decision of the Commissioners shall be observed and given effect to by licensing authorities but shall not be binding on any court.

Licensee
responsible
for acts of
employee.

19. (1) Any licensee under this Ordinance who employs in his shop, office or other place of practice or of business any agent, clerk or other person shall be answerable for the acts of such agent, clerk or other person in so far as they concern the profession or business of such licensee in relation to this Ordinance; and if such agent, clerk or other person commits any act which is an offence against the provisions of this Ordinance, such licensee and his agent, clerk or other person shall be jointly and severally liable to the forfeitures, fines and penalties thereby incurred.

(2) The licensee shall not be allowed to plead as a bar to the proceedings taken against him that any such agent, clerk or other person who may have committed such offence did so without his authority, or was not acting in the capacity of an agent, clerk or other person employed.

20. The Governor in Council may make rules— Rules.

- (a) prescribing forms of application, forms or licences and any other forms required for the better carrying out of the provisions of this Ordinance;
- (b) amending or revoking the forms set out in Schedule E and Schedule F to this Ordinance;
- (c) generally for the better carrying out of the provisions of this Ordinance.

21. Any person who is guilty of an offence against this Ordinance or who acts in contravention of any of the provisions thereof or of any rules made thereunder shall, if no other penalty is imposed by this Ordinance or by any rules made thereunder, be liable on conviction for each offence to a fine not exceeding ten pounds and in default of payment to imprisonment for a term not exceeding one month. Offences.

22. The Licensing Ordinance, 1933, is hereby repealed. Repeal.

SCHEDULE A.

The licences described in this Schedule shall be known as "professional licences".

Every licence issued shall authorize the exercise of the profession described in the licence but shall not authorize the exercise of any other profession or the carrying on of any business for which a separate fee is prescribed under the Ordinance.

	<i>Per annum</i> <i>Sh.</i>
1. A licence to carry on the profession of an architect and/or quantity surveyor	300
2. A licence to carry on the profession of an accountant and/or auditor	300
3. A licence to carry on the profession of an advocate ...	300
4. A licence to carry on the profession of a medical practitioner and/or a dentist or dental surgeon	300
5. A licence to carry on the profession of a consulting engineer	300
6. A licence to carry on the profession of a veterinary surgeon	300
7. A licence to carry on the profession of a land surveyor ...	300
8. A licence to carry on the profession of an assayer and/or geologist	300

SCHEDULE B.

The licences described in this Schedule shall be known as "business licences".

Every licence issued shall authorize the carrying on of the business described in such licence but shall not, save as otherwise specifically provided in a licence issued under item 6 of this Schedule authorize the exercise of any profession or the carrying on of any other business for which a separate fee is prescribed under the Ordinance.

	<i>Per annum Sh.</i>
1. A licence to carry on the business of a house, land and estate agent	200
2. A licence to carry on the business of an estate managing agent	100
3. A licence to carry on the business of an assessor or valuator	200
4. A licence to carry on the business of a bookkeeper (not required to be taken out by any person holding a professional licence as an accountant and/or auditor) ...	100
5. A licence to carry on the business of a secretary	100
6. A licence to carry on any or all of the businesses described in this Schedule	300

SCHEDULE C.

The licences described in this Schedule shall be known as "business licences".

Every licence issued shall authorize the carrying on of the business described in such licence but shall not, save as otherwise specifically provided in a licence issued under item 7 of this Schedule, authorize the exercise of any profession or the carrying on of any other business for which a separate fee is prescribed under the Ordinance.

	<i>Per annum Sh.</i>
1. A licence to conduct the business of a petty dealer : — For each place of business where the value of the goods on hand does not at any one time during the period of the validity of the licence exceed £75— (a) in a municipality, township or trading centre	30
(b) elsewhere	10
2. A licence to conduct the business of a trader :— For each place of business— (a) where the value of goods on hand does not at any one time during the period of the validity of the licence exceed £300	75

	<i>Per annum Sh.</i>
(b) where the value of goods on hand does not at any one time during the period of the validity of the licence exceed £1,000	300
(c) where the value of goods on hand does not at any one time during the period of the validity of the licence exceed £2,000	450
(d) where the value of the goods on hand may at any one time during the period of the validity of the licence exceed £2,000	600
3. A licence to carry on the business of a manufacturer with the right to purchase raw materials necessary to the business of a manufacturer and to sell the goods manufactured by him :—	
For each place of business where the gross receipts derived from such manufacturing business during the period of twelve months immediately preceding the date upon which liability to take out the licence arose—	
(a) did not exceed £300	30
(b) exceeded £300 but did not exceed £2,500 ...	100
(c) exceeded £2,500 but did not exceed £5,000 ...	300
(d) exceeded £5,000	750
Provided that, in cases where trade may not have been carried on for the period of twelve months immediately preceding the date upon which the liability to take out a licence arose, the fee shall be based upon the gross receipts estimated to be derived from the trade during the period of twelve months immediately following the date upon which the liability to take out a licence arose.	
4. A licence to carry on the business of a commission agent and/or manufacturer's representative	400
5. A licence to carry on the business of an exchange banker	1,000
6. A licence to carry on the business of a clearing and forwarding agent	100
7. A licence to carry on any or all of the businesses described in this Schedule	1,200

For the purposes of this Schedule "goods on hand" excludes domestic produce not for sale direct to the consumer.

SCHEDULE D.

The licences described in this Schedule shall be known as "business licences".

Every licence issued shall authorize the carrying on of the business described in such licence, but shall not authorize the exercise of any profession or the carrying on of any other business for which a separate fee is prescribed under this Ordinance.

	<i>Per annum Sh.</i>
1. A licence to carry on the business of a banker :—	
For each principal or only place of business	4,000
For each branch	500
2. A licence to carry on the business of an oil company (including branches)	4,000
3. A licence to carry on the business of an electric light distributor for gain, unless specifically exempted by the Governor in Council :—	
For each area of distribution	2,500
4. A licence to carry on the business of a shipping company or agency (including branches, agencies or sub-agencies)	1,000
5. A licence to carry on the business of stevedoring and lighterage	1,000
6. A licence to carry on the business of an insurance com- pany or insurance underwriters payable by each sep- arate insurance company or separate group of under- writers operating through a head office, branch office, agency or sub-agency :—	
Life (including bond investment and industrial assurance)—	
The receiving or collecting of life assurance renewal premiums in respect of life assurance contracts entered into and in force in a place outside the Colony and which by the nature of the contract it is obligatory on the company or underwriters to continue to receive until such contract ex- pires, becomes void or otherwise determines, shall not, for the purposes of this Schedule be deemed to be carrying on the business of insurance	200
Fire, or other perils written in conjunction with fire ...	200
Marine (including transit insurance of any kind other than personal baggage insurance)	200

	<i>Per annum Sh.</i>
Accident, including burglary, personal baggage, personal accident and sickness, employers' liability and third-party risks, guaranteed live stock, motor and plate glass	200
Insurance business generally	600
7. A licence to carry on the business of a turf commission agent or turf accountant :—	
For each individual carrying on such business whether alone or in partnership with another person or persons or as the director of a company	500
6. A licence to carry on the business of a coffee curer (not required by a farmer curing only his own coffee for export purposes)	500
9. A licence to carry on the business of stock and share broker	300
10. A licence to carry on the business of transporting passengers and goods by air	200
11. A licence to carry on the business of a fuel contractor ...	200
12. A licence to carry on the business of a ballast contractor	200
13. A licence to carry on the business of a tourist agency ...	100
14. A licence to carry on the sole business of a safari outfitter	100
15. A licence to carry on the sole business of a trophy dealer and taxidermist (the holder of this licence shall not be required to take out a licence as a petty dealer or trader under Schedule C merely in respect of his business as a trophy dealer and taxidermist)	100
16. A licence to carry on the business of a newspaper publisher :—	
(a) for the publication for twelve months of one daily edition of a newspaper	200
(b) for the publication for twelve months of a newspaper, other than a daily newspaper, issued at intervals not exceeding seven days	100
17. A licence to carry on the business of an hotel, boarding and/or lodging house :—	
(1) With twenty or more bed or sleeping rooms ...	400

	<i>Per annum Sh.</i>
(2) With not less than six and not more than nineteen bed or sleeping rooms—	
(a) in respect of premises situate in or within three miles of the boundaries of Nairobi Municipality or Mombasa	300
(b) in respect of premises situate in or within three miles of the boundaries of Nakuru Municipality, Eldoret Municipality, Ki- tale Township or Kisumu Township ...	200
(c) in respect of premises situated elsewhere	100
(3) With not less than two and not more than five bed or sleeping rooms	50
18. A licence to carry on the business of a restaurant keeper (not required in respect of a restaurant which may be carried on in connection with a business of an hotel, boardind and/or lodging house licensed as such under this Ordinance) :—	
For each place of business—	
(a) European	100
(b) Non-European—in a municipality, town- ship or trading centre	10
19. A licence to carry on the business of a builder, or build- ing contractor	300
20. A licence to carry on the business of a brickworks ...	200
21. A licence to carry on the business of a dry cleaner and/or laundry man (not including a dhobi working single- handed)	100
22. A licence to carry on the business of a baker (the holder of this licence shall not be required to take out a licence as a petty dealer or a trader under Schedule C merely in respect of his business as a baker)	100
23. A licence to carry on the business of a vulcanizer ...	50
24. A licence to carry on the business of a photographer ...	50
25. A licence to carry on the business of an employment bureau	30
26. A licence to carry on the business of a dealer in stone or sand	30
27. A licence to carry on the business of a commercial travel- ler for three months	400

SCHEDULE E.

