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Section 5 of the Principal Ordinance which it is proposed to amend —

Interpretation

5 In this Ordinance and all conveyances, leases and licences and in all agreements, notices and documents relating to Crown Land, unless inconsistent with the context —

“Agricultural purpose” shall include grazing and stock-raising

“Crown land” shall mean all public lands in the Colony which are for the time being subject to the control of His Majesty by virtue of any treaty, convention, or agreement, or by virtue of His Majesty’s protectorate, and all lands which shall have been acquired by His Majesty for the public service or otherwise howsoever, and shall include all lands occupied by the native tribes of the Colony and all lands reserved for the use of the members of any native tribe

“Director of Surveys” shall include a deputy director of surveys and any officer of the Survey Department authorised by the Director of Surveys to perform the duty in relation to which the term is used

Colony and Protectorate of Kenya

GOVERNMENT NOTICE No 527

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

R W BAKER-BEALL,  
*Acting Clerk to the Legislative Council*

A Bill to Amend the Crown Lands Ordinance

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 Crown Lands (Amendment) Ordinance, 1938, and shall be read as one with the Crown Lands Ordinance (Chapter 140 of the Revised Edition), hereinafter referred to as the Principal Ordinance

Short title  
Chapter 140

2 This Ordinance shall not come into operation until Orders have been made by His Majesty in Council providing for the establishment of a Native Lands Trust Board and a Highlands Board, and shall thereafter come into operation on such date as the Governor shall by proclamation in the Gazette appoint

Date of commencement

3. Section 5 of the Principal Ordinance is hereby amended by the insertion therein of the following definitions —

Amendment of section 5 of the Principal Ordinance

“the Highlands” mean the areas of land the boundaries of which are set out in the Seventh Schedule to this Ordinance,

“Highlands Board” means the Board which may be established as the Highlands Board in accordance with the provisions of any Order of His Majesty in Council,

“Native Lands” mean the areas of land the boundaries of which are set out in the First Schedule to the Native Lands Trust Ordinance, 1938,

No of 1938.

“Native Lands Units” mean the sub-divisions of land into which the Native Lands are divided, which sub-divisions are described in the Second Schedule to the Native Lands Trust Ordinance, 1938,

“Trust Board” means the Board which may be established as the Native Lands Trust Board in accordance with the provisions of any Order of His Majesty in Council

No of 1938.

“European” shall mean a person of European origin

“Farm” shall mean an area leased for agricultural purposes

“Licensed surveyor” shall mean a surveyor registered under the Land Surveyors Ordinance

“Livestock” shall include horses, cattle, sheep, goats, swine, camels, mules, donkeys, ostriches and poultry

“Purchaser,” lessee, and “licensee” shall include personal representatives, heirs and assigns

“Principal Registrar” shall mean the Principal Registrar of Crown Lands

“Race” shall mean persons of European, Asiatic, or African origin as the case may be

“Registrar” shall mean a registrar of Crown lands and shall include the Principal Registrar

“Registry” shall mean the Registry of Crown Lands

“Township” shall include a township within the meaning of the Townships Ordinance, a municipality established under the Municipal Corporations Ordinance and an area reserved for a township



4 The Principal Ordinance is hereby amended by inserting therein, next after section 53, the following words and sections as Part VI —

Insertion of  
Part VI in the  
Principal  
Ordinance

“PART VI

LANDS FOR NATIVE USE AND OCCUPATION

*Native Reserves and Temporary Native Reserves*

54 The areas of Crown land, the boundaries of which are set out in the Fourth Schedule to this Ordinance, shall be reserved for the use and enjoyment of the native tribes specified in the said Schedule, in satisfaction of their economic needs, and shall be known as the native reserves.

Definition of  
native reserves.

55 The areas of Crown land, the boundaries of which are set out in the Fifth Schedule to this Ordinance, shall be temporarily reserved for the use and enjoyment of the native tribes specified in the said Schedule and shall be known as the temporary native reserves

Definition of  
temporary  
native reserves.

56 (1) Where the Governor is satisfied that, as a result of a diminution in the numbers of a tribe, or for economic reasons, any area of land in the native reserves is no longer required for the use and enjoyment of the tribes referred to

Governor may  
vary boundaries  
of native  
reserves and  
temporary  
native reserves



in the Fourth Schedule to this Ordinance, or where the Governor is satisfied that any area of land in the temporary native reserves is no longer required for the use and enjoyment of the tribes referred to in the Fifth Schedule to this Ordinance, he may, by Proclamation, alter the boundaries of the native reserves or of the temporary native reserves, as the case may be, and with effect from the date of publication of such Proclamation any area of land which may be excluded from the native reserves or from the temporary native reserves in consequence of such alteration shall cease to form part of the native reserves or the temporary native reserves, as the case may be

(2) The Governor shall, before exercising his powers under the provisions of this section, consult the Trust Board and, if the Trust Board refuses to give its consent to the action proposed, the Governor shall refer the matter to the Secretary of State whose decision shall be final

Governor's  
power to set  
aside land for  
native reserves  
and temporary  
native reserves

57 (1) Where the Governor considers it desirable, he may, from time to time, with the approval of the Legislative Council and subject generally to the provisions of this Ordinance, by Proclamation set aside other areas of Crown land as native reserves or temporary native reserves for the purpose of satisfying the economic needs (whether temporary or permanent) of any of the native tribes of the Colony, and with effect from the date of publication of such Proclamation any area so set aside shall form part of the native reserves or the temporary native reserves, as the case may be, and the provisions of this Part relating to the native reserves or the temporary native reserves, as the case may be, shall thereupon apply to such areas, save that a rent shall be payable for the occupation of such areas, computed on the fair economic value of the land

(2) If any such area of Crown land is situate in the Highlands, it shall not be set aside except with the consent of the Highlands Board

57A (1) The Governor may, with the advice of the Trust Board, grant to such native tribes for such terms and subject to such conditions regarding occupation, use and development as he may deem expedient or as may be prescribed, permits to occupy the temporary native reserves

Permits to  
occupy  
temporary  
native reserves

(2) No permit so granted shall be revoked without the consent of the Secretary of State, to whom any proposal for



any such revocation shall be referred by the Governor together with the comments of the Trust Board upon such proposal

58A Save in regard to matters wherein express provision is made in this Part of this Ordinance, and to the exceptions hereinafter in this section contained, the native reserves and the temporary native reserves shall be subject to the provisions of the Native Lands Trust Ordinance, 1938, as if the expression "Native Lands" appearing therein contained a reference to the native reserves or to the temporary native reserves as the case may require Provided that —

Application of Native Lands Trust Ordinance, 1938

No of 1938

(a) the native reserves and the temporary native reserves shall be under the protection of, but shall not vest in the Trust Board,

(b) section 22 of the Native Lands Trust Ordinance, 1938, shall not apply to the native reserves or to the temporary native reserves except in regard to the setting apart of land for townships, trading centres and markets,

No of 1938

(c) sections 6, 7 (4), 7 (5), 24, 25, 26, 28, 29, 30, 47, 48, 49 and 68 and the proviso to section 23 of the Native Lands Trust Ordinance, 1938, shall not apply to the native reserves or to the temporary native reserves

No of 1938

*Native Leasehold Areas*

58B The areas of land, the boundaries of which are set out in the Sixth Schedule to this Ordinance, shall be reserved for the use and occupation of natives, and shall be known as the native leasehold areas

Definition of native leasehold areas

58C (1) The Governor may grant leases of land in the native leasehold areas to any native group, family or individual for such terms and upon such conditions as may be specified in such leases or as may be prescribed

Leases to natives

(2) Any rental payable in respect of a lease of land in the native leasehold areas shall be paid into the general revenues of the Colony

(3) Subject to the consent of the Trust Board and to the provisions of sub-section (3) of the next succeeding section, the Governor may, for such term and upon such conditions as he may deem expedient, sanction the transfer of a lease in the native leasehold areas from a native lessee to a non-native

Transfer of leases to non-natives



58D (1) The Governor may grant, for a term not exceeding ten years, leases to non-natives of land in such areas of the native leasehold areas as, in the opinion of the Chief Native Commissioner after consultation with the Provincial Commissioner, are surplus to the immediate or future requirements of the natives

Leases to  
non-natives

(2) Subject to the consent of the Trust Board and to the provisions of sub-section (3) of this section, the Governor may grant, for such term, not exceeding 99 years, and upon such conditions as he may deem expedient, leases to non-natives of land in such unalienated areas of the native leasehold areas as, in the opinion of the Chief Native Commissioner, are available for such purpose. In the selection of such areas due regard shall be had to the amount of land which is required and is likely to be required for leasing to natives, not only at the time when a lease is granted, but also during the currency of the term of the lease

(3) The Trust Board shall not in any case consent to—

(a) the transfer of a lease to a non-native under the provisions of section 58C of this Ordinance, or

(b) the grant of a lease to a non-native under the provisions of sub-section (2) of this section,

unless the Board is satisfied that such transfer or such lease is desirable in the interests of the natives. Where the Board withholds its consent, the Governor may refer the matter to the Secretary of State, whose decision shall be final.

58E (1) For the purpose of effecting exchanges of land the Governor may, with the consent of the Trust Board, resume possession of any area of land in the native leasehold areas, which area shall thereupon cease to form part of the native leasehold areas, and in exchange for such area may make an addition of Crown land to the native leasehold areas. The Crown land so added shall in every case be equal in value and, so far as may be possible, equal in size, to the area of land of which possession has been so resumed, and shall form part of the native leasehold areas

Power to  
resume  
possession for  
purpose of  
exchange

(2) No such addition shall be made of Crown land situate in the Highlands, save with the consent of the Highlands Board.

58F Notwithstanding anything in this Ordinance contained, the Governor, in cases where the offences of treason or rebellion against His Majesty have been proved to have

Forfeiture for  
treason or  
rebellion.





been committed by any native tribe, group, family or individual, and in addition to any other punishment lawfully inflicted in respect of an offence so committed, may order that any land in the native leasehold areas, held or occupied by any such tribe, group, family or individual, be forfeited to His Majesty. Every such order of the Governor shall be subject to the approval of the Secretary of State.

58G (1) The Governor may grant to any native tribe permits to occupy areas of Crown land which are adjacent to the Native Land Unit provided for such tribe under the provisions of the Kenya (Native Lands) Order in Council, 1938

Permits to  
occupy other  
Crown Land

(2) No such permit may be granted for the occupation of any land situate in the Highlands, save with the consent of the Highlands Board.

(3) Every permit granted under the provisions of this section shall be subject to such conditions in regard to the occupation, use and development of the land to which the permit relates as may be prescribed.

58H (1) The Governor in Council may, by Proclamation, exclude from the native reserves, the temporary native reserves or the native leasehold areas any land which may be required for any of the following purposes—

Power to  
exclude from  
temporary native  
reserves, native  
reserves and  
native leasehold  
areas for public  
purposes, etc

- (a) public railways, tramways or roads, or for a tramway or road of access,
- (b) public reservoirs, aqueducts, canals, watercourses or water-pipe lines,
- (c) public sewerage works,
- (d) public quays, wharves or landing places,
- (e) public aerodromes and landing grounds,
- (f) the development of electric power for public purposes from any lake, river or stream,
- (g) buildings or works, together with the necessary curtilage thereof, which are to be erected in connexion with any of the foregoing purposes,
- (h) outspans,
- (i) Government stations or camps,
- (j) hospitals, schools, or any other institutions erected by Government,
- (k) afforestation purposes,



(l) any other purpose which the Governor may declare to be a public purpose,

and in the case of the native leasehold areas the Governor in Council may, in addition, in like manner exclude therefrom any land which may be required for a township, trading centre or market

(2) The Governor may, by notice in the Gazette, declare what is a public purpose for the purposes of this Part of this Ordinance

(3) No compensation shall be payable in respect of an exclusion of land under this section except for buildings and crops destroyed or damaged and for disturbance or other loss or expense caused by such exclusion

Compensation

58I The Governor may, with the advice and consent of the Trust Board, make Rules providing for the management, administration and control of the native reserves, the temporary native reserves and the native leasehold areas, including the occupation, use and development of such reserves and areas, and the measures, in addition to the penalties provided in section 58M of this Ordinance, to be taken upon failure to comply with such Rules, and generally for carrying into effect the purposes and provisions of this Part of this Ordinance

Rules

# *The Northern Frontier District and the Turkana District*

58J (1) The areas of Crown land, the boundaries of which are set out in the Eighth Schedule to this Ordinance, and which are therein respectively described as the Northern Frontier District and the Turkana District, shall be areas in which the interests of the native tribes at present residing therein shall have priority over all other interests

The Northern Frontier District and Turkana District

(2) Where the Provincial Commissioner considers it desirable that any specific area of land within these areas should be used for a township, trading centre, market, school or hospital, or for any other purpose which in his opinion is likely to benefit the natives resident in these areas, he may, by notice in the Gazette, set aside such area for such purpose

Power to set aside land

Provided that in the case of land required for residential sites or townships the Provincial Commissioner shall not set aside such land save with the consent of the Governor



(3) Where any land has been set aside under the provisions of sub-section (2) of this section, the Governor may grant a lease of such land for such term and upon such conditions as he may deem expedient

Power to grant  
leases

Provided that, where any land has been set aside for a purpose other than a township, trading centre, market, school or hospital, the Governor shall not grant a lease of such land except with the consent of the Trust Board, and, if the Trust Board does not give its consent to the lease, the Governor may refer the matter to the Secretary of State whose decision shall be final

(4) No compensation shall be payable in respect of the setting aside and leasing of land under this section except for buildings and crops destroyed or damaged and for disturbance or other loss or expense caused by such setting aside or leasing

(5) Notwithstanding the priority of the interests of the tribes in the areas mentioned in this section the Crown shall be entitled to resume any part of the land for any of the purposes specified in section 58H of this Ordinance

#### GENERAL

58K Nothing in this part of this Ordinance contained shall be deemed to affect the operation of the Mining Ordinance, 1933, save that the native reserves and the temporary native reserves shall, for the purposes of that Ordinance, be deemed to form part of the native lands

Operation of the  
Mining  
Ordinance, 1933

58L Where any of the provisions of this Part conflict or are inconsistent with any of the provisions of any other Part of this Ordinance, the provisions of this Part shall prevail

Construction

58M Every omission or neglect to comply with, and every act done, or attempted to be done, contrary to, the provisions of this Part of this Ordinance or of any Rules made thereunder, or in breach of the conditions and restrictions subject to or upon which any lease, licence or permit has been issued, shall be deemed to be an offence against this Ordinance, and for every such offence for which no penalty is specially provided the offender shall be liable, on conviction by a magistrate, to a fine not exceeding fifty pounds or to imprisonment for a period not exceeding six months or to both such fine and imprisonment

Penalties

The definition of "Crown lands" in Chapter 1 of the Revised Edition which it is proposed to amend —

"Crown lands" shall mean all public lands in the Colony and which are for the time being subject to the control of His Majesty, and all lands which shall have been acquired by His Majesty for the public service or otherwise howsoever, and shall include all lands occupied by the native tribes of the Colony and all lands reserved for the use of the members of any native tribe

Land in  
occupation of  
natives

Section 86 of the Principal Ordinance which it is proposed to repeal —

86 (1) The Governor may grant leases or areas of land containing native villages or settlements without specially excluding such villages or settlements, but land in the actual occupation of natives at the date of the lease shall, so long as it is actually occupied by them, be deemed to be excluded from the lease

(2) Any land within an area leased which has been in the occupation of natives shall, on ceasing to be occupied, pass to the lessee

Provided that the Senior Commissioner for the time being of the Province in which such land is situated shall certify that the natives have ceased to occupy such land of their own will and accord and without any duress on the part of the lessee

(3) Any doubts that may arise as to whether any land is or is not included in any native settlement or village, or in lands allotted for that purpose, shall be decided by the Senior Commissioner

(4) Either the lessee of the land or the natives, if dissatisfied with the decision of the Senior Commissioner, may appeal to the Governor

58N For the purposes of this Part of this Ordinance the expression “native” shall have the meaning assigned to it by the Interpretation (Definition of “Native”) Ordinance, 1934, save that it shall include a Somali ”

Definition of  
“native”  
No 55 of 1934

5 The Principal Ordinance is hereby amended by adding thereto at the end thereof the Schedules set out in the Schedule hereto

Addition of  
Schedules to the  
Principal  
Ordinance

6 The definition of “Crown land” in section 5 of the Principal Ordinance and the definition of “Crown lands” in section 2 of the Interpretation and General Clauses Ordinance (Chapter 1 of the Revised Edition) are hereby amended by the addition to each such definition of the following words—

Amendment of  
the Principal  
Ordinance and  
the Interpreta-  
tion and  
General Clauses  
Ordinance,  
Cap 1

“Save only the lands declared to be Native Lands by the Native Lands Trust Ordinance, 1938 ”

No of 1938

7 Section 86 of the Principal Ordinance is hereby repealed

Repeal of  
section 86 of the  
Principal  
Ordinance

## SCHEDULE

## FOURTH SCHEDULE

## NATIVE RESERVES

The Native Reserves, which are described below, are delineated and bordered yellow with red hatching on Boundary Plan No 175, deposited at the Land Survey Records Office, Nairobi

Freehold areas which lie within the boundaries described below are not part of the Native Reserves and are excluded therefrom whether specifically mentioned or not

Where a river or stream is described as forming a boundary the centre line of its course shall be the boundary unless otherwise stated

## (1) NGELESHA

Commencing at the northern corner of L R No 2689/R, thence proceeding by straight lines each terminating at a beacon on the following true bearings and for the following distances successively —

38° 09' 43"	7,600 7 feet
340° 56' 19"	5,917 7 „
330° 09' 18"	7,466 4 „
343° 30' 57"	5,811 7 „
325° 24' 42"	6,837 9 „
22° 23' 45"	41,377 8 „
24° 41' 39"	24,101 4 „
24° 23' 20"	29,830 3 „
21° 13' 38"	1,045 1 „
22° 25' 20"	2,754 9 „
343° 17' 25"	6,321 3 „

thence by a straight line south-westerly to the summit of the hill Morillo,

thence by a straight line still south-westerly to the height on the Laikipia Escarpment shown 4457 on the Topographical Sheet North A 37/S (latitude 0° 24' 50' north, longitude 36° 07' 30" east, approximately),

thence by a straight line south-easterly to the point of commencement

## (2) ESAGERI

Commencing at the eastern corner of L R No 488, thence proceeding by a straight line on a true bearing of 46° 03' 57" for a distance of 6,613 6 feet to a beacon,



thence by a straight line on a true bearing of  $138^{\circ} 27' 00''$  for a distance of 2,381 7 feet to a beacon,

thence by a straight line on a true bearing of  $30^{\circ} 32' 11''$  for a distance of 8,746 4 feet to a beacon on the south-western boundary of L R No 662,

thence south-easterly by that boundary to its intersection with the Molo River,

thence up-stream by that river to its intersection with the north-eastern boundary of L R No 486/1,

thence by the north-eastern and north-western boundaries of that portion to its westernmost corner on the north-eastern boundary of the Sclaters Road Reserve,

thence across that road reserve by a straight line on a bearing of  $223^{\circ} 01' 18''$  for a distance of 201 0 feet to a beacon on the north-eastern boundary of L R No 487/26/4,

thence north-westerly by that north-eastern boundary to the northernmost corner of that portion,

thence south-westerly by the north-western boundaries of L R Nos 487/26/4, 487/27, 487/28/4 to the westernmost corner of the last portion,

thence still south-westerly by the north-western boundary of L R No 487/29 for a distance of about 750 feet to a beacon,

thence generally westerly, northerly and again westerly by a series of cut and beacons lines to the intersection with the eastern boundary of L R No 502 (Mount Londiani Forest Reserve),

thence due north by the eastern boundary of that Forest Reserve for a distance of about 8,400 feet to the north-eastern corner of that reserve,

thence due west by the northern boundary of that Forest Reserve to its intersection with the Esageri River,

thence down-stream by that river to its intersection with the generally northern boundary of L R No 5261,

thence generally westerly by that northern boundary and the generally northern boundary of L R No 5242 to the intersection of the latter with the Enarosura River,

thence down-stream by that river to its confluence with the Esageri River,

thence up-stream by that river to its intersection with the south-western boundary of L R No 493,

thence south-easterly by that boundary and by the south-western boundary of L R No 5641 to the south-eastern corner of that portion,

thence north-easterly by the south-eastern boundaries of L R Nos 5641, 6262, 5276, 5249 and 488 to the point of commencement

(3) TAVETA

Commencing at the easternmost corner of L R No 5865, thence northerly by the eastern boundary of that portion to its northernmost corner,

thence westerly by the northern boundary of the same portion to its intersection with the Kenya-Tanganyika Territory boundary,

thence northerly by part of that Territorial boundary to the Trigonometrical Beacon Chala,

thence easterly by part of the same boundary to its intersection with the edge of Lake Chala,

thence southerly, easterly and north-easterly by that lake edge to its intersection on the north-eastern side of the lake with the Territorial boundary,

thence northerly by part of that Territorial boundary to a point due west of the point of intersection of the southern boundary of L R No 6730/2 with the Lumi River,

thence by a straight line to that point of intersection,

thence down-stream by the Lumi River to its intersection with the southern boundary of L R No 7287,

thence easterly by that southern boundary for a distance of about 170 feet to a beacon and onwards for a further distance of about 445 feet,

thence due south by a straight line to its intersection with the northern boundary of Voi-Moshi main road,

thence westerly by that northern boundary to its intersection with a straight line on a bearing of  $171^{\circ} 50' 00''$  from the easternmost corner of L R No 4881,

thence southerly by that straight line on that bearing for about 40,000 feet to a beacon,

thence by a straight line on a true bearing of  $330^{\circ} 39' 54''$  for a distance of 17,710 6 feet to a beacon,

thence by a straight line on a true bearing of  $242^{\circ} 27' 56''$  for a distance of 3,489 7 feet to a beacon and onward to its intersection with the Lumi River,

thence up-stream by that river for about 5,000 feet to its intersection with a straight line on a true bearing of  $241^{\circ} 13' 38''$  from a beacon on the left bank,

thence by that straight line for about 84 feet to that beacon,

thence by straight lines each terminating at a beacon on the following true bearings and for the following distances successively—

$61^{\circ} 13' 38''$	2,902 3 feet
$62^{\circ} 54' 40''$	5,101 1 „
$355^{\circ} 16' 20''$	7,989 6 „
$355^{\circ} 38' 35''$	7,883 6 „
$37^{\circ} 35' 45''$	5,998 0 „
$1^{\circ} 48' 48''$	10,094 2 „

to the point of commencement

#### (4) NORTH YATTA

Commencing at the junction of the Tana and Thika Rivers on the eastern boundary of L R No 1992,

thence proceeding down-stream by the Tana River to its junction with the Kithioko River,

thence up-stream by that river to its junction with the Ngomolo River,

thence up-stream by that river to its intersection with the straight line joining the Trigonometrical Beacons Ndala1 and Thatha,

thence by that straight line for a distance of about 28,016 feet to the latter Trigonometrical Beacon,

thence by straight lines each terminating at a beacon on the following true bearings and for the following distances successively—

$266^{\circ} 40' 51''$	52,766 9 feet
$278^{\circ} 03' 23''$	5,241 8 „
$7^{\circ} 04' 56''$	30,815 5 „
$277^{\circ} 31' 09''$	15,782 2 „
$276^{\circ} 15' 46''$	2,000 0 „

to the eastern corner of L R No 7047,

thence by the northern and western boundaries of L R No 7047 to the intersection with the northern boundary of L R No 2305,

thence westerly by part of the northern boundary of that portion to its intersection with the Thika River,

thence down-stream by that river to the point of commencement.

## (5) YATTA PLATEAU

Commencing at the intersection of the south-eastern boundary of L R No 2304 with the Athi River,

thence proceeding by the south-eastern boundaries of L R Nos 2304, 2301, 2296 and the eastern boundary of L R No 2295 to the north-eastern corner of the last portion,

thence by a straight line on a true bearing of approximately  $92^{\circ} 48'$  for a distance of about 391 feet to a beacon on the eastern boundary of the road reserve which forms the eastern boundary of L R No 2294/R,

thence by straight lines each terminating at a beacon on the following true bearings and for the following distances successively—

$146^{\circ} 33' 56''$	3,772 4 feet
$98^{\circ} 03' 23''$	25,311 2 „
$86^{\circ} 40' 51''$	250 3 „
$176^{\circ} 40' 07''$	16,223 0 „

to its intersection with the head-water of Muita Chana (Siano) River,

thence down-stream by that river to its intersection with the northern boundary of the Machakos-Kitui Road,

thence south-easterly by that road boundary to its intersection with the Athi River,

thence up-stream by that river to the point of commencement

## FIFTH SCHEDULE

## TEMPORARY NATIVE RESERVES

The Temporary Native Reserves, which are described below, are delineated and hatched yellow on Boundary Plan No 157, deposited at the Land Survey Records Office, Nairobi

Freehold areas which lie within the boundaries described are not part of the Temporary Native Reserves and are excluded therefrom whether specifically mentioned or not

When a river or stream is described as forming a boundary the centre line of its course shall be the boundary unless otherwise stated

## (1) CHURO

Commencing at the summit of the hill Ol Doinyo Lengere (Alengerr),

thence in a generally southerly direction—by a series of straight lines—through the heights shown 4241, 4263, 4291, 4320, 4070 and 4141 on the Topographical Sheet North A 37/S to a beacon on a small hill about one mile east of Old Baringo Boma,

thence by a straight line on a true bearing of  $43^{\circ} 49' 38''$  for a distance of 6,209 3 feet to a beacon,

thence by a straight line on a true bearing of  $75^{\circ} 32' 50''$  for a distance of 21,782 3 feet to a beacon,

thence by a straight line on a true bearing of  $45^{\circ} 24' 57''$  for a distance of 29,541 8 feet to a beacon,

thence by a straight line on a true bearing of  $31^{\circ} 50' 42''$  for a distance of 45,104 9 feet to a beacon,

thence by a straight line on a true bearing of  $20^{\circ} 32' 21''$  for a distance of 5,256 1 feet to a beacon,

thence by a straight line on a true bearing of  $58^{\circ} 55' 12''$  for a distance of approximately 7,000 feet to the Amaya River,

thence down-stream by that river to a point on a true bearing of  $83^{\circ} 30' 18''$  from the point of commencement,

thence by a straight line to the point of commencement

(2) LEGISIANAN

Commencing at the north-west corner of L R No 1650,

thence southerly by the western boundary of that portion to its south-western corner,

thence south-westerly by the north-western boundary of L R No 1651 to the western corner of that portion,

thence north-westerly by the north-eastern boundaries of L R Nos 3816/R, 3815/R, 3814/R to the north-western corner of the last portion,

thence northerly by a straight line to the Trigonometrical Beacon Legisianan,

thence northerly, easterly and north-easterly by part of the western and the generally north-western boundary of L R No 5259/2 to the point of commencement

(3) KITUI

Commencing at the Trigonometrical Beacon Thatha,

thence by a straight line on a true bearing of  $266^{\circ} 40' 51''$  for a distance of 52,516 5 feet to a beacon,

thence by a straight line on a true bearing of  $176^{\circ} 40' 07''$  for a distance of 16,223 feet to its intersection with the head-water of Muita Chana (Siano) River,

thence down-stream by that river to its intersection with the northern boundary of Machakos-Kitui Road,

thence north-easterly by that northern boundary to its intersection with the Tiva River,

thence by that river up-stream for a distance of about  $4\frac{1}{4}$  miles,

thence by a straight line to a cairn on its right bank,

thence generally north-westerly by a line defined by a series of cairns to the Trigonometrical Beacon Mwakini,

thence generally north-easterly by a line defined by a series of cairns to its intersection with the straight line joining the Trigonometrical Beacons Thatha and Ndalai,

thence north-westerly by that straight line to the point of commencement

#### (4) TEITA

Commencing at the intersection of the eastern boundary of Maktau Station Reserve with the northern boundary of the railway reserve of the Voi-Moshi branch of the Kenya and Uganda Railway,

thence south-easterly by that railway reserve boundary to its intersection with a straight line bearing true north through a point 7,500 feet due west of the northernmost corner of L R No 6925,

thence due north by that straight line for five miles,

thence north-easterly by a straight line to the south-west corner of L R No 4718,

thence northerly by the western boundary of that portion for about 11,000 feet,

thence due west by a straight line to a point due north of the point of commencement,

thence due south by a straight line to the point of commencement

### SIXTH SCHEDULE

#### NATIVE LEASEHOLD AREAS

The Native Leasehold Areas, which are described below, are delineated and crossed hatched brown on Boundary Plan No 157, deposited at the Land Survey Records Office, Nairobi

Freehold areas which lie within the boundaries described are not part of the Native Leasehold Areas and are excluded therefrom whether specifically mentioned or not

When a river or stream is described as forming a boundary the centre line of its course shall be the boundary unless otherwise stated

## ISIOLO

Commencing at the Trigonometrical Beacon Lendili,  
thence easterly by a straight line to the Trigonometrical  
Beacon Mukogodo,

thence south-easterly by the straight line between that  
trigonometrical beacon and the western corner of L R No  
2791 for a distance of about 65,000 feet,

thence due east by a straight line to its intersection with  
the Ngare Siolo (Isiolo River),

thence down-stream by that river to its intersection with  
the Nyeri-Archer's Post Road in the vicinity of the K A R  
Wagon Camp,

thence north-easterly by the straight line from that point  
of intersection to the southern of the two principal summits  
of Shaba Hill, for a distance of about 80,000 feet,

thence due north by a straight line to its intersection with  
the E Uaso Nyiro,

thence up-stream by that river to a point due north of  
the Trigonometrical Beacon Lendili (the point of commence-  
ment),

thence due south by a straight line to the point of com-  
mencement

## SEVENTH SCHEDULE

## BOUNDARIES OF THE HIGHLANDS

The Highlands, which are described below in six sections,  
are delineated and bordered red on Boundary Plan No 133,  
deposited at the Land Survey Records Office Nairobi

*Specific Exclusions*—All proclaimed Municipalities,  
Townships and Trading Centres are excluded from the  
Highlands, and any area which shall in future be declared by  
proclamation to be a Municipality, Township or Trading  
Centre shall be deemed also to be excluded from the date of  
such proclamation

*Note*—Where a river or stream is described as forming  
a boundary the centre line of its course shall be the boundary  
unless otherwise stated

Successive portions of the boundary are numbered in  
order on Boundary Plan No 133 The descriptions here-  
under of those successive portions have corresponding  
numbers in the right hand margin to enable them to be readily  
followed on the plan

*Descriptions*

## SECTION I

Commencing at the westernmost corner of L R No 6439, (1)  
thence by the south-western boundary of that portion to  
its intersection with the Kamakoiwa River,

thence down-stream by that river to its junction with the  
Kimilil (Kabisi) River,

thence down-stream by that river to its junction with the  
Nzoia River,

thence down-stream by that river to its intersection with  
the south-western boundary of L R No 4099,

thence by the latter boundary to the westernmost corner  
of L R No 4121,

thence by the south-western boundaries of L R Nos 4121  
and 4122 to the southernmost corner of the latter portion  
(Senya Hill),

thence by the north-western boundaries of L R Nos 6176  
and 4130 to the south-western corner of the latter portion  
(Bwanga), (2)

thence by the southern boundaries of L R Nos 4130 and  
4126 to the south-eastern corner of the latter portion,

thence by part of the southern boundary of L R No 5598  
for a distance of about 9507 feet to its intersection with an  
unnamed watercourse,

thence up-stream by that watercourse to a beacon at its  
source,

thence by a straight line on a true bearing of  $187^{\circ} 09' 57''$   
and for a distance of 3,060 0 feet to the north-western corner  
of L R No 6954,

thence by the western boundaries of L R Nos 6954 and  
6955 and by the western, south-western and south-eastern  
boundaries of L R No 6956 to the westernmost corner of  
L R No 3134,

thence by part of the south-western boundary of L R  
No 3134 for a distance of about 775 feet to its intersection  
with the unnamed river which forms the north-western bound-  
ary of L R No 7140,

thence up-stream by that unnamed river for a distance  
of about 6,800 feet to a point on a true bearing of  $341^{\circ} 33' 28''$   
from a beacon situated on the right bank,



thence by a straight line to that beacon and onwards by a straight line on a true bearing of  $161^{\circ} 33' 28''$  and for a distance of 2,663 6 feet to a beacon,

thence by a straight line on a true bearing of  $180^{\circ} 27' 17''$  and for a distance of 2,507 3 feet to the north-western corner of L R No 6957,

thence by the western and south-western boundaries of that portion to the intersection of the latter with the river which forms the generally western boundary of L R No 3160,

thence by that river up-stream to its intersection with the southern boundary of L R No 3160,

thence by that southern boundary to the north-western corner of L R No 6958, (3)

thence southerly and easterly by the western and part of the southern boundary of L R No 6958 to the intersection of the latter with the river which forms the western boundary of L R No 6959/2,

thence by that river up-stream to its intersection with the south-western boundary of L R No 6960/2,

thence south-easterly by that boundary to the southern corner of that portion,

thence south-easterly by part of the south-western boundary of L R No 4363 for a distance of 3,570 feet to a beacon,

thence easterly by a straight line on a true bearing of  $94^{\circ} 38' 34''$  and for a distance of about 3,217 2 feet to a beacon on the south-western boundary of L R No 3161,

thence by part of the south-western boundary of that portion, and the south-western boundaries of L R Nos 3150, 3149, 3148 and 3147 to the south-eastern corner of the last portion,

thence northerly by the eastern boundaries of L R Nos 3147 and 3151 and onwards across the road reserve to the southernmost corner of L R No 3120,

thence still northerly by the eastern boundaries of L R Nos 3120, 4112, 3156, 6427 and 6426 to the north-eastern corner of the last portion, (4)

thence easterly by part of the southern boundary of L R No 755/2/2 and the whole of the southern boundaries of L R Nos 5323 and 755/4/R to the south-eastern corner of the latter portion (Eldalat),

thence by the generally western boundaries of L R Nos 5731, 766/1, 766/2, 766/3, 749, 748, 747, 6467, 6609, 6608, 6478, 693/1, 689, 3063, 4137, 4281 and 686 to the southern corner of the last portion (Olessos), (5)

thence by the north-western boundary of L R No 6457/R and onwards across a road reserve to the northernmost corner of L R No 1484,

thence by the north-western boundaries of L R Nos 1484, 6775, 1481/R and part of 1478A to its intersection with the Kepsimbegwa River,

thence down-stream by that river to its junction with the Choimin River,

thence down-stream by the latter river to its intersection with the northern boundary of L R No 1371,

thence by the northern boundary of the latter portion to its north-western corner,

thence by the western boundary of L R No 1371 to its intersection with the Kamarya River,

thence down-stream by that river to its junction with the Kapchure River,

thence down-stream by that river to its intersection with the south-western boundary of L R No 7057, (6)

thence by that south-western boundary to the southernmost corner of that portion,

thence by the south-western boundary of L R No 1468 to its intersection with the Ainomotua River,

thence up-stream by that river to its intersection with the western boundary of L R No 3071,

thence by the generally western boundaries of L R Nos 3071, 1617 and the north-western boundary of L R No 1613 to the south-western corner of the last portion,

thence south-easterly by part of the north-eastern boundary of L R No 6086 to the north-western corner of L R No 1580/1,

thence by the north-western boundaries of L R Nos 1580/1 and 1580/2 to the south-western corner of the latter portion and onwards by the same straight line to its intersection with the southern boundary of the Kenya and Uganda Railway Reserve,

thence easterly by that southern boundary to the north-western corner of L R No 3102,

thence by the north-western boundary of that portion to its intersection with the Nyando River,

thence up-stream by that river to its intersection with the north-western boundary of L R No 3979,

thence by that north-western boundary to its south-western corner,

thence by the southern boundaries of L R Nos 3979 and 3978/2 to the south-eastern corner of the latter portion,

thence by part of the eastern boundary of L R No 3978/2 for a distance of 5,751 54 feet to the Chemutum Salt Lick,

thence by straight lines each terminating at a beacon on the following true bearings and for the following distances successively —

