



THE OFFICIAL GAZETTE OF THE COLONY AND PROTECTORATE OF KENYA

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SUPPLEMENT

KENYA PROCLAMATIONS, RULES AND REGULATIONS, No 35

GOVERNMENT NOTICE No 695

ARRIVALS

Name	Rank	From Leave or on 1st Appointment	Date of Leaving England	Date of Embarkation	Date of Arrival at Mombasa
E Bird MBE A H Price	Chief Clerk, Government House Process Server Judicial Dept	Leave "	29th July, 1938 6th Sept, 1938*	— —	6th Sept, 1938 10th Sept, 1938

* Seychelles

DEPARTURES

Name	Rank	On Leave or Termination of Appointment	Date of Departure
P F Foster Miss M E Bleakman J M Tothead	District Officer Matron Education Department Clerk, Local Govt Lands and Settlement	Leave Leave prior to retirement Leave pending termination of appointment	8th September, 1938 " "
B B Donald F J O'Hara D North Lewis	Senior Superintendent of Prisons Stock Inspector Veterinary Department Assistant Stock Inspector, Veterinary Department	Leave " "	, , ,
W E E Frederick H G Beverton D L Wright W A Cairn J S Nelson R H Cameron Lt Comdr L E Forham, R D R N R	Examining Officer, Customs Department Inspector of Police 2nd Grade Assistant Inspector of Police Inspector, Postal Department Clerk, Postal Department Instructor in Stock Tug Master, K U R & H	" " " " " " "	, , , , , 9th September 1938 8th September 1938

APPOINTMENT

JAMES SANDFORD ROSS to be Acting Accountant General with effect from the 1st September, 1938

REVERSION

JOHN NICHOLAS JOHNSON reverted to his substantive rank of Electrical Mechanician, Posts and Telegraphs Department with effect as from 1st September, 1938

A DE V WADE,
Chief Secretary

KENYA AND UGANDA RAILWAYS AND HARBOURS

DONALD CHISHOLM JACK, Stores Accountant, to be Acting District Stores Superintendent (Kilindini), with effect from 17th September, 1938, vice Frederick Walter Tovee proceeded on leave

Colony and Protectorate of Kenya

GOVERNMENT NOTICE NO 696

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

IN THE LEGISLATIVE COUNCIL OF THE COLONY
OF KENYA

2ND SESSION, 1938

THE McMILLAN MEMORIAL LIBRARY BILL

Unto the Honourable the Legislative Council of the Colony and Protectorate of Kenya in Council assembled

The Humble Petition of the McMillan Memorial Library Registered Trustees, namely Lieutenant-Colonel Ralph Beresford Turner, Companion of the Most Distinguished Order of Saint Michael and Saint George, Companion of the Distinguished Service Order, Edward Gilbert Morris, Esquire, Officer of the Most Excellent Order of the British Empire, Director of Education, George Beresford Stooke, Esquire, R N (Retired), Deputy Treasurer, Gwladys Lady Delamere, and Arthur Alexander Legat, Esquire, Officer of the Most Excellent Order of the British Empire, all of Nairobi in the Colony of Kenya, sheweth as follows —

1 That your Petitioners are the present Trustees of the Trust Deed of "The McMillan Memorial Library" dated the 30th day of June, 1931, being registered under the Land (Perpetual Succession) Ordinance as a body corporate with the name of "The McMillan Memorial Library Registered Trustees"

2 That your Petitioners as such Trustees as aforesaid have caused the Bill of which a copy is hereunto annexed to be prepared for giving effect to the purposes set forth in the preamble of such Bill as follows, namely —

A Bill to Enlarge, Extend and Revise the Objects and Scope of the Charitable Trust known as The McMillan Memorial Library and the Powers and Responsibilities of the Trustees thereof,

to make certain further amendments and additions to the Constitution and Trusts of the said Charitable Trust and to divers documents subsidiary thereto,

and to Consolidate and Declare the Constitution and Trusts as so modified

3 It has now become expedient that the objects and scope of the McMillan Memorial Library, as declared by the said Trust Deed dated the 30th day of June, 1931, should be enlarged or extended to include certain further activities and fields, and that certain further and other powers should be conferred upon your Petitioners and their successors in office as such trustees as aforesaid, and that certain further and other provisions should be made with reference to the administration of the trusts and otherwise

4 It is further considered desirable, both for effecting the several purposes hereinbefore mentioned and with a view to general clarity and convenience, that the whole constitution and trusts of the McMillan Memorial Library, with all necessary modifications, should be consolidated and declared anew, as set forth in the said Bill

5 The said Bill has already been approved by Lucie Lady McMillan as well as by your Petitioners

6 The objects of the said Bill cannot be effected without the authority of the Legislative Council

Your Petitioners therefore humbly pray that leave be given to bring in a Bill to your Honourable Council for effecting the objects and purposes aforesaid in the terms of the copy of such Bill hereunto annexed or in such other terms and with such other powers and provisions and subject to such conditions and regulations as to your Honourable Council may seem meet

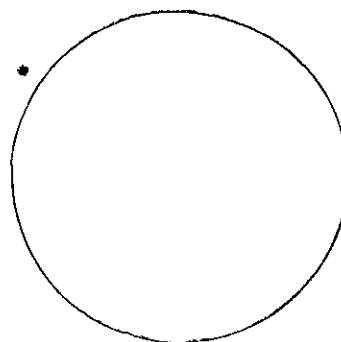
Dated this 12th day of August, 1938

The Common Seal of The
McMillan Memorial Library
Registered Trustees was here-
unto affixed in the presence
of —

R B TURNER,
Trustee

G BERESFORD STOOKE,
Trustee

D GENOWER,
Secretary



By resolution, in accordance with Standing Rule and Order No 97, Legislative Council has approved the introduction into Council of the following Bill —

A Bill to Enlarge, Extend and Revise the Objects and Scope of the Charitable Trust known as the McMillan Memorial Library and the Powers and Responsibilities of the Trustees thereof; to make certain further amendments and additions to the Constitution and Trusts of the said Charitable Trust and to divers documents subsidiary thereto; and to Consolidate and Declare the Constitution and Trusts as so Modified.

WHEREAS by a Trust Deed dated the 30th day of June, 1931, and made between the then Commissioner for Local Government for and on behalf of the Government of the Colony and Protectorate of Kenya and Lady Lucie McMillan, Commander of the Most Excellent Order of the British Empire (therein called "the Appointors"), of the one part, and the then Colonial Secretary and the then Director of Education respectively of the Colony and Protectorate of Kenya, the then Mayor of Nairobi, the late Lieutenant-Colonel Marcuswell Maxwell of Nairobi, Arthur Alexander Legat of Nairobi, and Lieutenant-Colonel Ralph Beresford Turner, Companion of the Most Distinguished Order of Saint Michael and Saint George, Companion of the Distinguished Service Order (therein called "the Trustees") of the other part, after reciting that an institution had been established under the name of the "McMillan Memorial Library" for the establishment and development of a Reading and Reference Library for the use of Europeans, and a Book Distributing Library for the use of European libraries in the Colony and Protectorate of Kenya, and that the Appointors aforesaid were desirous of granting that piece and parcel of land situate in Nairobi being Plot Number L R 209/1890 and comprising 0 560 of an acre or thereabouts together with the buildings which had been erected thereon for the purposes of the said Libraries, and that the Trustees aforesaid have been approved

by the Governor of the Colony and Protectorate of Kenya to be appointed and had consented to be so appointed for the purpose of having vested in them the control and management of the said libraries together with the land and buildings to be granted as aforesaid and to provide for the future application of all funds which might from time to time accrue to the said libraries, it was witnessed that the Appointors aforesaid on behalf of the McMillan Memorial Library thereby appointed the Trustees aforesaid to be trustees of the said libraries for the purpose of having vested in them the McMillan Memorial Library and the Book Distributing Library together with the buildings comprising the same and the land upon which the said buildings had been erected and all funds which might from time to time accrue to the said libraries and all property whether moveable or immoveable including all chattels, moneys and securities of or belonging to the said libraries or which might thereafter be acquired by or devolve upon the said libraries in any manner, upon the trusts and with and subject to the powers and provisions hereinafter respectively set forth,