COLONY AND PROTECTORATE OF KENYA.

The Licensing Ordinance, 1934.

FORM OF APPLICATION FOR A LICENCE TO CARRY ON A BUSINESS.

(Schedule B, Schedule C and Schedule D of the Ordinance.)

A separate form must be completed in respect of each licence applied for.

1. Name under which the business is to be carried on
2. Full address where the business is to be carried on
3. Name of proprietor, partner or owning company
4. Full description of the business for which a licence is required

N.B.—Before completing this section applicants are advised to refer to the description of businesses in the relative Schedules.

5. State number and date of licence previously held; or state date of commencing business
6. State period for which licence is required

N.B.—In any case where the annual fee is not less than Sh. 300 a licence may be issued for six months with effect from the 1st January the fee payable being half the amount of the annual fee.

I hereby certify that the information given in this application is true and correct.

Signature of applicant

Date *Designation*

Declaration to be completed by an applicant for a licence to carry on the business of an hotel, boarding and/or lodging house.

I hereby certify that the number of bed or sleeping rooms which I have set apart and furnished for letting is not more than

Date *Signature*

Declaration to be completed by an applicant for a licence to carry on business as a petty dealer, or as a trader (section 1 and section 2 of Schedule C).

In respect of the licence for which I make application, I hereby certify that the value of the goods on hand will not at any time during the period of validity of the said licence exceed £.....

Date..... Signature.....

Declaration to be completed by an applicant for a licence to carry on business as a manufacturer (section 3 of Schedule C).

In respect of the licence for which I make applicaiton, I hereby certify that the gross receipts derived from the business during the twelve months immediately preceding the 2nd of January, did not exceed £.....

Date..... Signature.....

FOR OFFICIAL USE ONLY.

Licence No. Date..... Fee.....
 Issued in the name of
 in respect of premises situate
 under section of Schedule.....
 Station..... Licensing Authority.....
 Registered.....

SCHEDULE E.

COLONY AND PROTECTORATE OF KENYA.

The Licensing Ordinance, 1934.

Form of application for licence to practise a profession (Schedule A).
 A separate form must be completed in respect of each licence applied for.

Full name of applicant
 Description of the profession for which a licence is required

Business name under which the profession will be practised, i.e. proprietor, partner or owning company

Full address where profession will be practised

Date..... Signature.....

FOR OFFICIAL USE ONLY.

Licence No. Date..... Fee.....
 Issued in the name of
 in respect of premises situate at
 under section
 Date..... Licensing Authority.....

SCHEDULE F.

COLONY AND PROTECTORATE OF KENYA.

The Licensing Ordinance, 1934.

BUSINESS LICENCE.

Station.....

Licence is hereby granted to
 of (address)
 to carry on the of
 on premises situated at

This licence expires on the day of, 19.....
 Fee paid (in words) (Sh.)

Date..... Licensing Authority.....

SCHEDULE F.

COLONY AND PROTECTORATE OF KENYA.

The Licensing Ordinance, 1934.

HAWKER'S LICENCE

Station.....

Licence is hereby granted to
 to hawk goods in the Colony for a period
 of month/s.

This licence expires on the day of, 19.....
 Fee paid (in words) (Sh.)

Date..... Licensing Authority.....

SCHEDULE F.

COLONY AND PROTECTORATE OF KENYA.

The Licensing Ordinance, 1934.

PROFESSIONAL LICENCE.

Station.....

Licence is hereby granted to
 of (address)
 to practice the profession of

This licence expires on the day of, 19.....

Fee paid (in words) (Sh.)

Date..... *Licensing Authority*.....

SCHEDULE F.

COLONY AND PROTECTORATE OF KENYA.

The Licensing Ordinance, 1934.

PEDLAR'S LICENCE.

Station.....

Licence is hereby granted to
 to peddle goods in the Colony for a period
 of month/s.

This licence expires on the day of, 19.....

Fee paid (in words) (Sh.)

Date..... *Licensing Authority*.....

OBJECTS AND REASONS.

The object of this Bill is to give effect to the recommenda-
 tions of the Committee appointed to revise the Licensing
 Ordinance, 1933.

No expenditure of public moneys will be involved if the
 provisions of this Bill become law.

GOVERNMENT NOTICE No. 770

THE NATIVE AUTHORITY ORDINANCE
(Chapter 129 of the Revised Edition, section 3 (1))

AND

THE INTERPRETATION AND GENERAL
CLAUSES ORDINANCE

(Chapter 1 of the Revised Edition, section 13).

GOVERNMENT NOTICE No. 406 OF 1926.

APPOINTMENT.

IN EXERCISE of the powers thereunto enabling me, I hereby appoint the person named in the Schedule annexed hereto to be Official Headman for the area named therein.

Nyeri,

19th November, 1934.

R. W. BAKER-BEALL,
for Provincial Commissioner,
Central Province.

SCHEDULE.

KIAMBU DISTRICT, CENTRAL PROVINCE.

Name	Area	With effect from	Remarks
Gachukia s/o Chege	Mangu Location (In addition to his appointment to Makwa Location vide Govt. Notice No. 179 dated 13th March, 1933.)	1st Dec., 1934	Vice Kiranga s/o Ithua resigned. (appointed by Government Notice No. 392 dated 28th June, 1927.)

GOVERNMENT NOTICE No. 771

THE DISEASES OF PLANTS PREVENTION
ORDINANCE

(Chapter 155 of the Revised Edition)

AND

THE DISEASES OF PLANTS PREVENTION
(AMENDMENT) RULES, 1932.

NOTICE.

MOVEMENT OF COTTON SEED AND SEED COTTON.

IN EXERCISE of the powers conferred upon me by Rule 2 of the Diseases of Plants Prevention (Amendment) Rules, 1932, I hereby declare the Coast Province to be a "closed area" for the purposes of this notice, and I hereby prohibit the movement of cotton seed and seed cotton from the closed area to any other part of the Colony without a permit first being obtained.

Applications for such permits must be made to me through the Entomologist, Scott Agricultural Laboratories, P.O. Box 338, Nairobi.

Nairobi,

20th day of November, 1934.

H. WOLFE,
for Director of Agriculture.

GOVERNMENT NOTICE No. 772

THE MINING ORDINANCE, 1933.

NOTICE is hereby given under section 17 (2) of the Mining Ordinance, 1933, that an application by Hugh Sandys on behalf of Tanami Gold Mining Syndicate has been accepted for consideration of an Exclusive Prospecting Licence over an area of approximately 8 square miles situated in the Kakamega District of North Kavirondo, and as described in the Schedule hereto.

Under section 7 (d) of the Mining Ordinance, 1933, this area, except such portion already held under existing mining title is therefore excluded to prospecting or occupation under any prospecting right with effect from the 15th day of November, 1934.

Objections to the grant of the Exclusive Prospecting Licence applied for will be entertained until the 27th day of December, 1934, and should be addressed to the Commissioner of Mines, Mining and Geological Department, P.O. Box 339, Nairobi.

Nairobi,

This 15th day of November, 1934.

E. B. HOSKING,
Commissioner of Mines.

SCHEDULE.

An area of approximately 8 square miles, described as follows:—

Commencing at a claim beacon at the north-east corner of Claim No. 537/1 which beacon is situated at about 6,757 feet from Kibiriri trigonometrical beacon and on a bearing of approximately 139° 33' from it;

thence bounded by a straight line bearing 6° 59' 34" for 10,560 feet;

thence by a straight line bearing 276° 59' 34" for 15,840 feet;

thence by a straight line bearing 186° 59' 34" to the right bank of the Sioko River;

thence up-stream by the right bank of that river to a point opposite the south-west corner beacon of Claim No. 2524/5;

thence by a straight line to that beacon;

thence by a straight line bearing approximately 342° 23' for about 4,906 feet to the north-west corner beacon of Claim No. 2525/1, which beacon is situated at about 6,000 feet from Kibiriri trigonometrical beacon and on a bearing of approximately 227° 21' from it;

thence by a straight line bearing approximately 97° for about 8,862 feet to the point of commencement.

GOVERNMENT NOTICE No. 773

NOTICE.

IT is notified for general information that the King's Exequatur empowering Mr. P. Lamotte to act as Belgian Consul-General at Nairobi, received His Majesty's signature on the 19th October, 1934.

Nairobi,

This 23rd day of November, 1934.