296° 26' 20"	4,154 0 feet
206° 26' 20"	600 0 „
296° 26' 20"	900 0 „
26° 26' 20"	900 0 „
116° 26' 20"	5,045 3 „

to a beacon on the south-eastern boundary of L R No 3978/2,

thence by part of the south-eastern boundary of L R No 3978/2 and the whole of L R No 3977 to the south-western corner of L R No 643/1,

thence by the southern boundary of L R No 643/1 to its intersection with the Nyando River,

thence up-stream by that river to its junction with the Tugenon River,

thence up-stream by that river to its intersection with the western boundary of the Lumbwa-Kericho Road Reserve, (7)

thence generally south-westerly by that road reserve boundary to its intersection with the north-eastern boundary of Kericho Township (L R No 631),

thence north-westerly, south-westerly and south-easterly by part of the north-eastern, the north-western, and part of the south-western boundary of that township to the intersection of the last mentioned with the north-western boundary of the Sotik-Kericho Road Reserve,

thence generally south-westerly by that road reserve boundary (which road forms the generally north-western boundaries of L R Nos 5467 and 4098) to its intersection with the Kitho (or Jamji) River,

thence down-stream by that river to its junction with the Chepkoiſi River,

thence up-stream by the latter river to its intersection with the southern boundary of L R No 5436,

thence easterly by that boundary to the south-eastern corner of the latter portion,

thence northerly by the eastern boundary of that portion to its intersection with the southern boundary of L R No 6001/1,

thence easterly by the latter boundary to its intersection with the Koruma River,

thence up-stream by that river to its intersection with the eastern side of the Sotik-Kericho main track 25-foot reservation,

thence southerly by a cut and beacons straight line to its intersection with the Chepkoiſi (Kiptiget) River which forms the northern boundary of L R No 6020,

thence down-stream by that river to its junction with the Dare (Itare) River,

thence up-stream by the latter river to its intersection with the straight line joining the Trigonometrical Beacon Posta with the south-western corner of L R No 553,

thence south-westerly by a straight line to the Trigonometrical Beacon Posta, (8)

thence by a straight line in the direction of the Trigonometrical Beacon Kabroret to its intersection with the Kipsonoi River,

thence north-easterly by a straight line to the south-western corner of L R No 4600,

thence by the generally south-eastern boundaries of L R Nos 4600 and 4598 to the north-eastern corner of the latter portion,

thence by part of the generally south-eastern boundary of L R No 4597 for a distance of approximately 2,800 feet to its intersection with a cut and beacons line,

thence south-easterly by that cut and beacons straight line which is on a true bearing of  $100^{\circ} 29' 29''$  for a distance of 12,354.2 feet to a beacon,

thence by straight lines each terminating at a beacon on the following true bearings and for the following distances successively —

12° 29' 29"	7,899 feet
23° 37' 13"	11,760 2 „
60° 56' 43"	3,294 6 „
74° 52' 34"	11,498 2 „
126° 00' 55"	3,486 4 „
199° 01' 32"	6,135 2 „
117° 13' 37"	24,163 7 „
145° 23' 35"	9,007 8 „
112° 04' 02"	3,048 3 „

to a beacon on the western boundary of L R No 3990,

thence southerly and easterly by part of the western boundary and the whole of the southern boundary of the latter portion to its south-eastern corner,

thence generally southerly by the generally western boundary of L R No 1316 to the southernmost corner of that portion, (9)

thence north-easterly by part of the south-eastern boundary of the latter portion for a distance of 30,283 7 feet to a beacon,

thence by straight lines each terminating at a beacon on the following true bearings and for the following distances successively —

140° 38' 53"	1,016 0 feet
151° 04' 32"	500 9 „
122° 16' 52"	534 8 „
121° 01' 39"	760 95 „
123° 56' 06"	736 4 „
121° 34' 27"	841 95 „
122° 45' 25"	392 9 „
132° 05' 08"	350 1 „
140° 54' 00"	632 54 „
131° 33' 01"	878 73 „
133° 15' 19"	763 3 „
153° 19' 31"	462 85 „
111° 15' 07"	644 04 „
56° 55' 52"	12,829 1 „
63° 26' 56"	16,082 5 „

to a beacon at the north-western corner of L R No 1771,

thence by the western boundary of L R No 1771 to the north-western corner of L R No 6233,

thence by the south-western boundary of L R No 7265 to its intersection with the Marmonet River,

thence down-stream by that river to its intersection with the western boundary of L R No 411,

thence by part of the western, the whole of the south-eastern, and part of the eastern boundaries of that portion to the intersection of the last boundary with the Marmonet River,

thence down-stream by that river to its intersection with the north-western boundary of L R No 410/2,

thence by the north-western, and the south-western boundaries of that portion to the westernmost corner of L R No 1381,

thence by the western boundary of that portion to the northernmost corner of L R No 1380,

thence southerly by the generally western boundaries of L R No 1380 to the southernmost corner of that portion,

thence southerly and easterly by the generally western and southern boundaries of L R No 2662 to the south-eastern corner of that portion,

thence south-easterly by a cut and beacons straight line for a distance of approximately 54,758 3 feet to a beacon on the Kijabe-Narok Road, (10)

thence south-easterly by a straight line to the westernmost corner of L R No 375,

thence by the south-western boundaries of L R Nos 375 and 373 to the southernmost corner of the latter portion,

thence north-easterly by the generally south-eastern boundaries of L R Nos 373 and 374 to the easternmost corner of the latter portion,

thence south-easterly by part of the south-western boundary of L R No 378 to its southernmost corner,

thence by part of the south-eastern boundary of L R No 378 for a distance of 16,194 4 feet to a beacon on the western boundary of the Kikuyu Escarpment Forest Reserve, (11)

thence generally southerly, easterly, northerly, again easterly and generally southerly by a series of cut and beacons straight lines which form a part of the western and

generally southern boundary of the aforesaid Forest Reserve (L R No 4448) to its intersection with the northern boundary of the Limoru-Naivasha main road reserve,

thence easterly by that road reserve boundary to its intersection with the western boundary of the Kenya and Uganda Railway Reserve,

thence southerly by that reserve boundary to its intersection with the northern boundary of Limoru Railway Station Reserve,

thence southerly by the generally western boundary of that station reserve to its intersection with the western boundary of the Kenya and Uganda Railway Reserve,

thence southerly by that railway reserve boundary to its intersection with the north-western boundary of L R No 173/1,

thence southerly by the generally western boundary of L R No 173/1, and south-easterly by the south-western boundary of L R No 173/2 to the southernmost corner of the latter portion,

thence north-easterly by the south-eastern boundary of L R No 174 to its intersection with the western boundary of the Kenya and Uganda Railway Reserve,

thence southerly by that railway reserve boundary to a point due west of the southernmost corner of L R No 4713,

thence due east to that southernmost corner,

thence by the south-eastern boundaries of L R Nos 4713, 5831 and 4493 to the easternmost corner of the last portion,

thence south-easterly by the generally south-western boundaries of L R Nos 5851/5, 5851/9 and 164/3 to the northernmost corner of L R No 170/1/2,

thence southerly by the western boundary of the last portion to its intersection with the Mutigutu River,

thence down-stream by that river to its intersection with the south-eastern boundary of L R No 5878,

thence north-easterly by the south-eastern boundaries of L R Nos 5878, 3564, 2950/1, 2950/5/2/3, 2950/3/R 5916 and 152 to the easternmost corner of the last portion, (12)

thence south-easterly by the south-western boundaries of L R Nos 132/1/1/2, 245/1, 245/2/R, part of 134/3/R, the whole of 134/6 and again part of 134/3/R to the south-eastern corner of the last portion,

thence north-easterly by the generally south-eastern boundaries of L R Nos 134/3/R, 134/7, 134/4/R, 5876, 4640 and 126 to the intersection of the last with the Kamiti River,

thence up-stream by that river to its intersection with the eastern boundary of L R No 3696,

thence northerly by the eastern boundaries of L R Nos 3696 and 3698 to the north-eastern corner of the latter portion, (13)

thence northerly by part of the eastern boundary of L R No 3700 to the southernmost corner of the Kikuyu Escarpment Forest Reserve (south-eastern portion),

thence easterly, northerly and westerly by the generally eastern and northern boundaries of that Forest Reserve to the north-eastern corner of L R No 241/3,

thence westerly by the northern boundary of L R No 241/3 to the north-western corner of that portion,

thence by part of the eastern, the northern, generally western and southern boundaries of L R No 3900 to the south-eastern corner of that portion,

thence by part of the western boundary of L R No 241/3 for a distance of approximately 855 feet to its intersection with part of the northern boundary of the Kikuyu Escarpment Forest Reserve (south-western portion),

thence westerly by that forest reserve boundary to its intersection with the eastern boundary of L R No 4768,

thence northerly by part of that boundary and westerly by the northern boundary to the northernmost corner of that portion,

thence southerly by the western boundary of L R No 4768 to its intersection with the northern boundary of the Kenya and Uganda Railway Reserve,

thence south-westerly by that railway reserve boundary for approximately 3,200 feet to its intersection with a cut and beacons line which forms the boundary of the Kikuyu Escarpment Forest Reserve,

thence generally northerly by that cut and beacons line for a distance of about 6,000 feet to its intersection with the eastern boundary of the Kenya and Uganda Railway Reserve,

thence by a straight line on a true bearing of  $315^{\circ} 15' 40''$  to a beacon on the western boundary of that railway reserve,

thence by a straight line on a true bearing of  $266^{\circ} 37' 30''$  for a distance of about 3,523 feet to a beacon,



thence by a straight line on a true bearing of  $356^{\circ} 37' 30''$  for a distance of about 3 537 feet to a beacon,

thence by a straight line on a true bearing of  $88^{\circ} 48' 33''$  for a distance of about 886 feet to a beacon,

thence by a straight line on a true bearing of  $89^{\circ} 57' 25''$  for a distance of about 506 feet to a beacon,

thence by a straight line on a true bearing of  $86^{\circ} 31' 20''$  for a distance of about 2,181 feet to a beacon on the western boundary of the Kenya and Uganda Railway Reserve,

thence southerly by that reserve boundary for a distance of about 3,300 feet to a point on a true bearing of  $315^{\circ} 15' 40''$  from a beacon on the eastern boundary of the Kenya and Uganda Railway Reserve,

thence by a straight line to that beacon,

thence easterly, northerly, westerly, southerly and south-westerly by a cut and beacons line, which forms part of the boundary of the Kikuyu Escarpment Forest Reserve, to its intersection with the north-eastern boundary of the Kenya and Uganda Railway Reserve,

thence north-westerly by that reserve boundary for a distance of about 700 feet to a beacon in the vicinity of Escarpment Station,

thence by a straight line on a true bearing of  $13^{\circ} 01' 00''$  for a distance of 13 6 feet to a beacon,

thence by a straight line on a true bearing of  $22^{\circ} 31' 14''$  for a distance of 990 5 feet to a beacon,

thence by a straight line on a true bearing of  $266^{\circ} 43' 25''$  for a distance of 2,725 5 feet to a beacon on the eastern boundary of the Kenya and Uganda Railway Reserve,

thence northerly by that reserve boundary for a distance of about 570 feet to a beacon,

thence by a straight line on a true bearing of  $86^{\circ} 39' 03''$  for a distance of about 403 feet to a beacon,

thence by a straight line on a true bearing of  $356^{\circ} 39' 03''$  for a distance of about 653 feet to a beacon,

thence by a straight line on a true bearing of  $86^{\circ} 39' 03''$  for a distance of about 2,384 feet to a beacon,

thence by a straight line on a true bearing of  $37^{\circ} 44' 20''$  for a distance of about 1,147 feet to a beacon,

thence northerly, north-easterly, north-westerly and south-westerly by a cut and beacons line, which forms part of the boundary of the Kikuyu Escarpment Forest Reserve, to its intersection with the eastern boundary of the Kenya and Uganda Railway Reserve, (14)

thence northerly by that railway reserve boundary for a distance of approximately 8,000 feet to its intersection with the north-western boundary of L R No 388/1,

thence by the north-western and north-eastern boundaries of that portion to its easternmost corner,

thence by part of the south-eastern boundary of L R No 388/1 for a distance of approximately 2,200 feet to a beacon,

thence south-easterly by part of the generally south-western boundary of the Kikuyu Escarpment Forest Reserve (northern portion) to its intersection with the Kimaiti River, (15)

thence northerly by the generally eastern boundary of the Kikuyu Escarpment Forest Reserve (northern portion) and the Aberdare Forest Reserve to the intersection of the western boundary of L R No 5143 with the Muringato River, (16)

thence down-stream by that river to its intersection with the south-eastern boundary of L R No 5152,

thence by a straight line on a true bearing of  $46^{\circ} 08' 10''$  for a distance of about 3,430 feet to a beacon,

thence by a straight line on a true bearing of  $114^{\circ} 58' 15''$  for a distance of 3,155 3 feet to a beacon,

thence by a straight line on a true bearing of  $118^{\circ} 51' 06''$  for a distance of 1,872 0 feet to a beacon,

thence by a straight line on a true bearing of  $73^{\circ} 25' 32''$  for a distance of 1,228 4 feet to a beacon on the western boundary of the portion known as Njengu Salt Lick,

thence by a straight line on a true bearing of  $350^{\circ} 07' 27''$  for a distance of 1,423 1 feet to a beacon on the generally western boundary of the Nyei-Rumuruti Road Reserve,

thence generally south-easterly by that road reserve boundary to the north-western corner of L R No 6948,

thence southerly by the western boundary of that portion for a distance of 764 1 feet to a beacon,

thence by a straight line on a true bearing of  $304^{\circ} 51' 17''$  for a distance of 2,032 5 feet to a beacon,

thence by a straight line on a true bearing of  $253^{\circ} 25' 32''$  for a distance of 1,258.5 feet to the north-eastern corner of L.R. No 4166,

thence north-westerly and south-westerly by the north-eastern and the north-western boundaries of that portion to the intersection of the latter with the Muringato River, (16)

thence down-stream by that river to its junction with the Mararia River,

thence up-stream by that river to its intersection with the south-western boundary of L.R. No 1105/2,

thence south-easterly by the generally south-western boundary of that portion and the generally western boundary of L.R. No 1105/1 to the intersection of the latter with the Chania River,

thence down-stream by that river to its intersection with the western boundary of Nyeri Township (L.R. No 1108),

thence by part of that boundary and by the southern and part of the eastern boundary of that township to the intersection of the last with the Chania River,

thence down-stream by that river to its intersection with the western boundary of L.R. No 1119,

thence by that boundary and by the southern, and part of the eastern boundary of that portion to the intersection of the last with the Chania River,

thence down-stream by that river to its junction with the Muringato River, (17)

thence up-stream by that river to its junction with the Amboni River,

thence easterly by a cut and cleared line to the intersection of the eastern boundary of L.R. No 3469 with the Nairobi River,

thence down-stream by that river to its junction with the Sagana River,

thence easterly and northerly by the generally southern and eastern boundaries of the Mount Kenya Forest Reserve to the intersection of the south-eastern boundary of L.R. No 4634 with the Marania River, (18)

thence down-stream by that river and onwards by the Siolo River to its intersection with the northern boundary of L.R. No 2794,

thence westerly by the northern boundaries of L R Nos 2794 and 2792 to the north-western corner of the latter portion,

thence by the western boundary of L R No 2792 and the north-western boundary of L R No 2791 to the westernmost corner of the latter portion, (19)

thence by part of the north-eastern boundary of L R No 5181, by the north-eastern boundary of L R No 6307 and by the generally northern boundaries of L R Nos 2789 and 2788 to the north-western corner of the last portion,

thence north-westerly by a straight line to the north-eastern corner of L R No 5162,

thence by a straight line on a true bearing of  $345^{\circ} 01' 14''$  for a distance of 20,743 1 feet to the Trigonometrical Beacon Musul,

thence north-westerly by a straight line for a distance of about 17,000 feet to the summit of Ol Doinyo Kīmanjō,

thence westerly by a straight line for a distance of about 19,000 feet to a point situated on the north-eastern boundary of and at a distance of 1,500 feet from the northernmost corner of L R No 3213,

thence by that north-eastern boundary to that northernmost corner,

thence by a straight line on a true bearing of  $338^{\circ} 36' 30''$  for a distance of 306 0 feet to a beacon,

thence by a straight line on a true bearing of  $237^{\circ} 15' 37''$  for a distance of 17,700 0 feet to a beacon,

thence by a straight line on a true bearing of  $243^{\circ} 13' 57''$  for a distance of 6,565 2 feet to a beacon,

thence by a straight line on a true bearing of  $334^{\circ} 28' 14''$  for a distance of 1,046 2 feet to a beacon,

thence by a straight line on a true bearing of  $258^{\circ} 02' 32''$  for a distance of 3,187 1 feet to a beacon and onwards by the same straight line to its intersection with the Uaso Nyiro River, (20)

thence down-stream by that river for a distance of approximately twenty-five miles to its junction with an unnamed stream,

thence up-stream westerly by that stream to its source,

thence by a straight line due west to its intersection with the top edge of the cliffs forming the eastern edge of the Angata Wergoi,

thence north-westerly by the top edge of these cliffs to the Trigonometrical Beacon Bergoi,

thence generally westerly and south-westerly by a series of straight lines defined by cairns, crossing and re-crossing the Ol Keju Mara (Seya) River to a beacon ("Cairn") on the eastern bank of the northernmost and largest lake of Sogota Marma,

thence south-westerly by a straight line to a cairn on the western bank of that lake,

thence generally south-westerly by a series of straight lines defined by cairns to its intersection with a cut and beaconsed straight line, (21)

thence westerly by that cut and beaconsed line to its intersection with the Amaya River,

thence down-stream by that river for a distance of approximately two miles to its intersection with a cut and beaconsed straight line, (22)

thence by that straight line on a true bearing of 238° 55' 12" for a distance of approximately 7,000 feet to a beacon,

thence by straight lines each terminating at a beacon on the following true bearings and for the following distances successively —

200° 32' 21"	5,256 1 feet
211° 50' 42"	45,104 9 „
225° 24' 57"	29,541 8 „
255° 32' 50"	21,782 3 „
223° 49' 38"	6,209 3 „
166° 46' 05"	19,104 2 „
163° 17' 25"	6,321 3 „
202° 25' 20"	2,754 9 „
201° 13' 38"	1,045 1 „
204° 23' 20"	29,830 3 „
204° 41' 39"	24,101 4 „

to a beacon at the north-western corner of L R No 2463,

thence by straight lines each terminating at a beacon on the following true bearings and for the following distances successively —

202° 23' 45"	41,377 8 feet
145° 24' 42"	6,837 9 ,
163° 30' 57"	5,811 7 ,
150° 09' 18"	7,466 4 „
160° 56' 19"	5,917 7 „
218° 09' 43"	7,600 7 „

to a beacon at the north-eastern corner of L R No 2689/R, (23)

thence westerly by the northern boundary of that portion to its intersection with the Ghusa Lugerı (En Dıloı) River,

thence up-stream by that river to its intersection with the northern boundary of L R No 2687,

thence westerly by part of the northern boundary of L R No 2687 and the northern boundary of L R No 2682 to the north-western corner of the latter portion,

thence southerly by the western boundaries of that portion and of L R No 3630 to the south-western corner of the latter portion,

thence by the western boundaries of L R Nos 2680 and 1168 to the south-western corner of the latter portion,

thence westerly by part of the northern boundary of L R No 1650 to the north-western corner of that portion,

thence southerly by the western boundary of that portion to its south-western corner,

thence south-westerly by the north-western boundary of L R No 1651 to the western corner of that portion,

thence north-westerly by the north-eastern boundaries of L R Nos 3816/R, 3815/R and 3814/R to the north-western corner of the last portion,

thence northerly by a straight line to the Trigonometrical Beacon Legislanan,

thence by a straight line to the north-eastern corner of L R No 5260,

thence by the generally northern boundary of that portion to the north-eastern corner of L R No 3843,

thence westerly by part of the northern boundary of that portion to the south-eastern corner of L R No 3844, (24)

thence by the eastern and the northern boundaries of the latter portion and the northern boundaries of L R Nos 3732/R and 5672 to the intersection of the last with the Molo River,

thence down-stream by that river to its intersection with the north-eastern boundary of L R No 662,

thence by the north-eastern, north-western and south-western boundaries of that portion to the intersection of the last with the Molo River,

thence up-stream by that river to its intersection with the north-eastern boundary of L R No 486/1,

thence by the north-eastern and north-western boundaries of that portion to its westernmost corner on the north-eastern boundary of the Sclaters Road Reserve,

thence across that road reserve by a straight line on a bearing of  $223^{\circ} 01' 18''$  for a distance of 2010 feet to a beacon on the north-eastern boundary of L R No 487/26/4,

thence north-westerly by that north-eastern boundary to the northernmost corner of that portion,

thence south-westerly by the north-western boundaries of L R Nos 487/26/4, 487/27, 487/28/4 to the westernmost corner of the last portion,

thence still south-westerly by the north-western boundary of L R No 487/29 for a distance of 750 feet to a beacon,

thence generally westerly, northerly and again westerly by a series of cut and beacons to the intersection with the eastern boundary of L R No 502 (Mount Londiani Forest Reserve),

thence due north by the eastern boundary of that Forest Reserve for a distance of 8,400 feet to the north-eastern corner of that reserve,

thence due west by the northern boundary of that Forest Reserve to its intersection with the Esageri River,

thence down-stream by that river to its intersection with the generally northern boundary of L R No 5261, (25)

thence westerly by that generally northern boundary and the generally northern boundary of L R No 5242 to the intersection of the latter with the Enarosura River,

thence down-stream by that river to its intersection with the north-eastern boundary of L R No 497/3/3,

thence north-westerly by the north-eastern boundaries of L R Nos 497/3/3 and 497/4 to the northernmost corner of the latter portion,

thence by a straight line to the eastern corner of L R No 497/3/1 and onwards by the north-eastern boundary of that portion to its intersection with the Tiggeri River,

thence up-stream by that river to its intersection with the eastern boundary of L R No 503 (Lembus Forest Reserve),

thence northerly by part of the eastern boundary of that reserve to its north-eastern corner,

thence westerly by the northern boundary of that reserve to the south-eastern corner of L R No 5690/R,

thence northerly by the eastern boundary of that portion for a distance of about 624 feet to its intersection with Kinoisoi River,

thence down-stream by that river to its intersection with the north-eastern boundary of L R No 5690/R,

thence north-westerly by part of that north-eastern boundary to the southernmost corner of L R No 7210,

thence northerly and south-westerly by the eastern and north-western boundaries of the latter portion to the north-eastern corner of L R No 5687,

thence westerly by the northern boundary of the latter portion to the southernmost corner of L R No 6445,

thence north-easterly by the south-eastern boundaries of L R Nos 6445 and 6446 to the easternmost corner of the latter portion,

thence by part of the north-eastern boundary of the latter portion for a distance of 561 4 feet to a beacon,

thence by straight lines each terminating at a beacon on the following true bearings and for the following distances successively —

33° 01' 17"	2,847 2 feet
57° 23' 37"	1,776 1 „
104° 32' 54"	7,436 7 „
60° 08' 36"	5,890 „

to its intersection with the Kinoisoi River,

thence down-stream by that river for a distance of approximately 4,300 feet to a point on a bearing of 84° 26' 17" from a beacon on its left bank,

thence by a straight line on a true bearing of 274° 26' 17" for a distance of 3,456 feet to a beacon,



thence by a straight line on a true bearing of  $258^{\circ} 18' 33''$  for a distance of 8,029.9 feet to its intersection with the northern boundary of the Kenya and Uganda Railway Reserve,

thence generally westerly by that railway reserve boundary for a distance of approximately 3,000 feet to a point on a bearing of  $80^{\circ} 39' 41''$  from a beacon at the south-eastern corner of L R No 6453,

thence by a straight line to that beacon,

thence northerly by the eastern boundary of L R No 6453 for a distance of approximately 6,416 feet to a beacon at the south-western corner of L R No 908/R (South Elgeyo Forest Reserve),

thence by straight lines each terminating at a beacon on the following true bearings and for the following distances successively —

$90^{\circ} 01' 27''$	2,178.6 feet
$188^{\circ} 12' 52''$	3,731.8 „
$65^{\circ} 48' 10''$	9,002.7 „
$90^{\circ} 01' 27''$	3,345.7 „

to a beacon at the south-eastern corner of L R No 908/R (South Elgeyo Forest Reserve),

thence northerly by part of the eastern boundary of that Forest Reserve for a distance of approximately 32,600 feet to its intersection with the Mindarila River,

thence down-stream by that river to its intersection with the eastern boundary of L R No 6664,

thence northerly by part of that boundary and the eastern boundary of L R No 1727 to the north-eastern corner of the latter portion,

thence by straight lines each terminating at a beacon on the following true bearings and for the following distances successively —

$53^{\circ} 56' 28''$	9,965.2 feet
$53^{\circ} 57' 36''$	8,529.6 „
$346^{\circ} 01' 39''$	3,990.8 „
$310^{\circ} 49' 25''$	2,716.7 „
$13^{\circ} 00' 46''$	3,448.6 „
$303^{\circ} 54' 03''$	15,672.2 „

to a beacon on the north-eastern boundary of L R No 907/R (South Elgeyo Forest Reserve),

thence north-westerly and westerly by part of the north-eastern and the northern boundary of that forest reserve to its intersection with the eastern boundary of L R No 902/2, (26)

thence northerly by part of that eastern boundary and the eastern boundary of L R No 1561 to the north-eastern corner of the latter portion,

thence north-westerly by the north-eastern boundaries of L R Nos 3975 and 4473 to the north-eastern corner of the latter portion,

thence by a straight line on a true bearing of  $325^{\circ} 02' 22''$  for a distance of 18,588 4 feet to a beacon,

thence by a straight line on a true bearing of  $329^{\circ} 15' 15''$  for a distance of 12,623 6 feet to a beacon on the eastern shore of Lake Sergoit,

thence due west by a straight line to its intersection with the low-water mark of that lake,

thence northerly by that low-water mark and the eastern bank of the Arobobutch River to its intersection with the southern boundary of L R No 876,

thence easterly by the southern boundaries of that portion and of L R Nos 874 and 875/1 to the intersection of the last with the Kapkitoi River,

thence down-stream by that river which forms the eastern boundary of L R Nos 875/1 and 875/2 to its intersection with the eastern boundary of L R No 873/2,

thence northerly by the eastern boundaries of L R Nos 873/2 and 873/1/2 to the north-eastern corner of the latter portion,

thence westerly by part of the northern boundary of L R No 873/1/2 for a distance of 2,321 2 feet to a beacon,

thence by a straight line on a true bearing of  $351^{\circ} 18' 24''$  for a distance of 848 32 feet to a beacon,

thence by a straight line on a true bearing of  $59^{\circ} 06' 16''$  for a distance of 1,425 0 feet to a beacon,

thence by a straight line on a true bearing of  $132^{\circ} 24' 22''$  for a distance of 1,826 6 feet to a beacon on the eastern boundary of L R No 5755,

thence northerly by part of the eastern boundary of that portion to the south-western corner of L R No 4592,

thence by the southern, generally eastern and northern boundaries of that portion to the intersection of the last with the eastern boundary of L R No 3771,

thence northerly by that eastern boundary for a distance of about 17,375 feet to a beacon,

thence by straight lines each terminating at a beacon on the following true bearings and for the following distances successively —

230° 44' 47"	474 5 feet
262° 13' 13"	634 6 „
342° 17' 52"	659 9 „
305° 52' 36"	839 8 „
17° 45' 28"	420 7 „

to a beacon at the north-eastern corner of L R No 5347,

thence westerly by the northern boundary of that portion to its intersection with the Moyben River,

thence up-stream by that river to its intersection with the northern boundary of L R No 4635,

thence westerly by that boundary to the south-eastern corner of L R No 3046,

thence by the eastern and northern boundaries of that portion to the intersection of the latter with the Charangai River,

thence up-stream by that river to its intersection with the northern boundary of L R No 2227,

thence westerly by that boundary to its intersection with the eastern boundary of L R No 2226,

thence northerly by part of that eastern boundary and the eastern boundaries of L R Nos 3047 and 2210 to the north-eastern corner of the last portion,

thence westerly by the northern boundary of L R No 2210 to its intersection with a river which forms the north-western boundary of that portion,

thence down-stream by that river to its intersection with the north-eastern boundary of L R No 2225,

thence by that north-eastern boundary to the north-eastern corner of L R No 2222,

thence by part of the northern boundary of that portion for a distance of 5,851 8 feet to a beacon,

thence by straight lines each terminating at a beacon on the following true bearings and for the following distances successively —

347° 26' 43"	5,745 5 feet
60° 41' 49"	2,601 1 ,
279° 19' 13"	3,362 8 „
22° 16' 18"	2,038 8 „
65° 21' 24"	5,191 8 „

to a beacon,

thence by a straight line on a true bearing of 338° 11' 30" to a beacon at the westernmost corner of L R No 2980,

thence easterly and northerly by the generally southern and eastern boundaries of L R No 2980 to the northernmost corner of that portion,

thence northerly by the eastern boundary of L R No 3020/1/R to the north-eastern corner of that portion, (27)

thence north-westerly by the north-eastern boundaries of L R Nos 3020/1/R, 2173/2, 3017 and 2167/R to the northernmost corner of the last portion (Cherangani),

thence north-westerly by the north-eastern boundaries of L R Nos 5595, 5559, 6904, 2160, 2158, 2156/3 and 5783 to the northernmost corner of the last portion,

thence westerly by the generally northern boundaries of L R Nos 5783, 6684 and 2130/1 to the north-western corner of the last portion,

thence southerly by the western boundary of L R No 2130/1 to its intersection with the Kabega River,

thence up-stream by that river to its junction with an unnamed river,

thence by that unnamed river which forms part of the north-eastern boundary of L R No 5771 to its intersection with the south-eastern boundary of L R No 5789,

thence by part of the south-eastern and the north-western boundary of L R No 5789 and the north-eastern boundaries of L R Nos 5788, 5529 and 2167/1 to the northernmost corner of the last portion, (28)

thence southerly by the western boundary of L R No 2167/1 to the north-eastern corner of L R No 2037,

thence westerly by the generally northern boundaries of L R Nos 2037, 2035 and 2033/R to the north-western corner of the last portion,

thence northerly by part of the eastern boundary of L R No 4140/2/R to the north-eastern corner of that portion,

thence south-westerly by part of the north-western boundary of L R No 4140/2/R to its intersection with the road reserve, across the road reserve and onwards to its intersection with the Swam River,

thence up-stream by that river, which forms the Kenya-Uganda Boundary, to the point where it emerges from the crater of Mount Elgon,

thence south-easterly by a straight line to that source of the Kimotho River which is situated immediately to the south or south-west of Koitobbos Peak (Mount Elgon),

thence down-stream by that river to its intersection with a cut and beaconed line which forms the generally north-western boundary of Mount Elgon Forest Reserve,

thence generally south-westerly by that cut and beaconed line to its intersection with the Lwagaga (Lwakaka) or Malawa (Malaba) River,

thence down-stream by that river, which forms the Kenya-Uganda Boundary, to its intersection with a cut and beaconed line which forms the generally south-eastern boundary of the Mount Elgon Forest Reserve,

thence generally north-easterly by that cut and beaconed line to the point of commencement

*Including* in addition the following farms in the vicinity of Eldama Ravine L R Nos 488, 489, 490, 5249, 5276, 6262, 5641 and 493