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AND WHEREAS, for the purposes of the said Trust Deed, the Trustees aforesaid were duly registered under the Land (Perpetual Succession) Ordinance as a body corporate with the name of "The McMillan Memorial Library Registered Trustees", and a Certificate of such registration (hereinafter referred to as the Original Certificate) was duly granted to the Trustees aforesaid by the Governor in Council on the 16th day of November, 1932, subject to the conditions and directions therein contained,

AND WHEREAS, pursuant to the terms and intention of the Trust Deed, the said piece and parcel of land known as Plot Number L R 209/1890 was, by a Grant dated the 1st day of July, 1933 (registered in the Registry of Titles at Nairobi, as Number I R 3790/1), duly granted to the said McMillan Memorial Library Registered Trustees for a term of 99 years from the 1st day of January, 1929, at the yearly rent and subject to the conditions therein respectively reserved and contained, and the said respective Libraries have been established and since maintained in accordance with the trusts, powers and provisions of the Trust Deed,

AND WHEREAS it has now become expedient that the objects and scope of the McMillan Memorial Library, as declared by the Trust Deed, should be enlarged or extended

to include certain further activities and fields, and that certain further and other powers should be conferred upon the said McMillan Memorial Library Registered Trustees as trustees thereof, and that certain further and other provisions should be made with reference to the administration of the trusts thereof and otherwise, and that for the better effecting of such several purposes and for divers other good causes the constitution and trusts of the McMillan Memorial Library, with all necessary modifications, should be consolidated and declared anew as hereinafter in this Ordinance set forth,

AND WHEREAS these purposes cannot be effected without statutory authority,

AND WHEREAS the McMillan Memorial Library Registered Trustees now consist of the said Lieutenant-Colonel Ralph Beresford Turner, Edward Gilbert Morris of Nairobi, Officer of the Most Excellent Order of the British Empire, as the present Director of Education, George Beresford Stooke, R N (Retired), of Nairobi as the present Deputy Treasurer, Gwladys Lady Delamere, and the said Arthur Alexander Legat, Officer of the Most Excellent Order of the British Empire and they, as the present trustees of the McMillan Memorial Library, have expressed their approval of the purposes and terms of this Ordinance,

AND WHEREAS the Appointors aforesaid have each expressed the like approval,

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

PART I

PRELIMINARY

1 This Ordinance may be cited as the McMillan Memorial Library Ordinance, 1938 Short title

2 In this Ordinance, unless the context otherwise requires— Interpretation

‘East Africa’ means the Colony and Protectorate of Kenya, the Uganda Protectorate, the Tanganyika Territory, and the Zanzibar Protectorate,

‘McMillan Memorial Library’ means the charitable trust originally the subject of the Trust Deed, the constitution and trusts whereof are hereby modified, consolidated and prescribed,

“Trust Deed” means the trust deed dated the 30th day of June, 1931, and more particularly described in the first recital of the preamble to this Ordinance,

“Trustees” means The McMillan Memorial Library Registered Trustees, and includes the said Lieutenant-Colonel Ralph Beresford Turner, Edward Gilbert Morris, George Beresford Stooke, Gwladys Lady Delamere, and Arthur Alexander Legat or other the trustees or trustee for the time being of the McMillan Memorial Library appointed pursuant to section 20 of this Ordinance,

“Trust Fund” means all the property, moveable or immoveable, from time to time vested in or held by the Trustees, or any other persons or person under their direction, for the purposes of the McMillan Memorial Library, whether before or after the passing of this Ordinance, and whether by or pursuant to the Trust Deed or otherwise

PART II

CANCELLATION OF TRUST DEED AND DECLARATION OF NEW CONSTITUTION AND TRUSTS

Cancellation
of Trust Deed

3 The Trust Deed and all the Trusts, powers and provisions therein declared or contained shall be and are hereby extinguished and declared null and void and of none effect, without prejudice to any act or thing lawfully done, right accrued, or liability incurred thereunder before the commencement of this Ordinance

Supplementary
modifications

Cap 146

4 (1) The constitution of the McMillan Memorial Registered Trustees, and the conditions and directions contained in the Certificate of Registration granted to them by the Governor in Council under the provisions of the Land (Perpetual Succession) Ordinance on the 16th day of November, 1932, shall be deemed to have been modified, if and so far as is necessary to render the same consistent with the provisions of this Ordinance, and the Governor in Council may grant such further Certificate of Registration, if any, either by way of modification of the Certificate granted as aforesaid or in substitution therefor, as may be deemed appropriate to give effect to the provisions of this sub-section

(2) The conditions contained in the Grant in favour of the Trustees dated the 1st day of July, 1933, and registered in the Registry of Titles at Nairobi as Number I R 3790/1 shall also be deemed to have been modified, if and so far as is necessary to render the same consistent with the provisions of this Ordinance

5. The constitution and trusts of the McMillan Memorial Library shall be as hereinafter prescribed

Declaration of
new Constitution
and Trusts

PART III

NEW CONSTITUTION AND TRUSTS

6. The objects and scope of the McMillan Memorial Library shall include the following —

Objects and
scope of the
Trust

- (a) the establishment, maintenance and development at Nairobi of a Reference Library, a Reading Room, and a Lending Library, for the use of Europeans only,
- (b) the establishment, maintenance and development of a Circulating Library service with headquarters at Nairobi, for the circulation of books to approved co-operative or subsidiary libraries for the use of Europeans only in any part or parts of East Africa, to be known as "the East African (Carnegie) Circulating Library",
- (c) the organization, promotion, and encouragement of public lectures, cinematograph performances, educational classes, and other courses or methods of education or instruction of every kind, and on any subject whether of general or of particular or technical interest or value, for Europeans only in any part or parts of East Africa,
- (d) the establishment, maintenance, development, promotion and/or encouragement in any part or parts of East Africa of other libraries, institutions or societies, whether subsidiary or independent, for all or any of the foregoing purposes, and
- (e) co-operation with, or contribution to, any other libraries, institutions, societies, corporations, trusts or funds, upon such terms and conditions as the Trustees may, in their sole discretion, from time to time, think fit, for all or any of the foregoing purposes

Provided that the activities referred to in paragraph (a) of this section shall constitute the primary objects of the McMillan Memorial Library, and nothing in this Ordinance contained shall be construed as requiring the Trustees to extend the activities of the McMillan Memorial Library beyond the scope of that paragraph except so far as they may, in their discretion, consider that the resources of the Trust Fund and other circumstances permit, provided further that the several activities of the McMillan Memorial Library for

the time being may be combined, kept separate, or made co-operative to such extent and in such manner as the Trustees may, in their sole discretion, for the time being consider desirable