A. DE V. WADE,
Acting Colonial Secretary.

GOVERNMENT NOTICE No. 774

THE TRADE MARKS ORDINANCE, 1930.

TRADE MARKS RENEWED

Trade Mark Number	Advertised in the Official Gazette	Name of Applicant	Class
655	12-1-1921	J. C. Eno Limited	3
663	12-1-1921	The Chillington Tool Company Limited	13

UNPAID RENEWAL FEES

654	12-1-1921	The Vacuum Oil Co. of South Africa Ltd.	47
656	12-1-1921	Samson Tractor Co.	7
657	12-1-1921	The Robert Sinclair Tobacco Co. Ltd.	45
658	12-1-1921	do	45
659	12-1-1921	do	45
660	12-1-1921	Thomas Bear & Sons Limited	45
661	12-6-1921	Maxwell Motor Co.	22
662	12-1-1921	Wyse Patents Ltd.	3

Nairobi,

This 20th day of November, 1934.

B. STONE,
Acting Registrar of Trade Marks.

GOVERNMENT NOTICE No. 775

THE LOCAL GOVERNMENT (DISTRICT COUNCILS) ORDINANCE, 1928.

NAIROBI DISTRICT COUNCIL.

IN EXERCISE of the powers conferred upon him by Rule 2 of the District Councils (Filling of Vacancies) Rules, 1929, His Excellency the Governor has been pleased to nominate Colonel M. Maxwell to fill a vacancy on the Nairobi District Council in respect of the Donyo Sabuk Ward.

By Command of His Excellency the Governor.

Nairobi,

24th November, 1934.

W. M. LOGAN,
*Commissioner for Local Government,
Lands and Settlement.*

GOVERNMENT NOTICE No. 776

BOARD OF AGRICULTURE.

COAST ADVISORY COMMITTEE.

APPOINTMENT.

IT is notified for public information that His Excellency the Governor has been pleased to appoint the District Commissioner, Mombasa, to be a member of the Coast Advisory Committee.

Nairobi,

This 26th day of November, 1934.

A. DE V. WADE,
Acting Colonial Secretary.

GOVERNMENT NOTICE No. 777

THE MINING ORDINANCE, 1933.

NOTICE is hereby given that Government Notice No. 672 of the 13th day of October, 1934, in respect of an application by John Dickson on behalf of the Brith Syndicate of Kakamega for an Exclusive Prospecting Licence over an area of approximately 7 square miles situated in the Kakamega District in North Kavirondo, and as described in the Schedule thereto, is cancelled with effect from the 25th day of November, 1934.

Nairobi,

This 22nd day of November, 1934.

E. B. HOSKING,
Commissioner of Mines.

GOVERNMENT NOTICE No. 718

SWAHILI EXAMINATIONS.

HIGHER Standard Examinations in Swahili will be held at Nairobi on Monday, the 4th March, 1935.

Lower Standard Examinations will be held on the same date at Nairobi and such other places as the chairman of the Languages Board may decide.

The names of candidates for either of the above examinations must be forwarded through Heads of Departments, and to reach the Secretary, Languages Board, P.O. Box 621, Nairobi, on or before the 4th January, 1935.

Entries should state the candidate's full name, the post held and the language examinations already passed.

Nairobi,

2nd November, 1934.

L. A. WEAVING,
Secretary, Languages Board.

GENERAL NOTICE No. 1601

HIS MAJESTY'S COURT OF APPEAL FOR EASTERN AFRICA.

THE next Sessions of His Majesty's Court of Appeal for Eastern Africa have been fixed to be holden at Nairobi to commence on Monday the 14th day of January, 1935 at 10 a.m. or as soon thereafter as cases can be heard.

To ensure appeals from His Majesty's Supreme Court of Kenya being set down for hearing at these sessions memoranda of appeal should be filed with the Registrar, Supreme Court of Kenya, Nairobi, or with the District Registrar, Mombasa, so far as Mombasa Registry is concerned not later than the 22nd day of December, 1934.

Nairobi,

20th November, 1934.

MURRAY M. JACK,
*Registrar,
H.M. Court of Appeal for E.A.*

GENERAL NOTICE No. 1602

NOTICE.

TENDERS are invited for the supply of cattle to be used in the preparation of Anti-Rinderpest serum and vaccine for the year 1935. Cattle should be two or more years old and from 450 lb. live weight upwards. They must be susceptible to rinderpest and the tenderer must give an assurance that they have never been immunized (double inoculated) or vaccinated against Rinderpest, or have been in contact with the disease. Any cattle that prove not to be susceptible to Rinderpest shall be exchanged for fresh animals. Animals to be subject to veterinary inspection prior to despatch. Tenders should be for the supply of animals in lots of ten or more, and should indicate when delivery can be given. The average age and approximately the average weight of the animals should be stated. Quotations should be per pound live body weight, f.o.r. supplier's nearest station or siding. Animals to be weighed at Kabete immediately on arrival and payment to be made on those weights. Tenders should be addressed to the Secretary, Central Tender Board, P.O. Box No. 591, Nairobi, and should be plainly marked "Tender for Cattle".

Tenders received later than Monday the 17th of December, 1934, will not be considered.

The lowest or any tender will not necessarily be accepted.

H. R. HIRST,
Secretary,
Central Tender Board.

GENERAL NOTICE No. 1603

POST OFFICE NOTICE.

ARRIVAL OF AIR MAIL IN ENGLAND.

IT is notified for general information that the Air Mail despatched from Nairobi on the under-mentioned date arrived in England as stated:—

Date of despatch from Nairobi	Date of arrival in England
16th November, 1934	22nd November, 1934

General Post Office,
Nairobi,
23rd November, 1934.

A. W. DRURY,
for Postmaster General,
Kenya, Uganda and Tanganyika

GENERAL NOTICE No. 1604

HONORARY PERMIT ISSUER.

IN EXERCISE of the powers conferred upon me by Rules Nos. 20 and 63 of the Diseases of Animals Ordinance Rules, 1931, I hereby declare that the undermentioned gentleman ceases to be an Honorary Permit Issuer for the purposes of the said Rules:—

Capt. T. I. Farrar M.C. (deceased),
Mau Summit.

Nairobi,

This 23rd day of November, 1934.

H. H. BRASSEY-EDWARDS,
Deputy Director (Animal Industry)
and Chief Veterinary Officer.

GENERAL NOTICE No. 1605

POST OFFICE NOTICE.

ARRIVAL OF KENYA MAILS IN ENGLAND.

IT is notified for general information that the mails despatched from Mombasa on the under-mentioned date arrived in England as stated:—

Date of despatch from Mombasa	Name of vessel by which despatched	Date of arrival in England
6th November, 1934	S.S. "Leconte de Lisle"	24th November, 1934

General Post Office,
Nairobi,
26th November, 1934.

A. W. DRURY,
for Postmaster General,
Kenya, Uganda and Tanganyika

GENERAL NOTICE No. 1528

NOTICE.

IN view of the close of the Financial Year on the 31st December, 1934, it is requested that all merchants and others having any claim against the Government of the Colony and Protectorate of Kenya will render them to the department concerned before the 22nd December, 1934, and will present all payment vouchers to the nearest District Treasury for payment before the 31st December, 1934.

The Treasury,
Nairobi,
7th November, 1934.

G. R. SANDFORD,
for Treasurer.

GENERAL NOTICE NO. 1534

THE CROWN LANDS ORDINANCE

(Cap. 140, Revised Laws of Kenya).

THOMSON'S FALLS STOCK YARD PLOT.

TENDER NOTICE.

TENDERS in terms of rent per annum are invited for the right to lease, for the purposes of a stock sale yard, a plot of land at Thomson's Falls Township, in accordance with the following particulars:—

Area.—Three acres approximately (unsurveyed).

Position.—West of the railway line, south of the godown area.

Term.—Twenty-five years from 1-1-1935.

User.—Stock sale yard for stock sales only.

Buildings.—Any buildings erected must be in accordance with plans and specifications approved by the Provincial Commissioner, Rift Valley Province, Nakuru.

2. No tender of less than Sh. 200 per annum will be considered.

3. The successful tenderer will be required to pay to the Provincial Commissioner, Rift Valley Province, Nakuru, the sum of Sh. 200 by way of Stand Premium within fourteen days of the date of the acceptance of his tender, together with the rent for the year 1935. Cost of deeds (Sh. 120), Stamp Duty and Survey Fees will be payable on demand.

4. On such days as the lessee does not require the use of the sale yard for the purpose of stock sales, he shall allow any licensed auctioneer the use thereof for stock sales subject to a fee of Sh. 10 per diem payable in advance.

5. The highest or any tender will not necessarily be accepted.

6. Sealed tenders marked "Tender for Thomson's Falls Stock Yard" must be deposited with the undersigned by noon on Saturday, the 14th December, 1934.

Nairobi,

10th November, 1934.

W. M. LOGAN,

Commissioner for Local Government,
Lands and Settlement.