## SECTION II

Commencing at the southernmost corner of L R No 3596 (Koma Rock), (29)

thence north-easterly by the south-eastern boundaries of L R Nos 3596, 3595 and 2360 to the north-eastern corner of the last portion,

thence by a straight line across the road reserve to the south-eastern corner of L R No 2709,

thence north-easterly by the south-eastern boundaries of that portion and of L R No 1530 to the south-western corner of L R No 1846/2,

thence easterly by the generally southern boundary of L R No 1846/2 to its intersection with the Mutuonyi River,

thence down-stream by that river to its junction with the Kalala River,

thence down-stream by the latter river to its junction with the Athi River,

thence down-stream by that river to its intersection with the south-eastern boundary of L R No 2304,

thence by the south-eastern boundaries of L R Nos 2304, 2301, 2296 and the eastern boundary of L R No 2295 to the north-eastern corner of the last portion,

thence by a straight line on a true bearing of approximately  $92^{\circ} 48'$  for a distance of about 391 feet to a beacon on the eastern boundary of that road reserve which forms the eastern boundary of L R No 2294/R,

thence by straight lines each terminating at a beacon on the following true bearings and for the following distances successively —

$146^{\circ} 33' 56''$	3,772 4 feet
$98^{\circ} 03' 23''$	20,069 4 „
$07^{\circ} 04' 56''$	30 815 5 „
$277^{\circ} 31' 09''$	15,782 2 „

to the north-eastern corner of L R No 7047,

thence by the northern and western boundaries of L R No 7047 to the intersection of the last with the northern boundary of L R No 2305, (30)

thence westerly by part of the northern boundary of that portion to its intersection with the Thika River,

thence down-stream by that river to its junction with the Tana River,

thence up-stream by that river to its junction with the Maragua River,

thence up-stream by the latter river to its intersection with the north-western boundary of the Kenya and Uganda Railway Reserve, (31)

thence generally south-westerly by that railway reserve boundary to its intersection with the western boundary of the Thika-Fort Hall Road Reserve,

thence southerly, south-westerly and again southerly by that reserve boundary to a point due west of the south-western corner of L R No 1959/2,

thence by a straight line to that south-western corner,

thence south-easterly and northerly by the south-western and the generally eastern boundaries of L R No 1959/2 to the south-eastern corner of L R No 325/7 (325/6/2),

thence by straight lines each terminating at a beacon on the following true bearings and for the following distances successively —

12° 22' 03"	1,580 0 feet
2° 13' 19"	549 4 „
331° 01' 11"	385 5 „
17° 14' 39"	296 3 „
350° 12' 34"	576 9 „
329° 41' 58"	561 5 „
36° 38' 27"	980 1 „
25° 58' 26"	494 1 „
0° 36' 00"	416 3 „
348° 06' 55"	293 3 „
342° 30' 52"	770 4 „
70° 41' 47"	255 6 „
57° 19' 11"	824 3 „
96° 36' 59"	390 1 „
124° 22' 07"	646 6 „

to a beacon on the western boundary of L R No 1965,

thence southerly by a part of the western boundary of that portion to its intersection with the Thaba Thaba River,

thence down-stream by the Thaba Thaba River to its intersection with the western boundary of L R No 6912,

thence southerly by that western boundary to the north-eastern corner of L R No 3511,

thence by the north-eastern boundary of that portion to its intersection with the Thara River,

thence up-stream by that river to its intersection with the western boundary of that road reserve which forms the western boundary of L R No 319/3,

(32)

thence generally southerly by that western boundary of that road reserve to its intersection with the Makindi River,

thence up-stream by that river to its junction with the Thugi River,

thence up-stream by the latter river to its intersection with the north-western boundary of L R No 3557,

thence south-westerly by the north-western boundaries of L R Nos 3557, 298/12 and 298/10 to the intersection of the last with the Thika River,

thence up-stream by that river to its intersection with the western boundary of L R No 2955/1/2/3,

thence generally south-westerly by the western boundary of L R No 2955/1/2/3, the northern boundary of L R No 2955/1/2/2 and the north-western boundary of L R No 2955/1/1 to the intersection of the last with the Chania River, (33)

thence up-stream by that river to its intersection with the north western boundary of L R No 295/3,

thence south-westerly by that boundary and onwards by the same straight line to its intersection with the Karamenu River,

thence down-stream by that river to its intersection with the north-western boundary of L R No 295/1/R,

thence south-westerly by the north-western boundaries of L R Nos 295/1/R, 295/2/R and 295/7 to the intersection of the last portion with the north-eastern boundary of L R No 290/2/1,

thence north-westerly by part of that boundary and the whole of the north-eastern boundary of L R No 290/1 to the northernmost corner of the latter portion,

thence south-westerly by the north-western boundaries of L R Nos 290/1, 4907 and 291/1 to the intersection of the last portion with the Thirika River,

thence down-stream by that river to its intersection with the north-western boundary of L R No 294/1/2,

thence south-westerly by that boundary to its intersection with the Theta River,

thence up-stream by that river to its intersection with the north-western boundary of L R No 247/1,

thence south-westerly by that boundary and the north-western boundary of L R No 244 to the intersection of the latter with the river which forms the north-eastern boundary of L R No 115/3,

thence up-stream by that river to its intersection with the north-western boundary of L R No 115/3,

thence south-westerly by that boundary and the north-western boundary of L R No 3678 to the intersection of the latter with the Ruiru River,

thence down-stream by that river to its intersection with the north-western boundary of L R No 114/2,



thence by that boundary and part of the northern and the whole of the north-western boundaries of L R No 113/1 to the intersection of the last with the Mukuyu River,

thence up-stream by that river to its intersection with the north-western boundary of L R No 6000,

thence south-westerly by that boundary and part of the north-western boundary of L R No 6710 to the north-eastern corner of L R No 6763,

thence north-westerly by the north-eastern boundaries of L R Nos 6763, 4924, part of 4888, and the whole of 98/1 to the north-western corner of the last portion,

thence north-easterly and north-westerly by part of the south-eastern and north-eastern boundaries of L R No 4888 to the northernmost corner of that portion,

thence south-westerly by the north-western boundary of the latter portion and of L R No 4889 and 4890/4 to the intersection of the last with the Kamiti River,

(34)

thence down-stream by that river to its intersection with the north-western boundary of L R No 3728,

thence south-westerly by the north-western boundaries of L R Nos 3728, 3729/3 and 5858 to the intersection of the last with the Kiu River,

thence down-stream by that river to its intersection with the north-western boundary of the Kiambu-Fort Hall Road Reserve,

thence south-westerly by that road reserve boundary to its intersection with the Riara River,

thence up-stream by that river to its intersection with the north-western boundary of L R No 81/3,

thence south-westerly by that boundary to its intersection with the Gatharaini River,

thence up-stream by that river to its intersection with the north-western boundary of L R No 86/3,

thence north-westerly and south-westerly by the generally north-eastern and north-western boundaries of L R No 86/1 to the north-western corner of L R No 86/2,

thence south-easterly by the generally south-western boundaries of L R Nos 86/2, 86/1 and part of 86/3 to the northernmost corner of L R No 85,

thence by the north-western boundary of L R No 85 to its intersection with the northern boundary of L R No 23,

thence by the northern boundaries of L R Nos 23 and 22 to the intersection of the latter with the Kashi River,

thence up-stream by that river to its intersection with the north-western boundary of L R No 22,

thence south-westerly by that boundary to its intersection with the Rui Ruaka River,

thence down-stream by that river to its intersection with the north-western boundary of L R No 21/1,

thence south-westerly by that boundary to its intersection with the Karura River,

thence down-stream by that river to its intersection with the north-western boundary of L R No 18/2/2,

thence south-westerly by part of that boundary and the north-western boundary of L R No 7008 to the easternmost corner of L R No 3861,

thence by the north-eastern boundaries of L R Nos 3861, 3862 and part of the north-western boundary of the latter portion to the easternmost corner of L R No 2951/1/2,

thence north-westerly by the north-eastern boundaries of L R Nos 2951/1/2, 2951/1/3, 2951/1/4, 2951/1/5 and 2951/3 to the northernmost corner of the last portion,

thence south-westerly by the north-western boundary of the last portion to its intersection with the Gethathuru River,

thence up-stream by that river to its intersection with the western boundary of L R No 189/R,

thence south-westerly by the generally north-western boundary of that portion, of L R No 4065 and again of 189/R to the north-western corner of L R No 189/A/2/R (Government Farm Extension),

thence by the western, southern, and eastern boundaries of that portion and the eastern boundary of L R No 4077 to the intersection of the last with the southern boundary of the Kenya and Uganda Railway Reserve,

thence easterly by that railway reserve boundary to a beacon on the western boundary of L R No 4393,

thence south-westerly by a straight line to the north-western corner of L R No 5,

thence southerly, south-easterly and south-westerly by the western and south-western boundaries of that portion to its intersection with the Nairobi River,

thence up-stream by that river to its intersection with the western boundary of L R No 3734,

thence southerly by part of that boundary to the northern corner of L R No 330,

thence by part of the north-western and part of the south-western boundaries of the latter portion to the intersection of the latter with the Kerichwa Kubwa River,

thence by a straight line due south for a distance of approximately 302 feet to a beacon on the south-western boundary of the Dagoreti Road Reserve,

thence south-easterly by that road reserve boundary to its intersection with the northern boundary of the Ngong Road Reserve,

thence south-westerly by that road reserve for a distance of approximately 10,840 feet to its intersection with the eastern boundary of the Ngong Road Forest Reserve,

thence northerly, easterly, northerly, westerly, southerly, north-westerly and again southerly by the generally northern boundary of that Forest Reserve to the intersection of the last with the Mutoini River which forms the northern boundary of L R No 191,

thence up-stream by that river to the intersection with the north-western boundary of L R No 195/3,

thence south-westerly by part of that boundary to the north-eastern corner of L R No 196/7,

thence by the northern and part of the north-western boundary of that portion to the north-eastern corner of L R No 197,

thence north-westerly by the north-eastern boundary of that portion to the north-eastern corner of L R No 2377, (35)

thence by the north-eastern, and north-western boundaries of L R No 2377 to the intersection of the latter with the Mbagathi River,

thence down-stream by that river to its intersection with the north-western boundary of L R No 197,

thence south-westerly by part of that boundary to the south-western corner of that portion,

thence south-easterly by the south-western boundaries of L R Nos 197 and 5842 to the northernmost corner of L R No 1161,

thence by the north-western and the south-western boundaries of that portion and the south-western and part of the south-eastern boundary of L R No 192/1/2 to the westernmost corner of L R No 193/3,

thence by the south-western and part of the south-eastern boundary of the last portion to the north-eastern corner of L R No 4942,

thence south-easterly and easterly by the western and southern boundaries of L R Nos 4942, 4944, 5932, 5892, 5830/R, 6967 and 6939 to the intersection of the last with the Mbagathi River,

thence down-stream by that river till it becomes the Athi River and onwards to its intersection with the generally western boundary of L R No 7274,

thence southerly by that generally western boundary to its intersection with the Kitengela River,

thence down-stream by that river to its intersection with the north-western boundary of L R No 7263,

thence south-westerly and south-easterly by the north-western and south-western boundaries of that portion to the intersection of the latter with the north-western boundary of the Kenya and Uganda Railway Reserve,

(36)

thence south-easterly by that railway reserve to its intersection with the western boundary of Konza Trading Centre,

thence by part of the western, the whole of the southern and part of the eastern boundaries of that trading centre to the intersection of the last with the southern boundary of that railway reserve,

thence generally southerly by that railway reserve boundary to its intersection with the western boundary of Sultan Hamud Trading Centre,

(37)

thence by part of the western, the whole of the southern and part of the eastern boundaries of that trading centre to the intersection of the last with the south-western boundary of the Kenya and Uganda Railway Reserve,

thence south-easterly by that railway reserve boundary to a point on a true bearing of  $201^{\circ} 26' 09''$  from a beacon on the north-eastern boundary of that railway reserve and at a distance of about 2,640 feet from the intersection of the western boundary of Emali Trading Centre with the north-eastern boundary of the Kenya and Uganda Railway Reserve,

thence by a straight line to that beacon,

thence by a straight line on a true bearing of  $21^{\circ} 26' 09''$  for a distance of about 9,420 feet to its intersection with the Mwani River, (38)

thence up-stream by that river to its intersection with the eastern boundary of L R No 1758/2,

thence north-westerly by the generally north-eastern boundary of that portion to the north-eastern corner of L R No 1757, (39)

thence north-westerly by the north-eastern boundaries of L R Nos 1757, 1756, 1755, 1754 and 1751 to the northernmost corner of the last portion,

thence northerly by the generally eastern boundaries of L R Nos 1743, 1696/2, 1696/1, 1742, 1741 and 5933 to the northernmost corner of the last portion, (40)

thence northerly by the eastern boundaries of L R Nos 7225/2, 7225/1 and 7226 to the north-eastern corner of the last portion,

thence westerly by part of the northern boundary of that portion to its intersection with the Kamutwa River,

thence down-stream by that river, which forms the south-eastern boundary of L R No 4937, to the intersection with the eastern boundary of that portion,

thence northerly by that eastern boundary and the generally eastern boundary of L R No 1491 (south-western portion of Machakos Township) to the north-eastern corner of that portion,

thence westerly by the northern boundary of L R No 1491 to its intersection with the Muirongoni River,

thence up-stream by that river to its intersection with the southernmost corner of L R No 4932,

thence northerly by the eastern boundaries of L R Nos 4932, 1420/1, 1423/2, 5942, 361/1, 361/2, again 361/1, 3605, 3607, 3603, 3602 and 2365 to the point of commencement

*Excepting and Excluding* a portion in the vicinity of Fort Hall, the boundary of which is described as follows —

Commencing at a beacon situated on the western boundary of L R No 1965 at a distance of 1,639 8 feet from its northernmost corner,

thence southerly by part of the western boundary of that portion for a distance of 6,130 9 feet to a beacon,

thence by straight lines each terminating at a beacon on the following true bearings and for the following distances successively —

304° 22' 07"	555 0 feet
276° 36' 59"	462 6 „
237° 19' 11"	853 0 „
250° 41' 47"	237 8 „
342° 30' 52"	162 9 „
337° 38' 08"	117 9 „
314° 09' 59"	665 8 „
14° 54' 59"	495 7 „
342° 29' 29"	152 6 „
304° 32' 43"	500 0 „
313° 45' 50"	2,051 7 „
55° 34' 05"	685 5 „
16° 52' 15"	501 7 „
14° 30' 27"	471 8 „
14° 31' 17"	2,377 8 „
14° 29' 51"	376 7 „
97° 53' 14"	903 6 „
142° 00' 19"	587 9 „
131° 09' 58"	405 0 „

to a beacon at the point of commencement

### SECTION III

Commencing at the easternmost corner of L R No 183/R,

(41)

thence generally north-westerly by the north-eastern and northern boundaries of L R No 183/R and the northern boundary of L R No 1641 to the intersection of the last with the south-eastern boundary of the Kenya and Uganda Railway Reserve,

thence northerly by that railway reserve boundary to its intersection with the southern boundary of L R No 233 (Railway Quarry Reserve),

thence by the southern, eastern and northern boundaries of that portion to the intersection of the last with the eastern boundary of the Kenya and Uganda Railway Reserve,

thence by a straight line on a true bearing of 275° 33' 28" to its intersection with the western boundary of the Kenya and Uganda Railway Reserve,

thence south-westerly by that railway reserve boundary to its intersection with the north-western boundary of L R No 231 (Kikuyu Trading Centre),

thence south-easterly by part of the northern boundary of that portion to the south-eastern corner of L R No 4871/9,

thence northerly by the generally eastern boundary of L R Nos 4871/9-16 and 4955/5-10 to the northernmost corner of the last portion,

thence by the north-eastern and north-western boundaries of L R No 4870 to the intersection of the latter with the eastern boundary of the Kenya and Uganda Railway Reserve, (42)

thence northerly by that railway reserve boundary to a point on the production of the northern boundary of L R No 4885,

thence westerly by a straight line to the north-eastern corner of L R No 4885 and onwards by part of the northern boundary of that portion, and the northern boundary of L R No 4495 to the north-western corner of the latter portion,

thence westerly and southerly by part of the northern boundary and the western boundary of L R No 4885 to the south-western corner of that portion which is on the eastern boundary of the Muguga Forest Reserve (L R No 4447), (43)

thence north-westerly and southerly by the generally north-eastern and generally western boundary of the Muguga Forest Reserve to the north-western corner of L R No 4025,

thence south-easterly by the south-western boundary of that portion and of L R Nos 4026, 4027 and 1057 to the south-western corner of the last portion, (44)

thence southerly, south-easterly and northerly by a series of cut and beaconed lines (which form the boundary of the northern portion of the Dagoreti Forest Reserve L R No 2256/6) to the intersection of the last with the southern boundary of L R No 1057, (45)

thence easterly by part of the southern boundary of L R No 1057 and the southern boundaries of L R Nos 182/2/1 and 182/2/2 to the south-eastern corner of the last portion,

thence north-easterly by the south-eastern boundary of L R No 182/2/2 to its intersection with the Niongana River,

thence down-stream by that river to its intersection with the western boundary of L R No 7219,

thence by the western, southern, south-eastern and eastern boundaries of L R No 7219 to the intersection of the last with the Niongana River,

thence down-stream by that river to its junction with an unnamed river which forms part of the north-eastern boundary of L R No 7219,

thence up-stream by that unnamed river to its intersection with the south-eastern boundary of L R No 1054,

thence north-easterly by part of that boundary and the south-eastern boundaries of L R Nos 5945 and 183/R to the point of commencement

*Excepting and Excluding* the portions of Kiambu Native Reserve known as L R Nos 178 and 1126 in the vicinity of Kikuyu Station

#### SECTION IV

Commencing at the intersection of the south-western boundary of L R No 958 with the Nyangoni River, (46)

thence up-stream by that river to its intersection with the north-eastern boundary of L R No 957,

thence by the north-eastern boundary of that portion to its northernmost corner,

thence by part of the south-eastern boundary and the whole of the north-eastern boundary of L R No 3668 to the intersection of the latter with the Eldayet River,

thence down-stream by that river to its intersection with the eastern boundary of L R No 4783/2,

thence northerly by that boundary to its intersection with the Kipsonoi River,

thence down-stream by that river to its intersection with the south-western boundary of Chemagel Township (L R No 7288),

thence south-easterly, north-easterly and generally westerly by the south-western, south-eastern and northern boundary of that township to the intersection of the last with the Kipsonoi River,

thence down-stream by that river to its intersection with the northern boundary of L R No 940, (47)

thence westerly and southerly by the northern and western boundaries of L R No 940 to the north-western corner of L R No 941/6,

thence southerly by the western boundary of that portion and the western boundaries of L R Nos 941/2/2, 941/R 941/5, 941/4, 942 and 7091 to the south-western corner of the last portion,



thence by the western boundary of L R No 7090 for a distance of 8,846 1 feet to a beacon,

thence by straight lines each terminating at a beacon on the following true bearings and for the following distances successively —

270° 00' 00"	9,132 2 feet
199° 59' 27"	2,741 7 „
181° 27' 37"	2,867 9 „
141° 25' 32"	3,388 4 „
116° 12' 40"	2,453 6 „
172° 53' 58"	1,312 2 „
144° 31' 20"	2,748 1 „
214° 55' 29"	2,652 7 „
161° 37' 42"	3,156 0 „
203° 41' 02"	3,018 8 „
188° 44' 22"	5,639 0 „
206° 51' 37"	1,545 5 „
262° 38' 18"	2,044 8 „
209° 38' 47"	4,349 4 „
234° 20' 24"	3,050 7 „
209° 27' 51"	3,530 5 „

to the north-western corner of L R No 4400/R,

thence by the generally western boundaries of L R Nos 4400/R and 5473/3 to the northernmost corner of L R No 5471,

thence by the north-western and south-western boundaries of that portion and the south-western boundaries of L R Nos 5472, 7126, 5448/2, 3644/6 and 3644/7 to the southernmost corner of the last portion (Gelegele),

(48)

thence by the straight line towards the Trigonometrical Beacon "Abossi" for a distance of about 18,413 feet to a beacon,

thence by a straight line on a true bearing of 6° 11' 03" for a distance of about 9,299 feet to a beacon,

thence by a straight line on a true bearing of 42° 50' 17" for a distance of about 6,442 feet to a beacon,

thence by a straight line on a true bearing of 11° 19' 22" for a distance of about 3,181 feet to a beacon,

thence by a straight line on a true bearing of 27° 23' 40" for a distance of about 8,577 feet to a beacon,

thence by a straight line on a true bearing of 31° 32' 23" for a distance of about 6,398 feet to a beacon,

thence by a straight line on a true bearing of  $17^{\circ} 47' 33''$  for a distance of about 3,583 feet to a beacon at the southernmost corner of L R No 948,

thence by the south-eastern boundary of that portion and the south-eastern boundary of L R No 3677 to the intersection of the latter with the Sisi River,

thence up-stream by that river to its intersection with the south-western boundary of L R No 955,

thence south-easterly by that south-western boundary and the south-western boundary of L R No 958 to the point of commencement

#### SECTION V

Commencing at the north-western corner of L R No 1906 at the Trigonometrical Beacon Kipsugur, (49)

thence southerly by the western boundary of L R No 1906 to the north-eastern corner of L R No 1900,

thence by the northern and western boundaries of that portion and the western boundary of L R No 1762 to its intersection with the Mchomekek River,

thence up-stream by that river to the intersection with the eastern boundary of the Kisumu-Kapsabet Road Reserve,

thence south-westerly by that road reserve boundary to its intersection with the western boundary of L R No 1891,

thence southerly by the latter boundary and the western boundary of L R No 1890 to the south-western corner of the latter portion, (50)

thence south-easterly by the south-western boundaries of L R Nos 1890, 1898 and 1897 to the south-eastern corner of the last portion,

thence north-easterly by the south-eastern boundaries of L R Nos 1897 and 1896 to the northernmost corner of the latter portion,

thence north-westerly by the north-eastern boundaries of L R Nos 1895 and 1894 to the intersection of the latter with the Mchomekek River,

thence down-stream by that river to its intersection with the south-eastern boundary of L R No 1763,

thence north-easterly by that boundary to its intersection with the Yala River,

thence down-stream by that river to its intersection with the eastern boundary of the Kisumu-Kapsabet Road Reserve,

thence north-easterly by the generally south-eastern boundary of that road reserve to its intersection with the south-western boundary of L R No 1902,

thence by that south-western boundary and the southern boundary of L R No 1902 to the south-eastern corner of the latter portion, (51)

thence north-easterly by the generally south-eastern boundaries of L R Nos 6734 and 6736 to the north-eastern corner of the latter portion,

thence northerly and westerly by the eastern and northern boundaries of L R No 1904 to the north-western corner of that portion,

thence northerly and westerly by the eastern and northern boundaries of L R No 1906 to the point of commencement (49)

#### SECTION VI

L R Nos 187, 188/1, 188/2, 190, 226, 228, 229, 230, 227	In the vicinity of Fort Smith
L R No 1058	Adjoining Dagoreti Township
L R No 1127	In the vicinity of Government Farm extension Kabete.
L R No 232	In the vicinity of Kikuyu Station
L R No 2256/7	Lower portion of the Dagoreti Forest Reserve south-west of Dagoreti Township
L R No 236	R C Mission West of Kiambu Township
L R Nos 1064, 1065 and 1066	A I Mission, Kambui
L R No 1760	Water Works Reserve
L R No 325/8 (325/6/3)	West of Maragua Railway Station
L R No 7167 (That portion which lies to the north of the Maragua River)	Tana-Maragua Power Station

## EIGHTH SCHEDULE

BOUNDARIES OF THE NORTHERN FRONTIER DISTRICT AND THE  
TURKANA DISTRICT

The areas which are described below, are delineated, edged brown, on Boundary Plan No 159, deposited at the Lands Survey Records Office, Nairobi

*Northern Frontier District*

Commencing at the mouth of the River Turkwel in Lake Rudolf,

thence northerly by a straight line through the summit of North Island and onwards to its intersection with the boundary of Abyssinia,

thence easterly by the Kenya-Abyssinian boundary to its intersection with the north-western boundary of Italian Somaliland,

thence south-westerly, southerly and south-easterly by the north-western, western and south-western boundaries of Italian Somaliland to the intersection with the northern boundary of Lamu District,

thence westerly and south-westerly by the generally northern boundary of the latter district to its intersection with the generally eastern boundary of Tana River District

thence westerly, northerly, north-westerly and westerly by the generally eastern and northern boundaries of the latter district to the junction of the Mackenzie and Tana Rivers,

thence north-westerly and south-westerly by the north-eastern and north-western boundaries of Meru District,

thence in a generally north-westerly direction by the generally northern or north-eastern boundaries of North Nyeri and Laikipia Districts to the most southern point of Turkana District, on the Amaya River,

thence northerly by the eastern boundary of Turkana District to the point of commencement

*Excluding and excepting*

Such portion of the North Pokomo Native Land Unit as lies within the above boundaries, and as described in the First Schedule

The Isiolo Native Leasehold Area as described in the Fourth Schedule

*Turkana District*

Commencing at Teleki's Volcano at the south end of Lake Rudolf,

thence in a southerly direction to the western slopes of Mount Ajuk,

thence generally southerly along the top of the lava escarpment which forms the eastern edge of the Sogota Valley until such escarpment merges into Mount Lorogi,

thence generally southerly along the western slope of Mount Lorogi to the falls on the Amaya River, about  $36^{\circ} 24'$  E and  $0^{\circ} 55'$  N,

thence by that river down-stream to a point due east of Ol Doinyo Lengere (the most easterly point of the Baringo District),

thence due west by a straight line to Ol Doinyo Lengere,

thence north-westerly along the north-eastern boundary of the Baringo District to its intersection with the Kerio River,

thence generally north-westerly by the generally north-eastern boundary of the West Suk District to its intersection with the Turkwel River,

thence by that river down-stream to where the latter enters Lake Rudolf,

thence generally southerly by the western shores of Lake Rudolf to the point of commencement

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**OBJECTS AND REASONS**

This Bill, together with the Native Lands Trust Bill, 1938, is designed to give effect to the recommendations of the Kenya Land Commission which was appointed to inquire into and report upon the claims and needs in respect of land of the native population in the Colony and Protectorate of Kenya, and certain other matters

It is not possible to gauge the amount of expenditure which will be involved if the provisions of this Bill become law

## GOVERNMENT NOTICE No 528

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

R W BAKER-BEALL,  
*Acting Clerk to the Legislative Council*

**A Bill to make Provision for Native Lands in  
the Colony**

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 Native Lands Trust Ordinance, 1938
Commence- ment	2 This Ordinance shall not come into operation until Orders have been made by His Majesty in Council providing for the establishment of a Native Lands Trust Board and a Highlands Board and shall thereafter come into operation on such date as the Governor shall by proclamation in the Gazette appoint
Interpretation	3 In this Ordinance, unless the context otherwise requires—
Cap 140	the "Highlands" means the areas of land the boundaries of which are set out in the Seventh Schedule to the Crown Lands Ordinance,
	"Highlands Board" means the Board which may be established as the Highlands Board in accordance with the provisions of any Order of His Majesty in Council,
	"mining lease" does not include a lease in respect of a subterranean area
	"native lands" mean the areas of land the boundaries of which are set out in the First Schedule hereto,
	"native land units" mean the divisions of land into which the native lands are divided, which divisions are specified in the Second Schedule hereto,
Cap 140	"native leasehold areas" mean the areas of land the boundaries of which are set out in the Sixth Schedule to the Crown Lands Ordinance,
Cap 140	"native reserves" mean the areas of land the boundaries of which are set out in the Fourth Schedule to the Crown Lands Ordinance,

“temporary native reserves” mean the areas of land the boundaries of which are set out in the Fifth Schedule to the Crown Lands Ordinance,

Cap 140

“Trust Board” means the Board which may be established as the Native Lands Trust Board in accordance with the provisions of any Order of His Majesty in Council

## PART I

### ESTABLISHMENT AND FUNCTIONS OF LOCAL BOARDS

4 (1) There shall be established in every administrative district in which any native lands may be situate an advisory board to be known as the Local Land Board (hereinafter referred to as the “Local Board”) which shall consist of—

Local Boards

- (a) the District Commissioner as chairman,
- (b) four members of the Local Native Council, one of whom shall be chosen by the members of such Council and three of whom shall be selected by the Provincial Commissioner, or
- (c) four members appointed by the Provincial Commissioner from among the native inhabitants of any administrative district where there is no Local Native Council, and
- (d) such additional members as may be co-opted at any time by the Local Board

(2) The Chairman of a Local Board and two other members shall form a quorum

(3) A Provincial Commissioner may attend any meeting of a Local Board in his Province and at such meeting may speak but may not vote

5 It shall be the function of a Local Board generally to exercise the various powers and to carry out the duties assigned to Local Boards by this Ordinance and by any rules made thereunder, and to make written representations to the Trust Board in regard to any matter concerning the protection of the native lands upon which the advice of the Local Board has been rejected by a Provincial Commissioner

Functions of  
Local Boards

## PART II

### INTER-TRIBAL OCCUPATION PERMITS AND EXCHANGES

6 (1) The Governor may, upon such conditions and for such terms as he may deem expedient, issue permits to occupy areas of land in a native land unit to and for the benefit of any native tribe, group, family or individual of any other native land unit

Inter-tribal  
occupation  
permits

(2) No such permit shall in any case be issued unless and until the land to which the permit relates has first been set apart in accordance with the provisions of Part III of this Ordinance

(3) The Governor shall, before issuing a permit under the provisions of this section, consult the Trust Board. If the Trust Board objects to the issue of the permit the Governor shall refer the matter to the Secretary of State, whose decision shall be final

Exchanges

**7** (1) Notwithstanding anything in this Ordinance contained, the Governor may, with the consent of the Trust Board and with the approval of the Legislative Council, grant leases of land in the native lands to any person for the purpose of effecting exchanges of land between land in such native lands and other land

(2) Every such grant shall be made upon such conditions and for such term as the Governor may deem expedient, and in every case the land to be so leased shall first be set apart and shall be subject to the payment of compensation in accordance with the provisions of Part III of this Ordinance

(3) Any land in the native lands which is the subject of an exchange by way of lease between native lands and other land shall, by reason of such exchange, cease to form part of the native lands for the currency of the term of such lease

(4) Any land in the native lands which is the subject of an exchange by way of lease between native lands and Crown lands shall be deemed, by reason of such exchange, to have become Crown land for the currency of the term of such lease

(5) All land which is the subject of any exchange with land in the native lands under this section shall vest in the Trust Board for the currency of the term of the lease granted under sub-section (1) of this section

The provisions of this sub-section shall apply to such land irrespective of whether it be Crown lands, or land held under the Land Titles Ordinance, or land alienated under the provisions of any of the following Ordinances —

Cap 143

(a) the Crown Lands Ordinance, 1902,

Cap 140

(b) the Crown Lands Ordinance,

Cap 141

(c) the Crown Lands (Discharged Soldiers Settlement) Ordinance



Provided that, where the circumstances attending any exchange of land are such that the Governor, the Legislative Council, the Trust Board, the Local Board and the Local Native Council concerned are all agreed as to the need for permanency in such exchange, the Governor, in lieu of granting a lease under sub-section (1) of this section, may, by notice in the Gazette, effect the exchange by a permanent exclusion of land from the native lands and a permanent vesting in the Trust Board of the land exchanged

8 No exchanges under the provisions of this Part shall be effected in respect of any land in the Highlands, save with the consent of the Highlands Board

Exchanges in the Highlands

PART III

SETTING APART

9 Notwithstanding anything contained in any other law for the time being in force in the Colony, land in the native lands may be set apart in accordance with the provisions of this Ordinance

Setting apart of land in the native lands

10 Save as is provided in section 7 of this Ordinance, any land in the native lands set apart under the provisions of this Part shall, notwithstanding such setting apart and any grant of such land subsequently made, remain part of the native lands

Land set apart remains native land

11 (1) When it is desired that land should be set apart in accordance with the provisions of this Ordinance, application in writing shall be made to the Provincial Commissioner of the Province in which the land to which such application relates is situate

Application for setting apart

(2) Residential sites, which are required for the accommodation of persons engaged in any trade or industry, may be included in the area to which the application relates

(3) Where any such application is made for the purpose of obtaining a mining lease of land in the native lands, the application shall be accompanied by a plan, based on a survey by a licensed surveyor, of the area to which the application relates and shall be addressed to the Provincial Commissioner through the Commissioner of Mines

12 (1) Where an application has been duly made to him in respect of the setting apart from the native lands of an area of land not exceeding ten acres in extent, a Provincial

Procedure as to setting apart land not exceeding ten acres in extent

Commissioner may, subject to the provisions of this Ordinance and with the approval of the Local Board concerned, set apart such land

(2) Where the area of land to which a proposal to set apart relates does not exceed ten acres in extent and the Provincial Commissioner supports the proposal but the Local Board concerned objects thereto, such area shall not be set apart unless and until the approval of the Governor to such setting apart has been obtained

(3) Where an application to set apart an area of land not exceeding ten acres in extent is made to a Provincial Commissioner and is not supported by him, such application shall be forwarded for the consideration of the Local Board concerned. Should the Local Board support the proposal, the application shall be forwarded for the consideration of the Governor

(4) Where an application to set apart an area of land not exceeding ten acres in extent is not supported by either the Provincial Commissioner or the Local Board concerned, the Provincial Commissioner shall inform the applicant that the application has been refused. The applicant may appeal in writing to the Governor against such refusal within twenty-one days after the date on which he is notified thereof

(5) The decision of the Governor upon any of the matters referred to him under the provisions of this section shall be final

Power of Trust Board as to applications to set apart land exceeding ten acres in extent

**13** (1) Where an application is made to a Provincial Commissioner under this Ordinance to set apart from the native lands an area of land exceeding ten acres in extent, such application shall in every case subject to the provisions of section 14 of this Ordinance and after being submitted to the natives concerned and to the authorities set out in paragraphs (b) and (c) of section 15 of this Ordinance, be referred to the Trust Board

(2) If the Trust Board approves of such application it shall grant the application

(3) If the Trust Board does not approve of such application it shall submit the application to the Governor together with the reasons for such non-approval, and the Governor may refer the matter to the Secretary of State, whose decision shall be final

14 The Trust Board may, by notice in the Gazette, delegate to the Chief Native Commissioner the power to grant the applications referred to in the last preceding section where the area of land to be set apart does not exceed fifty acres in extent, but the Chief Native Commissioner shall not refuse any such application without the consent of the Trust Board. In any case where the Trust Board supports the refusal of the Chief Native Commissioner the Board shall submit the application to the Governor together with the reasons for such refusal, and the Governor may refer the matter to the Secretary of State, whose decision shall be final.