Trusts of the
Trust Fund,

7 The Trustees shall hold the Trust Fund upon trust, subject and without prejudice to the powers, discretions and provisions conferred by or contained in this Ordinance, to use, apply or appropriate the same for the purposes of the McMillan Memorial Library

Trustees to have
control of Trust
Fund and all
specific assets
comprised
therein

8 (1) The Trustees shall have the absolute management and entire control of the Trust Fund, including all libraries, buildings and other specific assets of whatsoever nature or kind from time to time forming part thereof, and may, subject to the provisions of section 17 of this Ordinance, make, rescind and alter such regulations (not being inconsistent with the provisions of this Ordinance) as they may think fit, with respect to the purposes for which, the manner in which, the persons by whom, the terms and conditions on which and the times when any such specific assets or any other part or parts of the Trust Fund shall be used, applied or appropriated, and otherwise as the Trustees shall think necessary for the purposes prescribed in section 6 of this Ordinance or in connexion with the execution of any of the trusts or powers contained in or conferred by this Ordinance

(2) The Trustees may at any time (notwithstanding anything to the contrary contained in this Ordinance) impose a charge for the admission to, or for the use of, any buildings or libraries, or for the use of books or other assets, from time to time comprised in the Trust Fund on all or any persons entering or using the same respectively

Power to
purchase and
sell books, etc

9 The Trustees may pay or apply any part of the Trust Fund, not specifically granted, donated or set apart for some other special purpose, for the purchase, printing or publication of such books, pamphlets, manuscripts, reports, pictures, maps and other documents, and such furniture and effects, as to them may seem expedient from time to time, and may also at any time sell, or otherwise dispose of, any moveable assets of whatsoever nature or kind (except articles specifically granted or donated for any special purpose which precludes such sale) from time to time forming part of the Trust Fund. All moneys arising from any such sale or disposition shall fall into and form part of the Trust Fund

10 The Trustees may at any time, as to them may seem expedient, apply any part of the Trust Fund (not specifically granted, donated or set apart for some other special purpose) in acquiring, by purchase or on lease or otherwise, any freehold or leasehold lands for all or any of the purposes hereinbefore declared, or in erecting, or pulling down or rebuilding, or enlarging, improving or altering at any time, and from time to time any buildings on such lands or otherwise for the time being forming part of the Trust Fund, and in furnishing or equipping the same or any part or parts thereof, as the Trustees may think desirable for the purposes aforesaid, and may, from time to time, set apart any part or parts of the Trust Fund and accumulate such part or parts by investing the same and the resulting income thereof in the names of the Trustees (or in the names of such other persons as they shall from time to time direct) in any investments by this Ordinance authorized, as a building fund, with a view to applying such fund as and when the Trustees shall think fit for the purposes aforesaid or any of them

Acquisition of
lands, and
erection and
alteration of
buildings

11 Any lands acquired under the last preceding section shall be conveyed or demised to, or otherwise vested in, the Trustees or such other persons as the Trustees shall from time to time direct

Vesting of lands

12 The Trustees shall be at liberty at any time to sell any lands acquired under the provisions of section 10 of this Ordinance or any other lands which may for the time being form part of the Trust Fund (excepting only the said piece or parcel of land known as Plot Number L R 209/1890 and any other lands specifically granted or donated for any special purpose which precludes sale) with power to buy in and resell the same without being responsible for any loss that may thereby be incurred, and, in the case of any such sale all persons in whom the lands sold may be vested shall execute and do all such deeds and acts for the purpose of carrying such sale into effect as the Trustees may direct, and all moneys arising from any such sale shall fall into and form part of the Trust Fund accordingly

Power to sell
lands

13 The Trustees may at any time permit any part of any buildings for the time being forming part of the Trust Fund (including any premises acquired under the provisions of section 10 of this Ordinance) to be used, either gratuitously

Use of premises
for meetings

or otherwise, for lectures, classes, meetings, or otherwise, provided that such use shall not be inconsistent or interfere with the carrying out of the primary objects specified in section 6 of this Ordinance

Leasing powers

14 The Trustees may at any time let, or demise in such manner and on such terms as to them may seem expedient, any part of any premises for the time being forming part of the Trust Fund (including any premises acquired under the provisions of section 10 of this Ordinance but excepting the said piece and parcel of land known as Plot Number L R 209/1890 and any other lands specifically granted or donated for any special purpose which includes letting) which may not be immediately required for any of the purposes hereinbefore prescribed

Appointment of officers and servants

15 The Trustees may at any time appoint, upon such terms as they may determine, a Librarian, a Secretary, and a Treasurer, together with such other officials and servants as the Trustees may deem expedient, for all or any of the several purposes hereinbefore prescribed, and may at any time remove such official or servant

Outgoings, insurance, etc

16 The Trustees may, subject to the provisions of section 17 of this Ordinance, pay out of the income or capital of the Trust Fund all rents, rates, taxes, assessments, costs of insurance, repairs and other outgoings at any time payable in respect of any premises from time to time forming part of the Trust Fund (including any premises acquired under the provisions of section 10 of this Ordinance), whether moveable or immoveable, and all expenses of any sale effected pursuant to section 12 of this Ordinance, and may also pay out of such income or capital (subject as aforesaid) the salaries and wages of all officials and servants, and all other expenses of and incidental to any of the purposes hereinbefore prescribed, or to the exercise of any of the powers hereby conferred upon the Trustees

Creation of endowment

17 The Trustees may from time to time, at their discretion, set apart as an endowment fund such part or parts (if any) of the Trust Fund as may in their judgment be so set apart safely and without prejudice to the due execution of any of the trusts or powers herein contained, and all sums constituting the endowment fund shall be invested by the Trustees in their names, or in the names of such other persons as they shall from time to time direct, in any investments by

this Ordinance authorized, with power at any time to vary any of such investments, and the endowment fund and all investments at any time representing the same shall be held upon trust that the income thereof shall be applied in perpetuity in like manner and for the like purposes as and for which the Trust Fund may be applied under the provisions of this Ordinance

18 The Trustees may at any time appoint or make provision for the appointment of any persons (including all or any of the Trustees) as Governors or a management committee or otherwise, for the purpose of discharging such functions in connexion with the management of the Trust Fund or of any specific assets or asset for the time being forming part thereof, or otherwise in relation to the execution of any of the trusts or powers contained in or conferred by this Ordinance, in such manner and subject to such regulations as the Trustees may prescribe, and may at any time appoint or provide for the appointment of separate trustees to hold any lands acquired, or any building fund or endowment fund established under the provisions of this Ordinance, or any other properties, investments or funds for the time being forming part of the Trust Fund, in such manner and subject to such regulations as the Trustees may from time to time think fit, and may confer upon any governors, management committee or separate trustees as aforesaid any special privileges in connexion with any specific assets or asset for the time being forming part of the Trust Fund. The Trustees may delegate to one or more of themselves, or to any body of governors or management committee or separate trustees as aforesaid, any of the trusts or powers vested in or exercisable by the Trustees under or by virtue of this Ordinance