GENERAL NOTICE NO. 1535

HIS MAJESTY'S COURT OF APPEAL FOR EASTERN AFRICA.

A special Session of His Majesty's Court of Appeal for Eastern Africa will be holden at Nairobi on the 30th day of November, 1934, when the following appeals will be heard.

Criminal Appeal	No. 135/34.	Rex vs. Chakwera.
"	" No. 144/34.	Rex vs. William Agere s/o Kiroge.
"	" No. 145/34.	Rex vs. Muli wa Mbai.
"	" No. 146/34.	Rex vs. Mbaya wa Mutuba.
"	" No. 147/34.	Rex vs. Kyesongera s/o Weraga.
"	" No. 148/34.	Rex vs. Kristofa Male s/o Nikodemu.
"	" No. 149/34.	Rex vs. Eriya Kayongo s/o Nikodemu.
"	" No. 152/34.	Rex vs. Ia Baki.
"	" No. 153/34.	Rex vs. Kinguru s/o Kabutui.
"	" No. 154/34.	Rex vs. Mbunja wa Kambogo.
"	" No. 155/34.	Rex vs. Mutoni wa Mbunja.
"	" No. 156/34.	Rex vs. Kibet arap Boregi.
"	" No. 157/34.	Rex vs. Kipruto arap Komoilong.
"	" No. 158/34.	Rex vs. Kiplangat arap Komoilong.
"	" No. 159/34.	Rex vs. Kiplangat arap Chepkonyi.
"	" No. 160/34.	Rex vs. Kiproach arap Mngerichi.
"	" No. 161/34.	Rex vs. Kiprono arap Seni.
"	" No. 162/34.	Rex vs. Kiplangat arap Cherio.
"	" No. 163/34.	Rex vs. Engerepi s/o Emongot.
"	" No. 164/34.	Rex vs. Waguwabi s/o Muikalwa.
"	" No. 165/34.	Rex vs. Ekwaro s/o Oguta.
"	" No. 166/34.	Rex vs. Achol s/o Itukoyi.
"	" No. 167/34.	Rex vs. Elyamu s/o Eletu.
Civil Appeal	No. 26/34.	B. D. Shahi vs. The Krishna Stores (Application)

Nairobi,

8th November, 1934.

MURRAY M. JACK,

Registrar,

H.M. Court of Appeal for E.A.

GENERAL NOTICE NO. 1499

THE CROWN LANDS ORDINANCE
(Chapter 140, Revised Edition).

TENDER FOR FARM GRANTS.

NOTICE.

TENDERS in terms of Stand Premia are invited from persons of European descent only for the purchase of the grants in respect of the farms mentioned in the Schedule below.

2. A plan of the farms may be seen at the Public Map Office attached to the Survey and Registration Division, Government Road, Nairobi, or may be had on application to the Surveyor General, P.O. Box 89, Nairobi, on payment of Sh. 3 each, post free.

3. Each grant will be issued under the Registration of Titles Ordinance, Chapter 142, for a term of 999 years as from the 1st January, 1935, and will be subject to the ordinary conditions of the Crown Lands Ordinance (Chapter 140 of the Revised Edition).

4. Sealed tenders marked "Tender for farm grant" must be deposited with the undersigned before noon on Saturday, the 8th December, 1934.

5. Tenders should be accompanied by a statement indicating:—

- (a) the present land holding (if any) of the tenderer in the Colony and the amount of and nature of development thereon;
- (b) the proposals of the tenderer for the development of the area if his tender be accepted;
- (c) the amount of guaranteed capital available for development purposes.

6. The successful tenderer will be required to pay within seven days of notification that his tender has been accepted 10 per cent of the amount tendered, together with the rent due to the 31st December, 1935.

7. The balance of the purchase price will be payable on demand prior to the issue of title or may be paid in nine equal annual instalments, the first of such payments becoming due on the 1st January, 1936.

8. The survey fees and the fees (Sh. 120) payable in respect of the preparation and registration of the title, together with the stamp duty in respect of the grant must be paid within seven days of a demand therefor. Titles will be issued as soon as conveniently may be.

9. No tender of a sum less than that indicated in the Schedule as the reserve price will be considered.

The highest or any tender will not necessarily be accepted.

SCHEDULE

Locality	Farm No.	Area acres (approx)	Reserve Price Sh.	Survey Fees Sh.	Rent per annum Sh. cts.
Trans Nzoia (Charangani)	2201	1395	20,925	756	279 00
Ulu	4902	2526	10,104	996	505 20
North Nyeri (Kalalu)	4428/9/3	735	11,025	596	147 00
Nyeri	3382	1020	6,120	676	204 00
Ol Joro Rok	2644	*1664	16,640	836	332 80

*It may be necessary to reserve out of No. 2644, an area of approximately 49 acres in respect of the Gilgil-Rumuruti Road (Stock Route) in which case a *pro rata* reduction in Stand Premium and rent will be made.

Nairobi,
2nd November, 1934.

W. M. LOGAN,
Commissioner for Local Government,
Lands and Settlement.

GENERAL NOTICE NO. 1606

THE BANKRUPTCY ORDINANCE, 1920

NOTICE OF RELEASE OF TRUSTEE

Debtor's Name	Debtor's Address	Debtor's Description	Court	Number of Matter	Trustee's name	Date of Release
Omar bin Abed Izerega trading as Mombasa Petrol Station	Mombasa	Merchant	Supreme Court	3 of 1933	Lewis Anthony de Souza	19-11-34
Jamal Karmali	Mombasa	Merchant	Supreme Court	18 of 1933	Official Receiver	19-11-34

Mombasa,
24th November, 1934.

J. H. FLYNN,
Ag. District Registrar, Supreme Court of Kenya.

GENERAL NOTICE No. 1533

THE CROWN LANDS ORDINANCE.
(Chapter 140 of the Revised Edition).

KISUMU TOWNSHIP PLOTS.

NOTICE.

NOTICE is hereby given that grants in respect of the plots at Kisumu specified in the Schedules hereto, will be sold by auction at the office of the District Commissioner, Kisumu-Londiani District at Kisumu, on Monday, 17th December, 1934, commencing at 11 a.m.

Plans of the plots may be seen at the Public Map Office attached to the Survey and Registration Division, Nairobi, and at the office of the District Commissioner at Kisumu, or may be had on application to the Surveyor General, Box 89, Nairobi, on payment of Sh. 3 post free.

The right to withdraw any plot from the auction is reserved to the Commissioner for Local Government, Lands and Settlement.

In the following General and Special Conditions of Sale, the term "Authority" means the District Commissioner, Kisumu-Londiani, or such other Municipal Authority as may be hereafter established by law.

CONDITIONS OF SALE.

(a) Auction.

1. Each plot will be auctioned separately.
2. The amount of the advance of each bid will be regulated by the auctioneer, and no bidding shall be retracted.
3. The highest bidder will be the purchaser, but if any dispute arise as to any bid, the plot will be re-offered at the last undisputed bid.
4. Each purchaser shall pay to the auctioneer immediately on the fall of the hammer, a deposit of 25 per cent of the purchase money. In default of such payment, the plot may be immediately re-offered for sale, and any subsequent bid by the person who has made default may be ignored or refused.
5. Each purchaser shall on paying the deposit inform the auctioneer of the name or names of the person or persons on whose behalf the plot is purchased; the grant will be issued in accordance with this information.
6. The balance of the purchase money, together with the rent due to the 31st December, 1935, shall be paid to the District Commissioner, Kisumu-Londiani.

The survey fees, the fees payable for the preparation and registration of the grant (Sh. 120) and the stamp duty payable in respect of the grant, and all other expenses, if any, shall be paid to the Surveyor General, Nairobi.

All these amounts shall be paid within seven days of a demand being made therefor.

Upon such payments being duly made, the purchaser shall, subject to the provisions of the Crown Lands Ordinance (Chapter 140, Revised Edition), and to the Conditions of Sale having been complied with, be entitled to a grant of the plot, which grant shall be presented to him duly executed as soon as conveniently may be.

Provided that the balance of the purchase money shall not be payable within the time stated or

thereafter, unless and until the Commissioner for Local Government, Lands and Settlement can present to the purchaser the grant duly executed.

7. Subject to the proviso contained in Condition No. 6, if the amounts therein mentioned are not paid as therein laid down within seven days of a demand being made therefor, the Commissioner for Local Government, Lands and Settlement, may order the deposit made by the purchaser to be forfeited, and the purchaser shall have no further claim to the grant of the plot.

(b) General.

1. The Government or such person or authority as may be appointed for the purpose shall have the right to enter upon any plot and lay and have access to water mains, service pipes, telegraph or telephone wires, and electric mains of all descriptions whether overhead or underground, and the grantees shall not erect any building in such a way as to cover or interfere with any existing routes, main or service pipes or the telegraph or telephone wires and electric mains aforementioned.