Power of Trust Board to delegate to Chief Native Commissioner

15 Approval of the setting apart of land under the provisions of this Part of this Ordinance shall in no case be granted unless and until all the following conditions have been fulfilled—

Conditions to be fulfilled prior to approval of setting apart

- (a) the proposed setting apart must, in the opinion of the Provincial Commissioner be for the benefit of the natives, either by reason of the use to which the land is to be put or by reason of the anticipated revenue from rents,
- (b) the proposal to set apart the land must have been brought to the notice of the natives concerned and to the notice of the Local Native Council having jurisdiction over the area in which such land is situated, and such natives and such Local Native Council must have had an opportunity of expressing their views upon the proposal,
- (c) the Local Board concerned must have been consulted and representatives of the location or section concerned must have been co-opted as additional members of the Local Board for the purpose of expressing their views upon the proposal,
- (d) when the land is to be leased, then before, or at the time of, the making of the application to the Provincial Commissioner for setting apart, an application for the grant of a lease in respect of the land to be set apart must have been duly lodged with the Provincial Commissioner

16 (1) When an application for setting apart has been duly approved by the proper authority in accordance with the provisions of this Ordinance, the Provincial Commissioner shall publish in the Gazette a notice of such setting apart, and

Setting apart to be gazetted

in such notice shall specify the boundaries of the land so set apart and the purposes for which the land is set apart. Such land shall be deemed to be set apart on, and not before, the date of the publication of such notice, save where some other date is therein specified.

Compensation  
to be paid prior  
to setting apart

Provided that the Provincial Commissioner shall not gazette such setting apart unless and until the sums of money payable by way of compensation in accordance with the provisions of sections 17, 18 and 19 of this Ordinance and calculated as hereinafter provided have first been deposited with the District Commissioner.

No 61 of 1933

Compensation  
for disturbance  
and other loss

(2) Where land is set apart preparatory to the grant of a mining lease, the provisions of this section shall be in addition to and not in derogation of the provisions of the Mining Ordinance, 1933.

**17** (1) Where an application to set apart land has been duly approved by the proper authority under the provisions of this Ordinance, the District Commissioner shall notify the natives in the area concerned that such application has been so approved.

(2) Any native who, though not a private right-holder within the meaning of section 18 of this Ordinance, is likely to be prejudicially affected by the setting apart of any land under this Part of this Ordinance, shall be entitled to apply for compensation to the District Commissioner concerned in respect of disturbance or of any other loss or expense likely to be caused by such setting apart, and the District Commissioner shall forward forthwith to the Provincial Commissioner the details of every such application.

(3) The compensation payable to any such native upon the granting of any such application for compensation by the Provincial Commissioner shall include full compensation for the vacation or destruction of any hut or huts or other buildings and for any growing crops which such native is unable to reap or which are, or are likely to be, destroyed or damaged.

(4) The amount of compensation to be awarded to any native under this section shall be assessed by the Provincial Commissioner after consultation with the Local Board concerned, and shall, after such assessment, be deposited by the applicant for setting apart with the District Commissioner. The District Commissioner shall be responsible for notifying all persons concerned of the Provincial Commissioner's award.

(5) Any person aggrieved by an award of a Provincial Commissioner under this section may, within twenty-one days after the date of the making of such award, appeal in writing through the Provincial Commissioner to the Governor, whose decision shall be final. The Governor in special cases and in his absolute discretion may extend the time for lodging any such appeal.

(6) (a) Where no such appeal has been lodged, or where such appeal has been determined by the Governor and the sum of money finally assessed does not exceed the amount of compensation deposited with the District Commissioner in accordance with the provisions of this section, the District Commissioner shall, from the amount of compensation so deposited with him, and upon instructions from the Provincial Commissioner, pay the sums of money finally assessed to the persons entitled thereto.

(b) Where an appeal has been determined by the Governor and the sum of money finally assessed exceeds the sum of money deposited with the District Commissioner in accordance with the provisions of this section, the applicant for setting apart shall pay to the District Commissioner the additional sum of money so awarded as compensation, and the District Commissioner shall, upon the instructions of the Provincial Commissioner, pay the sums of money finally assessed to the persons entitled thereto.

**18** (1) In any district where the Provincial Commissioner considers that a recognizable form of private right-holding exists, any native who claims to be a private right-holder in respect of any portion of the land to which an application to set apart relates shall be entitled to apply to the District Commissioner for compensation, and the District Commissioner shall forward forthwith every such application to the Provincial Commissioner.

Compensation  
for private  
right-holders

(2) Where, after consultation with the Local Board, the Provincial Commissioner is satisfied as to the claim of any native so applying, compensation, in addition to the compensation awarded under the last preceding section, shall be awarded to such native, and shall be calculated on the basis of the full agricultural value of the land plus fifteen per centum of such value.

(3) The amount of compensation to be awarded to any native under the provisions of sub-section (2) of this section shall be assessed by the Provincial Commissioner after consultation with the natives concerned and with the Local Board.

(4) Where the Provincial Commissioner and the Local Board are unable to agree upon the sum of money which should be so awarded as compensation, or where any person desires to appeal against a sum so awarded, or against any decision of the Provincial Commissioner as to the existence or non-existence of any system of private right-holding, or against any decision as to the claim of a native to be a private right-holder, the matter shall be referred to the Governor, whose decision shall be final. Every appeal under this sub-section shall be made in writing through the Provincial Commissioner within twenty-one days after the date of the award or decision to which the appeal relates.

(5) All sums of money awarded as compensation under this section shall be deposited by the applicant for setting apart with the District Commissioner, who shall be responsible for notifying any person concerned as to the amount so awarded.

Deposit of  
money pending  
settlement of  
disputes

**19** (1) Where any dispute arises as to the persons entitled to receive any sum of money which has been duly assessed under the provisions of this Ordinance, the Provincial Commissioner shall direct that such sum be deposited in the office of the District Commissioner by the applicant for setting apart, pending the making of a final award by the District Commissioner, but the setting apart of the land shall not be delayed by reason of any such dispute.

(2) Where a sum of money has been so deposited in the office of the District Commissioner under the provisions of the last preceding sub-section, the District Commissioner, after taking the advice of the Local Board having jurisdiction in the area concerned and after hearing all interested parties and their witnesses, shall make his award.

(3) Any person aggrieved by the award of a District Commissioner under this section may, within twenty-one days after the date of the making of such award, appeal to the Provincial Commissioner, whose decision shall be final. The Provincial Commissioner in special cases and in his absolute discretion may extend the time for lodging any such appeal.

(4) Where no such appeal has been lodged or where such appeal has been duly determined, the District Commissioner shall, from the sum of money deposited with him, pay to the persons entitled thereto the various amounts awarded by him or by the Provincial Commissioner, as the case may be.

**20** (1) Except in cases of private right-holding where compensation has been awarded under the provisions of section 18 of this Ordinance, and notwithstanding anything contained in the Mining Ordinance, 1933, a lump sum of money by way of commuted rent shall be payable in every case by a mining lessee for all land set apart under this Ordinance in respect of which a mining lease is granted to him, and the payment of such lump sum shall be additional to the rent payable to the Government of the Colony for such mining lease

Commuted rent  
for mining  
leases

No 61 of 1933

(2) The commuted rent payable for the land so set apart shall be paid by the applicant to the District Commissioner on behalf of the Local Board concerned, and shall be such a sum of money as the Provincial Commissioner shall assess as representing the total sum payable by way of annual rent over the term of years for which the mining lease is to be granted, the amount of such annual rent being calculated on the full agricultural value of the land

(3) Any person aggrieved by the amount assessed as commuted rent under this section may, within twenty-one days after the making of such assessment, appeal in writing to the Governor, whose decision shall be final

(4) The District Commissioner, as Chairman of the Local Board, shall be responsible for making payments in proper cases, out of the sums so paid to the Board by way of commuted rent, to such natives as may be entitled thereto under the provisions of section 17 of this Ordinance

(5) The District Commissioner, as Chairman of the Local Board, shall from time to time pay to the Local Native Council concerned any balance remaining in the hands of the Local Board from sums so paid by way of commuted rent

(6) Where a mining lease in respect of any land set apart in the native lands is determined, from any cause whatsoever, at any time before the expiration of the term for which such lease was granted, no claim shall lie by the mining lessee or any other person for a proportionate or any other refund of any sum previously paid by way of commuted rent in respect of such mining lease. The provisions of this sub-section shall apply to all such mining leases, irrespective of whether they have been granted before or subsequent to the commencement of this Ordinance

Term for which  
land is set apart  
to be concurrent  
with term of  
lease  
No 61 of 1933

**21** (1) Notwithstanding any provision to the contrary contained in the Mining Ordinance, 1933, the term for which land is set apart under the provisions of this Part shall be deemed to run concurrently with the term of the mining or other lease granted in respect of such land and with the term for which any such lease is thereafter renewed. The setting apart of the land shall be deemed to have expired automatically upon the final expiry of the lease and the land shall thereupon revert to native use.

(2) Upon the first and every subsequent renewal of a mining lease, in addition to any fees and rent payable under the Mining Ordinance, 1933, there shall be paid for the renewal of the setting apart of the land in respect of which the mining lease was granted, the sum of money by way of commuted rent as provided in section 20 of this Ordinance, together with an additional sum equal to twenty per centum of the amount of such commuted rent.

(3) In every case where a lease of native lands is renewed the Provincial Commissioner shall publish in the Gazette a notice of the renewal of the setting apart of the land in respect of which the lease was granted, and such renewal shall take effect from the date of such publication, save where some other date is in such notice specified. In the case of the renewal of a mining lease, no such notice shall be published unless and until the sums provided for in the last preceding sub-section have been paid.

(4) Where any lump sum of money is, under the provisions of this Part of this Ordinance, paid to or deposited with the District Commissioner for payment to the person or persons entitled thereto, such District Commissioner may, in his absolute discretion, pay such money to such person or persons either in one single payment or in a number of payments made over such period of time as may to him seem fit and desirable.

Setting apart for  
local public  
purpose:

**22** (1) Where a Provincial Commissioner considers it desirable that any specific area of land in the native lands should be set apart—

- (a) for a township, trading centre, market, or for a Government school, hospital, station or camp, or
- (b) for the purpose of issuing inter-tribal occupation permits as provided in section 6 of this Ordinance, or



- (c) for any purpose which, in the opinion of the Provincial Commissioner, is likely to benefit the natives resident in the native land unit concerned either by reason of the use to which the land is to be put or by reason of the anticipated revenue from rents,

the Provincial Commissioner shall cause a proposal to that effect to be submitted to the natives concerned and to the authorities set out in paragraphs (b) and (c) of section 15 of this Ordinance, and the provisions of sections 12, 13 and 14 of this Ordinance, save in so far as such provisions presuppose the making of an application to the Provincial Commissioner, shall apply to every such proposal

(2) The Provincial Commissioner shall publish in the Gazette, in accordance with the provisions of sub-section (1) of section 16 of this Ordinance, a notice of every such setting apart, but no such notice shall in any case be so published unless and until the requirements of section 23 of this Ordinance have been fulfilled

**23** Any compensation payable under the provisions of this Ordinance in respect of the setting apart of any land under the provisions of section 22 of this Ordinance shall be paid in accordance with the provisions of sections 17 and 18 of this Ordinance by the Local Native Council concerned

Provided that, in the case of a permanent camp established for the use of the armed forces of the Crown such compensation shall be paid from the general revenues of the Colony

**24** (1) Notwithstanding anything in this Part of this Ordinance contained, but subject always to the provisions of sections 12, 13, 14, 17 and 18 of this Ordinance, a Provincial Commissioner may set apart land in the native lands for any of the following purposes —

Setting apart for  
general public  
purposes

- (a) public reservoirs, aqueducts, canals, watercourses or water pipe lines,
- (b) public sewerage works,
- (c) public quays wharves or landing places,
- (d) public aerodromes and landing grounds,
- (e) the development of electric power for public purposes from any lake, river or stream,
- (f) public telegraphs or telephones,
- (g) buildings or works in connexion with any of the foregoing purposes, together with the necessary curtilage of such buildings or works,

(h) any other purpose which the Governor may under the powers conferred upon him by sub-section (2) of section 48 of this Ordinance, declare to be a public purpose

(2) Before the publication in the Gazette of the setting apart of land for any of the purposes referred to in this section, the compensation, if any, payable in accordance with the provisions of sections 17 and 18 of this Ordinance shall be paid from the general revenues of the Colony

Setting apart for  
railways, tram-  
ways and roads

**25** (1) Notwithstanding anything in this Part of this Ordinance contained, but subject to the provisions of sections 17 and 18 of this Ordinance, a Provincial Commissioner may set apart from the native lands any land which is required for a public railway, tramway or road, or for a tramway or road of access

For the purposes of this sub-section, tramway or road of access means a tramway or road which gives access—

- (a) (i) from any land forming part of the native lands and which has been set apart under the provisions of this Ordinance, or
- (ii) from any land situate within the boundaries of the native lands (whether or not it forms part of the native lands), or
- (iii) from any land situate outside the boundaries of the native lands through any part of the native lands,
- to the nearest railway station or halt or public road, or
- (b) from any land in the native lands in respect of which a mining lease has been granted to a lessee under the Mining Ordinance, 1933, to any points on the surface of any area of land in the native lands which overlies a subterranean area in respect of which such mining lessee has been granted a mining lease, or
- (c) from any surface point to which the last preceding paragraph relates to any other such surface point

(2) Before any land is set apart for any purpose under the provisions of this section, the Provincial Commissioner shall consult the Local Board as to the alignment of the proposed railway, tramway or road and as to the compensation to be paid in respect thereof. Where the Provincial Commissioner and the Local Board are unable to agree as to any

such matter the Provincial Commissioner shall make a report thereon to the Governor, whose decision shall be final

(3) It shall not be obligatory on the Provincial Commissioner to consult the Trust Board as to any proposal to set apart land under this section, but the Provincial Commissioner shall forward to the Board an estimate of the area of land likely to be withdrawn from agricultural use by reason of such setting apart

(4) Where the Trust Board is of opinion that, by reason of any setting apart under the provisions of this section or of section 24 of this Ordinance, the agricultural land available in any native land unit is likely to be insufficient for the economic needs of the natives concerned, the Board may recommend to the Governor the addition to such native land unit of an area of land equal in value to the area of land withdrawn from agricultural use. Any land so added shall be deemed to be included in the native lands for the purposes of this Ordinance

(5) Where the Trust Board is in any way dissatisfied by reason of any setting apart of land under this section or by reason of any matter arising from such setting apart, the Board may make representations to the Governor or to the Secretary of State, but it shall not be obligatory to delay the construction of public works upon land so set apart pending the consideration of any such representations

**26** (1) All compensation payable in respect of the setting apart of land in accordance with the provisions of the last preceding section shall be settled by one outright payment

Compensation  
for setting apart  
of railways, etc

(2) Where the setting apart is in respect of a road, the whole cost of the construction of which has not been defrayed from the general revenues of the Colony and the whole cost of the maintenance of which has not been, and at the time of such setting apart is not so defrayed, the compensation payable shall be paid by the Local Native Council concerned from its revenues

(3) Where the setting apart is in respect of a road, the whole cost of the construction of which has been defrayed from the general revenues of the Colony and the whole cost of the maintenance of which has been and at the time of such setting apart is so defrayed, the compensation payable shall be paid from the general revenues of the Colony

No 18 of 1929

(4) Where the maintenance of a road, the cost of the construction of which has not been defrayed from the general revenues of the Colony, becomes at any time a charge upon such revenues, it shall be the duty of the Provincial Commissioner, after consultation with the Local Board, to submit a claim for the repayment to the Local Native Council of the sum paid by such Council under the provisions of sub-section (2) of this section. Every such claim shall be considered by the Central Roads and Traffic Board established under the Central Roads and Traffic Board Ordinance, 1929, and the decision of the Governor upon such claim shall be final.

Provided that any compensation payable by reason of a realignment of any such road shall be paid from the general revenues of the Colony.

(5) Where the setting apart is in respect of a railway, the compensation, if any, payable shall be paid by the High Commissioner for Transport.

(6) Nothing in this section contained relating to compensation shall be deemed to apply to any public road or railway which was in existence in the native lands before the date of commencement of this Ordinance, irrespective of whether, in the case of a public road, such road had or had not at such date been declared to be a public road under any Ordinance relating to roads.

(7) Where land has been set apart under the provisions of this section for a tramway or road of access the compensation, if any, payable shall be paid by the owner of such tramway or by the lessee of the land to and from which access is given by such road, as the case may be.

District Commissioners to keep registers

**27** Every District Commissioner in the native lands shall cause a register to be kept in his office containing a description of all land which has been set apart, in accordance with the provisions of this Ordinance, from the native lands in his district, together with all particulars relating to such land.

#### PART IV

##### EXCLUSIONS

##### PERMANENT EXCLUSIONS FOR PUBLIC PURPOSES

Exclusions for public purposes

**28** (1) Subject to the provisions of sub-section (2) of this section and notwithstanding anything in Part III of this Ordinance contained, the Governor, after consulting the Local Board and with the consent of the Trust Board, may exclude from the native lands any land required for any of the purposes

set out in sections 22, 24 and 52 of this Ordinance, and the land so excluded shall thereupon cease to form part of the native lands. Representatives of the location or section concerned and of the local natives concerned shall be co-opted on the Local Board in every case where such Board is consulted by the Governor for the purposes of this section.

(2) No such exclusion shall be made unless and until the Governor is satisfied that a majority of the natives concerned has expressed a desire that the land required should be so excluded in lieu of being set apart, and unless and until the Local Native Council concerned has passed a resolution to that effect.

(3) Where any land is so excluded from the native lands the Governor shall, by notice published in the Gazette, add to the native land unit from which such land has been excluded an area of suitable and, where possible, contiguous unalienated Crown land of equivalent value. Any land so added shall form part of the native lands for the purposes of this Ordinance.

Provided that, in any case where land so excluded is required solely for the actual site of a building together with the curtilage thereof, no such addition of land need be made.

And provided further that, in any case where an equivalent area of land has been added to the native lands before and in anticipation of any individual exclusion, no additional area need be added under the provisions of this sub-section.

(4) No land situate in the Highlands shall be added to the native lands under the provisions of sub-section (3) of this section, save with the consent of the Highlands Board, and if the Board does not agree to any such addition the Governor may refer the matter to the Secretary of State, whose decision shall be final.

(5) In any case where the Trust Board does not consent to the exclusion of land under this section, the Governor may refer the matter to the Secretary of State, whose decision shall be final.

#### TEMPORARY EXCLUSIONS FOR MINING PURPOSES

29 (1) Where an application has been made for the grant of a mining lease of land in the native lands, such land may be temporarily excluded from the native lands by the Governor if he is satisfied that a majority of the natives concerned has expressed a desire that this procedure be followed in lieu of setting apart the land in accordance with the

Temporary  
Exclusions for  
Mining

provisions of Part III of this Ordinance, and that the Local Native Council has passed a resolution to that effect Every proposal for any such temporary exclusion shall first be laid before the Provincial Commissioner, who shall report thereon to the Trust Board, and the Board shall consider the practicability or otherwise of such proposal, having regard to the provisions of sub-section (2) of this section, and shall thereafter make its recommendations to the Governor, whose decision shall be final

(2) In every case where land is temporarily excluded from the native lands under the provisions of this section there shall be added temporarily to the native lands for the currency of the term of such exclusion an area of unalienated Crown land equal in agricultural value and, so far as may be, equal in size to the area which has been so excluded

No. 61 of 1933 (3) Notwithstanding any provision to the contrary contained in the Mining Ordinance, 1933, the term for which land is temporarily excluded from the native lands under the provisions of this section shall be deemed to run concurrently with the term of the mining lease granted in respect of such land, and the term of such temporary exclusion shall be deemed to have expired automatically upon the expiry of the mining lease Provided that if the mining lease is, under the provisions of the Mining Ordinance, 1933, renewed for any term, the exclusion of the land temporarily excluded shall be deemed also to have been renewed for a like term

No 61 of 1933

(4) Upon the final determination of a mining lease in respect of which land has been temporarily excluded, the land so excluded shall forthwith revert to and form part of the native lands, and thereupon any land temporarily added to the native lands by reason of such temporary exclusion shall cease to form part of the native lands and shall revert to the Crown

Provided that in any case where the Trust Board is satisfied that the agricultural value of any portion of an area so temporarily excluded has been permanently impaired by reason of mining operations conducted thereon during the currency of the mining lease, the Governor may, on the recommendation of the Trust Board, make a permanent addition of land to the native lands from the land temporarily added thereto The land so added shall be an area of land equal in agricultural value and so far as may be, equal in size to the portion of the native lands which has been so impaired in value

(5) No land situate in the Highlands shall be added to the native lands under the provisions of sub-sections (2) and (4) of this section save with the consent of the Highlands Board, and if the Board does not consent to any such addition the Governor may refer the matter to the Secretary of State, whose decision shall be final

(6) No mining lease shall be granted in respect of any land which is to be temporarily excluded in accordance with the provisions of this section unless and until all compensation payable by reason of such exclusion has been duly paid to the proper authority. Notice of every temporary exclusion of land and of every temporary addition to the native lands consequent thereon and of every renewal and expiration of any such exclusion and addition shall be published in the Gazette

#### COMPENSATION

**30** (1) Any native who is disturbed in his occupation of land in the native lands by reason of any permanent or temporary exclusion of land under the provisions of this Part of this Ordinance may make application for compensation in accordance with the provisions of section 17 of this Ordinance, and shall, in addition to receiving such compensation, be entitled, so far as may be practicable, to reside, together with his family, during the term of such exclusion in the area which has been added to the native lands in consequence of such exclusion

Compensation  
for exclusion

(2) Any native who has satisfactorily established a claim, in accordance with the provisions of section 18 of this Ordinance, to be a private right-holder in respect of any land permanently or temporarily excluded from the native lands under this Part, shall, whether or not he is entitled to compensation under the provisions of sub-section (1) of this section, be entitled, in addition to any compensation which may have been paid to him for disturbance, to receive compensation as a private right-holder under the provisions of section 18 of this Ordinance

Provided that any such native may at his option, and in lieu of receiving such compensation as a private right-holder, elect to reside, if practicable, with his family during the term of such exclusion in the area which has been added to the native lands by reason of such exclusion, but a native who is entitled to compensation under sub-section (1) of this section and who exercises his right under that sub-section to reside in the added area shall not by reason thereof be taken to have

exercised his option so as to deprive him of the right to receive compensation under sub-section (2) of this section

## PART V

### LEASES AND LICENCES

Powers of  
Governor to  
grant leases in  
Native Lands  
No 61 of 1933

31 Subject to the provisions of this Ordinance, and in the case of mining leases subject to the provisions of the Mining Ordinance, 1933, the Governor may grant leases of land in the native lands to any persons for such terms and subject to such conditions as the Governor may deem expedient

Provided that, before any lease is granted under the provisions of this section, or under the provisions of the Mining Ordinance 1933, the land to which such lease relates shall, subject to the provisions of section 29 of this Ordinance, be first set apart in accordance with the provisions of Part III of this Ordinance

Chief Native  
Commissioner  
to execute leases

32 (1) The Chief Native Commissioner may, subject to any general or special directions of the Governor, execute any lease, to be granted under the provisions of this Ordinance, of land in the native lands

Term of leases

(2) Leases may be granted under the provisions of this Ordinance for any term not exceeding thirty-three years, subject to such conditions as may be prescribed

Provided that, with the consent of the Secretary of State, leases may be granted for any term exceeding thirty-three years but not exceeding ninety-nine years

Form of leases  
for one year  
or less

(3) Leases granted for a term of one year or less shall be in such form as may be prescribed

Form of leases  
for more than  
one year  
Cap 142

(4) Leases for a term exceeding one year shall be in the form of grants under the provisions of the Registration of Titles Ordinance

Leases for  
township or  
trading centres  
No 48 of 1931

(5) Leases in respect of plots in townships or trading centres shall be granted subject to the provisions of the Town Planning and Development Ordinance, 1931

Mining leases  
No 61 of 1933

(6) Nothing in this section contained shall be deemed to apply to leases granted under the provisions of the Mining Ordinance, 1933

Buildings on  
leased native  
lands

33 (1) On the determination of any mining or other lease granted in respect of land in the native lands which has been set apart under the provisions of this Ordinance, the property in all buildings on such land, whether erected by the lessee or by any other person, shall, in the absence of any



provision to the contrary contained in the lease, pass to and vest in the Trust Board on behalf of the native population of the native lands without payment of compensation to the lessee or to any other person in respect of such buildings

Provided that where—

(a) the term of the lease does not exceed thirty-three years, and

(b) the buildings were erected by the lessee or by his predecessor in title, and

(c) the lease is not determined by forfeiture,

the lessee may, within six months after the determination of the lease, remove any such buildings unless the Trust Board elects to purchase the buildings on behalf of the native population of the native lands and informs the lessee accordingly before such lessee has commenced to remove such buildings

Provided further that nothing in this section contained shall be deemed to affect the provisions of sections 36, 56 and 58 of the Mining Ordinance, 1933, except that the Commissioner of Mines shall not allow a further period in excess of three months under the aforesaid section 36 or fix a time in excess of six months under the aforesaid section 56, save with the consent of the Trust Board

(2) Where the Trust Board elects to purchase any such buildings in accordance with the proviso to sub-section (1) of this section, the lessee shall have no option as to the sale to the Trust Board, but if he does not agree to the price offered by the Trust Board the matter shall be referred to arbitration under the provisions of the Arbitration Ordinance

Cap 18

**34** Subject to the provisions of section 20 of this Ordinance, the rent payable in respect of any land in the native lands, in respect of which a lease has been granted, shall be assessed by the Provincial Commissioner in consultation with the Local Board, shall be subject to the approval of the Governor, and shall be paid to the Local Native Council concerned. Due regard shall be had in all such assessments to the fair economic value of the land and to such conditions regarding improvements as may be contained in the lease

Rents

**35** (1) Save as may otherwise be prescribed no lessee of land in the native lands shall alienate the land, or any part thereof, comprised in his lease by sale, mortgage, transfer of possession, sub-lease, bequest or otherwise howsoever without the consent in writing of the Provincial Commissioner

Lessees prohibited from alienating

(2) Before giving his consent in any case the Provincial Commissioner shall consult—

(a) the Trust Board, in cases where the land leased exceeds fifty acres in extent,

(b) the Local Board, in cases where the land leased does not exceed fifty acres in extent

(3) Any such sale, mortgage, transfer of possession, sub-lease, bequest or other alienation effected without the consent in writing of the Provincial Commissioner shall be null and void and of no effect

(4) An appeal shall lie to the Governor from any refusal of the Provincial Commissioner to give his consent in writing under the provisions of this section

Change of user

**36** (1) Where a lessee of land in the native lands desires to change the user of any land comprised in his lease, he shall make application in writing to the Provincial Commissioner concerned

(2) Upon receipt of any such application the Provincial Commissioner shall consult the Local Board and shall thereafter forward to the Governor the application of the lessee, together with the recommendations thereon of the Local Board and of the Provincial Commissioner

(3) (a) Where the land in respect of which any such application is made does not exceed ten acres in extent, the Governor may approve the application, subject to such conditions as he may think fit, or reject the application

(b) Where the land in respect of which any such application is made exceeds ten acres in extent, the Governor shall, before making his decision, consult the Trust Board

Forfeiture of lease

**37** If the rent or any part thereof reserved in a lease of lands in the native lands shall at any time be unpaid for a period of twenty-one days after the same shall have become due, or if there shall be any breach of the lessee's covenants, whether express or implied, or any change of user not authorized under the provisions of section 36 of this Ordinance the Chief Native Commissioner, or any person authorized by him in writing, may serve a notice upon the lessee specifying the rent in arrear, or the covenant of which a breach has been committed, or the unauthorized change of user which is alleged, and, at any time after one month from the service of such notice, may commence a suit in the Supreme Court

for the recovery of the land. On proof of the facts, the Court shall, subject to relief upon such terms as to it may appear just, declare the lease forfeited, and may order that possession of the land be given by the lessee to the Chief Native Commissioner, either forthwith or on or before such day as the Court thinks fit to name, and that the defendant do pay the costs.

**38** (1) Notwithstanding anything in this Ordinance contained, but subject to such conditions and fees as may be prescribed, licences may be granted to any person relating to—

Licences

(a) the grazing of live stock on native lands,

(b) the removal of timber or other forest produce from any part of the native lands not included in an area declared under the provisions of section 3 of the Forest Ordinance to be a forest area,

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(c) the taking of sand, lime, stone, and other common minerals (excluding surface salt) from the native lands,

(d) wayleaves in the native lands

Provided that no licence referred to in paragraphs (a), (b) or (c) of this sub-section shall be granted for a period exceeding twelve months at any one time

(2) Subject to any general or specific instructions issued by the Trust Board, the Chief Native Commissioner, or such Provincial or District Commissioner as he may appoint as licensing officers, may grant licences for the grazing of live stock in the native lands, and for the removal of timber or other forest produce from the native lands

Forest produce

(3) Licences for the taking of sand, lime, stone and other common minerals (excluding surface salt) from the native lands may be granted by a Provincial Commissioner or by such District Commissioners as a Provincial Commissioner may appoint as licensing officers

Common minerals

(4) A Provincial Commissioner may grant a wayleave licence to any person empowering the holder thereof, his servants and agents to enter upon land in the native lands for the purposes of laying pipes, setting up electric power or telephone lines, cables, or aerial ropeways, and erecting such poles and pylons and making such excavations as may in the opinion of the Provincial Commissioner, be necessary for the carrying out of any such purpose

Wayleaves

Before granting any such wayleave licence the Provincial Commissioner shall consult the Local Board as to any compensation which may be payable and, if he is unable to agree with the Board as to such compensation, he shall report the matter to the Governor, whose decision shall be final. In any case where the usefulness of any land for agricultural purposes is in any way impaired by reason of the grant of any such wayleave licence, compensation in respect thereof shall be payable.

**Licence fees** (6) All fees prescribed in respect of licences issued under the provisions of this section shall be paid to the Local Native Council concerned.

**Renewals** (7) Where the Trust Board objects to any licence which has been granted under the provisions of this section such licence shall not be renewed unless and until the Board has withdrawn such objection.

**Appeal** Provided that where the Board refuses to approve the grant or renewal of any licence which may be granted under the provisions of this section, the applicant for such licence or renewal, as the case may be, may, within thirty days after the date of such refusal, appeal in writing to the Governor, whose decision shall be final.

**Forfeiture of licences** **39** (1) If the fees or any part thereof payable under a licence granted under this Ordinance shall at any time be unpaid for the space of twenty-one days after the same shall have become due, or if the licensee fails to comply with or commits any breach of any of the conditions of his licence, the Chief Native Commissioner, Provincial Commissioner, or licensing officer, as the case may be, may cause an application for the forfeiture of such licence to be made to a magistrate of the first class.

(2) Upon receipt of such application, together with particulars in writing specifying the fees in arrear or the condition which has not been complied with or of which a breach has been committed, the magistrate shall cause to be served upon the licensee a copy of such particulars together with a notice of the date, not being less than fourteen days after the date of such notice, when the application is to be heard.