Power to constitute governors, management committee, or separate trustee

19 The Trustees may from time to time open and maintain in their corporate name, or in the names of any such separate trustees as aforesaid, a banking account or banking accounts at such bank or banks as they shall from time to time determine, and may at any time pay or cause to be paid any moneys forming part of the Trust Fund (including any building fund or endowment fund established under the provisions of this Ordinance) to the credit of any such account or accounts, or place or cause to be placed to same on deposit with any banker or bankers, and any moneys at any time forming part of the Trust Fund (whether forming part of a building fund or endowment fund or otherwise) and requiring

Banking accounts and investments

investment may be invested at the discretion of the Trustees in any of the investments for the time being permitted by law for the investment of trust funds, with power for the Trustees at their discretion from time to time to vary any such investment for any other of a like nature

Appointment of
new Trustees

20 (1) The Trustees shall at all times, subject only to temporary vacancies occasioned by death, be six in number and shall consist of —

- (a) two persons of pure European descent appointed by the Governor in Council,
- (b) one person of pure European descent appointed by resolution of the Municipal Council of Nairobi,
- (c) the said Lieutenant-Colonel Ralph Beresford Turner, or some other person of pure European descent appointed by writing under the hands of any three of the other five Trustees,
- (d) two persons of pure European descent appointed either —
 - (i) by writing under the hand of the senior of such of the children or remoter issue (if any) of the late Lieutenant-Colonel Marcuswell Maxwell as are for the time being of the age of majority and of sound mind and resident in East Africa, males ranking as senior to females for the purpose of this provision, or, in default of any such children or remoter issue,
 - (ii) by writing under the hand of the senior wife, widow, husband or widower, being of sound mind and resident in East Africa of the late Lieutenant-Colonel Marcuswell Maxwell or of any child or remoter issue of his (for which purpose seniority shall be determined according to that of the husband or wife, living or deceased, whom such wife, widow, husband or widower as aforesaid represents), or in default of any such persons as aforesaid,
 - (iii) by writing under the hand of Mrs Lucie McMillan Johnston of Kitale in the Colony of Kenya, or, after her death, by writing under the hand of the senior of her children or remoter issue, or the senior wife, widow, husband or

widower of the said Mrs Lucie McMillan Johnston or such children or remoter issue of hers, with the like provisions as to seniority and other qualifications in all respects, *mutatis mutandis*, as are hereinbefore contained in paragraphs (i) and (ii), or, if and so often as there shall be no such person as aforesaid available, then

(iv) by writing under the hands of any three of the other four Trustees,

but so that the children or remoter issue of the late Lieutenant-Colonel Marcuswell Maxwell or any other person competent to appoint as provided by paragraphs (ii), or (iii) shall be entitled to appoint himself or herself as a Trustee

(2) Every and any appointment from time to time made as aforesaid, including all appointments having effect at the commencement of this Ordinance, may from time to time, and at any time, be revoked in the like manner and form as that prescribed for such appointment, without previous notice, by the person or persons in whom respectively, under the provisions of this section, the power of such appointment is vested, upon a new and valid appointment being made by such person or persons respectively. Provided that the appointment of the said Lieutenant-Colonel Ralph Beresford Turner shall only be revoked if, at the time of revocation—

- (a) he has given his written consent thereunto, or
- (b) he has become unable or unwilling to act, or
- (c) he is absent from East Africa, and has been so absent for an immediately preceding consecutive period of more than six calendar months

21 (1) All or any of the trusts and powers vested in or exercisable by the Trustees under or by virtue of the foregoing provisions of this Ordinance shall, without prejudice to the special provisions of the last preceding section enabling three to act, be capable of being performed by any four of them, and any action or decision of any four of the Trustees for the time being shall be as valid as it would have been if done or made by six Trustees. Provided that if and so often as there are less than four Trustees in East Africa then the

Powers of majority to act, and of individuals to appoint alternates

said trusts and powers shall nevertheless be capable of being performed by all Trustees not being less than two, who are for the time being in East Africa, and any act or decision of theirs shall be as valid as it would have been if done or made by six Trustees

No 28 of 1929 (2) Notwithstanding anything to the contrary contained in the Trustee Ordinance, 1929, no individual Trustee other than the said Lieutenant-Colonel Ralph Beresford Turner shall have any power in any circumstances to appoint any attorney, alternate, or substitute to act in his place

No 28 of 1929 Provided that nothing in this sub-section shall derogate from or otherwise affect any power of delegation conferred upon the Trustees generally by section 18 of this Ordinance, or any power of the said Lieutenant-Colonel Ralph Beresford Turner to do or make any formal act or deed by the agency of a duly constituted attorney under or by virtue of the said Trustee Ordinance, 1929, or any other law for the time being in force in the Colony

PART IV

FUTURE MODIFICATIONS

Power to vary
Constitution
and Trusts

22 Notwithstanding anything to the contrary contained in this Ordinance, all or any of the trusts, powers and provisions hereinbefore contained may at any time or times hereafter, by a declaratory deed under the hands and seals of any five of the Trustees and under the hand of the Governor and the seal of the Colony, be altered, modified or extended in such manner and to such extent as the Trustees may think fit and the Governor in Council may approve

Power to
transfer Trust
Fund or part
thereof

23 (1) In addition to the powers conferred by the last preceding section and any other powers hereinbefore contained, and without prejudice to the generality of such respective powers, the Trustees acting unanimously, or any five of them, may at any time or times, with the consent of the Governor in Council duly recorded under the hand of the Governor and the public seal of the Colony, transfer the whole or any part or parts of the Trust Fund to any municipality or other local authority or to any separate body of trustees, upon the terms either that the transferee or transferees shall thenceforth become a trustee or trustees of the premises so transferred for the purposes of and with and subject to the powers and provisions declared by this Ordinance

in the place of the Trustees, or else that the premises so transferred shall thenceforth be excluded entirely from the McMillan Memorial Library and from the operation of this Ordinance, and upon such further or other terms as may be thought fit. Provided that neither the said piece and parcel of land known as Plot Number L R 209/1890 nor any building thereon, nor any part thereof respectively, shall be transferred to any person other than the Municipal Council of Nairobi, and then only upon condition that the same shall continue at all times thereafter to be known and designated by the name of the "McMillan Memorial Library"

(2) In the event of any such transfer as aforesaid, the Trustees shall thereupon, unless the terms of such transfer otherwise provide, be released and discharged from all future responsibility or liability under this Ordinance in respect of the premises so transferred

PART V

MISCELLANEOUS

24 All appointments made, liabilities incurred, and other acts and things done or suffered by the Trustees prior to the commencement of this Ordinance, which would have been valid and effectual if so made, incurred, done or suffered after the commencement of this Ordinance, shall be valid and take effect in all respects as if the same had been so made, incurred, done or suffered under or by virtue of this Ordinance

Retrospective effect as regards prior acts and liabilities

25 All powers, discretions, authorities, responsibilities, and liabilities conferred or imposed upon the Trustees by any other law for the time being in force shall apply to the Trustees, except so far as expressly or impliedly modified or excluded by the terms of this Ordinance

Saving of powers, etc., conferred on trustees by other laws

26 The costs, charges and expenses preliminary to and of and incidental to the preparation and enactment of this Ordinance, shall be paid by the Trustees out of the Trust Fund