2. No building shall be erected on any plot unless plans (including block plans showing the position of the buildings), drawings, elevations and specifications thereof shall have been previously approved by the Authority, and by the Commissioner for Local Government, Lands and Settlement, or such other person as he may appoint. Such plans, etc., shall be submitted in triplicate to the District Commissioner, Kisumu-Londiani, for necessary action.

3. Grants will be issued under the Registration of Titles Ordinance. The term of the grants for plots in Schedule No. I will be 99 years from the 1st day of January, 1935, and for plots in Schedule No. II the term of each grant will be for 25 years from the 1st day of January, 1935, subject to extension to 99 years as provided in Special Condition No. d4 of the Special Conditions attaching to the plots enumerated under Schedule No. II.

4. The grantee shall not at any time subdivide the plot, or assign, sublet or otherwise dispose of any portion of the plot without the previous written consent of the Governor.

5. Any building erected shall conform to a building line decided upon by the Authority.

(c) Special.

Special Conditions in respect of Residential Plots in Schedule No. I.

1. Each purchaser of a plot in Schedule No. I shall erect within two years of the commencement of his grant a building of approved design constructed of stone, burnt brick or concrete, on proper foundations, and shall maintain the same.

2. No building shall at any time during the term of the grant be used for any other purpose than a dwelling house.

3. At no time during the term of the grant shall more than one dwelling house with the necessary offices and out-buildings be erected on any plot without the consent of the Governor.

4. The grantee shall not at any time during the term of the grant erect any building or buildings so as to cover more than one-half of the area of the plot.

5. All out-buildings, offices, etc., shall be properly sited and screened from view to the satisfaction of the Authority or such other person as may be appointed, and shall be kept so screened during the term of the grant.

(d) *Special.*

Special Conditions in respect of Godown, Garage and Factory Plots in Schedule No. II.

1. The plots may be used for general godown, garage and factory purposes only, and not more than 90 per cent of the area of the plot shall be built over.

2. In no case shall the area of any plot required to remain unbuilt on be less than 300 square feet, and the said area shall be free from any erection thereon above the level of the ground except latrine accommodation constructed in accordance with all laws and by-laws in force relating thereto, and in accordance with a design approved by the Authority.

Such open space shall be at the rear of the building, and shall extend along the entire width of the building, or for a distance of not less than 30 feet whichever shall be the less, and the distance

across such open space from every part of the building to the rear boundary of the plot shall be not less than 10 feet.

3. Each purchaser of a plot shall erect within two years of the commencement of his grant a building of approved design constructed of stone, burnt brick, concrete or wood and iron on proper foundations, and shall maintain the same.

4. If at any time during the term of the grant a main building of approved design constructed of stone, burnt brick or concrete on proper foundations be erected on any plot, the grantee shall be entitled to an extension of the term of the grant to 99 years from the 1st day of January, 1935.

5. At no time during the term of the grant shall any plot or any portion thereof, or any building erected on the plot be used for the purpose of carrying on any trade or business which has been or may be declared to be dangerous or offensive by notice in the Official Gazette.

6. Verandas may be erected within a road reserve with the previous consent of the Authority, and must conform to a building line decided upon by such Authority.

SCHEDULE No. I.
CLASS "A" RESIDENTIAL PLOTS.

Section No.	Plot No.	Area Acres (approx)	Survey Fees	Upset Price	Annual Rent
			Sh.	Sh	Sh.
I	25	1.583	80	1,815	205
I	26	1.584	80	1,815	205
I	27	1.518	80	1,780	197
I	30	1.443	80	1,740	187
I	31	1.584	80	1,815	205
I	32	1.585	80	1,815	205

SCHEDULE No. II.
GENERAL GODOWN AND FACTORY PLOTS.

Section No.	Plot No.	Area Acres (approx.)	Survey Fees	Upset Price	Annual Rent
			Sh.	Sh.	Sh.
LXVIII	3	0.1090	70	675	120
LXVIII	4	0.1090	70	675	120
LXVIII	5	0.1090	70	675	120

Nairobi,
10th November, 1934.

W. M. LOGAN,
Commissioner for Local Government,
Lands and Settlement.

GENERAL NOTICE No. 1465

ESCARPMENT TRADING CENTRE.

SALE OF MATERIAL FROM OLD BUILDINGS.

NOTICE is hereby given that a small quantity of corrugated iron, timber, etc., forming a portion of unoccupied buildings erected on Crown Land at Escarpment Trading Centre will be sold by auction on the site commencing at 11 a.m. on Wednesday the 12th day of December, 1934.

2. The successful purchaser will be required to pay in cash on the fall of the hammer, failing which

the lot may be re-offered for sale when no bid from the defaulter will be accepted.

3. The successful purchaser will be required to remove the material and leave the site clear by the 22nd day of December, 1934.

4. Any further information may be obtained from the District Commissioner, Nairobi.

Nairobi,
26th October, 1934.

W. M. LOGAN,
Commissioner for Local Government,
Lands and Settlement.

GENERAL NOTICE NO. 1467

THE CROWN LANDS ORDINANCE.
(Chapter 140 of the Revised Edition).

KERICHO TOWNSHIP PLOT.

NOTICE.

TENDERS by way of Stand Premium are invited for the purchase of the grant in respect of Plot No. 8, section IV, Kericho Township, as described in the Schedule hereto.

2. A plan of the plot may be seen at the Public Map Office attached to the Survey and Registration Division, Nairobi, and at the office of the Provincial Commissioner, Kisumu, or may be had on application to the Surveyor General on payment of Sh. 3, post free.

3. In the following conditions the term "authority" means the District Commissioner, Kericho, or such other municipal authority as may be hereafter established by law.

CONDITIONS OF SALE.

(a) *Tender.*

1. Sealed tenders marked "Tender for Kericho Plot" must be deposited with the undersigned before noon on Wednesday, November 28th, 1934.

2. No tender of less than the reserve price as shown in the Schedule will be considered. The highest or any tender will not necessarily be accepted.

3. The grantee of the plot shall pay to the District Commissioner, Kericho, within seven days of the acceptance of his tender, 25 per cent of the purchase money, together with the rent due to the 31st December, 1934. In default of such payment the sale of the plot may be cancelled.

4. The balance of the purchase money shall be paid to the District Commissioner, Kericho. The survey fees, the fees payable for the preparation and registration of the grant (Sh. 120), and the stamp duty payable in respect of the grant, and all other expenses, if any, shall be paid to the Surveyor General, Nairobi. All these amounts shall be paid within seven days of a request for payment being made when the grant is ready for execution. If these amounts be not paid within the time stated, the Commissioner for Local Government, Lands and Settlement may order the deposit made by the grantee to be forfeited, and the grantee shall have no further claim to the grant of the plot.

(b) *General.*

1. The grant will be for 25 years from the 1st December, 1934, and will be subject to the ordinary conditions of the Crown Lands Ordinance, as governing township plots and to the following conditions:—

2. The title will be issued under the Registration of Titles Ordinance.

3. The Government or such person or authority as may be appointed for the purpose, shall have the right to enter upon any plot, and lay and have access to water mains, service pipes, telegraph or telephone wires, and electric mains of all descriptions, whether overhead or underground, and the grantee shall not erect any building in such a way as to cover or interfere with any existing routes, main or service pipes or the telegraph or telephone wires and electric mains aforementioned.

4. No building shall be erected on the plot unless plans (including block plans showing the position of the buildings), drawings, elevations and specifications thereof shall have been previously approved

by the authority, and by the Commissioner of Lands or such other person as he may appoint. Such plans, etc., shall be submitted in triplicate to the District Commissioner, Kericho, for necessary action.

5. The grantee shall not at any time subdivide the plot or assign, sublet or otherwise dispose of any portion of the plot without the previous written consent of the Governor.

6. Any building erected shall conform to a building line decided upon by the authority.

(c) *Special.*

1. The plot may be used for business purposes only, or for the combined purposes of business and residence.

Provided that in the event of the plot being used for the said combined purposes, then not more than one-half of the area thereof shall be built upon; otherwise not more than ninety per cent of the area thereof shall be built upon.

2. In no case shall the area of the plot, if used solely for business purposes, required to remain unbuilt on be less than 300 square feet, and the said area shall be free from any erection thereon above the level of the ground except latrine accommodation constructed in accordance with all laws and by-laws in force relating thereto and in accordance with a design approved by the authority.

Such open space shall be at the rear of the building, and shall extend along the entire width of the building, or for a distance of not less than 30 feet, whichever shall be the less, and the distance across such open space from every part of the building to the rear boundary of the plot shall be not less than 10 feet.

3. The purchaser of the plot shall erect within two years of the commencement of his grant, a building of approved design constructed of stone, burnt brick, concrete, asbestos, wood or iron on proper foundations.

4. If at any time during the term of the grant a main building of approved design constructed of stone, burnt brick or concrete on proper foundations, be erected on the plot, the grantee shall be entitled to an extension of the term of the grant to 99 years from the 1st December, 1934.