(3) If upon the date fixed for the hearing of the application, or the date to which such hearing has been adjourned, it be proved to the satisfaction of the magistrate that fees are in arrear, or that the licensee has failed to comply with, or

has committed a breach of, any of the conditions of the licence, the magistrate shall, subject to relief upon such terms as may to him appear just declare the licence forfeited

40 No forfeiture of any lease or licence under the provisions of this Ordinance, or of any rule made thereunder, shall operate to extinguish any debt due in respect of any rent or other payment to be made by a lessee or licensee under a lease or licence forfeited

Debt not to be extinguished by forfeiture

41 The issue of licences and occupation permits in respect of land set apart under the provisions of this Ordinance shall, save where a contrary intention is in this Ordinance expressed, be governed by rules made under this Ordinance

Licences and permits to be issued subject to rules

PART VI

MISCELLANEOUS POWERS

*The Trust Board*

42 The Trust Board shall, in respect of water flowing into, through or out of the native lands, be deemed, for the purposes of the Water Ordinance, 1929, to be the land holder in relation to such native lands

Trust Board to be land-holder for purpose of Water Ordinance, 1929  
No 35 of 1929

43 The Trust Board may, by notice in the Gazette, delegate to the Chief Native Commissioner the power to exercise on behalf of the Trust Board any of the functions or powers of the Trust Board in respect of water permits which, in the opinion of the Trust Board, are of a minor character

Trust Board may delegate powers under Water Ordinance, 1929

44 The Trust Board at any time may cause general or specific instructions to issue in regard to the grant by Provincial Commissioners or licensing officers of licences to remove sand, lime, and any other common minerals (except surface salt), timber and other forest produce, from the native lands

Trust Board may issue instructions to grant licences to remove common minerals

45 (1) Service on the Trust Board of all legal processes and notices shall be effected by service on the Chief Native Commissioner who, in any legal proceedings, may be plaintiff or defendant, as the case may be, in the name of the Trust Board

Service of process on

(2) Any costs incurred by or damages awarded against the Trust Board in connexion with any legal proceedings shall be paid by the Treasurer out of the revenues of the Colony

*Local Native Councils*

Local Native  
Councils  
No 2 of 1937

**46** The Local Native Councils established under the provisions of the Native Authority Ordinance, 1937, shall be responsible at all times for exercising the various functions assigned to them in respect of the native lands by this Ordinance and by any rules made thereunder

*Miscellaneous Powers of Governor*

Governor may  
make minor  
adjustments  
to boundaries  
of Native  
Land Units

**47** (1) The Governor may, with the consent of the Trust Board, make adjustments of the boundaries of the native land units where the Trust Board is satisfied that any such adjustment is of a minor character and in the interests of the native population

(2) Where any such adjustment has been made notice thereof shall be published in the Gazette, and the Second Schedule to this Ordinance shall be read and construed subject to the adjustments specified in such notice

Governor may  
declare that land  
is required for  
public purposes

**48** (1) The Governor may, by notice in the Gazette, declare that land in the native lands is required for public purposes

(2) The Governor may, by notice in the Gazette, declare what is a public purpose for the purposes of this Ordinance

Governor may  
order native to  
remove into  
Native Land  
Unit

**49** (1) The Governor may, by writing under his hand, order any native, who at the commencement of this Ordinance is not residing in the native lands, the native reserves, the temporary native reserves, or the native leasehold areas and whose rights have, under the provisions of section 70 of this Ordinance, been extinguished, forthwith to remove himself, his family and his property (if any) from the land on which he is residing

Provided that no such order shall be made unless the Governor is satisfied that sufficient suitable land for the accommodation of the native and his family is available and that provision for compensation for disturbance has been made

(2) Any native who disobeys or fails to comply with any order made under this section shall be guilty of an offence against this Ordinance

(3) Where any native is convicted of an offence under the provisions of this section, the Court may, in addition to

any penalty which it may impose under this Ordinance, authorize any administrative officer or police officer to cause such native, together with his family and property, if any, to be removed from the land on which he is residing in contravention of an order made under the provisions of sub-section (1) of this section

*Powers of Entry*

50 (1) The Governor, subject to the provisions of sub-section (2) of this section, may at any time—

Powers of entry  
of Governor  
on Native Lands

- (a) enter upon any land in the native lands, and take therefrom stone and other materials for the making or repairing of roads, railways, canals, water channels, or other public works whether of the like kind or not,
- (b) enter upon such land and set up poles and carry electric, telegraph or telephone lines across such land, and lay sewers, water pipes, electric, telegraph or telephone lines therein,
- (c) enter upon such land and there do any work which he may consider necessary for maintaining or improving the flow of water in any river or stream, and may construct dams and divert any river or stream,
- (d) by writing under his hand authorize officers in the service of the Government of the Colony, of the High Commissioner for Transport, and of any local authority duly established by any Ordinance in force in the Colony, and any contractors employed by such officers, to exercise any of the powers conferred upon the Governor by this section. Any authority granted under the provisions of this paragraph shall be deemed to include the assistants, servants or agents of the officers or contractors to whom such authority is granted

(2) Compensation, assessed in accordance with the provisions of sections 17 and 18 of this Ordinance, shall be payable in respect of anything done under this section for loss or disturbance and for the fair value of buildings and crops destroyed or damaged, and, in any case where the usefulness of any land for agricultural purposes is impaired by anything so done compensation in respect thereof shall be payable

(3) The powers conferred by this section may be exercised before the compensation is paid, but not before compensation has been assessed

(4) It shall not be competent for the Trust Board or a Local Board to make any representations in regard to the exercise of any powers under this section except in so far, in the case of a Local Board, as the Provincial Commissioner may refer to such Board any question of compensation

Power to enter  
land and  
premises

51 (1) Any officer of the Government of the Colony and any person authorized by any such officer shall for any purpose relating to this Ordinance have power at all times to enter upon any land in the native lands or to enter any premises or place on such lands and there to make such inspection, examination and inquiry and to call for such information as may be necessary for carrying into effect any of the provisions of this Ordinance or of any other law for the time being in force

Obstruction of  
officers

(2) Any person who refuses to permit any duly authorized officer or his representative to carry out any of the powers conferred by sub-section (1) of this section, or obstructs or hinders any such officer or his representative in the execution of his duty under this Ordinance, or fails to give any required information, or furnishes false information, to such officer or to his representative, shall be guilty of an offence under this Ordinance and shall, on conviction by a magistrate of the first or second class, be liable to a fine not exceeding fifty pounds or to imprisonment for a period not exceeding six months or to both such fine and such imprisonment

## PART VII

### MISCELLANEOUS PROVISIONS

Consent of  
Trust Board to  
be necessary in  
case of forest  
areas  
Cap 149

52 (1) Notwithstanding anything contained in this Ordinance, land in the native lands may, with the consent of the Trust Board, be declared to be a forest area as defined by the Forest Ordinance

Cap 149

(2) Any land in the native lands duly declared to be a forest area shall be proclaimed as such in accordance with the provisions of the Forest Ordinance and shall be administered and controlled in accordance with rules made under that Ordinance or any other Ordinance at any time in force in the Colony relating to forests



(3) All net profits accruing to the Conservator of Forests from the working of forest areas in the native lands shall be paid annually to the Local Native Council concerned

For the purposes of this section the net profit of any forest area shall be the revenues derived from such forest area after deducting from such revenues the cost to the Government of the Colony, including overhead expenses, of working and maintaining such forest area Where, in any year, a loss is incurred, the amount of such loss shall be carried forward and added to the working and maintenance charges for the ensuing year

53 (1) No action shall lie against the Government of the Colony or against any officer thereof or against any person authorized by any such officer, for any act done in good faith and without negligence or under the provisions of this Ordinance for the purpose of carrying into effect any such provisions

Indemnity

(2) No compensation shall be payable to any person for any act done under the provisions of this Ordinance in good faith and without negligence, save where express provision is made in this Ordinance for the payment of compensation

Compensation

54 All acts heretofore done by the Governor or by any officer of the Government of the Colony or by any person acting under the direction of the Governor or of any officer of such Government in regard to any matter for which lawful authority is provided in this Ordinance and for which no lawful authority existed prior to the commencement of this Ordinance are hereby made and declared to be lawful and are confirmed as on and from the time of the performance of such acts, and the Governor and every such officer or person is hereby freed, acquitted, discharged, and indemnified, as well against the King's Most Gracious Majesty, his heirs and successors, as against any and all persons whatsoever, from all legal proceedings of any kind whatsoever whether civil or criminal, in respect of any such acts

Validation of acts previously done, and indemnity therefor

55 (1) All actions, suits and proceedings respecting land in the native lands or respecting any lease, licence or permit relating thereto, or respecting the breach of any covenant contained in any such lease, licence or permit, or respecting any trespass on such land, or any damages accruing by reason of such trespass, or for the recovery of any rents or fees, or relating to any damages or wrongs whatsoever in respect of

Proceedings to be brought in name of Chief Native Commissioner

such land, may be commenced, prosecuted and carried on in the name and title of the Chief Native Commissioner

(2) In any such action, suit or proceeding the Chief Native Commissioner may be represented by any advocate or by any administrative officer duly authorized by him in writing in that behalf

Service of  
notice, etc

**56** (1) Any application, statement, demand, instrument, notice or other document authorized or required by this Ordinance, or any rule made thereunder, may be served on the person to whom it is to be given either personally or by leaving it for him at his last known place of abode or by sending it through the post in a registered letter addressed to him there

(2) Where any such document is to be served on a person by being sent through the registered post it shall be deemed to have been served not later than the seventh day succeeding the day on which it was posted, and for proof of such service it shall be sufficient to prove that the letter containing the notice was properly addressed, registered and posted

Publication of  
Notices, etc

**57** (1) Any order, notice or other document required by this Ordinance, or any rule made thereunder, to be published may be published by affixing a copy in some public or conspicuous place or situation in the area concerned, and, where it is deemed necessary, by publishing it in the Gazette

(2) Such publication or affixing shall be deemed good and sufficient publication and notice to all persons concerned

Defacing  
notices, etc  
Penalty

(3) Any person tearing, defacing, altering, injuring or removing any notice so affixed shall be guilty of an offence against this Ordinance, and shall be liable on conviction by a magistrate to a fine not exceeding ten pounds

Appeal

**58** Save where provision to the contrary is expressly made in this Ordinance, no appeal shall lie from any decision given, order made, or matter or thing done under this Ordinance

Not to over-ride  
other laws  
except where  
express provision  
is made

**59** Save in regard to matters wherein express provision is made in this Ordinance, the native lands shall be subject in all respects to the general law from time to time in force in the Colony

*Penalties*

**60** Every omission or neglect to comply with and every act done, or attempted to be done, contrary to the provisions of this Ordinance or of any rule or order made thereunder, or in breach of the conditions and restrictions subject to or upon which any licence or permit has been issued, shall be deemed to be an offence against this Ordinance, and for every such offence for which no penalty is specially provided the offender shall be liable on conviction by a magistrate to a fine not exceeding fifty pounds or to imprisonment for a period not exceeding six months or to both such fine and imprisonment

Penalty

**61** (1) Any person who unlawfully occupies land in the native lands, in any manner whatsoever, shall be guilty of an offence against this Ordinance

Penalty for  
unauthorized  
occupation of  
land in Native  
Lands

(2) No person entering or being in the native lands shall be deemed to be a trespasser on or to be in unlawful occupation of such native lands save in so far as he would be liable to be proceeded against for trespass or for unlawful occupation of land under the provisions of this Ordinance or any rules made thereunder or under the provisions of any other law for the time being in force in the Colony

Trespass

**62** Any person who makes a false declaration in relation to any matter or thing required to be done by this Ordinance, or by any rules made thereunder, or who produces any false declaration or certificate, knowing the same to be false in any material particular shall be guilty of an offence against this Ordinance

Penalty for  
false  
declaration

**63** Nothing in this Ordinance contained shall prevent a prosecution under any other law, but so that a person shall not be punished twice for the same offence

Saving of other  
powers*Construction*

**64** (1) Any reference in any enactment to the Native Lands Trust Ordinance, 1930, or to any Ordinance amending the same, shall, unless the context otherwise requires, be construed to refer to this Ordinance

Construction  
No 9 of 1930

(2) Any reference in any enactment to a native reserve shall, unless the context otherwise requires and save in the case of this Ordinance or of Part VI of the Crown Lands Ordinance, be construed to refer to an area in the native lands as defined by this Ordinance

Cap 140

(3) Any reference in any enactment to the Native Lands Trust Board or to the Central Board shall, unless the context otherwise requires, be construed to refer to the Trust Board defined in section 3 of this Ordinance

(4) Any reference in this Ordinance to any other Ordinance shall be construed to include any Ordinance amending or replacing such other Ordinance

*Rule-making Powers*

Governor may  
make Rules

65 (1) Subject to the provisions of this Ordinance, the Governor may, with the advice and consent of the Trust Board, make rules, relating to the native lands, for the purpose of carrying this Ordinance into effect and for prescribing the fees to be paid for any matter or thing done under this Ordinance, and more particularly for all or any of the following purposes —

- (a) controlling the occupation and use of the native lands for grazing and pasturing stock, flocks and herds,
- (b) compulsorily reducing the numbers of stock, flocks and herds in any native land unit,
- (c) regulating the reconditioning of any native land unit and for such purpose prohibiting and regulating the occupation of any areas therein,
- (d) regulating generally the use and conservation of any area in the native lands,
- (e) regulating any matters relating to the tenure of land as between natives in the native lands,
- (f) regulating the grant of leases in respect of land set apart in the native lands and all matters relating thereto, and prescribing—
  - (i) the form of leases issued for a term of one year or less,
  - (ii) the term for which any particular class of lease may be granted,
  - (iii) the conditions or restrictions subject to and upon which any particular class of lease may be granted,
  - (iv) the method of collecting the rents for leases and the persons to whom such rents are to be paid,

(g) regulating the issue of licences in the native lands in respect of—

- (i) native cattle-grazing rights,
- (ii) the removal of timber, forest produce, sand, lime, stone and other common minerals (excluding surface salt), and
- (iii) wayleaves,

(h) prescribing the form and term of licences and occupation permits and the conditions upon and subject to which such licences and permits may be issued

(2) In any rules made under this section the Governor may reserve power to apply all or any of the provisions of such rules to the native lands as a whole, or to any one native land unit, or to any specified part of any native land unit

(3) Any rules made under the provisions of this section shall be in addition to, and not in derogation of, the provisions of any law for the time being in force relating to the matters specified in paragraphs (a), (b), (c) and (d) of this section

## PART VIII

### SAVING—EXTINGUISHMENT OF RIGHTS—REPEALS

**66** Save where a contrary intention is expressed in this Ordinance, nothing herein contained shall be deemed to affect the validity of any subsisting title to land within the native lands nor the validity of any subsisting grant of mining or other rights therein in any case where such title was acquired or such grant was made before the commencement of this Ordinance. All such titles and rights and the powers thereby conferred and the obligations thereby imposed shall continue to be governed by the Ordinance under which such titles or rights were granted as if this Ordinance had not been enacted

Saving of  
existing rights

Provided that all land held under any such subsisting title or grant shall be deemed to be included in the native lands from the commencement of this Ordinance

**67** Save as is expressly provided in this Ordinance, nothing herein contained shall affect prejudicially any right, power, privilege or exemption of the Crown

Crown rights

**68** In respect of the occupation, use, control, inheritance, succession and disposal of any land situate in the native lands, every native tribe, group, family and individual shall

Rights of  
natives in the  
native lands

have all the rights which they enjoy or may enjoy by virtue of existing native law and custom or any subsequent modifications thereof, in so far as such rights are not repugnant to any of the provisions of this Ordinance, or to any rules made thereunder, or to the provisions of any other law for the time being in force in the Colony

Forfeiture of  
land for treason  
or rebellion

**69** Notwithstanding anything in this Ordinance contained, the Governor, in cases where the offences of treason or rebellion against His Majesty have been proved to have been committed by any native tribe, group, family or individual, and in addition to any other punishment lawfully inflicted in respect of an offence so committed, may order that any land in the native lands, held or occupied by any such tribe, group, family or individual, be forfeited and revert to His Majesty. Every such order of the Governor shall be subject to the approval of the Secretary of State.

Extinguishment  
of native rights

Cap 140

**70** (1) With effect from the commencement of this Ordinance, all native rights existing at the commencement of this Ordinance in any land in the Colony situate outside the boundaries of the native lands, the native reserves, the temporary native reserves and the native leasehold areas, irrespective of whether such rights relate to tribal, group, family or individual holdings, are hereby declared to be extinguished, and the provisions of sections 30 and 31 of the Crown Lands Ordinance, 1902, and of section 86 of the Crown Lands Ordinance shall no longer have effect in respect of land alienated under such Ordinances respectively.

Provided that the rights of a private right-holder shall not be so extinguished until he shall have harvested any annual crops which may have been planted before the date of the coming into operation of this Ordinance.

No 2 of 1937

Provided further that, notwithstanding the provisions of section 12 of the Native Authority Ordinance, 1937, no native, whose rights in respect of the land upon which he, or his family, is, or are, residing, have been extinguished under the provisions of this section, shall be compelled to remove himself from such land except by order of the Governor made in

accordance with the provisions of section 49 of this Ordinance, but the provisions of section 49 and of this proviso shall not apply to a native who, having been ordered by the Governor to remove in accordance with the provisions of section 49 of this Ordinance, subsequently cultivates or occupies land outside the boundaries of the native lands, the native reserves, the temporary native reserves or the native leasehold areas, as the case may be

And provided further that nothing in this section contained shall be deemed to apply to—

- (a) rights enjoyed by individual natives under any specific title granted to them,
- (b) rights of resident labourers secured by contract under the provisions of the Resident Native Labourers Ordinance, 1925, until the termination of the contract, No 5 of 1935
- (c) existing rights of grazing in any areas in respect of which forest concessions have been granted by the Government of the Colony,
- (d) native rights in the Protectorate of Kenya

(2) Nothing in this section contained shall be construed as affecting any native tribes or communities, for whom no specific native land unit is provided by this Ordinance, in regard to any right which such tribes or communities may have to occupy the areas of unalienated Crown land in which they are resident at the date of the coming into operation of this Ordinance

**71** Subject to the provisions of section 66 of this Ordinance, the Native Lands Trust Ordinance, 1930, as amended by the Native Lands Trust (Amendment) Ordinance, 1932, and by the Native Lands Trust (Amendment) Ordinance 1934, is hereby repealed Repeal No 9 of 1930 No 51 of 1932 No 36 of 1934

## FIRST SCHEDULE

## NATIVE LANDS

The Native Lands, the boundaries of which are set out below, are delineated and bordered yellow on Boundary Plan No 156, deposited at the Land Survey Records Office, Nairobi

Freehold areas which lie within the boundaries of the native lands are not part of the native lands and are excluded therefrom whether specifically mentioned therein or not

Where a river or stream is described as forming a boundary the centre line of its course shall be the boundary unless otherwise stated, and where the term "high-water mark" is mentioned that term means the high-water mark at ordinary spring tides of the Indian Ocean

*Note* — Successive portions of the boundary are numbered in order on Boundary Plan No 156. The descriptions hereunder of those successive portions have corresponding numbers in the right hand margin to enable them to be readily followed on the plan

## (1) BOUNDARIES OF THE KIKUYU NATIVE LAND

The Kikuyu native land consists of two areas the boundaries of which are as follows —

## PART I

Commencing at the southernmost corner of L R No 378, (1)

thence by part of the south-eastern boundary of L R No 378 for a distance of 16,194 4 feet to a beacon on the western boundary of the Kikuyu Escarpment Forest Reserve,

thence generally southerly, easterly, northerly, again easterly and generally southerly by a series of cut and beacons straight lines which form a part of the western and generally southern boundary of the aforesaid forest reserve (L R No 4448) to its intersection with the northern boundary of the Limuru-Naivasha main road reserve,

thence easterly by that road reserve boundary to its intersection with the western boundary of the Kenya and Uganda Railway Reserve,



thence southerly by that reserve boundary to its intersection with the northern boundary of Limuru Railway Station Reserve,

thence southerly by the generally western boundary of that station reserve to its intersection with the western boundary of the Kenya and Uganda Railway Reserve,

thence southerly by that railway reserve boundary to its intersection with the north-western boundary of L R No 173/1, (2)

thence southerly by the generally western boundary of L R No 173/1, and south-easterly by the south-western boundary of L R No 173/2 to the southernmost corner of the latter portion,

thence north-easterly by the south-eastern boundary of L R No 174 to its intersection with the western boundary of the Kenya and Uganda Railway Reserve,

thence southerly by that railway reserve boundary to a point due west of the southernmost corner of L R No 4713,

thence due east to that southernmost corner,

thence by the south-eastern boundaries of L R Nos 4713, 5831, and 4493 to the easternmost corner of the last portion,

thence south-easterly by the generally south-western boundaries of L R Nos 5851/5, 5851/9 and 164/3 to the northernmost corner of L R No 170/1/2,

thence southerly by the western boundary of the last portion to its intersection with the Mutigutu River,

thence down-stream by that river to its intersection with the south-eastern boundary of L R No 5878,

thence north-easterly by the south-eastern boundaries of L R Nos 5878, 3564, 2950/1, 2950/5/2/3, 2950/3/R, 5916 and 152 to the easternmost corner of the last portion, (3)

thence south-easterly by the south-western boundaries of L R Nos 132/1/1/2, 245/1, 245/2/R, part of 134/3/R, the whole of 134/6 and again part of 134/3/R to the south-eastern corner of the last portion,

thence north-easterly by the generally south-eastern boundaries of L R Nos 134/3/R, 134/7, 134/4/R, 5876/R, 4640 and 126 to the intersection of the last with the Kamiti River,

thence up-stream by that river to its intersection with the eastern boundary of L R No 3696, (4)

thence northerly by the eastern boundaries of L R Nos 3696 and 3698 to the north-eastern corner of the latter portion,

thence northerly by part of the eastern boundary of L R No 3700 to the southernmost corner of the Kikuyu Escarpment Forest Reserve (south-eastern portion),

thence easterly, northerly and westerly by the generally eastern and northern boundaries of that forest reserve to the north-eastern corner of L R No 241/3,

thence westerly by the northern boundary of L R No 241/3 to the north-western corner of that portion,

thence by part of the eastern, the northern, generally western and southern boundaries of L R No 3900 to the south-eastern corner of that portion,

thence by part of the western boundary of L R No 241/3 for a distance of approximately 855 feet to its intersection with part of the northern boundary of the Kikuyu Escarpment Forest Reserve (south-western portion),

thence westerly by that forest reserve boundary to its intersection with the eastern boundary of L R No 4768,

thence northerly by part of that boundary and westerly by the northern boundary to the northernmost corner of that portion, (5)

thence southerly by the western boundary of L R No 4768 to its intersection with the northern boundary of the Kenya and Uganda Railway Reserve,

thence south-westerly by that railway reserve boundary for approximately 3,200 feet to its intersection with a cut and beacons line which forms the boundary of the Kikuyu Escarpment Forest Reserve,

thence generally northerly by that cut and beacons line for a distance of about 6,000 feet to its intersection with the eastern boundary of the Kenya and Uganda Railway Reserve,

thence by a straight line on a true bearing of  $315^{\circ} 15' 40''$  to a beacon on the western boundary of that railway reserve,

thence by a straight line on a true bearing of  $266^{\circ} 37' 30''$  for a distance of about 3,523 feet to a beacon,

thence by a straight line on a true bearing of  $356^{\circ} 37' 30''$  for a distance of about 3,537 feet to a beacon,

thence by a straight line on a true bearing of  $88^{\circ} 48' 33''$  for a distance of about 886 feet to a beacon,

thence by a straight line on a true bearing of  $89^{\circ} 57' 25''$  for a distance of about 506 feet to a beacon,

thence by a straight line on a true bearing of  $86^{\circ} 31' 20''$  for a distance of about 2,181 feet to a beacon on the western boundary of the Kenya and Uganda Railway Reserve,

thence southerly by that reserve boundary for a distance of about 3,300 feet to a point on a true bearing of  $315^{\circ} 15' 40''$  from a beacon on the eastern boundary of the Kenya and Uganda Railway Reserve,

thence by a straight line to that beacon,

thence easterly, northerly, westerly, southerly and south-westerly by a cut and beacons line, which forms part of the boundary of the Kikuyu Escarpment Forest Reserve, to its intersection with the north-eastern boundary of the Kenya and Uganda Railway Reserve,

thence north-westerly by that reserve boundary for a distance of about 700 feet to a beacon in the vicinity of Escarpment Station,

thence by a straight line on a true bearing of  $13^{\circ} 01' 00''$  for a distance of 13 6 feet to a beacon,

thence by a straight line on a true bearing of  $22^{\circ} 31' 14''$  for a distance of 990 5 feet to a beacon,

thence by a straight line on a true bearing of  $266^{\circ} 43' 25''$  for a distance of 2,725 5 feet to a beacon on the eastern boundary of the Kenya and Uganda Railway Reserve,

thence northerly by that reserve boundary for a distance of about 570 feet to a beacon,

thence by a straight line on a true bearing of  $86^{\circ} 39' 03''$  for a distance of about 403 feet to a beacon,

thence by a straight line on a true bearing of  $356^{\circ} 39' 03''$  for a distance of about 653 feet to a beacon,

thence by a straight line on a true bearing of  $86^{\circ} 39' 03''$  for a distance of about 2,384 feet to a beacon,

thence by a straight line on a true bearing of  $37^{\circ} 44' 20''$  for a distance of about 1,147 feet to a beacon,

thence northerly, north-easterly, north-westerly and south-westerly by a cut and beacons line, which forms part of the boundary of the Kikuyu Escarpment Forest Reserve, to its intersection with the eastern boundary of the Kenya and Uganda Railway Reserve,

thence northerly by that railway reserve boundary for a distance of approximately 8,000 feet to its intersection with the north-western boundary of L R No 388/1, (6)

thence by the north-western and north-eastern boundaries of that portion to its easternmost corner,

thence by part of the south-eastern boundary of L R No 388/1 for a distance of approximately 2,200 feet to a beacon,

thence generally south-easterly by part of the generally south-western boundary of the Kikuyu Escarpment Forest Reserve (northern portion) to its intersection with the Kimaiti River, (7)

thence northerly by the generally eastern boundary of the Kikuyu Escarpment Forest Reserve (norther portion) and the Aberdare Forest Reserve to the intersection of the western boundary of L R No 5143 with the Muringato River, (8)

thence down-stream by that river to its intersection with the south-eastern boundary of L R No 5152,

thence by a straight line on a true bearing of  $46^{\circ} 08' 10''$  for a distance of about 3,430 feet to a beacon,

thence by a straight line on a true bearing of  $114^{\circ} 58' 15''$  for a distance of 3,155 3 feet to a beacon,

thence by a straight line on a true bearing of  $118^{\circ} 51' 06''$  for a distance of 1,872 0 feet to a beacon,

thence by a straight line on a true bearing of  $73^{\circ} 25' 32''$  for a distance of 1,228 4 feet to a beacon on the western boundary of the portion known as Njengu Salt Lick,

thence by a straight line on a true bearing of  $350^{\circ} 07' 27''$  for a distance of 1,423 1 feet to a beacon on the generally western boundary of the Nyeri-Rumuruti Road Reserve,

thence generally south-easterly by that road reserve boundary to the north-western corner of L R No 6948,

thence southerly by the western boundary of that portion for a distance of 764 1 feet to a beacon,

thence by a straight line on a true bearing of  $304^{\circ} 51' 17''$  for a distance of 2,032 5 feet to a beacon,

thence by a straight line on a true bearing of  $253^{\circ} 25' 32''$  for a distance of 1,258 5 feet to the north-eastern corner of L R No 4166,

thence north-westerly and south-westerly by the north-eastern and the north-western boundaries of that portion to the intersection of the latter with the Muringato River,

thence down-stream by that river to its junction with the Muraria River,

thence up-stream by that river to its intersection with the south-western boundary of L R No 1105/2,

thence south-easterly by the generally south-western boundary of that portion and the generally western boundary of L R No 1105/1 to the intersection of the latter with the Chania River,

thence down-stream by that river to its intersection with the western boundary of Nyeri Township (L R No 1108),

thence by part of that boundary and by the southern and part of the eastern boundary of that township to the intersection of the last with the Chania River,

thence down-stream by that river to its intersection with the western boundary of L R No 1119,

thence by that boundary and by the southern, and part of the eastern boundary of that portion to the intersection of the last with the Chania River,

thence down-stream by that river to its junction with the Muringato River, (9)

thence up-stream by that river to its junction with the Amboni River,

thence easterly by a cut and cleared line to the intersection of the eastern boundary of L R No 3469 with the Nairobi River,

thence down-stream by that river to its junction with the Sagana River,

thence easterly and northerly by the generally southern and eastern boundaries of the Mount Kenya Forest Reserve to the intersection of the south-eastern boundary of L R No 4634 with the Marania River, (10)

thence down-stream by that river till it joins (or becomes) the Ngare Siolo (Isiolo River),

thence down-stream by the latter river to its intersection by the Nyeri-Archer's Post Road in the vicinity of the K A R Wagon Camp,

thence north-easterly by a straight line to the southern of the two principal summits of Shaba Hill,

thence still north-easterly by a straight line to a cairn on the northern spur of the Gwau Hills about five miles in a north-easterly direction from Mgombe (Yombe) Crater, (11)

thence in a south-easterly direction by a straight line to its intersection with the Kathima ya Magomo River at a point where that line produced would intersect a cairn on its left or eastern bank,

thence by that river down-stream till it becomes the Mackenzie River,

thence down-stream by that river to its junction with the Tana River, (12)

thence up-stream by that river to its junction with the Maragua River,

thence up-stream by the latter river to its intersection with the north-western boundary of the Kenya and Uganda Railway Reserve,

thence generally south-westerly by that railway reserve boundary to its intersection with the western boundary of the Thika-Fort Hall Road Reserve,

thence southerly, south-westerly and again southerly by that road reserve boundary to a point due west of the south-western corner of L R No 1959/2, (13)

thence by a straight line to that south-western corner,

thence south-easterly and northerly by the south-western and the generally eastern boundaries of L R No 1959/2 to the south-eastern corner of L R No 325/7 (325/6/2),

thence by straight lines each terminating at a beacon on the following true bearings and for the following distances successively—

12° 22' 03"	1,580 0 feet
2° 13' 19"	549 4 "
331° 01' 11"	385 5 "
17° 14' 39"	296 3 "
350° 12' 34"	576 9 "
329° 41' 58"	561 5 "
36° 38' 27"	980 1 "
25° 58' 26"	494 1 "
0° 36' 00"	416 3 "
348° 06' 55"	293 3 "
342° 30' 52"	770 4 "
70° 41' 47"	255 6 "
57° 19' 11"	824 3 "
96° 36' 59"	390 1 "
124° 22' 07"	646 6 "

to a beacon on the western boundary of L R No 1965,

thence southerly by a part of the western boundary of that portion to its intersection with the Thaba Thaba River,

thence down-stream by the Thaba Thaba River to its intersection with the western boundary of L R No 6912,

thence southerly by that western boundary to the north-eastern corner of L R No 3511,

thence by the north-eastern boundary of that portion to its intersection with the Thara River,

thence up-stream by that river to its intersection with the western boundary of that road reserve which forms the western boundary of L R No 319/3, (14)

thence generally southerly by that western boundary of that road reserve to its intersection with the Makindi River,

thence up-stream by that river to its junction with the Thugi River,

thence up-stream by the latter river to its intersection with the north-western boundary of L R No 3557,

thence south-westerly by the north-western boundaries of L R Nos 3557, 298/12 and 298/10 to the intersection of the last with the Thika River,

thence up-stream by that river to the northern corner of L R No 2955/1/2/3,

thence generally south-westerly by the western boundary of L R No 2955/1/2/3, the northern boundary of L R No 2955/1/2/2 and the north-western boundary of L R No 2955/1/1 to the intersection of the last with the Chania River,

thence up-stream by that river to its intersection with the north-western boundary of L R No 295/3, (15)

thence south-westerly by that boundary and onwards by the same straight line to its intersection with the Karimnu River,

thence down-stream by that river to its intersection with the north-western boundary of L R No 295/1/R,

thence south-westerly by the north-western boundaries of L R Nos 295/1/R, 295/2/R and 295/7 to the intersection of the last portion with the north-eastern boundary of L R No 290/2/1,

thence north-westerly by part of that boundary and the whole of the north-eastern boundary of L R No 290/1 to the northernmost corner of the latter portion,

thence south-westerly by the north-western boundaries of L R Nos 290/1, 4907 and 291/1 to the intersection of the last portion with the Thiririka River,

thence down-stream by that river to its intersection with the north-western boundary of L R No 294/1/2/2,

thence south-westerly by that boundary to its intersection with the Theta River,

thence up-stream by that river to its intersection with the north-western boundary of L R No 247/1, (16)

thence south-westerly by that boundary and the north-western boundary of L R No 244 to the intersection of the latter with the Kamassie River which forms the north-eastern boundary of L R No 115/3,

thence up-stream by that river to its intersection with the north-western boundary of L R No 115/3,

thence south-westerly by that boundary and the north-western boundary of L R No 3678 to the intersection of the latter with the Ruiru River,

thence down-stream by that river to its intersection with the north-western boundary of L R No 114/2,

thence by that boundary and part of the northern and the whole of the north-western boundaries of L R No 113/1 to the intersection of the last with the Mukuyu River,

thence up-stream by that river to its intersection with the north-western boundary of L R No 6000,

thence south-westerly by that boundary and part of the north-western boundary of L R No 6710 to the north-eastern corner of L R No 6763,

thence north-westerly by the north-eastern boundaries of L R Nos 6763, 4924, part of 4888, and the whole of 98/1 to the north-western corner of the last portion,

thence north-easterly and north-westerly by part of the north-eastern boundaries of L R No 4888 to the northernmost corner of that portion

thence south-westerly by the north-western boundary of the latter portion and of L R No 4889 and 4890/4 to the intersection of the last with the Kamiti River,

thence down-stream by that river to its intersection with the north-western boundary of L R No 3728, (17)

thence south-westerly by the north-western boundaries of L R Nos 3728, 3729/3 and 5858 to the intersection of the last with the Kiu River,



thence down-stream by that river to its intersection with the northern boundary of the Kiambu-Fort Hall Road Reserve,

thence south-westerly by that road reserve boundary to its intersection with the Riara River,

thence up-stream by that river to its intersection with the north-western boundary of L R No 81/3,

thence south-westerly by that boundary to its intersection with the Gatharaini River,

thence up-stream by that river to its intersection with the north-western boundary of L R No 86/3,

thence north-westerly and south-westerly by the generally north-eastern and north-western boundaries of L R No 86/1 to the north-western corner of L R No 86/2,

thence south-easterly by the generally south-western boundaries of L R Nos 86/2, 86/1 and part of 86/3 to the northernmost corner of L R No 85/1,

thence by the north-western boundaries of L R Nos 85/1 and 7268 to its intersection with the northern boundary of L R No 23,

thence by the northern boundaries of L R Nos 23 and 22 to the intersection of the latter with the Kashi River,

thence up-stream by that river to its intersection with the north-western boundary of L R No 22,

thence south-westerly by that boundary to its intersection with the Rui Ruaka River,

thence down-stream by that river to its intersection with the north-western boundary of L R No 21/1,

thence south-westerly by that boundary to its intersection with the Karura River,

thence down-stream by that river to its intersection with the north-western boundary of L R No 18/1,

thence south-westerly by part of that boundary and the north-western boundary of L R No 7008 to the easternmost corner of L R No 3861,

thence by the north-eastern boundaries of L R Nos 3861, 3862 and part of the north-western boundary of the latter portion to the easternmost corner of L R No 2951/1/2,

thence north-westerly by the north-eastern boundaries of L R Nos 2951/1/2, 2951/1/3, 2951/1/4, 2951/1/5 and 2951/3 to the northernmost corner of the last portion,

thence south-westerly by the north-western boundary of the last portion to its intersection with the Gethathuru River, (18)

thence up-stream by that river to its intersection with the western boundary of L R No 189/R,

thence south-westerly by the generally north-western boundary of that portion and L R No 4065 and again of 189/R to the north-western corner of L R No 189/A/2/R (Government Farm Extension),

thence by the western, southern, and eastern boundaries of that portion and the eastern boundary of L R No 4077 to the intersection of the last with the southern boundary of the Kenya and Uganda Railway Reserve,

thence easterly by that railway reserve boundary to a beacon on the western boundary of L R No 4393/R,

thence south-westerly by a straight line to the north-western corner of L R No 5,

thence southerly, south-easterly and south-westerly by the western and south-western boundaries of that portion to its intersection with the Nairobi River,

thence up-stream by that river to its intersection with the western boundary of L R No 3734/R,

thence southerly by part of that boundary to the northern corner of L R No 330, (19)

thence by part of the north-western and part of the south-western boundaries of the latter portion to the intersection of the latter with the Kerichwa Kubwa River,

thence by a straight line due south for a distance of approximately 302 feet to a beacon on the south-western boundary of the Dagoreti Road Reserve,

thence south-easterly by that road reserve boundary to its intersection with the northern boundary of the Ngong Road Reserve,

thence south-westerly by that road reserve for a distance of approximately 10,840 feet to its intersection with the eastern boundary of the Ngong Road Forest Reserve,

thence northerly, easterly, northerly, westerly, southerly, north-westerly and again southerly by the generally northern boundary of that forest reserve to the intersection of the last with the Mutoini River which forms the northern boundary of L R No 191, (20)

thence up-stream by that river to the intersection with the north-western boundary of L R No 195/3,

thence south-westerly by part of that boundary to the north-eastern corner of L R No 196/7,

thence by the northern and part of the north-western boundary of that portion to the north-eastern corner of L R No 197,

thence north-westerly by the north-eastern boundary of that portion to the north-eastern corner of L R No 2377,

thence by the north-eastern, and north-western boundaries of L R No 2377 to the intersection of the latter with the Mbagathi River,

thence up-stream by that river to the southernmost corner of L R No 2256/7 (lower portion of the Dagoreti Forest Reserve),

thence by the south-eastern, eastern, northern, western and again northern and western boundaries of that forest reserve to its south-western corner,

thence north-westerly by a straight line to a beacon at the south-eastern corner of L R No 369, (21)

thence by the eastern boundaries of L R Nos 369, 370, 371 and 373 (now part of Masai native land) to the southern corner of L R No 374,

thence by the south-eastern boundary of that portion and part of the south-western boundary of L R No 378 to the point of commencement (1)