Costs

27 Nothing in this Ordinance contained shall in anywise prejudice or affect any rights of His Majesty the King, His Heirs and Successors, in any respect other than in His vicarious capacity as one of the Appointors mentioned in the preamble to this Ordinance, or of any body or bodies (political or) corporate or other person or persons excepting only such as are mentioned herein and those claiming by, from or under them

Saving of rights of the Crown, bodies corporate and other persons

PROCLAMATION No 76

THE DISEASES OF ANIMALS ORDINANCE
(Chapter 157 of the Revised Edition, section 4)

AND

THE INTERPRETATION AND GENERAL CLAUSES ORDINANCE
(Chapter 1 of the Revised Edition, section 13)

GOVERNMENT NOTICE No 231 OF 1919

PROCLAMATION

IN EXERCISE of the powers thereunto enabling me, I hereby declare the areas defined in the Schedule hereto to be infected with East Coast fever, and I hereby declare the said areas shall be known as "Infected Areas" for the purposes of Rules under the Diseases of Animals Ordinance

Proclamation No 65, dated the 10th day of July, 1935, is hereby amended accordingly

Given under my hand at Kabete this 13th day of September, 1938

E J MULLIGAN,
Acting Director of Veterinary Services

SCHEDULE

L R or Other Description	Owner	District	Date of Commence- ment of Quarantine
The portion of Farm L O No 438 lying North East above the main Nakuru-Gilgil Road, not including the Main road	The Hon Lady Eleanor Cole, Kekopey Estate, P O Gilgil	Nakuru	23rd September, 1938
L R No 2626	L E Smith Esq and C F Pohl Esq, Thomson's Falls	Laikipia	20th September, 1938
L R No 7000	G S Baker Esq, Thomson's Falls	Laikipia	20th September, 1938
L R Nos 3236 and 4715	Commander E C Ward, Ol'Manyatta, P O Subukia	Nakuru	20th September, 1938
An Area of Forest Reserve L R 4424/R defined as follows From a beacon situated on the north west corner of L R 6585 thence following a straight line in a northerly direction as far as the most southerly beacon of L R 7311 thence following a straight line in a south easterly direction to a beacon situated on the north western boundary of L R 7000 thence following the western boundary of L R 7000 due southwards as far as a beacon situated on its most southerly point thence following a straight line south westwards to the point of commencement	The Assistant Conservator of Forests, Thomson's Falls	Laikipia	20th September, 1938

PROCLAMATION No 77

THE DISEASES OF ANIMALS ORDINANCE
(Chapter 157 of the Revised Edition, section 4)

AND

THE INTERPRETATION AND GENERAL
CLAUSES ORDINANCE

(Chapter 1 of the Revised Edition section 13)

GOVERNMENT NOTICE No 231 OF 1919

PROCLAMATION

IN EXERCISE of the powers thereunto enabling me, I hereby declare the following areas to be infected areas for the purposes of the said Diseases of Animals Ordinance —

RINDERPEST

L R Nos 3281, 3282 and 3279, W H Rooken-Smith, Esq, Glenaron, Thomson's Falls, Laikipia District

L R Nos 5190, 2500 and 3262, N Y E Chart, Esq, Kituku Estate, Rumuruti, Laikipia District

L R Nos 2510 and 6397, D A Smith, Esq, Thomson's Falls, Laikipia District

L R No 2508/I, L A Smith, Esq, Glenroi Estate, Thomson's Falls, Laikipia District

L R Nos 6393, 2532 and 2522, G C Aggett, Esq, Thomson's Falls, Laikipia District

L R No 6313, W Miles Fletcher, Esq, P O Thomson's Falls, Laikipia District

L R Nos 2508/R and 5157, W H Rooken-Smith, Esq, Thomson's Falls, Laikipia District

And further I hereby declare the following portions of Proclamations to be revoked —

That portion of Proclamation No 30, dated the 14th day of April, 1937, declaring—

That portion of L R No 431 which lies south of a line drawn from the north-west corner of L R 1155 due west to the Kenya and Uganda Railway Soysambu Estate, P O Elmenteita, Nakuru District, to be an infected area (East Coast fever)

That portion of Proclamation No 20, dated the 9th day of March, 1938, declaring—

Uasin Gishu, Uasin Gishu District, to be an infected area (Rinderpest)

That portion of Proclamation No 44, dated the 25th day of May, 1938, declaring—

L R No 1234, Captain E V Kenealy, P O Naro Moru, North Nyeri District,

to be an infected area (Rinderpest)

That portion of Proclamation No 74, dated the 24th day of August, 1938, declaring—

L R Nos 2819, 2812 and 2811, W E Powys, Esq, Kisima, P O Timau, North Nyeri District,

to be an infected area (Rinderpest)

Those portions of Proclamation No 73, dated the 24th day of August, 1938, declaring—

L R No 438, The Hon Lady Eleanor Cole, Kekopey Estate, P O Gilgil, Nakuru District,

L R No 2655, Commander E C Ward, Ol'Viron, P O Subukia, Nakuru District,

to be infected areas (East Coast fever)

Given under my hand at Kabete this 13th day of September, 1938

E J MULLIGAN,

Acting Director of Veterinary Services

GOVERNMENT NOTICE No 697

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

IN EXERCISE of the powers conferred upon the Governor by section 78 of the Crown Lands Ordinance (Cap 140 of the Revised Edition) and all the powers thereunto enabling me I, Armigel de Vins Wade, Knight Bachelor, Companion of the Most Distinguished Order of Saint Michael and Saint George, Officer of the Most Excellent Order of the British Empire, Deputy to the Governor and Commander-in-Chief of the Colony and Protectorate of Kenya, do hereby authorize the High Commissioner for Transport his contractors agents and/or servants to exercise in connexion with the quarrying of stone the powers conferred upon the Crown by section 77 (2) of the Crown Lands Ordinance (Chapter 140) in respect of L R No 4099 situated near Lugari and leased to Lugari, Ltd

Nairobi,

Dated this 14th day of September, 1938

A DE V WADE,
Governor's Deputy

GOVERNMENT NOTICE No 698

THE NATIVE AUTHORITY ORDINANCE 1937

AND

THE INTERPRETATION AND GENERAL
CLAUSES ORDINANCE

(Chapter 1 of the Revised Edition)

GOVERNMENT NOTICE No 314 OF 1937

IN EXERCISE of the powers thereunto enabling me, I hereby appoint the persons named in the Schedule annexed hereto to be members of the Local Native Council named therein with effect from the 7th October, 1938

Government Notice No 698 of 7th October, 1935, is hereby cancelled

R PEDRAZA,
Officer in Charge,
Masai District

SCHEDULE

NAROK LOCAL NATIVE COUNCIL

Lendingu ole Loldigir	Shanga ole Kashu
Osinyo ole Saiyo	Mulunget ole Parmuat
Ngutete ole Njogo	Kitipo ole Lolpapash
Juma ole Sigawa	Tima ole Ketikai
Nembee ole Kapeen	Lendabetian ole Sapiri
Kondai ole Sangale	Oloridai ole Leposso
Baisalai ole Gelisho	Ratikar ole Mopes
Lolgilla ole Tamoo	Sindaka ole Ndanai
Oimeru ole Masikonde	Kuya ole Partinga
Mukiree ole Katuga	Nondokat ole Kurian
Maripet ole Terere	Ngonyo ole Sungwia
Oruma ole Koi	Materi ole Makoi
	Kamamia ole Kumomoru
	Mbario ole Kishoyan
	Kalundu ole Koros
	Njeroge ole Lengume
	Kerundai ole Ngoidila
	Lolkenyo ole Leshinga
	Gathorora ole Mesinga
	Papai ole Tioponu
	Katai ole Nyange