5. At no time during the term of the grant shall the plot or any portion thereof, or any building erected on the plot, be used for the purpose of carrying on any trade or business which has been or may be declared to be dangerous or offensive by notice in the Official Gazette.

6. A veranda may be erected within a road reserve with the previous consent of the authority, and must conform to a building line decided upon by such authority.

SCHEDULE.

Plot.—No. 8, section IV, Kericho Township.

Area.—0.17218 of an acre.

Rent.—Sh. 120 per annum.

Reserve price.—Sh. 750.

Survey fees.—Sh. 70.

Proportionate rent to 31-12-34.—Sh. 10.

Nairobi,

23rd October, 1934.

W. M. LOGAN,
Commissioner for Local Government,
Lands and Settlement.

GENERAL NOTICE No. 1607

THE MINING ORDINANCE, 1933.

NOTICE is hereby given in accordance with the Mining Regulations, 1934, regulation 34, that the following claims and Exclusive Prospecting Licence have been abandoned:—

Nairobi,

This 26th day of November, 1934.

E. B. HOSKING,
Commissioner of Mines.

Mining Location	Class of Location	Cause of Abandonment	Date from which the location or part thereof shall be deemed to be abandoned	Name of Registered Holder
Kakamega 50/1-6	Lode	Voluntary abandonment	November 10th, 1934	H. P. van Heerden.
Kakamega 2065-2069	ditto	ditto	ditto	E. C. Englert.
Exclusive Prospecting Licence	Cause of Abandonment		Date from which the Licence shall be deemed to be abandoned	Name of Registered Holder
No. 23	Voluntary abandonment		November 9th, 1934	Lochhead Moore & Roy.

General Notice No. 1572 of November 16th, 1934, is hereby cancelled.

GENERAL NOTICE No. 1608

NOTICE

(Chapter 71, Laws of Kenya)

The following applications for Wine Merchants' and Grocers' Liquor Licences have been received for consideration by the Nyanza Liquor Licensing Court to be held in the District Commissioner's Office, Kisumu-Londiani, Kisumu, on Monday 10th December, 1934, at 10 a.m.

Applicant	Nature of Licence	Remarks
Jamnadass Sunderji	Wine Merchants' and Grocers'	In respect of premises situated on plot No. 12 Section 7, Yala Township
Messrs. Gulamhussein & Alibhai	Wine Merchants' and Grocers' Liquor Licence	In respect of premises at Kisii

Kisumu,
22nd November, 1934

C. TOMKINSON,
District Commissioner, Kisumu-Londiani

GENERAL NOTICE NO. 1609

THE MUNICIPAL BOARD OF NAKURU

ESTIMATES OF REVENUE AND EXPENDITURE FOR THE YEAR 1935

EXPENDITURE	1934	1935	REVENUE	1934	1935
	£	£		£	£
A. ADMINISTRATION AND SERVICES					
1. Office and General Expenses	1,530	1,530	1. Government Grant	2,300	2,300
2. Works Superintendent	540	540	2. Sundry Revenue Interest, Court fines, etc.	100	50
3. Reserve Fund—Staff Leave and General	150	150	3. Conservancy—N. S.	1,500	1,500
4. Audit Fees	70	70	4. Conservancy—R. R.	450	425
5. Public Health	250	250	5. Water Supply	3,500	3,500
6. Street Scavenging	115	115	6. Licence Fees	500	450
7. Street Lighting	150	170	7. Native Location :—		
8. Roads	1,390	1,400	(a) Plot Rentals	180	160
9. Trees and Gardens	50	70	(b) Rent of Municipal buildings	200	275
10. Conservancy—N. S.	720	720	8. Native Market	75	70
11. Conservancy—R. R.	400	400	9. Pound	50	50
12. Water Supply :—			10. Slaughterhouse	220	220
(a) General Maintenance ..	645	750	11. Cemetery Fees—Burial fees & Plot maintenance	35	50
(b) Contribution to Renewals Fund	705	500	12. Funeral Charges	300	250
(c) Loan Charges	1,547	1,547	13. Burial of Non-resident Natives		
13. Licensing Expenses	50	50	Government refund	50	50
14. Native Location—General maintenance	73	50			
15. Native Market	40	50			
16. Pound	45	40			
17. Fire Plant Maintenance ..	20	20			
18. Slaughterhouse	60	60			
19. Cemeteries—European & Native	100	120			
20. Funerals	250	200			
21. Compound Expenses—Repairs and Loan Charges	105	100			
B. CAPITAL OUTLAY					
1. Concrete Drains					
(a) Loan Charges	17	52			
(b) Drain Covers—Donald Avenue		200			
2. Water Supply—Extension of mains	200	100			
3. Engineering Plant		56			
4. Sundries	225				
Balance for emergencies or to Reserve	13	40			
£	9,460	9,350	£	9,460	9,350

Nakuru,
21st November, 1934.

R. A. R. LAWRY,
Town Clerk.

GENERAL NOTICE No. 1356

SESSIONS of His Majesty's Supreme Court of Kenya will be held on the dates and at the places hereinafter set out:—

SUPREME COURT SPECIAL SESSIONS AT NAKURU, 27-11-34.

Criminal Case No. 160/34 Rex *vs.* 1. Bari ole Laduma, 2. Maritim ole Lolobiala, 3. Mbali ole Laigitile, 4. Lagoi ole Lesoiba and 5. Majero ole Lirono.

Criminal Case No. 164/34 Rex *vs.* Kakawon Wero Kenyale.

SUPREME COURT SPECIAL SESSIONS AT NAIROBI, 5-12-34.

Criminal Case No. 159/34 Rex *vs.* 1. Nadirshas Mancherji Daroga, 2. Nahar Singh Mangat, 3. Gurdial Singh s/o Harnam Singh, 4. Kartar Singh s/o Tahel Singh, 5. Jimmy Mancherji Daroga.

SUPREME COURT SESSIONS AT NAIROBI, 10-12-34.

Criminal Case No. 156/34 Rex *vs.* Kiteme wa Mutuku.

Criminal Case No. 158/34 Rex *vs.* Mbuba wa Chyaka.

Criminal Case No. 161/34 Rex *vs.* Ngusye wa Ndei.

Criminal Case No. 163/34 Rex *vs.* Wanjiru wa Murigo.

MURRAY M. JACK,
Registrar,
Supreme Court of Kenya.

GENERAL NOTICE No. 1610

THE BANKRUPTCY ORDINANCE.

NOTICE OF INTENDED DIVIDEND.

Debtor's name.—Cyril John Henry Simons.

Address.—Mombasa.

Description.—Contractor, Eldoret.

Court.—H.M. Supreme Court, Nairobi.

Number of matter.—53 of 1928.

Last day for receiving proofs.—11th December, 1934.

Name of trustee.—Official Receiver.

Address.—Old Secretariat Buildings, P.O. Box No. 231, Nairobi.

Nairobi,
23rd November, 1934.

B. STONE,
Acting Official Receiver

GENERAL NOTICE No. 1611

THE BANKRUPTCY ORDINANCE.

NOTICE OF INTENDED DIVIDEND UNDER SCHEME OF ARRANGEMENT.

Summary Case.

Debtor's name.—Vishveshwar Nagesh Rao Koppiker.

Address.—Formerly in the employment of Kenya & Uganda Railways & Harbours, Nairobi.

Description.—Clerk.

Court.—H.M. Supreme Court, Nairobi.

Number of matter.—88 of 1928.

Last day for receiving proofs.—11th December, 1934.

Name of trustee.—Official Receiver.

Address.—Old Secretariat Buildings, P.O. Box No. 231, Nairobi.

Nairobi,
24th November, 1934.

B. STONE,
Acting Official Receiver.

GENERAL NOTICE No. 1612

IN HIS MAJESTY'S SUPREME COURT OF KENYA AT NAIROBI.

IN BANKRUPTCY.

CAUSE No. 89 of 1928.

Re HARRY CUNNINGHAM DAVIDSON AND ALBERT ARTHUR RYDE, TRADING AS DAVIDSON & RYDE, DEBTORS.

ON the application of Gordon Julian Frederick Forbes-Mangan of Kakamega, the trustee of the estate of the above-named debtors, dated the 16th day of July, 1934, and the Court being satisfied that the requirements of section 91 of the Bankruptcy Ordinance, 1930, have been complied with and no creditor objecting this Court doth release the aforesaid trustee from his trusteeship herein.

Dated at Nairobi this 19th day of November, 1934.

By the Court,
MURRAY M. JACK,
Registrar,
H.M. Supreme Court of Kenya.

GENERAL NOTICE No. 1613

THE BANKRUPTCY ORDINANCE.

NOTICE OF INTENDED DIVIDEND.

Summary Case.

Debtor's name.—Joao Caetano Almeida.

Address.—c/o East African Standard, Nairobi.

Description.—Compositor.

Court.—H.M. Supreme Court, Nairobi.

Number of matter.—66 of 1931.

Last day for receiving proofs.—12th December, 1934.

Name of trustee.—Official Receiver.