The whole of the area described as follows, is excluded from this native land with the exception of the portions known as L R Nos 178 and 1126 in the vicinity of Kikuyu Station,

Commencing at the easternmost corner of L R No 183/R,

thence generally north-westerly by the north-eastern and northern boundaries of L R No 183/R and the northern boundary of L R No 1641 to the intersection of the last with the south-eastern boundary of the Kenya and Uganda Railway Reserve,

thence northerly by that railway reserve boundary to its intersection with the southern boundary of L R No 233 (Railway Quarry Reserve),

thence by the southern, eastern and northern boundaries of that portion to the intersection of the last with the eastern boundary of the Kenya and Uganda Railway Reserve,

thence by a straight line on a true bearing of  $275^{\circ} 33' 28''$  to its intersection with the western boundary of the Kenya and Uganda Railway Reserve,

thence south-westerly by that railway reserve boundary to its intersection with the north-western boundary of L R No 231 (Kikuyu Trading Centre),

thence south-easterly by part of the northern boundary of that portion to the south-eastern corner of L R No 4871/9,

thence northerly by the generally eastern boundary of L R Nos 4871/9-16 and 4955/5-10 to the northernmost corner of the last portion,

thence by the north-eastern and north-western boundaries of L R No 4870 to the intersection of the latter with the eastern boundary of the Kenya and Uganda Railway Reserve,

thence northerly by that railway reserve boundary to a point on the production of the northern boundary of L R No 4885,

thence westerly by a straight line to the north-eastern corner of L R No 4885 and onwards by part of the northern boundary of that portion, and the northern boundary of L R No 4495 to the north-western corner of the latter portion,

thence westerly and southerly by part of the northern boundary and the western boundary of L R No 4885 to the south-western corner of that portion which is on the eastern boundary of the Muguga Forest Reserve (L R No 4447),

thence north-westerly and southerly by the generally north-eastern and generally western boundary of the Muguga Forest Reserve to the north-western corner of L R No 4025,

thence south-easterly by the south-western boundary of that portion and of L R Nos 4026, 4027 and 1057 to the south-western corner of the last portion,

thence southerly, south-easterly and northerly by a series of cut and beacons lines (which form the boundary of the northern portion of the Dagoreti Forest Reserve L R No 2256/6) to the intersection of the last with the southern boundary of L R No 1057,

thence easterly by part of the southern boundary of L R No 1057 and the southern boundaries of L R Nos 182/2/1 and 182/2/2 to the south-eastern corner of the last portion,

thence north-easterly by the south-eastern boundary of L R No 182/2/2 to its intersection with the Niongana River,

thence down-stream by that river to its intersection with the western boundary of L R No 7219,

thence by the western, southern, south-eastern and eastern boundaries of L R No 7219 to the intersection of the last with the Niongana River,

thence down-stream by that river to its junction with an unnamed river which forms part of the north-eastern boundary of L R No 7219,

thence up-stream by that unnamed river to its intersection with the south-eastern boundary of L R No 1054,

thence north-easterly by part of that boundary and the south-eastern boundaries of L R Nos 5945 and 183/R to the point of commencement

*Excluding and excepting —*

L R Nos 187, 188/1, 188/2, 190, 226, 227, 228, 229, 230, in the vicinity of Fort Smith

L R No 1058, adjoining Dagoreti Township

L R No 1127, in the vicinity of Government Farm Extension, Kabete

L R No 232, in the vicinity of Kikuyu Station

L R No 236, R C Mission west of Kiambu Township

L R Nos 1064, 1065 and 1066, A I Mission, Kambui

L R No 1760, Water Works Reserve, due east of the Kikuyu Escarpment Forest Reserve (south-eastern portion)

L R No 325/8 (325/6/3), Water Fall Reserve, in the vicinity of Fort Hall

That portion of L R No 7167 which lies to the north of the Maragua River

PART II

In the vicinity of Fort Hall

Commencing at a beacon situated on the western boundary of L R No 1965 at a distance of 1639 8 feet from its northernmost corner,

thence southerly by part of the western boundary of that portion for a distance of 6,130 9 feet to a beacon,

thence by straight lines each terminating at a beacon on the following true bearings and for the following distances successively—

304° 22' 07"	555 0 feet
276° 36' 59"	462 6 "
237° 19' 11"	853 0 "
250° 41' 47"	237 8 "
342° 30' 52"	162 9 "
337° 38' 08"	117 9 "
314° 09' 59"	665 8 "
14° 54' 59"	495 7 "
342° 29' 29"	152 6 "
304° 32' 43"	500 0 "
313° 45' 50"	2,051 7 "
55° 34' 05"	685 5 "
16° 52' 15"	501 7 "
14° 30' 27"	471 8 "
14° 31' 17"	2,377 8 "
14° 29' 51"	376 7 "
97° 53' 14"	903 6 "
142° 00' 19"	587 9 "
131° 09' 58"	405 0 "

to a beacon at the point of commencement

## (2) BOUNDARIES OF THE MASAI NATIVE LAND

Commencing at the intersection of the Mbagathi River with the north-western boundary of L R No 197, (1)

thence south-westerly by part of that boundary to the south-western corner of that portion,

thence south-easterly by the south-western boundaries of L R Nos 197 and 5842 to the northernmost corner of L R No 1161,

thence by the north-western and the south-western boundaries of that portion and the south-western and part of the south-eastern boundary of L R No 192/1/2 to the westernmost corner of L R No 193/3,

thence by the south-western and part of the south-eastern boundary of the last portion to the north-eastern corner of L R No 4942,

thence south-easterly and easterly by the western and southern boundaries of L R Nos 4942, 4944, 5932, 5892, 5830/R, 6967 and 6939 to the intersection of the last with the Mbagathi River,

thence down-stream by that river till it becomes the Athi River and onwards to its intersection with the generally western boundary of L R No 7274

thence southerly by that generally western boundary to its intersection with the Kitengela River,

thence down-stream by that river to its intersection with the north-western boundary of L R No 7263,

thence south-westerly and south-easterly by the north-western and south-western boundaries of that portion to the intersection of the latter with the north-western boundary of the Kenya and Uganda Railway Reserve, (2)

thence south-easterly by that railway reserve to its intersection with the western boundary of Konza Trading Centre,

thence by part of the western, the whole of the southern and part of the eastern boundaries of that trading centre to the intersection of the last with the southern boundary of that railway reserve,

thence generally southerly by that railway reserve boundary to its intersection with the western boundary of Sultan Hamud Trading Centre,

thence by part of the western, the whole of the southern and part of the eastern boundaries of that trading centre to the intersection of the last with the south-western boundary of the Kenya and Uganda Railway Reserve,

thence by that railway reserve to its intersection with the western boundary of Emali Trading Centre,

thence by part of the western, the whole of the southern and part of the eastern boundaries of that trading centre to the intersection of the last with the south-western boundary of the Kenya and Uganda Railway Reserve,

thence by that railway reserve to its intersection with the north-western boundary of Simba Station Reserve,

thence by part of the north-western, the whole of the south-western and part of the south-eastern boundaries of that station reserve to the intersection of the last with the south-western boundary of the Kenya and Uganda Railway Reserve,

thence by that railway reserve to its intersection with the Kiboko River, (3)

thence up-stream by that river to its intersection with the straight line joining the Trigonometrical Beacons Emali and Chyulu,

thence south-easterly by a straight line to the Trigonometrical Beacon Chyulu,

thence south-easterly by the summits of the Chyulu-Ngulia Range for a distance of approximately 12 miles to a beacon,

thence southerly by a straight line to a point due east of, and one mile distant from, the Eidadal Water-hole,

thence, still southerly, by a straight line passing through Magoine Camp to its intersection with the Rombo River, (4)

thence up-stream by that river to a point due north of a point situated due east of, and 23,000 feet distant from, the Trigonometrical Beacon Njugini,

thence due south by a straight line to its intersection with the Tsavo River,

thence up-stream by that river to its intersection with the eastern boundary of L R No 7287,

thence northerly by a straight line to the Trigonometrical beacon Njugini,

thence westerly by a straight line to a beacon on the Kenya-Tanganyika Boundary,

thence north-westerly by the Kenya-Tanganyika boundary to Beacon No 17, (5)

thence by a cut and beacons line on a true bearing of  $346^{\circ} 46'$  to the junction of the Kasumi and Gori Rivers,

thence down-stream by the latter river to its junction with the Koitwa River,

thence by a cut and beacons line on a true bearing of  $353^{\circ} 30'$  to its intersection with the Sari River,

thence up-stream to the beacons source of that river,

thence north-easterly by a cut and beacons line to the Trigonometrical Beacon Gelegele, (6)

thence south-easterly by a straight line to the Trigonometrical Beacon Abossi,

thence south-easterly by a straight line to the junction of the Nyangoris and Amala Rivers,



thence up-stream by the latter river to a point on the production of a line on a true bearing  $128^{\circ} 11' 28''$  from the Trigonometrical Beacon Kibiosi,

thence north-westerly by a cut and beaconsed line to that trigonometrical beacon and onwards by a cut and beaconsed line to the Trigonometrical Beacon Kaboret,

thence by a cut and beaconsed line on a true bearing of  $339^{\circ} 05' 44''$  to its intersection with the Kipsonoi River, (7)

thence north-easterly by a straight line to the south-western corner of L R No 4600,

thence by the generally south-eastern boundaries of L R No 4600 and 4598 to the north-eastern corner of the latter portion,

thence by part of the generally south-eastern boundary of L R No 4597 for a distance of approximately 2,800 feet to its intersection with a cut and beaconsed straight line,

thence south-easterly by that cut and beaconsed straight line which is on a true bearing of  $100^{\circ} 29' 29''$  for a distance of 12,354.2 feet to a beacon,

thence by straight lines each terminating at a beacon on the following true bearings and for the following distances successively —

$12^{\circ} 29' 29''$	7,899.0 feet
$23^{\circ} 37' 13''$	11,760.2 „
$60^{\circ} 56' 43''$	3,294.6 „
$74^{\circ} 52' 34''$	11,498.2 „
$126^{\circ} 00' 55''$	3,486.4 „
$199^{\circ} 01' 32''$	6,135.2 „
$117^{\circ} 13' 37''$	24,163.7 „
$145^{\circ} 23' 35''$	9,007.8 „
$112^{\circ} 04' 02''$	3,048.3 „

to a beacon on the western boundary of L R No 3990,

thence southerly and easterly by part of the western boundary and the whole of the southern boundary of the latter portion to its south-eastern corner,

thence generally southerly by the generally western boundary of L R No 1316 to the southernmost corner of that portion,

thence north-easterly by part of the south-eastern boundary of the latter portion for a distance of 30,283.7 feet to a beacon,

thence by straight lines each terminating at a beacon on the following true bearings and for the following distances successively—

140° 38' 53"	1,016 0 feet
151° 04' 32"	500 9 „
122° 16' 52"	534 8 „
121° 01' 39"	760 95 „
123° 56' 06"	736 4 „
121° 34' 27"	841 95 „
122° 45' 25"	392 9 „
132° 05' 08"	350 1 „
140° 54' 00"	632 54 „
131° 33' 01"	878 73 „
133° 15' 19"	763 3 „
153° 19' 51"	462 85 „
111° 15' 07"	644 04 „
56° 55' 52"	12,829 1 „
63° 26' 56"	16,082 5 „

to a beacon at the north-western corner of L R No 1771, (8)

thence by the western boundary of L R No 1771 to the north-western corner of L R No 7265,

thence by the south-western boundary of that portion to its intersection with the Marmonet River,

thence down-stream by that river to its intersection with the western boundary of L R No 411,

thence by part of the western, the whole of the south-eastern and part of the eastern boundaries of that portion to the intersection of the last boundary with the Marmonet River,

thence down-stream by that river to its intersection with the north-western boundary of L R No 410/2,

thence by the north-western and the south-western boundaries of that portion to the northernmost corner of L R No 1381,

thence by the western boundary of that portion to the northernmost corner of L R No 1380,

thence southerly by the generally western boundaries of L R No 1380 to the southernmost corner of that portion,

thence generally southerly and easterly by the generally western and southern boundaries of L R No 2662 to the south-eastern corner of that portion,

thence south-easterly by a cut and beacons straight line for a distance of approximately 54,758 3 feet to a beacon on the Kijabe-Narok Road, (9)

thence south-easterly by a straight line to the westernmost corner of L R No 375,

thence by the south-western boundaries of L R Nos 375 and 373 to the southernmost corner of the latter portion,

thence southerly by the eastern boundaries of L R Nos 371, 370 and 369 to the south-eastern corner of the last portion,

thence easterly by a straight line to the south-western corner of L R No 2256/4, Dagoreti Forest Reserve (lower portion),

thence easterly by the southern boundary of that forest reserve to its intersection with the Mbagathi River,

thence by that river down-stream to the point of commencement (1)

*Excluding and excepting—*

(a) station and other railway reserves on the Mombasa-Nairobi main line whether specifically mentioned or not,

(b) the Lake Magadi (L R No 1026) and the Lake Natron (L R No 3867) concessions,

(c) L R No 7092, south-west of Kajiado Station

### (3) BOUNDARIES OF THE KAMBA NATIVE LAND

This land consists of the following two areas and is connected by a corridor 450 feet wide through L R No 914, which corridor shall not be deemed to be included within native land

#### PART I

Commencing at the southernmost corner of L R No 3596 (Koma Rock), (1)

thence north-easterly by the south-eastern boundaries of L R Nos 3596, 3595 and 2360 to the north-eastern corner of the last portion,

thence by a straight line across the road reserve to the south-eastern corner of L R No 2709,

thence north-easterly by the south-eastern boundaries of that portion and of L R No 1530 to the south-western corner of L R No 1846/2,

thence south-easterly by the south-western boundary of L R No 1846/2 to its intersection with the Mutyonyi River,

thence down-stream by that river to its junction with the Kalala River,

thence down-stream by the latter river to its junction with the Athi River,

thence down-stream by that river to its intersection with the northern boundary of the Machakos-Kitui Road,

thence north-easterly by that boundary to its intersection with the Tiva River, (2)

thence by that river up-stream for a distance of about  $4\frac{1}{4}$  miles,

thence by a straight line to a cairn on its right bank,

thence generally north-westerly by a line defined by a series of cairns to the Trigonometrical Beacon Mwakini,

thence generally north-easterly by a line defined by a series of cairns to its intersection with the straight line joining the Trigonometrical Beacons Thatha and Ndalai,

thence south-easterly by that straight line to the Ngomolo River,

thence up-stream by that river to its junction with the Kithioko River,

thence down-stream by that river to its junction with the Kiluluma or Tana River, (3)

thence down-stream by the latter river to its intersection with the straight line having a true bearing of  $340^\circ$  from the summit of Ukazzi Hill,

thence south-easterly by that straight line to the summit of Ukazzi Hill, (4)

thence still south-easterly by a straight line to the summit of Maditha Hill,

thence south-westerly by straight lines to the summit of Makambani Hill and onward to the summit of Karkindu Hill (Trigonometrical Beacon Kimathena), (5)

thence south-westerly by a straight line to a point on the Athi River immediately below the Ikutha-Kibwezi Ford,

thence down-stream by that river to its intersection with the northern boundary of L R No 914,

thence westerly by the northern boundary of that portion to its intersection with the north-eastern boundary of the Kenya and Uganda Railway Reserve, (6)

thence north-westerly by that railway reserve boundary to its intersection with the south-eastern boundary of Makindu Trading Centre,

thence by part of the south-eastern, the whole of the north-eastern and part of the north-western boundaries of that trading centre to the intersection of the last boundary with the north-eastern boundary of the Kenya and Uganda Railway Reserve,

thence north-westerly by that railway reserve boundary to its intersection with a cut and beaconed line on a true bearing of  $257^{\circ} 42' 31''$  from the Trigonometrical Beacon Twanda,

thence by that cut and beaconed line to that trigonometrical beacon and onwards to its intersection with the Mbioní River,

thence down-stream by that river to its junction with the Kikuuní or Kianginí River,

thence by that river up-stream to its junction with the Pungu River,

thence by that river up-stream to its source,

thence by a straight line to a beacon on Ithumba Hill,

thence by a cut and beaconed line on a true bearing of  $187^{\circ} 02' 33''$  to its intersection with the northern boundary of the Kenya and Uganda Railway Reserve,

thence north-westerly by that railway reserve boundary to its intersection with the south-eastern boundary of Emali Trading Centre,

thence by part of the south-eastern, the whole of the south-western and part of the north-western boundaries of that trading centre to the intersection of the last boundary with the northern boundary of the Kenya and Uganda Railway Reserve,

thence north-westerly by that railway reserve boundary for a distance of 2,639.9 feet to a beacon,

thence northerly by a straight line on a true bearing of  $21^{\circ} 26' 09''$  for a distance of 9,421 feet to its intersection with the Mwaní River, (7)

thence up-stream by that river to its intersection with the eastern boundary of L R No 1758/2,

thence generally north-westerly by the generally north-eastern boundary of that portion to the north-eastern corner of L R No 1757,

thence north-westerly by the north-eastern boundaries of L R Nos 1757, 1756, 1755, 1754 and 1751 to the northernmost corner of the last portion, (8)

thence northerly by the generally eastern boundaries of L R Nos 1743, 1696/2, 1696/1, 1742, 1741 and 5933 to the northernmost corner of the last portion,

thence northerly by the eastern boundaries of L R Nos 7225/2, 7225/1 and 7226 to the north-eastern corner of the last portion,

thence westerly by part of the northern boundary of that portion to its intersection with the Kamutwa River,

thence down-stream by that river, which forms the south-eastern boundary of L R No 4937, to the intersection with the eastern boundary of that portion,

thence northerly by that eastern boundary and the generally eastern boundary of L R No 1491 (south-western portion of Machakos Township) to the north-eastern corner of that portion,

thence westerly by the northern boundary of L R No 1491 to its intersection with the Murongoni River,

thence up-stream by that river to its intersection with the southernmost corner of L R No 4932,

thence northerly by the eastern boundaries of L R Nos 4932, 1420/1 1423/2, 5942, 361/1, 361/2, again 361/1, 3605, 3607, 3603 3602 and 2365 to the point of commencement (1)

*Excluding and excepting—*

L R No 1425, in the vicinity of Makindu Station,

L R No 4969, north of Machakos Township

## PART II

Commencing at a beacon on the north-eastern boundary of the Kenya and Uganda Railway Reserve at a point of intersection with a straight line on a true bearing of  $198^{\circ} 50' 17''$  from the Trigonometrical Beacon on Muthanzau Hill,

thence by that straight line to that beacon,

thence by a straight line on a true bearing of  $97^{\circ} 11' 20''$  for a distance of 13,964.5 feet to the Trigonometrical Beacon on Monyuni Hill,

thence by a straight line on a true bearing of  $128^{\circ} 31' 44''$  for a distance of 27,714 3 feet to the Trigonometrical Beacon on Nguruwani Hill,

thence by a cut and beacons line on a true bearing of  $190^{\circ} 44' 10''$  for a distance of 7,750 feet to its intersection with the Kibwezi River,

thence by that river up-stream to its junction with an unnamed stream which flows through Lake Kikoo,

thence onwards by the Kibwezi River to its intersection with a line parallel to and 15 feet from that unnamed stream

thence by that parallel line which follows the left bank of that unnamed stream (except where it passes Lake Kikoo and another small lake where the line is 15 feet from the edge of the lakes) to a point due north of a beacon near the source of that unnamed stream,

thence due south to that beacon,

thence by a straight line on a true bearing of  $252^{\circ} 41' 20''$  for a distance of 749 4 feet to a beacon,

thence by a straight line on a true bearing of  $48^{\circ} 11' 00''$  for a distance of 410 0 feet to a beacon,

thence by a straight line on a true bearing of  $336^{\circ} 15' 00''$  for a distance of 521 0 feet to a beacon,

thence by a straight line on a true bearing of  $272^{\circ} 22' 02''$  for a distance of 27,658 4 feet to a beacon on the north-eastern boundary of the Kenya and Uganda Railway Reserve,

thence up-line by that boundary to the point of commencement

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#### (4) BOUNDARIES OF THE KERIO NATIVE LAND

Commencing at the intersection of the northern boundary of L R No 4140/2/R with the Suam (or Swam) River, (1)

thence down-stream by that river till it becomes the River Turkwel,

thence continuing down-stream to its intersection with a straight line between the summit of the hill Karokor and the ford Nainuk on the River Wewe,

thence easterly by that line to the River Wewe,

thence up-stream by that river to its junction with the dry river-bed leading from the water-hole in Lotonok,

thence up-stream by that dry river-bed to that water-hole,

thence by the Ngabotok-Kolosia track to the river Kerio at the latter place (but so that Kolosia be included),

thence south-easterly by a straight line to the summit of the hill Mugor, (2)

thence south-easterly by a straight line to Kapeddo Post (but so that the whole of this Post shall be included),

thence south-easterly by a straight line to the summit of Mount Sillali,

thence south-easterly by a straight line to the summit of Ol Doinyo Lengere (Alengerr),

thence in a generally southerly direction—by a series of straight lines—through the heights shown 4241, 4263, 4291, 4320, 4070 and 4141 on the Topographical Sheet North A 37/S to a beacon on a small hill about one mile east of Old Baringo Boma, (3)

thence by a straight line on a true bearing of  $166^{\circ} 46' 05''$  for a distance of 19,104 2 feet to a beacon,

thence by a straight line south-westerly to the summit of the hill Morillo,

thence by a straight line still south-westerly to the height on the Laikipia Escarpment shown 4457 on the aforementioned sheet (latitude  $0^{\circ} 24' 50''$  north, longitude  $36^{\circ} 07' 30''$  east approximately),

thence by a straight line south-easterly to the northern corner of L R No 2689/R,

thence westerly by the northern boundary of that portion to its intersection with the Ghusha Lugerı (En Diloı) River,

thence up-stream by that river to its intersection with the northern boundary of L R No 2687,

thence westerly by part of the northern boundary of L R No 2687 and the northern boundary of L R No 2682 to the north-western corner of the latter portion,

thence southerly by the western boundaries of that portion and of L R No 3630 to the south-western corner of the latter portion,

thence by the western boundaries of L R Nos 2680 and 1168 to the south-western corner of the latter portion,

thence westerly by part of the northern boundary of L R No 1650 to the north-western corner of that portion,



thence south-westerly, westerly and southerly by the generally northern boundary and the western boundary of L R No 5259/2 to the Trigonometrical Beacon Legislanan,

thence by a straight line to the north-eastern corner of L R No 5260,

thence by the generally northern boundary of that portion to the north-eastern corner of L R No 3843,

thence westerly by part of the northern boundary of L R No 3843 to the south-eastern corner of L R No 3844, (4)

thence by the eastern and the northern boundaries of the latter portion and the northern boundaries of L R Nos 3732/R and 5672 to the intersection of the last with the Molo River,

thence down-stream by that river to its intersection with the north-eastern boundary of L R No 662,

thence by the north-eastern and north-western boundaries of that portion to the western corner,

thence by a straight line on a true bearing of  $138^{\circ} 00' 18''$  for a distance of 2,201 3 feet to a beacon

thence by a straight line on a true bearing of  $210^{\circ} 32' 11''$  for a distance of 8,746 4 feet to a beacon,

thence by a straight line on a true bearing of  $318^{\circ} 27' 00''$  for a distance of 2,381 7 feet to a beacon,

thence by a straight line on a true bearing of  $226^{\circ} 03' 57''$  for a distance of 6,613 6 feet to the eastern corner of L R No 488,

thence north-westerly by the north-eastern boundary of that portion to its intersection with the Esageri River,

thence down-stream by that river to its junction with the Enarosura River,

thence by that river up-stream to its intersection with the north-eastern boundary of L R No 497/3/3,

thence north-westerly by the north-eastern boundaries of L R Nos 497/3/3 and 497/4 to the northernmost corner of the latter portion,

thence by a straight line to the eastern corner of L R No 497/3/1 and onwards by the north-eastern boundary of that portion to its intersection with the Tiggeri River,

thence up-stream by that river to its intersection with the eastern boundary of L R No 503 (Lembus Forest Reserve),

thence northerly by part of the eastern boundary of that reserve to its north-eastern corner,

thence westerly by the northern boundary of that reserve to the south-eastern corner of L R No 5690/R,

thence northerly by the eastern boundary of that portion for a distance of about 624 feet to its intersection with Kinoisoi River,

thence down-stream by that river to its intersection with the north-eastern boundary of L R No 5690/R,

thence north-westerly by part of that north-eastern boundary to the southernmost corner of L R No 7210, (5)

thence northerly and south-westerly by the eastern and north-western boundaries of the latter portion to the north-eastern corner of L R No 5687,

thence westerly by the northern boundary of the latter portion to the southernmost corner of L R No 6445,

thence north-easterly by the south-eastern boundaries of L R Nos 6445 and 6446 to the eastern corner of the latter portion,

thence by part of the north-eastern boundary of the latter portion for a distance of 561 4 feet to a beacon,

thence by a straight line on a true bearing of  $33^{\circ} 01' 17''$  for a distance of 2,847 2 feet to a beacon,

thence by a straight line on a true bearing of  $57^{\circ} 23' 37''$  for a distance of 1,776 1 feet to a beacon,

thence by a straight line on a true bearing of  $104^{\circ} 32' 54''$  for a distance of 7,436 7 feet to a beacon,

thence by a straight line on a true bearing of  $60^{\circ} 08' 36''$  for a distance of 5,890 feet to its intersection with the Kinoisoi River,

thence down-stream by that river for a distance of approximately 4,300 feet to a point on a bearing of  $84^{\circ} 26' 17''$  from a beacon on its left bank,

thence by a straight line on a true bearing of  $274^{\circ} 26' 17''$  for a distance of 3,456 feet to a beacon,

thence by a straight line on a true bearing of  $258^{\circ} 18' 33''$  for a distance of 8,029 9 feet to its intersection with the northern boundary of the Kenya and Uganda Railway Reserve,

thence generally westerly by that railway reserve boundary for a distance of approximately 3,000 feet to a point on a bearing of  $80^{\circ} 39' 41''$  from a beacon at the south-eastern corner of L R No 6453,

thence by a straight line to that beacon,

thence northerly by the eastern boundary of L R No 6453 for a distance of approximately 6,416 feet to a beacon at the south-western corner of L R No 908/R (South Elgeyo Forest Reserve),

thence by a straight line on a true bearing of  $90^{\circ} 01' 27''$  for a distance of 2,178 6 feet to a beacon,

thence by a straight line on a true bearing of  $188^{\circ} 12' 52''$  for a distance of 3,731 8 feet to a beacon,

thence by a straight line on a true bearing of  $65^{\circ} 48' 10''$  for a distance of 9,002 7 feet to a beacon,

thence by a straight line on a true bearing of  $90^{\circ} 01' 27''$  for a distance of 3,345 7 feet to a beacon at the south-eastern corner of L R No 908/R (South Elgeyo Forest Reserve),

thence northerly by part of the eastern boundary of that forest reserve for a distance of approximately 32,600 feet to its intersection with the Mindarila River,

thence down-stream by that river to its intersection with the eastern boundary of L R No 6,664,

thence northerly by part of that boundary and the eastern boundary of L R No 1727 to the north-eastern corner of the latter portion,

thence by straight lines each terminating at a beacon on the following true bearings and for the following distances successively—

$53^{\circ} 56' 28''$	9,965 2 feet
$53^{\circ} 57' 36''$	8,529 6 „
$346^{\circ} 01' 39''$	3,990 8 „
$310^{\circ} 49' 25''$	2,716 7 „
$13^{\circ} 00' 46''$	3,448 6 „
$303^{\circ} 54' 03''$	15,672 2 „

to a beacon on the north-eastern boundary of L R No 907/R (South Elgeyo Forest Reserve),

thence north-westerly and westerly by part of the north-eastern and the northern boundary of that forest reserve to its intersection with the eastern boundary of L R No 902/2,

thence northerly by part of that eastern boundary and the eastern boundary of L R No 1561 to the north-eastern corner of the latter portion,

thence north-westerly by the north-eastern boundaries of L R Nos 3975 and 4473 to the north-eastern corner of the latter portion,

thence by a straight line on a true bearing of  $325^{\circ} 02' 22''$  for a distance of 18,588 4 feet to a beacon,

thence by a straight line on a true bearing of  $329^{\circ} 15' 15''$  for a distance of 12,623 6 feet to a beacon on the eastern shore of Lake Sergoit, (6)

thence due west by a straight line to its intersection with the low water mark of that lake,

thence northerly by that low water mark and the eastern bank of the Arobobutch River to its intersection with the southern boundary of L R No 876,

thence easterly by the southern boundaries of that portion and of L R Nos 874 and 875/1 to the intersection of the last with the Kipkitoi River,

thence down-stream by that river which forms the eastern boundary of L R Nos 875/1 and 875/2 to its intersection with the eastern boundary of L R No 873/2,

thence northerly by the eastern boundaries of L R Nos 873/2 and 873/3 to the north-eastern corner of the latter portion,

thence westerly by part of the northern boundary of L R No 873/3 for a distance of 2,321 2 feet to a beacon,

thence by a straight line on a true bearing of  $351^{\circ} 18' 24''$  for a distance of 848 32 feet to a beacon,

thence by a straight line on a true bearing of  $59^{\circ} 06' 16''$  for a distance of 1,425 0 feet to a beacon,

thence by a straight line on a true bearing of  $132^{\circ} 24' 22''$  for a distance of 1,826 6 feet to a beacon on the eastern boundary of L R No 5755,

thence northerly by part of the eastern boundary of that portion to the south-western corner of L R No 4592,

thence by the southern, generally eastern and northern boundaries of that portion to the intersection of the last with the eastern boundary of L R No 3771,

thence northerly by that eastern boundary for a distance of about 17,375 feet to a beacon,

thence by straight lines each terminating at a beacon on the following true bearings and for the following distances successively—

230° 44' 47"	474 5 feet
262° 13' 13"	634 6 „
342° 17' 52'	659 9 „
305° 52' 36"	839 8 „
17° 45' 28"	420 7 „

to a beacon at the north-eastern corner of L R No 5347,

thence westerly by the northern boundary of that portion to its intersection with the Moyben River,

thence up-stream by that river to its intersection with the northern boundary of L R No 4635,

thence westerly by that boundary to the south-eastern corner of L R No 3046,

thence by the eastern and northern boundaries of that portion to the intersection of the latter with the Charangai River,

thence up-stream by that river to its intersection with the northern boundary of L R No 2227,

thence westerly by that boundary to its intersection with the eastern boundary of L R No 2226,

thence northerly by part of that eastern boundary and the eastern boundaries of L R Nos 3047 and 2210 to the north-eastern corner of the last portion,

thence westerly by the northern boundary of L R No 2210 to its intersection with a river which forms the north-western boundary of that portion,

thence down-stream by that river to its intersection with the north-eastern boundary of L R No 2225,

thence by that north-eastern boundary to the north-eastern corner of L R No 2222,

thence by part of the northern boundary of that portion for a distance of 5,851 8 feet to a beacon,

thence by straight lines each terminating at a beacon on the following true bearings and for the following distances successively—