GOVERNMENT NOTICE No 699

THE NATIVE AUTHORITY ORDINANCE, 1937
(Ordinance No 2 of 1937, section 3)

AND

THE INTERPRETATION AND GENERAL
CLAUSES ORDINANCE

(Chapter 1 of the Revised Edition, section 13)

GOVERNMENT NOTICE No 314 OF 1937

APPOINTMENT

IN EXERCISE of the powers thereunto enabling me, I hereby appoint the persons named in the Schedule annexed hereto to be Official Headmen for the areas named therein

Mombasa,
25th August, 1938

G H C BOULDERSON,
*Provincial Commissioner,
Coast*

SCHEDULE

LAMU DISTRICT, COAST PROVINCE

Name	Area	With effect from	Remarks
Kusoma bin Buno	Ndau	1st July, 1938	Vice Bwana Musa bin Ali, deceased, appointed under Govt Notice No 667 of 1933
Ali Baishe	Kiongwe	1st July, 1938	Vice Ibrahim bin Abdulla deceased, appointed under Government Notice No 424 of 1924
Bakaehi bin Shereiju	Wangeh and Anikish	1st July, 1938	Vice Fumo bin Baishe Fumo, deceased, appointed under Govt Notice No 35 of 1938

GOVERNMENT NOTICE No 700

THE COURTS ORDINANCE, 1931

NOTICE

IN EXERCISE of the powers conferred upon the Governor by sections 6 and 8 of the Courts Ordinance, 1931, and all other powers thereunto enabling him, the Governor's Deputy has been pleased to appoint, with effect from the 1st day of September, 1938, Eric Reginald St Aubrey Davies, to be a Magistrate of the Second Class with powers to hold a Subordinate Court of the Second Class in the Nairobi and Kiambu Districts of the Central Province, whilst holding his present appointment as Municipal Native Affairs Officer, Nairobi, Central Province

By Command of the Governor's Deputy

Nairobi,
This 13th day of September, 1938

H L G GURNEY,
for Chief Secretary

GOVERNMENT NOTICE No 701

THE MINING ORDINANCE, 1933

NOTICE

IN EXERCISE of the powers conferred upon the Governor by section 7 (j) of the Mining Ordinance, 1933, His Excellency the Governor's Deputy has been pleased to declare the area described in the Schedule hereto to be excluded to prospecting and mining with effect from the 10th day of September, 1938. Provided that nothing in this notice contained shall be deemed to affect any prospecting right or mineral right granted in respect of the said area or any portion thereof before and existing at the 10th day of September, 1938, during the period for which any such right may continue to exist

By Command of the Governor's Deputy

Nairobi,
10th September, 1938

H L G GURNEY,
for Chief Secretary

SCHEDULE

An area of approximately 1,200 square miles situated partly in the Tana River District of the Coast Province and partly in the Northern Frontier District as marked on a map deposited in the office of the Commissioner of Mines, Nairobi, and more particularly described as follows —

Commencing at a point on the east bank of the Tana River, due east of Dololo,

thence due east for a distance of 50 miles to a point,
thence due south for a distance of 30 miles to a point,
thence due west for a distance of approximately 30 miles to the point where this line intersects the east bank of the Tana River,

thence up-stream along the east bank of this river to the point of commencement

GOVERNMENT NOTICE No 702

KENYA GOVERNMENT OVERSEAS BURSARIES

IT is notified for general information that the award of the following bursaries has been approved —

EUROPEAN

Mr V G Bennett, £100 per annum for 3 years at the Natal University College, Durban

Mr A F Cloete, £100 per annum for 3 years at the Witwatersrand University, Johannesburg

Mr K B Keith, £50 per annum for 3 years at St Catherine's College, Cambridge

Miss Joan Hainett, £75 per annum for 3 years at Queen Mary College, London

Miss Joan Sparks, £50 per annum for 3 years at the Natal University College, Durban

Miss M E Sunde, £50 for 1 year at Moray House, Edinburgh

INDIAN

Mr Harakhchand Meghji Shah £100 per annum for 3 years at the London School of Economics

Mr Yash Dev Sethi, £100 per annum for 3 years at the School of Medicine, Edinburgh

Nairobi,
This 17th day of September, 1938

H L G GURNEY,
for Chief Secretary

GENERAL NOTICE No 1290

THE WATER ORDINANCE, 1929

NOTICE OF APPLICATION FOR WATER RIGHT

IN terms of section 27 of the Water Ordinance, 1929, notice is hereby given that G R and O I A Grimwood of Nakuru have filed an application, which was registered by the Water Board on 27th August, 1938, for a Sanction, to divert from Cool Springs Stream tributary to Mbaruk River, at a point on L R No 1157/6, 600, 50 and 9,000 gallons per day (of which approximately 9,000 gallons per day will be returned to the stream) for the purposes of domestic use, minor irrigation and power to drive a ram respectively on L R No 1157/6

The proposed works will consist of a hydraulic ram and pipe line

A plan of the proposed works may be seen at the office of the Director of Public Works, Nairobi, and at the office of the Nakuru District Council

The application will subsequently be considered for a Water Right

Any objections to the grant of the Water Right and/or Sanction applied for should be filed, in duplicate, with the Water Board, P O Box 662, Nairobi, within sixty days from the date of the first publication of this notice, and a copy of the objection must be served by the objector on the undersigned at the address given below

G R GRIMWOOD,
Applicant or Lawfully Authorized Agent,
Cool Springs,
P O Nakuru

GENERAL NOTICE No 1291

THE WATER ORDINANCE, 1929

NOTICE OF APPLICATION FOR WATER RIGHT

IN terms of section 27 of the Water Ordinance, 1929, notice is hereby given that C C de V Wright, Esq., of Hoey's Bridge has filed an application, which has been registered by the Water Board for a Water Sanction, to divert from an unnamed tributary of the Nzoia River at a point on L R No 6647, 550 and 1,600 gallons per day for the purposes of domestic use and minor irrigation on L R No 6647

The proposed works will consist of a weir, pump and pipe line

A plan of the works may be seen at the office of the Director of Public Works, Nairobi, and at the office of the Uasin Gishu District Council, Eldoret

The application will subsequently be considered for a Water Right

Any objections to the grant of the Water Right and/or Sanction applied for should be filed, in duplicate, with the Water Board, P O Box 662, Nairobi, within sixty days from the date of the first publication of this notice, and a copy of the objection must be served by the objector on the undersigned at the address given below

CLAUDE WRIGHT,
Applicant or Lawfully Authorized Agent,
Natwana, Hoey's Bridge

GENERAL NOTICE No 1292

THE WATER ORDINANCE, 1929

NOTICE OF APPLICATION FOR WATER RIGHT

IN terms of section 27 of the Water Ordinance, 1929, notice is hereby given that Mrs E G C Ney of Sabukia has filed an application, which has been registered by the Water Board for a Water Sanction, to divert from the Sabukia River at a point on L R No 2846/12, 1,000 and 30,000 gallons per day (of which approximately 24,000 gallons per day will be returned to the Sabukia River) for the purposes of minor irrigation and pulping and washing of coffee respectively on L R No 2846/12