Address.—Old Secretariat Buildings, P.O. Box No. 231, Nairobi.

Nairobi,
23rd November, 1934.

B. STONE,
Acting Official Receiver

GENERAL NOTICE NO. 1614

THE BANKRUPTCY ORDINANCE.

ADJUDICATION.

Debtor's name.—Muhsin bin Mohamed.

Address.—Juva Kale, Mombasa.

Description.—Clerk.

Court.—Supreme Court, Mombasa.

Number of matter.—8 of 1934.

Date of order.—16th November, 1934.

Date of petition.—23rd October, 1934.

Mombasa,

19th November, 1934.

J. H. FLYNN,

*Deputy Official Receiver,
Coast Province, Mombasa.*

GENERAL NOTICE NO. 1615

THE BANKRUPTCY ORDINANCE.

ORDER MADE ON APPLICATION FOR DISCHARGE.

Debtor's name.—Iris Ruth Jarrett (Spinster), trading as Avondale Hotel.

Address.—Messrs. Ralston and Kaplan, Advocates, Nairobi.

Description.—Hotel Keeper.

Court.—H.M. Supreme Court of Kenya, Nairobi.

Number of cause.—12 of 1934.

Date of order.—23rd November, 1934.

Nature of order made.—Unconditional discharge.

Nairobi,

24th November, 1934.

MURRAY M. JACK,

*Registrar,
H.M. Supreme Court of Kenya.*

GENERAL NOTICE NO. 1616

IN THE DISTRICT DELEGATE'S COURT AT ELDORET.

PROBATE AND ADMINISTRATION.

CAUSE No. 6 OF 1934.

NOTICE OF APPLICATION FOR PROBATE OF THE WILL OF WILLIAM ELLIOTT KOLBE, LATE OF KITALE, DECEASED.

TAKE NOTICE that application having been made in this Court by Frederick William Kolbe, of Nakuru, for probate of the will of William Elliott Kolbe, late of Kitale, who died at Kitale on the 18th day of July, 1934, 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 17th day of December, 1934.

Eldoret,

20th November, 1934.

R. F. PALETHORPE,

*District Delegate,
H.M. Supreme Court, Eldoret.*

Note.—The will above named is now deposited and open to inspection at the Court.

GENERAL NOTICE NO. 1617

PROBATE AND ADMINISTRATION.

PUBLIC TRUSTEE'S CAUSE No. 16 OF 1934.

IN THE MATTER OF MRS. AIMEE CATHERINE REES, DECEASED

To all whom it may concern.

TAKE NOTICE that on or after the 11th day of December, 1934, I intend to apply to H.M. Supreme Court of Kenya at Nairobi for an order to administer the estate of the above-named Mrs. Aimee Catherine Rees, deceased, late of Eldoret, in the Colony of Kenya, who died at Southampton on the 26th day of February, 1934.

Nairobi,

24th November, 1934.

B. STONE,

Acting Public Trustee.

GENERAL NOTICE NO. 1618

IN HIS MAJESTY'S SUPREME COURT OF KENYA AT MOMBASA.

PROBATE AND ADMINISTRATION.

CAUSE No. 29 OF 1934.

NOTICE OF APPLICATION FOR ADMINISTRATION OF ESTATE OF CHANDULAL NANALAL BHATT, LATE OF MOMBASA, DECEASED.

TAKE NOTICE that application having been made in this Court by Umashanker Shamburam Bhatt, of Mombasa, for the administration of the estate of Chandulal Nanalal Bhatt, late of Mombasa, who died at Mombasa on the 7th day of August, 1934, intestate, 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 11th day of December, 1934.

Mombasa,

20th November, 1934.

J. H. FLYNN,

*Acting District Registrar,
Supreme Court of Kenya.*

GENERAL NOTICE NO. 1619

IN HIS MAJESTY'S SUPREME COURT OF KENYA AT NAIROBI.

PROBATE AND ADMINISTRATION.

CAUSE No. 85 OF 1934.

IN THE ESTATE OF GUY MARRIOTT DEAN, DECEASED.

TAKE NOTICE that application has been made to this Court by Messrs. Hamilton, Harrison and Mathews, Advocates, for the attorney of Thomas Piercy Mills, one of the executors named in the will for re-seal of a certified copy of the probate granted to the aforesaid executor by the Principal Probate Registry of His Majesty's High Court of Justice in England of the estate of the above-named deceased Guy Marriott Dean of The Rye House, Lake Naivasha, Kenya Colony, formerly of 5 Glenferness Avenue Westbourne, Bournemouth, in the County of Hants, who died at Naivasha, in the Colony of Kenya, on the 12th day of October, 1933, and that this Court will proceed to make an order accordingly unless cause be shown to the contrary and appearance in this respect entered on or before the 11th day of December, 1934.

Dated at Nairobi this 19th day of November, 1934.

E. J. O'FARRELL,

*Deputy Registrar,
Supreme Court of Kenya.*

GENERAL NOTICE NO. 1620

IN HIS MAJESTY'S SUPREME COURT OF KENYA AT NAIROBI.

PROBATE AND ADMINISTRATION.

CAUSE No. 89 OF 1934.

NOTICE OF APPLICATION FOR PROBATE OF THE WILL OF DAVID PATTISON HONEYMAN, LATE OF NAIROBI, DECEASED.

TAKE NOTICE that application having been made in this Court by Frank Cecil George Stratton of Nairobi, for probate of the will of David Pattison Honeyman, late of Nairobi, Kenya Colony, who died at Nairobi, in the Colony of Kenya, on the 6th day of October, 1934, this Court will proceed to issue the same unless cause be shown to the contrary and appearance in this respect entered on or before the 12th day of December, 1934.

Nairobi,

24th November, 1934.

MURRAY M. JACK,

*Registrar,
Supreme Court of Kenya.*

Note.—The will above named is now deposited and open to inspection at the Court.

GENERAL NOTICE NO. 1621

PROBATE AND ADMINISTRATION.

PUBLIC TRUSTEE'S CAUSE NO. 97 OF 1934.

IN THE MATTER OF SHEIKH ALI BIN MOHAMED EL-MAAWI,
DECEASED.

To all whom it may concern.

TAKE NOTICE that on or after the 27th day of December, 1934, I intend to apply to H.M. Supreme Court of Kenya at Mombasa for an order to administer the estate of the above-named Sheikh Ali bin Mohamed El-Maawi, deceased, late of Lamu, in the Kenya Protectorate, who died at Lamu on the 23rd day of December, 1930.

Nairobi,
24th November, 1934.

B. STONE,
Acting Public Trustee.

GENERAL NOTICE NO. 1622

PROBATE AND ADMINISTRATION.

PUBLIC TRUSTEE'S CAUSE NO. 98 OF 1934.

IN THE MATTER OF MURIEL ELIZABETH BENTLEY,
DECEASED.

To all whom it may concern.

TAKE NOTICE that all persons having any claims against the estate of the above-named Muriel Elizabeth Bentley, who died at Endebess on the 12th day of August, 1934, are required to prove such claims before me the undersigned on or before the 28th day of January, 1935, after which date the claims so proved will be paid and the estate distributed according to law.

Nairobi,
24th November, 1934.

B. STONE,
Acting Public Trustee.

GENERAL NOTICE NO. 1623

IN HIS MAJESTY'S SUPREME COURT OF KENYA

CIVIL CASE NO. 201 OF 1934.

IN THE MATTER OF GILFILLAN & COMPANY, LIMITED,
ANDIN THE MATTER OF THE COMPANIES ORDINANCE, 1933.
NOTICE.

NOTICE is hereby given that the order of His Majesty's Supreme Court of Kenya dated the 19th day of November, 1934, confirming the reduction of the capital of the above-named Company from Shillings 500,000 to Shillings 368,000 and the minute approved by the Court showing with respect to the capital of the Company, as altered the several particulars required by the above Ordinance were registered by the Registrar of Companies on the 21st day of November, 1934.

Dated the 22nd day of November, 1934.

DACRE A. SHAW & BUCKLEY,
Advocates for the Company,
Avenue House, Nairobi.

GENERAL NOTICE NO. 1624

NOTICE OF CHANGE OF SURNAME.

I, Sohan Singh son of Budhu, Carpenter of Village Muzaffar Pur, District Jullunder, the Punjab, India, now of Nakuru, in the Colony of Kenya, heretofore called and known by the name of Thaker Singh son of Budhu, a natural born British subject, hereby give public notice that I have formally and absolutely renounced and abandoned the use of my said surname of Thaker Singh, and assumed and adopted in place thereof the surname of Sohan Singh.

I expressly authorize and request all persons at all times hereafter to designate and address me and my wife and children and remoter issue by such assumed surname of Sohan Singh accordingly.

Dated this 22nd day of November, 1934.

c/o S. G. Amin, Esq.,
Advocate,
P.O. Box 1204, Nairobi.

SOHAN SINGH.

GENERAL NOTICE NO. 1625

IN THE MATTER OF THE COMPANIES
ORDINANCE, 1921

AND OF

SABUGO (GILGIL), LIMITED.