347° 26' 43"	5,745 5 feet
60° 41' 49"	2,601 1 „
279° 19' 13"	3,362 8 „
22° 16' 18"	2,038 8 „
65° 21' 24"	5,191 8 „

thence by a straight line on a true bearing of  $338^{\circ} 11' 30''$  to a beacon at the westernmost corner of L R No 2980,

thence easterly and northerly by the generally southern and eastern boundaries of L R No 2980 to the northernmost corner of that portion,

thence northerly by the eastern boundary of L R No 3020/1/R to the north-eastern corner of that portion,

thence north-westerly by the north-eastern boundaries of L R Nos 3020/1/R, 2173/2, 3017 and 2167/R to the northernmost corner of the last portion (Cherangani), (7)

thence north-westerly by the north-eastern boundaries of L R Nos 5595, 5559, 6904, 2160, 2158, 2156/3 and 5783 to the northernmost corner of the last portion,

thence westerly by the generally northern boundaries of L R Nos 5783, 6684 and 2130/1 to the north-western corner of the last portion,

thence southerly by the western boundary of L R No 2130/1 to its intersection with the Kabega River,

thence up-stream by that river to its junction with an unnamed river,

thence by that unnamed river which forms part of the north-eastern boundary of L R No 5771 to its intersection with the south-eastern boundary of L R No 5789,

thence by part of the south-eastern and the north-eastern boundary of L R No 5789 and the north-eastern boundaries of L R Nos 5788, 5529 and 2167/1 to the northernmost corner of the last portion,

thence southerly by the western boundary of L R No 2167/1 to the north-eastern corner of L R No 2037,

thence westerly by the generally northern boundaries of L R Nos 2037, 2035 and 2033/R to the north-western corner of the last portion,

thence northerly by part of the eastern boundary of L R No 4140/2/R to the north-eastern corner of that portion,

thence south-westerly by part of the north-western boundary of L R No 4140/2/R to its intersection with the road reserve, across the road reserve and onwards to its intersection with the Swam River, the point of commencement (1)

*Excluding and excepting—*

- (a) the following farms in the vicinity of Eldama Ravine  
L R Nos 488, 489, 490, 5249, 5276, 6262, 5641 and 493,
- (b) the waters of Lake Baringo and the islands therein

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(5) BOUNDARIES OF THE NANDI NATIVE LAND

Commencing at the Trigonometrical Beacon Bwanga (Moenye) at the south-western corner of L R No 4130, (1)

thence easterly by the southern boundaries of L R Nos 4130, 4126, 5598, 4285 and 4289 to the south-western corner of L R No 755/1,

thence south-easterly by the south-western boundaries of L R Nos 755/1, 755/2/1, 755/2/2, 5323, 755/4/R to the south-eastern corner of the last portion (Eldalat),

thence by the generally western boundaries of L R Nos 5731, 766/1, 766/2, 766/3, 749, 748, 747, 6467, 6609, 6608, 6478, 693/1, 689, 3063, 4137, 4281 and 686 to the southern corner of the last portion (Olessos), (2)

thence by the north-western boundary of L R No 6457/R and onwards across a road reserve to the northern-most corner of L R No 1484,

thence by the north-western boundaries of L R Nos 1484, 6775, 1481/R and part of 1478A to its intersection with the Kapsumbeyua River,

thence down-stream by that river to its junction with the Choimim River,

thence down-stream by the latter river to its intersection with the northern boundary of L R No 1371,

thence by the northern boundary of the latter portion to its north-western corner,

thence by the western boundary of L R No 1371 to its intersection with the Kamarya River,

thence down-stream by that river to its junction with the Kapchure River,

thence down-stream by that river to the northern corner of L R No 6008,

thence south-westerly by the north-western boundary of that portion to its western corner,

thence south-westerly by a straight line to the western corner of L R No 1608/1,

thence south-easterly by part of the south-western boundary of that portion to its intersection with the Kapchure River,

thence by that river down-stream to its intersection with the north-eastern boundary of L R No 1587/R,

thence north-westerly by part of the north-eastern boundary of that portion to the south-eastern corner of L R No 1587/1 (Kiboin Salt Lick),

thence by the south-eastern, south-western and north-western boundaries of that portion to its northern corner,

thence north-westerly by a straight line to the north-eastern corner of L R No 1605, (3)

thence westerly by the northern boundaries of L R Nos 1605, 1604 and 1603 to the north-western corner of the last portion,

thence north-westerly by the north-eastern boundary of L R No 1602/5 to its northern corner,

thence by a part of the western boundary of that portion for a distance of 1,764 0 feet to a beacon at the north-eastern corner of L R No 4399/R,

thence generally westerly by a part of the northern boundary of that portion to the south-eastern corner of L R No 6038,

thence by the north-eastern northern and western boundaries of that portion to its south-western corner on the northern boundary of L R No 4399/R,

thence generally westerly by a part of the northern boundary of that portion to the southern corner of L R No 2724,

thence by the eastern and northern boundaries of that portion and by part of the northern boundary of L R No 5446 to the north-western corner of the latter portion,

thence westerly by the northern boundaries of L R Nos 1494 and 652/2/R to the north-western corner of the latter portion,



thence by straight lines each terminating at a beacon on the following true bearings and for the following distances successively—

285° 57' 07"	2,393 4 feet
287° 17' 16"	2,129 1 „
287° 14' 46"	2,156 7 „
287° 53' 16"	480 2 „
293° 01' 43"	619 1 „
338° 56' 53"	1 707 9 „

to a beacon on the eastern boundary of L R No 654/18,

thence generally northerly by the generally eastern boundary of that portion to its intersection with the Kibos River, (4)

thence northerly by a straight line to the summit of Siroma Hill and onwards by a straight line to the summit of Kapserton Hill,

thence by a straight line north-easterly to the summit of Chepkori Hill,

thence in a generally north-easterly direction by cairns and cleared line to the Trigonometrical Beacon Kapware,

thence northerly by a straight line to the south-west corner of L R No 1890,

thence by the western boundaries of L R Nos 1890 and 1891 to the intersection of the latter with the eastern boundary of the Kisumu-Kapsabet Road Reserve,

thence northerly by that road reserve boundary to its intersection with the Mchomekek River,

thence down-stream by that river to its intersection with the western boundary of L R No 1762,

thence by the western boundary of L R No 1762 and the western and northern boundaries of L R No 1900,

thence by the western and northern boundaries of L R No 1906 and the northern boundary of L R No 1905 to the Trigonometrical Beacon Chapkaigat at the north-east corner of the last portion, (5)

thence in a generally northerly direction by the top edge of the lower Nandi Escarpment to the Trigonometrical Beacon Bwanga (Moenye), the point of commencement (1)

(6) BOUNDARIES OF THE KAVIRONDO NATIVE  
LAND

The Kavirondo native land consists of two areas

PART I

Commencing at the westernmost corner of L R No 6439, (1)

thence by the south-western boundary of that portion to  
its intersection with the Kamakoiwa River,

thence down-stream by that river to its junction with the  
Kimilil (Kabisi) River,

thence down-stream by that river to its junction with the  
Nzoia River,

thence down-stream by that river to its intersection with  
the south-western boundary of L R No 4099,

thence by the latter boundary to the westernmost corner  
of L R No 4121,

thence by the south-western boundaries of L R Nos 4121  
and 4122 to the southernmost corner of the latter portion  
(Senya Hill),

thence by the north-western boundaries of L R Nos 6176  
and 4130 to the south-western corner of the latter portion  
(Bwanga), (2)

thence southerly by the top edge of the lower Nandi  
Escarpment to the Trigonometrical Beacon Chapkaigat at  
the north-east corner of L R No 1905,

thence by the northern boundaries of that portion and  
of L R No 1906 to the north-west corner of the latter portion  
at the Trigonometrical Beacon Kipsugui, (3)

thence southerly by the western boundary of L R No  
1906 to the north-eastern corner of L R No 1900,

thence by the northern and western boundaries of that  
portion and the western boundary of L R No 1762 to its  
intersection with the Mchomekek River,

thence up-stream by that river to the intersection with  
the eastern boundary of the Kisumu-Kapsabet Road Reserve,

thence south-westerly by that road reserve boundary to  
its intersection with the western boundary of L R No 1891,

thence southerly by the latter boundary and the western  
boundary of L R No 1890 to the south-western corner of  
the latter portion,

thence southerly by a straight line to the Trigonometrical Beacon Kapwaren,

thence generally south-westerly by cairns and a cleared line to the top of Chepkori Hill,

thence south-westerly by a straight line to the top of Kapserton Hill,

thence southerly by a straight line to the summit of Siruma Hill,

thence south-westerly by a straight line to the northernmost corner of L R No 654/18 on the Kibos River,

thence down-stream by that river to its intersection with the northern boundary of L R No 655,

thence by the northern, western and southern boundaries of that portion to its south-east corner on the Kibos River,

thence up-stream by that river to its intersection with the southern boundary of the Kenya and Uganda Railway Reserve,

thence easterly by that railway reserve boundary to its intersection with the western boundary of Kibigori Township Reserve,

thence by the western, southern and eastern boundaries of that township reserve to the intersection of the last with the south-western boundary of the Kenya and Uganda Railway Reserve,

thence south-easterly by that railway reserve boundary to the western boundary of L R No 3102, (4)

(Provided that the township of Kisumu and all railway station and other railway areas along the Kenya and Uganda Railway from the north-west corner of L R No 3102 to Kisumu, together with the 100-foot northern and southern railway reserves, are excluded from this land )

thence by the western boundary of that portion (L R No 3102) to its intersection with the Nyando River,

thence down-stream by that river to a point due north of a beacon on its left bank near Bora Hill and about six miles west of Muhoroni Station,

thence by a straight line to that beacon and thence by a line of beacons south-westerly across Bora Hill, the Kabletach River and Kamnyangor Hill to the Nyeta River,

thence in a generally westerly direction by the line of beacons across that river and Kaptebenwar Hill to Kaptevinwet River,

thence southerly by the line of beacons across that river, Lahibuch Hill, Nyandabluibhime River, Kamoungu Hill, the Tolitet River, Kibimbiri Hill and across the Legumi River and Kablianat Hill to a beacon on the right bank of the Jujuliet River,

thence due south by a straight line to the centre of that river and by that river up-stream for about 900 feet to a point due north of a beacon on its left bank,

thence due south by a straight line to that beacon and south-westerly by a line of beacons between Kibugat and Tulwotkapkonak Hills to a beacon on the right bank of the Kamugelwar (Marraboi) River,

thence due west by a straight line to the centre of the Kamugelwar River and up-stream by that river for about  $2\frac{1}{2}$  miles to a point due north of a beacon on its right bank,

thence due south by a straight line to that beacon and southerly by a line of beacons to a beacon on the right bank of the Sondo (Miru) River at about the most northerly point of its course round Byobbyob Hill,

thence due south by a straight line to the centre of the Sondo River, and up-stream by the centre of that river to the junction of the Yurith with the Kipsonoi River,

thence up-stream by the latter river to its intersection with a straight line forming the northern boundary of L R No 940,

thence westerly and southerly by the northern and western boundaries of L R No 940 to the north-western corner of L R No 941/6,

thence southerly by the western boundary of that portion and the western boundaries of L R Nos 941/2/2, 941/R, 941/5, 941/4, 942 and 7091 to the south-western corner of the last portion,

thence by the western boundary of L R No 7090 for a distance of 8,846 1 feet to a beacon,

thence by straight lines each terminating at a beacon on the following true bearings and for the following distances successively—

270° 00' 00"	9,132 2 feet
199° 59' 27"	2,741 7 „
181° 27' 37"	2,652 7 „
141° 25' 32"	2,867 9 „
116° 12' 40"	3,388 4 „
172° 53' 58"	2 453 6 „
144° 31' 20"	1,312 2 „
214° 55' 29"	2,748 1 „
161° 37' 42"	3,156 0 „
203° 41' 02"	3,018 8 „
188° 44' 22"	5,639 0 „
206° 51' 37"	1,545 5 „
262° 38' 18"	2,044 8 „
209° 38' 47"	4,349 4 „
234° 20' 24"	3,050 7 „
209° 27' 51"	3,530 5 „

to the north-western corner of L R No 4400/R,

thence by the generally western boundaries of L R Nos 4400/R and 5473/3 to the northernmost corner of L R No 5471,

thence by the north-western and south-western boundaries of that portion and the south-western boundaries of L R Nos 5472, 7126, 5448/2, 3644/6 and 3644/7 to the southernmost corner of the last portion (Gelegele). (5)

thence south-westerly by a cut and beaconsed line to the beaconsed source of the Sari River,

thence down-stream by that river for a distance of about 7¼ miles to its intersection with a cut and beaconsed line,

thence by that cut and beaconsed line on a true bearing of 173° 30' to the junction of the Gori and Koitwa Rivers,

thence up-stream by the Gori River to its intersection with a cut and beaconsed line at the junction of the Gori and Kasumi Rivers,

thence by that cut and beaconsed line on a true bearing of 166° 46' to beacon No 17 on the Kenya and Tanganyika Boundary, (6)

thence north-westerly by that boundary to its intersection with the shore of Mohuru Bay on Victoria Nyanza,

thence in a generally northerly direction by the shore of Victoria Nyanza to the Kavirondo Gulf,

thence in a generally easterly, northerly and westerly direction by the shore of the Kavirondo Gulf to Victoria Nyanza,

thence again generally north-westerly by the shore of Victoria Nyanza to the mouth of the Sio River, (7)

thence up-stream by that river to its junction with the Sango River,

thence up-stream by that river to its source marked by a cairn,

thence onwards by a straight line north-easterly to a cairn on the abandoned road (now a footpath) from Busia to Mumeri's (Lukoli's),

thence by the south-eastern boundary of that road to its intersection with the Alupe River,

thence down-stream by that river to its junction with the Kame River,

thence down-stream by the latter river to its intersection with the eastern boundary of the Mjanji-Busia-Mbale Road, such boundary being 100 feet distant from, and parallel to, the centre line of the said road,

thence northerly by that eastern boundary to its intersection with the Malawa or Malaba River otherwise known as the Lwagaga (Lwakaka) River,

thence up-stream by that river to its intersection with a cut and beacons line which forms the generally southern boundary of Mount Elgon Forest Reserve,

thence generally easterly by that cut and beacons line to the point of commencement (1)

Included within this land are the islands Sumba, Mageta, Ndue, Rusinga and Mfanganu and all other islands on Victoria Nyanza and the Kavirondo Gulf that lie within the districts of Central and South Kavirondo as defined in Proclamation No 54 dated 25th February, 1924

## PART II

Commencing at the source of the Lwagaga (Lwakaka) or Malawa (Malaba) River,

thence easterly by a straight line to the summit of Sudek Peak (Elgon H) on Mount Elgon,

thence northerly by a straight line to the point where the Suam River, which forms the Kenya-Uganda Boundary, emerges from the crater of Mount Elgon,

thence south-easterly by a straight line to the source of the Kimotho River which is situated immediately to the south or south-west of Koitobbos Peak (Mount Elgon),

thence down-stream by that river to its intersection with a cut and beacons line which forms the generally north-western boundary of Mount Elgon Forest Reserve,

thence generally south-westerly by that cut and beacons line to its intersection with the Lwagaga (Lwakaka) or Malawa (Malaba) River,

thence up-stream by that river to the point of commencement

#### (7) BOUNDARIES OF THE LUMBWA NATIVE LAND

Commencing at the intersection of the north-western boundary of L R No 3102 with the Nyando River,

thence up-stream by that river to its intersection with the north-western boundary of L R No 3970,

thence by that north-western boundary to its south-western corner,

thence by the southern boundaries of L R Nos 3979 and 3978/2 to the south-eastern corner of the latter portion,

thence by part of the eastern boundary of L R No 3978/2 for a distance of 5,751 54 feet to the Chemutum Salt Lick,

thence by straight lines each terminating at a beacon on the following true bearings and for the following distances successively—

296° 26' 20"	4,154 0 feet
206° 26' 20"	600 0 „
296° 26' 20"	900 0 „
26° 26' 20"	900 0 „
116° 26' 20"	5,045 3 „

to a beacon on the south-eastern boundary of L R No 3978/2,

thence north-easterly by part of the south-eastern boundary of L R No 3978/2 and the whole of L R No 3977 to the south-western corner of L R No 643/1,

thence easterly by part of the southern boundary of L R No 643/1 to its intersection with the Nyando River,

thence up-stream by that river to its junction with the Tugenon River,

thence up-stream by that river to its intersection with the western boundary of the Lumbwa-Kericho Road Reserve,

thence generally south-westerly by that road reserve boundary to its intersection with the north-eastern boundary of Kericho Township (L R No 631),

thence north-westerly, south-westerly and south-easterly, by part of the north-eastern, the north-western and part of the south-western boundaries of that township to the intersection of the last with the Kimugu River,

thence down-stream by that river to its junction with the Kitho (or Jamji) River,

thence down-stream by that river to its junction with the Chepkoiſi (Kiptiget) River,

thence by that river up-stream to its intersection with the southern boundary of L R No 5436,

thence easterly by that boundary to the south-eastern corner of the latter portion,

thence northerly by the eastern boundary of that portion to its intersection with the southern boundary of L R No 6001/1,

thence easterly by the latter boundary to its intersection with the Koruma River,

thence up-stream by that river to its intersection with the eastern side of the Sotik-Kericho main track 25-foot reservation,

thence southerly by a cut and beacons straight line to its intersection with the Chepkoiſi (Kiptiget) River which forms the northern boundary of L R No 6020,

thence down-stream by that river to its junction with the Dare (Itare) River,

thence up-stream by the latter river to its intersection with the straight line joining the Trigonometrical Beacon Posta with the south-western corner of L R No 553,

thence south-westerly by a straight line to the Trigonometrical Beacon Posta,

thence by a cut and beacons line on a true bearing of  $159^{\circ} 05' 44''$  to the beacon Kabroret,



thence by a cut and beacons line on a true bearing of  $128^{\circ} 11' 28''$  to the beacon Kibiosi and onwards on the same bearing to its intersection with the Amala River,

thence down-stream by that river to its junction with the Nyangoris River,

thence north-westerly by a cut and beacons line to the Trigonometrical Beacon Abossi,

thence by a straight line towards the southernmost corner of L R No 3644/7 (Gelegele) for a distance of about 7,660 feet to a beacon,

thence by a straight line on a true bearing of  $6^{\circ} 11' 03''$  for a distance of about 9 299 feet to a beacon,

thence by a straight line on a true bearing of  $42^{\circ} 50' 17''$  for a distance of about 6,442 feet to a beacon,

thence by a straight line on a true bearing of  $11^{\circ} 19' 22''$  for a distance of about 3,181 feet to a beacon,

thence by a straight line on a true bearing of  $27^{\circ} 23' 40''$  for a distance of about 8,577 feet to a beacon,

thence by a straight line on a true bearing of  $31^{\circ} 32' 33''$  for a distance of about 6,398 feet to a beacon,

thence by a straight line on a true bearing of  $17^{\circ} 47' 33''$  for a distance of about 3,583 feet to a beacon at the southernmost corner of L R No 948,

thence by the south-eastern boundary of that portion and the south-eastern boundary of L R No 3677 to the intersection of the latter with the Sisi River,

thence up-stream by that river to its intersection with the south-western boundary of L R No 955,

thence south-easterly by the south-western boundaries of L R Nos 955 and 958 to the intersection of the latter with the Nyangoris River,

thence up-stream by that river to its intersection with the north-eastern boundary of L R No 957,

thence by the north-eastern boundary of that portion to its northernmost corner,

thence by part of the south-eastern boundary and the whole of the north-eastern boundary of L R No 3668 to the intersection of the latter with the Leldayet River,

thence down-stream by that river to its intersection with the eastern boundary of L R No 4783/2,

thence northerly by that boundary to its intersection with the Kipsonoi River,

thence down-stream by that river to its intersection with the south-western boundary of Chemegel Township (L R No 7288),

thence south-easterly, north-easterly and generally westerly by the south-western, south-eastern and northern boundary of that township to the intersection of the last with the Kipsonoi River,

thence down-stream by that river to its junction with the Yurith River, whence it becomes the Sondo River,

thence down-stream by the Sondo River to a point due south of a beacon on its right bank at about the most northerly point of its course round Byobbyob Hill,

thence due north by a straight line to that beacon and thence northward following the line of beacons to a beacon on the right bank of the Kamugelwar (or Marraboi) River, and thence due north by a straight line to the centre of that river,

thence down-stream by that river for about  $2\frac{1}{2}$  miles to a point due west of a beacon on its right bank and thence due east by a straight line to that beacon,

thence north-easterly by a line of beacons between Tulwotkapkonak and Kibugat Hills to a beacon on the left bank of the Jujuhet River,

thence due north by a straight line to the centre of that river, and by it down-stream for about 900 feet to a point due south of a beacon on its right bank,

thence by a straight line to that beacon and thence in a northerly direction following the line of beacons over Kablianat Hill to the Legumi River,

thence by the line of beacons across that river, over Kibimbiri Hill, Tolitet River and Kamoungu Hill to the Nyandabluiblime River, and thence across that river and over Lalibuch Hill to the Kaptevinwet River,

thence in a generally easterly direction by the line of beacons over Kaptebenwar Hill to the Nyeta River,

thence across that river in a north-easterly direction across Kamnyangor Hill, the Kabletach River and Bora Hill to a beacon on the left bank of the Nyando River, about six miles west of Muhoroni Station,

thence due north by a straight line to the Nyando River,

thence up-stream by that river to its intersection with the western boundary of L R No 3102, the point of commencement

(8) BOUNDARIES OF THE NORTHERN POKOMO  
NATIVE LAND

Commencing at a point on the Tana River two miles below Kashe,

thence bounded by a straight line due north-east to its intersection with the line bounding the zone that contains all points on the left bank of the river distant one mile from low-water mark in that river and the River Galana Be (i.e., the present main course of the river),

thence south-easterly by that bounding line to a point due north-east of a point on the river just above Sankuri and about two miles below Bara,

thence by a straight line to the latter point, extended across the river to its intersection with the line bounding a zone that contains all points on the right bank of the Tana River (following the old course south of the Galana Be) distant one mile from low-water mark thereof,

thence north-westerly by that bounding line to a point due south-west of the point of commencement,

thence by a straight line thereto

The foregoing boundaries are delineated on Sheet No 44 of the before-mentioned deposited plan

(9) BOUNDARIES OF THE COAST NATIVE LANDS

These lands consist of thirty areas the boundaries of which are as follows —

SECTION I—PUNGU FUEL AREA (L R No 4383)

Commencing at the south-west corner of Section V, Mombasa Mainland South, thence bounded by the southern boundary of that section to high-water mark on the Indian Ocean,

thence southerly by that high-water mark to its intersection with the north-eastern boundary of L R No 4654 extended,

thence by a straight line to the eastern corner of L R No 4654 and onwards by part of the north-eastern boundary of that portion to its intersection with the south-eastern boundary of L R No 4646 extended across the 25 foot road reserve,

thence by a straight line across that road reserve to the southern corner of L R No 4646.

thence by the south-eastern boundaries of that portion and of L R No 4645 to the point of commencement

SECTION II—KAYA PUNGU (L R No 4367)

This is a small area, of about  $11\frac{1}{2}$  acres extent, lying about one mile to the west of the north-west corner of Section I, and within the boundaries of L R No 4645, as particularly delineated on Sheet 48 of the aforesaid deposited plan

SECTION III—PUNGU-MIDZICHENDA (INCLUDING BOMBO AND KITEJI)

Commencing on the eastern boundary of the Mtongwe-Kiteji 25 foot road reserve, at the point where the western boundary of L R No 4649 leaves that road reserve,

thence bounded by part of the western boundary of that portion south-westerly to its south-west corner,

thence by the south-western and southern boundary of the Likoni Commonage (L R No 5016) to its south-east corner,

thence southerly by part of the western boundary of L R No 4646 to its western corner,

thence by a straight line across a 25 foot road reserve to the northern corner of L R No 4654,

thence by the western boundary of that portion and the north-western or northern boundary of L R No 4655 to its north-western corner on the eastern boundary of the Likoni-Gasi Road Reserve,

thence by a straight line across that road reserve to the eastern corner of L R No 4660,

thence by part of the generally north-eastern and northern boundaries of that portion to its intersection with the southern boundary of the 25 foot road reserve which gives access to Kaya Bombo (No V),

thence by a straight line across that road reserve to the south-east corner of L R No 4653,

thence by the eastern boundary of that portion to its northern corner,

thence by a straight line across the 25 foot road reserve to the south-east corner of L R No 4652,

thence by the eastern and part of the north-eastern boundary of that portion to the southern corner of L R No 4651,

thence by the southern boundary of that portion to its south-east corner on the 25 foot road reserve of the road to Mtongwe,

thence by a straight line across that road reserve to the point of commencement

The areas within the foregoing boundaries known as Mombasa Mainland South, Section VII, Subdivisions 1, 2, 3, and 4, are not part of the native land and are excluded therefrom

The foregoing boundaries are more particularly delineated on Sheets 48 and 51 of the aforesaid deposited plan

SECTION IV—KAYA KITEJI (L R No 4392)

This is an area of about one acre within the boundaries of L R No 4652 and situated near the mouth of Bombo Creek on its eastern side, as delineated on Sheet 48 of the aforesaid deposited plan

SECTION V—KAYA BOMBO (L R No 4384)

This is an area of about 81 acres, of which the northern and eastern boundaries abut on L R No 4653 and the south-western boundary on L R No 4661, as delineated on Sheets 47 and 48 of the aforesaid deposited plan

SECTION VI—BOGONI (L R No 4385)

This is an area of about 67 acres situated about one mile south of Mteza Creek, within the boundaries of L R No 3855, as delineated on Sheet 47 of the aforesaid deposited plan

SECTION VII—PEMBA (L R No 4412)

This is an area of about 72.5 acres within the boundaries of the Shimba Forest Reserve (L R No 5008), its northern corner lying about one mile and a half west by south of the south-western corner of Kwale Township, as delineated on Sheet 49 of the aforesaid deposited plan

SECTION VIII—WAA MIDZICHENDA (INCLUDING WAA, MATUGA, KIGATHU, MAGOMANI, MIVUMONI AND TIWI)

Commencing at the south-west corner of L R No 4657, the boundary of this area follows in a generally south-westerly and south-easterly direction the generally north-western and south-western boundaries of a part of L R No 3855, to its southern corner on the 100 foot foreshore reserve, and continues by the last boundary extended to high-water mark on the Indian Ocean,

thence bounded by that high-water mark southerly to the Mwachema River,

thence up-stream by that river to its intersection with the eastern boundary of L R No 4752,

thence northerly by part of that boundary to the eastern boundary of the Gas Road Reserve,

thence northerly by that road reserve boundary to its intersection with the north-eastern boundary of L R No 4752 extended,

thence by a straight line across the road reserve to the north-eastern boundary of that portion, and onwards by that boundary to the northern corner of the same,

thence in a generally north-westerly and then north-easterly direction by the eastern boundary of a part of L R No 3855 to the south-west corner of L R No 4659,

thence by the southern boundary of the latter portion to its south-east corner,

thence by a straight line across the Gas Road Reserve to the north-west corner of L R No 4657,

thence by the western boundary of that portion to the point of commencement

The areas within the foregoing boundaries known as Mombasa Mainland South, Section VIII, Subdivision 1 (Waa), and Section VI, Subdivisions 1 to 16, inclusive (Tiwi), are not native lands and are excluded therefrom

The foregoing boundaries are more particularly delineated on Sheets 50, 51, 53 and 54 of the aforesaid deposited plan

#### SECTION IX—KAYA WAA (L R No 4376)

An area of about 80 acres, bounded as follows —

Commencing at the southern corner of L R No 4658, thence bounded by the south-eastern boundary of that portion to its south-east corner and extended to high-water mark on the Indian Ocean,

thence southerly by that high-water mark to its intersection with the north-eastern boundary of a part of L R No 3855 extended thereto,

thence by that extended boundary north-westerly up to the point of commencement

The foregoing boundary is more particularly delineated on Sheet 51 of the aforesaid deposited plan

SECTION X—MUHAKA (INCLUDING DIANI, UKUNDA, NZOLE,  
MLOLA, MBAVU AND MSULWA)

Commencing at the mouth of the River Mwachema at high-water mark of the Indian Ocean,

thence bounded by that high-water mark southerly to its intersection with the northern boundary of L R No 5004 extended thereto,

thence by a straight line to the north-east corner of that portion,

thence by its northern boundary to its north-west corner on the eastern boundary of the Gası 60 foot road reserve,

thence first in a generally south-westerly and afterwards in a generally north-westerly direction by the generally north-western boundary of L R No 5004 to a corner thereof on the Mtawe River, where the latter intersects the eastern boundary of a 50-foot road reserve,

thence north-easterly by a straight line for about 15 feet to a beacon on the left bank of the Mtawe River,

thence bearing  $309^{\circ} 5' 30''$  for about 3,991 feet to a beacon,

thence bearing  $359^{\circ} 5' 35''$  for about 2,170 feet to a beacon,

thence bearing  $288^{\circ} 46' 29''$  for about 10,649 feet to a beacon (Nzole),

thence bearing  $14^{\circ} 24' 42''$  for about 3,638 feet to a beacon,

thence bearing  $8^{\circ} 52' 34''$  for about 17,029 feet to the Trigonometrical Beacon "A",

thence bearing  $62^{\circ} 17' 40''$  for about 5,480 feet to the Trigonometrical Beacon Paka Paka,

thence south-easterly by a straight line to the Trigonometrical Beacon Kabila,

thence by the south-western, southern and south-eastern boundaries of L R No 3855 to the southern boundary of the 25-foot road reserve, which forms part of the southern boundary of L R No 4752,

thence south-easterly by that road reserve boundary to its intersection with the western boundary of the Gası 60-foot road reserve,

thence by a straight line across the latter road reserve to a beacon on its eastern boundary,

thence northerly by the eastern boundary of the Gası Road Reserve to its intersection with the River Mwachema,

thence by that river down-stream to the point of commencement

The areas within the foregoing boundaries known as L R Nos 3243 and 3245 are not part of the native land and are excluded therefrom

The foregoing boundaries are more particularly delineated on Sheets 52, 53, 54, 56 and 57 of the aforesaid deposited plan

SECTION XI—KINONDO (INCLUDING GALU) L R No 4274

This area of about 2,650 acres is bounded on the east by high-water mark of the Indian Ocean, on the north, west and south-west by L R No 5004, the boundaries of the latter being extended across the 100 foot foreshore reserve to high-water mark, which boundaries are delineated on Sheets 53 and 57 of the aforesaid deposited plan

SECTION XII—MATOFYA (L R No 4458)

This is an area of about 148 acres, lying on both sides of Mwele-Gası Road and to the north of the Kidogo Weni River, east of the said road its northern and south-eastern boundaries abut on L R No 5004, and west thereof its south-eastern, south-western and western boundaries abut on L R No 4821, as delineated on Sheet 56 of the aforesaid deposited plan

SECTION XIII—MAUMBA (L R No 4474)

This is an area of about 112 acres, lying about three-quarters of a mile west of the northern corner of the Gogoni Forest Reserve, and entirely surrounded by L R No 5004, as delineated on Sheet 56 of the aforesaid deposited plan

SECTION XIV—MSAMBWENI-GWIRANI (INCLUDING MABATINI)

Commencing on the Mkurumuji River at the point where the north-eastern boundary of L R No 4243 (Government Reserve) would intersect,

thence bounded by a straight line to the northern corner of that portion,

thence by the north-western and south-western boundaries of the same portion to high-water mark on the Indian Ocean,

thence southerly by that high-water mark to the mouth of the Milalani River,



thence up-stream by that river to its intersection with a straight line bearing  $310^{\circ} 44' 10''$  forming part of the generally eastern boundary of L R No 5004,

thence north-westerly, south-westerly, again north-westerly and finally north-easterly by that boundary of L R No 5004 to the Mkurumuji River,

thence down-stream by that river to the point of commencement

The foregoing boundary is more particularly delineated on Sheets 60 and 61 of the aforesaid deposited plan

#### SECTION XV—SHIRAZI (INCLUDING BODO)

Commencing at the southern end of the 100 foot foreshore reserve, which forms part of the south-eastern boundary of L R No 5009, on a creek,

thence bounded by that creek down to its mouth,

thence northerly, southerly and then in a generally south-westerly direction by high-water mark of the Indian Ocean to its intersection with the south-eastern boundary of L R No 5009, extended thereto,

thence by that extended boundary, and part of that south-eastern boundary to the point of commencement

The foregoing boundaries are more particularly delineated on Sheets 60 and 63 of the aforesaid deposited plan

#### SECTION XVI—FUNZI ISLAND

The whole of Funzi Island (together with adjacent islets) which lies to the south of Msambweni-Gwirani (Area XIV) and to the south-east of Shirazi (Area XV), down to high-water mark of the Indian Ocean, as delineated on Sheet 63 of the aforesaid deposited plan, is native land