The proposed works will consist of a well and canal 60 feet long

A plan of the works may be seen at the office of the Director of Public Works, Nairobi, and at the office of the Nakuru District Council, Nakuru

The application will subsequently be considered for a Water Right

Any objections to the grant of the Water Right and/or Sanction applied for should be filed, in duplicate, with the Water Board, P O Box 662, Nairobi, within sixty days from the date of the first publication of this notice, and a copy of the objection must be served by the objector on the undersigned at the address given below

R O NEY,
Applicant or Lawfully Authorized Agent,
Subukia

GENERAL NOTICE No 1293

THE WATER ORDINANCE, 1929

NOTICE OF APPLICATION FOR WATER RIGHT

IN terms of section 27 of the Water Ordinance, 1929, notice is hereby given that P E Anderson, Esq., of Nairobi has filed an application, which has been registered by the Water Board for a Water Sanction, to abstract from beneath the Karati River at a point in the Forest Reserve, 1,500, 5,000 and 17,000 gallons per day for the purposes of domestic use, minor irrigation, and use in lime production in the Forest Reserve (L O No 1303/2)

The proposed works will consist of an adit driven beneath river, and a pipe line

A plan of the works may be seen at the office of the Director of Public Works, Nairobi, and at the office of the Naivasha District Council

The application will subsequently be considered for a Water Right

Any objections to the grant of the Water Right and/or Sanction applied for should be filed, in duplicate, with the Water Board, P O Box 662, Nairobi, within sixty days from the date of the first publication of this notice, and a copy of the objection must be served by the objector on the undersigned at the address given below

P E ANDERSEN,
Applicant or Lawfully Authorized Agent,
c/o Lime, Ltd, Nairobi

GENERAL NOTICE No 1294

THE WATER ORDINANCE, 1929

NOTICE OF APPLICATION FOR WATER RIGHT

IN terms of section 27 of the Water Ordinance, 1929, notice is hereby given that W D C L Purves, Esq., of Njoro has filed an application which was registered by the Water Board on 24th August, 1938, for a Sanction, to divert from the Njoro River at a point in the Eastern Mau Forest Reserve, west of L R Nos 7103 and 6854, 2,000 gallons per day and 700 gallons per month for the purposes of domestic use, and use in cattle dip respectively on L R No 7103

The proposed works will consist of a weir and pipe line

A plan of the proposed works may be seen at the office of the Director of Public Works, Nairobi, and at the office of the Nakuru District Council

The application will subsequently be considered for a Water Right

Any objections to the grant of the Water Right and/or Sanction applied for should be filed, in duplicate, with the Water Board, P O Box 662, Nairobi, within sixty days from the date of the first publication of this notice, and a copy of the objection must be served by the objector on the undersigned at the address given below

W D C L PURVES,
Applicant,
P O Njoro

GENERAL NOTICE No 1295

THE WATER ORDINANCE, 1929

NOTICE OF APPLICATION FOR WATER RIGHT

IN terms of section 27 of the Water Ordinance, 1929, notice is hereby given that Karara, Ltd, of Hoey's Bridge have filed an application, which has been registered by the Water Board for a Water Sanction, to divert from the Nzoia River at a point on L R No 1803, 5,300 gallons per day for use in Passion Fruit Factory and minor irrigation on L R No 1803

The proposed works will consist of a pump and pipe line

A plan of the works may be seen at the office of the Director of Public Works, Nairobi, and at the office of the Trans Nzoia District Council, Kitale

The application will subsequently be considered for a Water Right

Any objections to the grant of the Water Right and/or Sanction applied for should be filed, in duplicate, with the Water Board, P O Box 662, Nairobi, within sixty days from the date of the first publication of this notice, and a copy of the objection must be served by the objector on the undersigned at the address given below

T PETRIE,
Applicant or Lawfully Authorized Agent
Karara Ltd
Hoey's Bridge

GENERAL NOTICE No 1296

NOTICE

UNDER THE LIQUOR LICENSING ORDINANCE
62 of 1934

NAKURU LIQUOR LICENSING COURT

THE undermentioned new application has been received for consideration by the Nakuru Liquor Licensing Court, which will sit at the office of the District Commissioner, Nakuru, on Monday the 14th November, 1938, at 10 a m

Applicant—L A Wenman, Molo

Class of licence—Hotel Liquor Licence

Premises—Wenman's Hotel, Plot No 7070, Molo

J G HAMILTON ROSS,
Chairman,
Nakuru Liquor Licensing Court

GENERAL NOTICE No 1297

NAROK LIQUOR LICENSING COURT

(Ordinance No 62 of 1934)

NOTICE is hereby given that the next meeting of the Narok Liquor Licensing Court will be held at the office of the District Commissioner at Narok on Monday the 14th November, 1938, at 10 o'clock in the forenoon

All new and confirmation of transfer applications must reach the Chairman of the Narok Liquor Licensing Court, Narok, on or before 30th October, 1938, together with Sh 10 stamp fee on each application

Narok,
8th September, 1938

W A PERREAU,
Chairman,
Narok Liquor Licensing Court

GENERAL NOTICE No 1298

NOTICE

UNDER THE MEDICAL PRACTITIONERS AND DENTISTS
ORDINANCE, 1910

(Chapter 119, Revised Edition)

THE undermentioned have been registered in accordance with the terms of the Medical Practitioners and Dentists Ordinance (Chapter 119 of the Revised Edition) —

De Mello, Julio Pinto, M B, B S (BOMBAY), 1937

Liebow, Augustus Emil, L D S (ST ANDREWS), 1927

F J CARLYLE JOHNSTONE,
Acting Registrar

GENERAL NOTICE No 1299

THE CROWN LANDS ORDINANCE

(Chapter 140 of the Revised Edition)

KITALE TOWNSHIP

Auction of Residential Plots

Notice

NOTICE is hereby given that grants in respect of the plots at Kitale, specified in the Schedule hereto, will be sold by auction at the office of the District Commissioner, Kitale, on Wednesday, 26th October, 1938, commencing at 10 a.m.

Plans of the plots may be seen at the Public Map Office attached to the Survey Office, Nairobi, and at the office of the District Commissioner, Kitale, or may be had on application to the Director of Surveys, Box 89, Nairobi on payment of Sh 2, post free.

The right to withdraw any plot from the auction is reserved to the Commissioner of Lands.

In the following general and special conditions of sale, the term "Authority" means the District Commissioner, Kitale, or such other Municipal Authority as may be hereafter established by law.

CONDITIONS OF SALE

(a) Auction

- 1 Each plot will be auctioned separately.
 - 2 The amount of the advance of each bid will be regulated by the auctioneer and no bidding shall be retracted.
 - 3 The highest bidder will be the purchaser, but if any dispute arise as to any bid, the plot will be reoffered at the last undisputed bid.
 - 4 Each purchaser shall pay to the auctioneer immediately on the fall of the hammer, a deposit of 25 per cent of the purchase money. In default of such payment the plot may be immediately reoffered for sale, and any subsequent bid by the person who has made default may be ignored or refused.
 - 5 Each purchaser shall on paying the deposit inform the auctioneer of the name or names of the person or persons on whose behalf the plot is purchased, the grant will be issued in accordance with this information.
 - 6 The balance of the purchase money shall be paid to the Provincial Commissioner, Nakuru.
- The survey fees, the fees payable for the preparation and registration of the grant (Sh 120), and the stamp duty payable in respect of the grant (approximately 2 per cent on the purchase price and on the rent), and all other expenses if any, shall be paid to the Director of Surveys, Nairobi.
- All these amounts shall be paid within seven days of a request for payment being made when the grant is ready for execution. If these amounts be not paid within the time stated, the Commissioner of Lands may order the deposit made by the grantee to be forfeited, and the grantee shall have no further claim to the grant of the plot.