NOTICE is hereby given that a General Meeting of the above-named Company will be held at the offices of Messrs. Gill and Johnson, Livingstone House, Hardinge Street, Nairobi, on Friday the 28th day of December, 1934, at 12 noon precisely, for the purpose of having the account of the Liquidator, showing the manner in which the winding-up has been conducted and the property of the Company disposed of, laid before such meeting, and of hearing any explanation that may be given by the Liquidator.

Nairobi,

Dated this 23rd day of November, 1934.

E. B. GILL,
Liquidator.

GENERAL NOTICE NO. 1626

THE FRAUDULENT TRANSFER OF BUSINESSES
ORDINANCE, 1930.

NOTICE.

NOTICE is hereby given that the business of hardware carried on by Messrs. Hussein Suleman Verjee & Sons, Ltd., at Nairobi in the Colony of Kenya has been transferred with effect from the 15th day of November, 1934, as set out in the particulars hereunder:—

Name and address of transferors.—Hussein Suleman Verjee and Sons, Limited, P.O. Box No. 266, Nairobi.

Name and address of transferee.—Hardware & Ironmongery, Limited, P.O. Box 253, Mombasa.

Nature of business.—Hardware Merchants.

The transferee will carry on business at Nairobi, aforesaid, under the name or style of Hardware and Ironmongery, Limited.

The transferee is not acquiring the outstanding credits or accepting any existing liabilities of the transferors except on executory contracts.

Dated at Nairobi this 21st day of November, 1934.

Hussein Suleman Verjee & Sons, Ltd.,
HASSANALI H. S. VERJEE,
Director,

REHEMTULLA HUSSEINBHAI,
Director,
Transferors.

Hardware & Ironmongery, Ltd.,
J. B. PANDYA,
Director,

B. G. PATEL,
Director,
Transferees.

GENERAL NOTICE NO. 1627

THE TRADE MARKS ORDINANCE, 1930.
APPLICATION No. 2185.

TAKE NOTICE that an application for the registration of the Trade Mark shown above in Class 47, in respect of lubricating oils of mineral base and/or lubricating greases, has been lodged by Gailey & Roberts, Limited, a limited liability company having its registered office at Hardinge Street, Nairobi; Agricultural and General Engineers.

The said Trade Mark will be registered after the expiration of ninety days from the date of this Gazette, provided no notice of opposition is received.

Nairobi,
23rd November, 1934.

B. STONE,
Acting Registrar of Trade Marks.

Rates of Subscription to Official Gazette.

	Sh.	cts.
For one year	25	00
„ six months	13	00
„ three months (excluding postage)	6	50
„ three months (including postage)	7	50
Single copy (excluding postage)	0	50
Single copy (including postage)	0	60

(Subscriptions must be prepaid.)

NOTICES AND ADVERTISEMENTS

All Notices and Advertisements by Private Advertisers may be tendered or sent direct by Post to the GOVERNMENT PRINTER, Nairobi, for insertion at the authorised rates of payment. The office hours are from 9 a.m. to 4 p.m., closing at 1 o'clock on Saturdays.

All Notices and Advertisements must be prepaid. To save delay Notices and Advertisements sent direct by Post should be accompanied by remittance.

Matter for publication should reach the GOVERNMENT PRINTER not later than 1 p.m. on the Saturday of the week before publication is desired.

AUTHORISED SCALE OF CHARGES

	Sh.	cts.
For insertion in Official Gazette (column)	32	00
„ „ (half column)	16	00
„ „ (quarter column or less)	8	00

GENERAL NOTICE NO. 1628

NOTICE

NOTICE is hereby given that the undermentioned goods will be sold by public auction at Kilindini, on the 7th January, 1935, if not cleared before that date and the proceeds will be applied as follows:—

Firstly, in the payment of the expenses of the sale;

Secondly, in the payment of the duty;

Thirdly, in the payment of warehouse rent and charges;

Fourthly, in the payment of the freight, if any, due upon the goods, if written notice of such freight shall have been given to the Collector.

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

Custom House, Mombasa,
19th November, 1934.

E. G. BALE,
for Commissioner of Customs, Kenya and Uganda.

UNCLAIMED CARGO LYING IN THE KING'S WAREHOUSE, KILINDINI, FOR OVER THREE MONTHS,
FOR SALE ON 7TH JANUARY, 1935.

Date	Steamer	Marks and Numbers	No. & Description of Goods
1934 5th Sept.	Holland Maru, North	Onoda Rapid Hardening Portland Cement	1 cask cement
8th Sept.	City of Durban, North	M W J de C 1/3 & Co.	1 c/- shoes 1 „ aluminiumware 1 „ imitation leather
„	„ „	H Bros Taveta 153	1 keg buckles
„	„ „	NIL	1 bdle. hoops

UNCLAIMED BAGGAGE LYING IN THE KING'S WAREHOUSE, KILINDINI, FOR OVER THREE MONTHS
FOR SALE ON 7TH JANUARY, 1935

Date	Steamer	Marks and Numbers	No. & Description of Goods
1934 18th Aug.	Kenya, Bombay	NIL	2 pkges coal stoves
2nd Sept.	Azay le Rideau, North	M. C. Donough	1 parcel seed
„	„ „	A. Lantiere C/o P. Hotel Mombasa	1 parcel merchandise
5th Sept.	Manila Maru, South	NIL	2 shirts (cotton)

PUBLICATIONS ON SALE AT THE GOVERNMENT PRESS

	Price	Price Posted		Price	Price Posted
	<i>Sh. cts.</i>	<i>Sh. cts.</i>		<i>Sh. cts.</i>	<i>Sh. cts.</i>
Annual Reports—					
Agricultural Department, 1930	5 00	5 40	Revised Edition of the Laws of Kenya, Vol. I, II and III (set of three volumes)	147 00	151 50
" " 1931	5 00	5 55	Laws of Kenya, containing Orders, Proclamations, etc. (Subsidiary Legislation), Vol. I and II (set of two volumes)	105 00	109 50
" " 1932	5 00	5 55	Orders in Council	20 00	20 75
Colonial Audit Department 1931.. ..	1 00	1 10	Proclamations, Rules, etc., 1927	40 00	41 80
" " 1932.. ..	1 00	1 10	" " 1928	20 00	21 00
" " 1933.. ..	1 00	1 10	" " 1929	42 00	43 10
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" " 1932	5 00	5 60	" " 1931	20 00	21 60
" " 1933	5 00	5 60	" " 1932	20 00	21 25
Education Department, 1931	2 50	2 75	" " 1933	17 50	18 50
" " 1932	2 50	2 75	Ordinances, 1927	10 00	10 40
" " 1933	2 50	2 75	" 1928	17 00	18 00
Forest Department, 1930	1 00	1 10	" 1929	17 50	17 95
" " 1931	1 00	1 10	" 1930	45 00	46 50
" " 1932	1 00	1 10	" 1931	12 50	13 25
Game Department, 1929	1 00	1 10	" 1932	12 50	13 00
" " 1930	1 00	1 10	" 1933	17 50	18 40
" " 1931	1 00	1 10	Bankruptcy Rules, 1927 (paper covers)	10 00	10 30
Judicial Department, 1931.. ..	2 00	2 15	Civil Procedure Rules, 1927 (paper covers)	12 50	12 70
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Land and Agricultural Bank, 1932	1 00	1 10	Non-Native Census Report, 1926	5 00	5 60
" " 1933	1 00	1 10	" " 1931	5 00	5 50
Local Govt., Lands and Settlement, 1930	2 50	2 70	Native Reserve Boundaries, 1926	5 00	5 50
" " 1931	2 50	2 70	Governors' Conference Report, 1926	2 50	2 85
" " 1932	2 50	2 70	Cost of Living Commission Report, 1928	10 00	10 55
Medical and Bacteriological Departments, 1930	5 00	5 40	District Councils Legislation, 1928	4 95	5 10
" " 1931	5 00	5 40	Municipal Councils Legislation, 1928	7 50	7 70
" " 1932	5 00	5 50	Revenue Handbook, 1928	5 00	5 75
Native Affairs Department, 1930.. ..	3 00	3 35	Agricultural Commission Report, 1929	3 50	3 75
" " 1931.. ..	3 00	3 35	Kenya Tariff Committee Report, 1929	3 50	3 70
" " 1932.. ..	3 00	3 35	Aids to Stockowners	2 50	2 90
Police Department, 1931	1 00	1 10	Kenya Water Problems by Beeby Thompson	14 00	14 60
" " 1932	1 00	1 10	Col. James' Report on Anti-malarial Measures	1 00	1 10
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" " 1932.. ..	1 00	1 10	Statement of conclusions of H.M. Government in U.K. on Closer Union in East Africa, 1930	40	45
" " 1933.. ..	1 00	1 10	1931 Paper Relating to the Question of Closer Union Report of the Joint Select Committee on Closer Union in East Africa—	6 00	6 40
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