#### SECTION XVII—SOUTH NYIKA SECTION

Commencing at the south-west corner of the MacKinnon Road Station Reserve, (1)

thence generally south-easterly by the southern boundary of the Kenya and Uganda Railway Reserve to its intersection with the north-west boundary of L R No 1031/1,

thence south-westerly, southerly and north-easterly by the north-western, south-western and south-eastern boundaries of that portion to the western corner of L R No 1016/1,

thence south-easterly and north-easterly by the south-western and south-eastern boundaries of L R No 1016/1 to the intersection of the last with the south-eastern boundary of L R No 1031/1,

thence north-easterly by the latter boundary to its intersection with the south-western boundary of the Kenya and Uganda Railway Reserve

thence generally southerly by that railway reserve boundary to its intersection with the northern boundary of L R No 1032/2,

thence westerly, northerly and north-westerly by part of the generally north-eastern boundary of L R No 1032/2 and the north-eastern boundary of L R No 1017 to the northernmost corner of the latter portion, (2)

thence southerly by the western boundary of L R No 1017 to its intersection with the Mwachi River,

thence up-stream by that river to its intersection with the south-western boundary of L R No 1028,

thence south-easterly by that south-western boundary to its intersection with the north-western boundary of L R No 1029,

thence south-westerly, south-easterly and north-easterly by part of the north-western, the south-western and the south-eastern boundaries of that portion to the intersection of the last with the generally southern boundary of L R No 1035/1,

thence easterly by that generally southerly boundary to its intersection with the south-western boundary of the Kenya and Uganda Railway Reserve,

thence generally southerly by that railway reserve boundary to its intersection with the northern boundary of Plot 885, Section VI, Mainland North,

thence generally north-westerly by the northern boundary of Plot 885, Section VI, Mainland North, and the generally north-eastern boundary of L R No 1037/2 to the northernmost corner of the latter portion,

thence westerly by the northern boundary of that portion to its intersection with the Mwachi River,

thence by that river down-stream to its intersection with the north-western boundary of L R No 1038,

thence south-westerly by the north-western boundary and south-easterly by the south-western boundary of that portion to its southernmost corner,

thence north-easterly by the south-eastern boundary of that portion to its intersection with the Mwachi River,

thence southerly and westerly by the Mwachi River down-stream to its intersection with the straight-line portion of the western boundary of L R No 1037/2,

thence by that straight-line portion to the south-west corner of L R No 1037/2,

thence generally easterly by the southern boundary of that portion to its intersection with a stream or watercourse at a point approximately 3,500 feet west of the Trigonometrical Beacon Maungu,

thence down-stream by that stream or watercourse to its confluence with the Mwachi River, and down-stream by that river to its confluence with the Duruma River at the head of a creek of Port Reitz,

thence generally south-easterly by the high-water mark of the southern bank of that creek to its intersection with the western boundary of L R No 1041,

thence by the western southern and eastern boundaries of that portion to high-water mark in Port Reitz,

thence southerly by that high-water mark to its intersection with the northern boundary of L R No 4382,

thence by the northern and part of the western boundary of that portion to high-water mark in Mteza Creek,

thence south-westerly by that high-water mark to its intersection with part of the generally western boundary of L R No 3855 at its north-west corner extended across the 100 foot foreshore reserve and the creek,

thence by a straight line to that north-west corner and onward southerly by the generally western boundary of L R No 3855 to the eastern corner of L R No 1081,

thence by the north-eastern, north-western, south-western and south-eastern boundaries of that portion to the same eastern corner,

thence continuing southerly by the generally western boundary of L R No 3855 to the south-east corner of L R No 4389,

thence north-westerly by the south-western boundary of that portion to its north-west corner,

thence north-westerly by a straight line to the south-east corner of L R No 4410

(3)

thence in a generally north-westerly direction by part of the southern boundary of that portion to its intersection with the northern boundary of the Kwale 50 foot road reserve,

thence westerly by that road reserve boundary to its intersection with the southern boundary of Kwale Township,

thence still westerly by the northern boundary of that road reserve to its intersection with the southern boundary of L R No 3743,

thence easterly by a straight line to the southernmost corner of L R No 3744,

thence by the southern boundary of that portion to its south-eastern corner on the eastern boundary of Kwale Township (as shown on Plan No 11242/3—5/149),

thence north-easterly by that township boundary to its north-east corner,

thence easterly by part of the southern boundary of L R No 5003 to its south-east corner,

thence by the south-eastern, northern and western boundaries of that portion to its south-west corner,

thence westerly by the northern boundaries of Kwale Township to the Trigonometrical Beacon Shimba, its westernmost corner,

thence westerly and southerly by part of the northern and by the western boundaries of Shimba Forest Reserve (L R No 5008/R) to its southern corner at the Trigonometrical Beacon Mwele,

thence westerly by a straight line to the Trigonometrical Beacon Mkongani West,

thence southerly by a straight line to the Trigonometrical Beacon Mangawani,

thence by a straight line on a true bearing of  $32^{\circ} 15' 52''$  for about 10,194 feet to a beacon (W1, which bears  $289^{\circ} 31' 1''$ , at a distance of about 1,072 feet, from the Trigonometrical Beacon Nyakundi),

thence by a straight line on a true bearing  $61^{\circ} 59' 17''$  for about 17,481 feet to a Trigonometrical Beacon Kichaka Simba,

thence south-easterly by the straight line to the Trigonometrical Beacon Kidiani,

thence southerly and south-easterly by part of L R No 5004 to the northern corner of the Buda Forest Reserve (L R No 5006),

thence westerly by the northern boundary of that forest reserve to its north-west corner,

thence by the western, southern and south-eastern boundaries of that forest reserve to its north-east corner, (4)

thence in a generally southerly direction by part of the western boundary of L R No 5004 to its intersection with the northern boundary of the Mombasa-Vanga Road Reserve,

thence south-westerly by that road reserve boundary to its intersection with the north-eastern boundary of a part of L R No 5009 giving access to the Ramisi River,

thence north-westerly and south-westerly by that boundary of L R No 5009 to the said river,

thence up-stream by the Ramisi River to its intersection with the southern boundary of L R No 3246,

thence westerly by that southern boundary bearing approximately  $269^{\circ} 05'$  for a distance of about 120 feet from the centre line of that river to a beacon,

thence south-westerly by a beacons line bearing approximately  $255^{\circ} 54'$  for about 17,530 feet to a beacon on the east boundary of L R No 4668,

thence southerly by a straight line to the south-east corner of L R No 4668,

thence by the southern and western boundaries of that portion to its north-west corner,

thence north-westerly by a straight line to the Trigonometrical Beacon Kiruku,

thence south-westerly by a straight line to the north-east corner of L R No 4666,

thence by the eastern and southern boundaries of that portion to its south-west corner,

thence by a straight line on a true bearing  $201^{\circ} 7' 58''$  for about 6,199 feet to a beacon,

thence by a straight line on a true bearing  $89^{\circ} 41' 42''$  for about 3,032 feet,

thence by a straight line on a true bearing  $90^{\circ} 3' 20''$  for about 918 feet,

thence southerly by a straight line bearing  $180^{\circ} 17'$  for 736 feet to a beacon,

thence southerly by a straight line bearing  $180^{\circ} 20'$  for 2,582 feet to a beacon,

thence westerly by a straight line bearing  $258^{\circ} 58'$  for 4,749 feet to a beacon,

thence generally south-westerly beacon to beacon by successive straight lines of the following bearings and lengths —

180° 58'	420 feet
200° 39'	2,485 „
211° 22'	3,459 „
232° 34'	6,871 „
185° 17'	3,530 „

from the southern terminal beacon of the last straight line above by its extension southwards across the Mwena River to its intersection with high-water mark on the right or south bank of the estuary of that river,

thence generally southerly by high-water mark of the Indian Ocean to its intersection with the north boundary of Vanga Township,

thence generally south-westerly by the north and west boundaries of that township as demarcated with cement blocks by the District Commissioner to its intersection with the Kenya-Tanganyika Boundary,

thence north-westerly by the latter boundary to its intersection with the Uмба River, (5)

thence northerly by a straight line to the summit of Kilibasi Hill,

thence northerly by a straight line to the point of commencement (1)

The area within the foregoing boundaries known as L R No 7312 (Mailuganje Forest Reserve) is not part of this native land and is excluded therefrom

The area external to the foregoing boundaries known as L R No 1283 is part of this native land and is included therein

#### SECTION XVIII—NORTH NYIKA SECTION

Commencing at the north-west corner of the MacKinnon Road Station Reserve, (1)

thence north-easterly by a straight line to the intersection of a straight line between the summits of the hills Maungu and Loga with the Galana (or Sabaki) River,

thence down-stream by that river to a point due south of a beacon on its left or northern bank on the western outskirts of Dodosa Village, (2)

thence by a straight line to that beacon and onwards by a straight line north-easterly to the trigonometrical beacon on Koyeni Hill,

thence by a straight line more easterly to the hill marked 407 on the Topographical Sheet S A 37/V & W,

thence by a straight line bearing true north-north-east to its intersection with the Wakalla River,

thence down-stream by that river to its intersection with the track from Marafa through Mwambiri Village (about one mile above the junction of that river with the Koroni River),

thence easterly by that track to the western outskirts of Mwambiri Village,

thence by the northern outskirts of that village to the same track,

thence easterly by that track to a point due south of a beacon to the north-west of the cultivated area known as Mombasa, at Marafa,

thence due north to that beacon,

thence easterly for about two miles to a beacon on the north-eastern limits of that cultivated area,

thence south-easterly by a straight line to the north-east corner of Plot Mambrui No 281,

thence by the northern, western, southern and south-eastern boundaries of that plot to its eastern corner,

thence south-easterly by a straight line to the northern corner of Plot Mambrui No 275,

thence by the western boundary of that plot and part of its south-eastern boundary to its intersection with the western boundary of L R No 4390 (Pumwani Settlement),

thence southerly by part of that boundary to its south-west corner,

thence southerly by a straight line to a beacon on the north bank of the Sabaki River on the western outskirts of Mbaoni Village, (3)

thence up-stream by that river to a point due south of the village Kwa Aliteti,

thence in a southerly direction across the Madungoni Plains by a demarcated line to Gaji Hill (shown as an intersected point, elevation 383, on the aforesaid topographical sheet),

thence south-westerly by a straight line to the north-east corner of the Arabuko-Sekoki Forest Reserve (L R No 4453),

thence by the generally northern and western boundaries of that forest reserve to its south-west corner,

thence southerly by a straight line to the Trigonometrical Beacon Sokoke South,

thence southerly by a straight line to the northern corner of L R No 1427,

thence by the north-western boundary of that portion to its western corner,

thence by a straight line to the northern corner of Plot 7, Group VII (Mtanganiko) Mainland North, (4)

thence by the north-western and south-western boundaries of that plot to its southern corner,

thence by a straight line to the north-west corner of plot 4 of the same group,

thence by the western and part of the southern boundary of that plot to the north-west corner of Plot 10 of the same group,

thence by parts of the western and southern boundaries of that plot to the north-west corner of Plot 8 of the same group,

thence by the western and southern boundaries of the latter to its south-east corner,

thence southerly by part of the western boundary of Plot 10 of the same group, to its south-west corner

thence by a straight line southerly to the western corner of Plot 15, Group III (Majajani) Mainland North,

thence by the south-western boundary of that plot to its south-west corner,

thence south-westerly by a straight line to the western corner of Plot 20 of the same group,

thence by the south-western boundary of that plot to its south-west corner,

thence southerly by a straight line to the northern corner of Plot 14, Group II (Mavuoni) Mainland North,

thence by the western and south-western boundaries of that plot to its southern corner,

thence south-westerly by a straight line to the northern corner of Plot 15 of the same group,



thence by the north-western boundary of that plot to its western corner,

thence south-easterly by a straight line to the northern corner of Subdivision 99 of Section IV, Mombasa Mainland North,

thence by the western and south-western boundary of that subdivision extended beyond its southern corner to the stream in its vicinity,

thence up that stream to its intersection with the north-eastern boundary of Subdivision 112 of the same section,

thence north-westerly by part of the north-eastern boundary of that subdivision to its northern corner,

thence by the generally western boundary of the same subdivision to its southern corner,

thence southerly by part of the western boundary of Subdivision 96 of the same section to its south-west corner,

thence south-westerly by a straight line to the most north-west corner of Subdivision 81 of the same section,

thence southerly by the generally western boundary of Section IV, Mombasa Mainland North, consisting of parts of the boundaries of Subdivisions 81, 79, 82, 83, 79, 77, 72 and 71 to the western corner of the last,

thence north-westerly by part of the north-eastern boundary of Subdivision 29 to the southern corner of Subdivision 62, (5)

thence by the eastern and northern boundaries of the latter and the northern and western boundaries of Subdivision 63 to its most western corner,

thence by the north-western boundary of Subdivision 61 to its north-west corner,

thence south-westerly by a straight line to the northern corner of Subdivision 51,

thence by part of the north-western boundary of that subdivision to the eastern corner of Subdivision 52,

thence by the north-eastern boundary of the latter to its northern corner,

thence south-westerly by a straight line to the north-east corner of Subdivision 58,

thence by the north-eastern boundary of that subdivision to its northern corner,

thence southerly by the generally western boundary of the said Section IV, consisting of part of the boundaries of Subdivisions 58, 49, 43, 124, 123, 126, 65, 67 and 111 to the most westerly corner of the last,

thence south-westerly by a straight line to the northernmost corner of Subdivision 500 of Section II, Mombasa Mainland North,

thence westerly by a straight line to the northernmost corner of Subdivision No 506 of Section II, Mombasa Mainland North,

thence generally westerly by the northern boundaries of Subdivisions Nos 506 and 620 to the north-west corner of Subdivision No 506,

thence southerly by a straight line to the northernmost corner of Subdivision No 498 of the same section,

thence generally southerly by the north-western and south-western boundaries of Subdivision No 498 to the south-eastern corner of that Subdivision,

thence north-easterly by part of the eastern boundary of the same Subdivision to the south-west corner of Subdivision No 504,

thence easterly by the southern boundaries of Subdivisions Nos 504, 669 and 497 to the south-east corner of No 497,

thence southerly by part of the western boundary of Subdivision No 496 to its south-west corner,

thence westerly by part of the northern boundary of Subdivision No 490 to its north-west corner,

thence southerly by the western boundaries of Subdivisions Nos 490, 489 and 488, all of Section II, Mombasa Mainland North, to the intersection of the western boundary of No 488 extended with the centre line of the Mleji River,

thence generally south-easterly down-stream by the centre line of the Mleji River to its intersection with the extended north-west boundary of Subdivision No 479 of Section II, Mombasa Mainland North,

thence south-westerly by that north-west boundary of Subdivision No 479 to its westernmost corner,

thence generally westerly by the northern boundaries of Subdivision No 541 to its north-west corner,

thence southerly and easterly by the western and southern boundaries of Subdivision No 541 to its south-east corner,

thence generally south-easterly by the south-western and southern boundaries of Subdivision No 478 to its south-east corner,

thence north-easterly by the south-east boundaries of that Subdivision to its intersection with the south-west boundary of Subdivision No 477 on the right or west bank of the Mleji River,

thence southerly by part of the western boundary of the latter Subdivision to its south-west corner,

thence by the south-western boundary of Subdivision No 477 extended to its intersection with the centre line of the Mleji River,

thence generally southerly by the centre line of that river down-stream to its intersection with the extended eastern boundary of that portion of Subdivision No 436 of Section II, Mombasa Mainland North which lies on the right or west bank of the Mleji River,

thence north-westerly by that boundary to the northernmost corner of that portion,

thence generally southerly by the north-western boundaries of that portion to its westernmost corner,

thence south-easterly by the south-west boundary of that portion extended to its intersection with the centre line of the Mleji River,

thence southerly down-stream by the centre line of the Mleji River to its intersection with the north-west boundary of Subdivision No 435 of the same Section extended,

thence generally southerly by the north-west and south-west boundaries of that Subdivision to its south-west corner,

thence easterly by the southern boundary of the same Subdivision to its intersection with the western boundary of Subdivision No 453,

thence southerly by the western boundary of that Subdivision to its intersection with the north-east boundary of Subdivision No 426,

thence by this latter boundary to the northernmost corner of that Subdivision,

thence generally south-westerly by the western boundaries of Subdivisions Nos 426 and 672 to the westernmost corner of the latter,

thence south-easterly by the straight line portion of the southern boundary of Subdivision No 672 extended to its intersection with high-water mark on the right bank of the Mleji River,

thence due south by a straight line to its intersection with the centre line of the Mleji River,

thence generally southerly down-stream by that centre line to its intersection with the centre line of the waters of that branch of Mwakirungi Creek which bounds on the north Subdivision No 555 of Section II, Mombasa Mainland North,

thence generally westerly by the centre line of the waters of that branch of the creek to a point due east of the intersection of the northern boundary of Subdivision No 546 of the same section with high-water mark,

thence by a straight line due west to that point of intersection, (6)

thence westerly by the generally northern boundaries of Subdivision No 546 to its intersection with the eastern boundary of Subdivision No 642 of Section II, Mombasa Mainland North,

thence northerly by that boundary to the north-east corner of Subdivision No 642,

thence generally north-westerly by the northern boundaries of the latter and of Subdivision No 607 of the same Section to the northernmost corner of the latter Subdivision,

thence north-westerly by a straight line in the direction of the point at the head of the northern arm of Jomvu Creek at which the Rabai-Mwanguja road crosses the River Kombeni up to the intersection of that straight line with high-water mark of Jomvu Creek,

thence generally north-westerly by high-water mark to the point at which the above road crosses the River Kombeni provided that if the above straight line does not intersect high-water mark that straight line shall be the boundary of the Native Land,

thence south-westerly by high-water mark to its intersection with the north-west boundary of Subdivision No 378 of Section V, Mombasa Mainland North,

thence south-westerly by that boundary to the northernmost corner of Subdivision No 312 of the same Section,

thence south-westerly by a straight line to the south-east corner of Mazeras Trading Centre (L R No 1043),

thence north-westerly by the north-eastern boundary of that trading centre to its north-east corner,

thence south-westerly by its north-western boundary to its intersection with the north-eastern boundary of the Kenya and Uganda Railway Reserve,

thence north-westerly (up-line) by that railway reserve boundary to its intersection with the south-east boundary of L R No 1279,

thence generally north-easterly by the south-eastern and north-eastern boundaries of that portion to its northernmost corner,

thence south-westerly by its north-western boundary to its intersection with the north-eastern boundary of the Kenya and Uganda Railway Reserve,

thence north-westerly (up-line) by the generally northern boundary of that railway reserve, which includes special Quarry Reserves on the north side of the railway line opposite L R Nos 4330 and 1031/1, to the point of commencement (1)

#### SECTION XIX—MWINA

Commencing at a beacon on the right (or generally western) bank of the Tana River, near the apex of a sharp north-westerly bend of that river above Mwina Camp,

thence bounded by a straight line to a beacon approximately one mile west,

thence by a straight line in a south-south-easterly direction through a beacon on the right bank of the river (near the apex of a large westerly bend, about half a mile above Akadi) to low-water mark on that bank,

thence by that low-water mark up-stream to a point due south-west of a beacon on the left bank, near the apex of the large easterly bend below Mwina Mission,

thence by a straight line across the river to that beacon and onwards by a straight line north-north-westerly to a beacon on the left bank of the river near the apex of the easterly bend of the river next above the point of commencement,

thence by a straight line due west to its intersection with low-water mark,

thence by that low-water mark down-stream to a point due south of the beacon at the point of commencement, and onwards by a straight line across the river thereto

#### SECTION XX—BENDERANI

Commencing at a beacon approximately one mile west of Benderani Village,

thence bounded by a straight line north-easterly to a beacon on the right bank of the Tana River, near the apex of the north-westerly bend of the river next below Akadi,

thence due east by a straight line across the river to its intersection with low-water mark on its left bank,

thence up-stream by that low-water mark to a point due west of a beacon on the same bank (opposite Akadi) and onwards south-south-easterly by a straight line for about two miles to a beacon,

thence westerly by a straight line for approximately one mile to a beacon on the left bank of the river near the apex of the south-westerly bend immediately below Huyasu,

thence due north-west by a straight line across the river to its intersection with low-water mark on its right bank,

thence down-stream by that low-water mark to a point due west of a beacon near Marembo Village,

thence by a straight line to that beacon and onwards north-westerly to the point of commencement

#### SECTION XXI—KULESA

Commencing at a beacon about one mile west of the apex of a sharp north-westerly bend of the Tana River immediately above the hamlet of Tanga (or Voi),

thence bounded by a straight line easterly to a beacon on the right bank of the river at that apex,

thence due south-east by a straight line across the river to its intersection with low-water mark on the left bank of the river,

thence up-stream by that low-water mark to a point due west of a beacon near the apex of a sharp easterly bend next below Gongoni,

thence by a straight line to that beacon and onwards to a beacon approximately one mile east of the former,

thence south-westerly by a straight line to a beacon on the left bank of the river near the apex of a sharp easterly bend about one mile south of Kulesa,

thence due west by a straight line to its intersection with low-water mark on the left bank of the river, and onwards by that low-water mark, up-stream, to a point due north-west of a beacon on the right bank near the apex of the south-easterly bend next above that last mentioned,

thence by a straight line to that beacon and onwards westerly to a beacon approximately due south of the point of commencement, and onwards by a straight line northerly thereto

#### SECTION XXII—CHUNONI

Commencing at a beacon on the right bank of the Tana River, near the apex of the westerly bend next above Chunoni,

thence bounded by a straight line to a beacon approximately one mile west,

thence south-easterly by a straight line through a beacon on the right bank of the river about one furlong below the village of Garden, to low-water mark on that bank of the river,

thence up-stream by that low-water mark to a point due west of a beacon on the left bank near the apex of an easterly bend about midway between Garden and Mnazini,

thence by a straight line across the river to that beacon and onwards by a straight line north-easterly to a beacon about one mile east of Mnazini,

thence north-westerly by a straight line through a beacon on the left bank of the river, near the apex of an easterly bend next above the point of commencement, to low-water mark on that bank of the river,

thence down-stream by that low-water mark to a point due east of the point of commencement,

thence by a straight line across the river thereto

#### SECTION XXIII—YUNDA AND KIBUSU

Commencing at a beacon on the right bank of the Tana River, near the apex of a southerly bend about one mile below Merifano,

thence bounded by a straight line in a southerly direction through a beacon on the right bank of the river near the apex of the first sharp westerly bend below Kibusu to its intersection with low-water mark on the opposite side of the river,

thence down-stream by that low-water mark to a point due south-east of a beacon on the left bank of the river in Malkachalalo Hamlet,

thence by a straight line to that beacon,

thence north-westerly by a straight line between that beacon and another on the right bank of the river in Kibusu Village to its intersection with low-water mark on that bank,

thence up-stream by that low-water mark to a point due north of the beacon at the point of commencement,

thence by a straight line thereto

#### SECTION XXIV—NGAO AND GOLBANTI

Commencing at a beacon on the left bank of the Tana River opposite the Nyika Settlement at Migeni,

thence bounded by a straight line north-easterly to a beacon near the western extremity of Lake Somiti or Shungwaya,

thence by a straight line through that lake to a beacon on its south-eastern shore near its north-eastern extremity,

thence south-easterly by a straight line to a beacon at the north-east corner of the Ngao Communal Shamba,

thence by the eastern boundary of that shamba southerly to its south-eastern corner marked by a beacon,

thence south-westerly by a straight line through a beacon on the left bank of the Tana River (at a point nearly due west of the Ngao Mission House) across the river to its intersection with low-water mark on its right bank,

thence by that low-water mark down-stream to a point due east of a beacon about one furlong below Golbanti,

thence westerly by a straight line for approximately one mile to a beacon,

thence northerly by a straight line to a beacon on the southern edge of the Shakababo Swamp,

thence northerly by a straight line still across that swamp to the western bank of the irrigation canal (or Bunta) which connects it with the Tana River,



thence by that bank of the canal to its intersection with low-water mark on the right bank of that river,

thence up-stream by that low-water mark to a point due south of the point of commencement,

thence by a straight line thereto

SECTION XXV—ODA AND MUYE MKUU

Commencing at a beacon on the right bank of the Tana River at the eastern end of the village of Oda,

thence bounded by a straight line for approximately one mile southwards to a beacon,

thence north-easterly by a straight line to a beacon on the right bank of the Tana River at the apex of a westerly bend just below the village of Hemanı,

thence due east by a straight line to low-water mark on the same bank of the river, and onwards up-stream by that low-water mark to a point due north-east of the beacon at the point of commencement,

thence by a straight line thereto

The foregoing boundaries are delineated on Sheet 70 of the before-mentioned deposited plan

SECTION XXVI—MALALULU, ZUBAKI, NDURA AND TANGA

Commencing at low-water mark on the right bank of the Tana River at a point due east of a beacon at the north-east corner of Massabubu Government Camp,

thence due west by a straight line to its intersection with the line bounding the zone that includes all points on the right bank of the Tana River, distant one mile from low-water mark thereof,

thence in a generally southerly direction by that bounding line to a point due west of a beacon on the same bank of the river just below Mambosasa,

thence by a straight line through that beacon to its intersection with low-water mark on the opposite (left) bank of the river,

thence down-stream by that low-water mark to a point due west of a beacon near the apex of the easterly bend of the river next below Mambosasa,

thence by a straight line through that beacon to its intersection with the line bounding the zone that includes all points on the left bank of the river distant one mile from low-water mark thereof,

thence in a generally northerly direction by that bounding line to a point due east of the point of commencement,  
thence by a straight line due west thereto

#### SECTION XXVII—NDERA

Commencing at a beacon on the right bank of the Tana River, to the north of Kongolani,

thence bounded by a straight line due west to its intersection with the line bounding the zone that includes all points on the right bank of the river distant one mile from low-water mark thereof,

thence southerly by that bounding line to a point due west of a beacon on the right bank of the river near the apex of a sharp southerly bend about a mile below Kiriadu,

thence due north by a straight line to its intersection with low-water mark on the opposite (left) bank of the river,

thence down-stream by that low-water mark to a point due south of a beacon on the same bank of the river, near the apex of the northerly bend next below the southerly bend above mentioned,

thence by a straight line to that beacon,

thence due east by a straight line to its intersection with the line bounding the zone that includes all points on the left bank of the river distant one mile from low-water mark thereof,

thence northerly by that bounding line to a point due east of the point of commencement,

thence by a straight line thereto

The foregoing boundaries are delineated on Sheet No 71 of the before-mentioned deposited plan

#### SECTION XXVIII—TAVETA

Commencing at the easternmost corner of L R No 5865,

thence proceeding by straight lines each terminating at a beacon on the following bearings and for the following distances successively —

181° 48' 48"	10,094 2 feet
217° 35' 45"	5,998 0 „
175° 38' 35"	7,883 6 „
175° 16' 20"	7,989 6 „
242° 54' 40"	5,101 4 „
241° 13' 38"	2,902 3 „

and onward from the last beacon to the intersection with the Lumi River,

thence down-stream by that river for about 5,000 feet to the intersection with a straight line on a true bearing of  $242^{\circ} 27' 56''$  from a beacon on the left bank,

thence by that straight line for a distance of about 45 feet to that beacon,

thence by a straight line on a true bearing of  $62^{\circ} 27' 56'$  for a distance of 3,489 7 feet to a beacon,

thence by straight lines each terminating at a beacon on the following approximate bearings and for the following approximate distances successively —

$218^{\circ} 04'$	3,604 feet
$164^{\circ} 12'$	2,888 „
$126^{\circ} 26'$	3,592 „
$100^{\circ} 58'$	2,037 „
$150^{\circ} 11'$	2,527 „
$159^{\circ} 39'$	2,358 „
$180^{\circ} 57'$	2,873 „

thence by a straight line bearing  $254^{\circ} 30'$  for 1,079 feet to a beacon near the edge of Lake Jipe,

thence by the same straight line extended to its intersection with the edge of that lake,

thence northerly and westerly by the lake edge to its intersection with the Kenya-Tanganyika Territory boundary at the mouth of the Rufu River,

thence generally westerly and northerly by part of that territorial boundary to the westernmost corner of L R No 5865 on Lemrika Hill,

thence easterly by part of the southern boundary of that portion to the northernmost corner of L R No 6732,

thence southerly, easterly and northerly by the western, southern and eastern boundaries of L R No 6732 to the north-eastern corner of that portion,

thence northerly by the eastern boundary of L R No 5827 and by part of the generally eastern boundary of L R No 5865 to the south-east corner of L R No 4118 (Taveta Trading Centre),

thence easterly by the southern boundary of L R No 7251 to its south-east corner,

thence northerly and north-westerly by the eastern and north-eastern boundaries of that portion to its northernmost corner,

thence south-westerly by the north-western boundary of the same portion to its intersection with the eastern boundary of L R No 4118 (Taveta Trading Centre),

thence north-westerly by the north-eastern boundary of the latter portion to its intersection with the generally northern boundary of the Railway Reserve of the Voi-Moshi branch of the Kenya and Uganda Railway, which also forms part of the generally eastern boundary of L R No 5865,

thence north-easterly by part of the generally eastern boundary of L R No 5865 to its intersection with the Lumi River,

thence easterly by the same boundary to the point of commencement,

*Excluding and excepting—*

The areas within the foregoing boundaries known as L R Nos 1188, 1192, 4881 and 7267 are not part of the Native Land and are excluded therefrom

SECTION XXIX—DABIDA AND SAGALLA

Commencing at the northernmost corner of L R No 3881,

thence south-westerly by the north-western boundary of that portion to its intersection with the northern boundary of the Railway Reserve of the Voi-Moshi branch of the Kenya and Uganda Railway,

thence north-westerly by that railway reserve boundary to its intersection with a straight line bearing true north through a point 7,500 feet due west of the northernmost corner of L R No 6925,

thence due north by that straight line for five miles,

thence north-easterly by a straight line to the south-west corner of L R No 4718,

thence easterly by the southern boundary of that portion to its south-east corner,

thence north-easterly by part of the eastern boundary of the same portion to its intersection with the south-western boundary of L R No 5951,

thence south-easterly, easterly and north-westerly by the south-western, southern and eastern boundaries of the latter portion to its north-east corner,

thence due east by a straight line to its intersection with the western boundary of the railway reserve of the main line of the Kenya and Uganda Railway,

thence south-easterly by that railway reserve boundary to its intersection with the north-east boundary of L R No 6866,

thence north-westerly by the north-east boundary of that portion to its northernmost corner,

thence south-westerly by the western, and south-easterly by the southern boundary of the same portion to the intersection of the latter boundary with the western boundary of the main line railway reserve,

thence south-easterly by that railway reserve boundary to its intersection with the northern boundary of L R No 4957,

thence westerly by that boundary to the Trigonometrical Beacon Redcliff, the north-west corner of L R No 4957,

thence south-easterly by the western boundary of L R No 4957 to its intersection with the northern boundary of the Railway Reserve of the Voi-Moshi branch of the Kenya and Uganda Railway,

thence by a straight line bearing  $154^{\circ} 38' 32''$  for 6866 feet to a beacon,

thence by a straight line bearing  $101^{\circ} 01' 52''$  for 10,616 feet to a beacon,

thence generally north-easterly by straight lines each terminating at a beacon on the following true bearings and for the following distances successively —

$14^{\circ} 54' 20''$	1,295 0 feet
$87^{\circ} 59' 14''$	3,021 1 „
$29^{\circ} 50' 16''$	1,857 3 „
$354^{\circ} 50' 10''$	3,055 4 „
$45^{\circ} 15' 42''$	464 6 „
$10^{\circ} 58' 39''$	777 2 „
$04^{\circ} 13' 32''$	2,361 4 „
$68^{\circ} 32' 13''$	962 5 „
$28^{\circ} 45' 00''$	727 3 „
$71^{\circ} 55' 14''$	1,621 5 „

to a point on the right bank of the Voi River,

thence northerly by a straight line bearing  $04^{\circ} 31' 03''$  to its intersection with the southern boundary of Voi Township on the right bank of the Voi River,

thence easterly and north-easterly by the Township Boundary to its intersection with the generally western boundary of L R No 6937,

thence generally south-easterly by the latter boundary to the southernmost corner of L R No 6937,

thence due south by a straight line for 36,960 feet to a beacon,

thence due west by a straight line for 21,130 feet to a beacon,

thence north-westerly by a straight line bearing  $329^{\circ} 38' 30''$  for 67,240 feet to a beacon on the south or right bank of the Voi River,

thence by that straight line extended to its intersection with the Voi River,

thence westerly by the Voi River up-stream to its intersection with the northern boundary of the Railway Reserve of the Voi-Moshi branch of the Kenya and Uganda Railway near the Voi River railway bridge,

thence south-westerly by that railway reserve boundary to its intersection with the north-eastern boundary of L R No 3380/2,

thence north-westerly and northerly by part of the north-eastern boundary of that portion to its intersection with the Voi River,

thence up-stream by that river to its intersection with the north-western boundary of L R No 3880/2,

thence south-westerly by that boundary to its intersection with the Mwatati River,

thence southerly by that river down-stream for a distance of about two miles to its intersection with a straight line on a bearing of  $88^{\circ} 27' 00''$  from a beacon on its right bank,

thence westerly by that straight line to that beacon and onwards by a straight line bearing  $268^{\circ} 27' 00''$  for a distance of 6,188 5 feet to a boundary beacon of the same portion,

thence westerly by a straight line bearing  $91^{\circ} 17' 04''$  for 30,329 3 feet to a beacon on the north-eastern boundary of L R No 3881,

thence north-westerly by that boundary to the point of commencement.

*Excluding and excepting—*

The areas within the foregoing boundaries known as L R Nos 925, 1046, 1077, 1078, 1194, 1195, 1196, 1197, 1199, 1200, 1201, 2338, 3894, 5059, 6945, 6946R and 7053 are not part of the Native Land and are excluded therefrom

The following areas are not part of the Coast native land and are specifically excluded therefrom —

- (a) The Kenya and Uganda Railway with all Station and other Railway Reserves
- (b) Mambrui Plots Nos 273, 279 and 280, Mombasa Mainland North Group XIII (Sokoki) Plots Nos 2 and 3, Mombasa Mainland North Section II Plots Nos 646 to 650 inclusive
- (c) Plots 9-14 Group VI, Mtauganyiko
- (d) All land in private ownership, and all land which has become or may in future become the subject of a Certificate of Title issued under the Land Titles Ordinance, 1908

SECTION XXX—KASIGAU NATIVE LAND

Commencing at a beacon situated on a true bearing of 321° 43' 21" and at a distance of 14,340 3 feet from the Trigonometrical Beacon "Kasigau",

thence by straight lines each terminating at a beacon on the following true bearings and for the following distances successively —

07° 18' 54"	9,119 2 feet
95° 18' 45"	23,947 2 „
184° 36' 12"	21,823 9 „
225° 20' 12"	17,233 5 „
289° 50' 16"	10,671 9 „
311° 23' 22"	16,218 2 „
41° 26' 34"	16,935 7 „

to the point of commencement

## SECOND SCHEDULE

## NATIVE LAND UNITS

- (1) The Kikuyu
- (2) The Masai
- (3) The Kamba
- (4) The Kerio
- (5) The Nandi
- (6) The Kavirondo
- (7) The Lumbwa
- (8) The North Pokomo
- (9) The Coast Lands

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OBJECTS AND REASONS

This Bill, together with the Crown Lands (Amendment) Bill, 1938, is designed to give effect to the recommendations of the Kenya Land Commission which was appointed to inquire into and report upon the claims and needs in respect of land of the native population in the Colony and Protectorate of Kenya, and certain other matters

It is not possible to gauge the amount of expenditure which will be involved if the provisions of this Bill become law

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