SCHEDULE

Plot No	Section No	Area Ac	Rent per Annum Sh	Upset Price Sh	Survey Fees Sh	Proportionate rent from 1 11 38 to 31 12 38 Sh
29	VI	1 033	60	450	70	10
31	VI	1 033	60	450	70	10

Nairobi,
15th September, 1938

(b) General

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

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

3 Grants will be made under the Crown Lands Ordinance (Cap 140) and titles will be issued under the Registration of Titles Ordinance (Chapter 142 of the Revised Edition). The term of the grant will be for 25 years from the 1st November, 1938, subject to extension to 99 years, as provided in No 2 of the special conditions.

4 The grantee may at any time during the currency of the grant redeem up to three-quarters of the rent of the plot on the basis of twenty years' purchase.

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

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

(c) Special

1 Each purchaser of a plot in the Schedule hereto shall erect within two years of the commencement of his grant a building constructed of stone, burnt brick, concrete, or wood and iron on proper foundations.

2 If at any time during the term of the grant a main building of approved design constructed of stone, burnt brick or concrete on proper foundations be erected on any plot, the grantee shall be entitled to an extension of the term to 99 years from 1st November, 1938.

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

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

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

6 All outbuildings, offices, etc., shall be properly sited and screened from view to the satisfaction of the authority or such other person as may be appointed, and shall be kept so screened during the term of the grant.

C E MORTIMER,
*Acting Commissioner for Local Government,
Lands and Settlement*

GENERAL NOTICE NO 1169

THE NATIVE LANDS TRUST ORDINANCE, 1930

YALA TOWNSHIP PLOTS

Notice

NOTICE is hereby given that grants in respect of the plots at Yala specified in the Schedule hereto, will be sold by auction at the office of the District Commissioner, Central Kavirondo, Kisumu, on 24th September, 1938, commencing at 10 a.m.

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

The right to withdraw any plot from the auction is reserved to the Chief Native Commissioner.

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

CONDITIONS OF SALE

(a) Auction

- 1 Each plot will be auctioned separately.
- 2 The amount of the advance of each bid will be regulated by the auctioneer, and no bidding shall be retracted.
- 3 The highest bidder will be the purchaser, but if any dispute arise as to any bid, the plot will be reoffered at the last undisputed bid.
- 4 Each purchaser shall pay to the auctioneer immediately on the fall of the hammer, a deposit of 25 per cent of the purchase money. In default of such payment, the plot may be immediately reoffered for sale, and any subsequent bid by the person who has made default may be ignored or refused.
- 5 Each purchaser shall on paying the deposit inform the auctioneer of the name or names of the person or persons on whose behalf the plot is purchased, the grant will be issued in accordance with this information.
- 6 The balance of the purchase money, together with the rent due to the 31st December, 1938, shall be paid to the District Commissioner, Central Kavirondo, at Kisumu.

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

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

Upon the payment of the purchase price and the other payments specified above being duly made, the purchaser shall, subject to the provisions of the Native Lands Trust Ordinance, 1930, and to the Conditions of Sale having been complied with, be entitled to a grant of the plot, which grant shall be presented to him duly executed as soon as conveniently may be.

Provided that the balance of the purchase money shall not be payable within the time stated or thereafter, unless and until the Chief Native Commissioner can present to the purchaser the grant duly executed.

7 If the amounts mentioned in Condition No 6 are not paid as therein laid down within seven days of a demand being made therefor, the Chief Native Commissioner may order the deposit made by the purchaser to be forfeited, and the purchaser shall have no further claim to the grant of the plot.

(b) General

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

2 No building shall be erected on any plot unless plans (including block plans showing the position of the buildings), drawings, elevations and specifications thereof shall have been previously approved by the Authority, and by the Provincial Commissioner, Nyanza Province, Kisumu, or such other person as he may appoint. Such plans, etc., shall be submitted in triplicate, to the District Commissioner, Central Kavirondo, Kisumu, for necessary action. One copy of the plans must be drawn or printed on linen or linen paper.

3 Grants will be subject to the provisions of the Native Lands Trust Ordinance, 1930, and will be issued under the Registration of Titles Ordinance (Chapter 142 of the Revised Edition). The term of the grants will be 33 years from the 1st day of October, 1938.

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

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

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

(c) Special

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

Provided that in the event of any plot being used for the said combined purposes, then not more than one-half of the area thereof shall be built upon, otherwise not more than 90 per cent of the area thereof shall be built upon.

2 In no case shall the area of any plot used solely for business purposes required to remain unbuilt on be less than 300 square feet or 10 per cent, whichever is the greater, and the said area shall be free from any erection thereon above the level of the ground except latrine accommodation constructed in accordance with all laws and by-laws in force relating thereto, and in accordance with a design approved by the Authority.

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

3 Each purchaser of a plot shall erect within two years of the commencement of his grant a building of

approved design constructed of stone, burnt brick or concrete on proper foundations

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

SCHEDULE

BUSINESS PLOTS

Plot No	Section No	Area Acres	Rent per annum	Upset Price	Survey Fees	Proportionate rent from 1 38 to 31 12 38
			Sh	Sh	Sh	Sh
4	VI	0 1286	192	25	70	—
6	VI	0 1331	192	25	70	—
3	III	0 1286	192	25	70	—
1	III	0 1286	192	25	70	—
4	IV	0 1286	192	25	70	—

Nairobi,
13th August, 1938

E B HOSKING,
Chief Native Commissioner

GENERAL NOTICE No 1170

THE CROWN LANDS ORDINANCE
(Cap 140, Revised Edition)

TENDERS FOR GRANT OF PLOT, MOMBASA

TENDERS are invited for a grant of the Plot in Mombasa specified in the Schedule hereto

2 A plan of the plot may be seen at the Survey Offices, Nairobi or Mombasa, or may be had on application to the Director of Surveys, Nairobi, or the District Surveyor, Mombasa, on payment of Sh 3, post free

3 The grantee of the plot will be required to erect on the plot within 5 years from the commencement of the grant a building of approved design constructed of stone, brick or concrete on proper foundations

4 The plot may be used only for the purpose of an accommodation garage or for other purposes in connexion with a hotel, but shall under no circumstances be used for a commercial garage

5 No building shall be erected on the plot unless plans (including block plan showing the position of the buildings), drawings, elevations and specifications thereof shall have been previously approved by the Local Authority and by the Commissioner of Lands, or such other person as he may appoint Such plans, etc, shall be submitted in triplicate to the Town Clerk, Mombasa, for necessary action

6 Any building erected shall conform to a building line decided upon by the Local Authority

7 A veranda may be erected within a road reserve with the previous consent of the Local Authority

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

9 The term of the grant will be 99 years from the 1st day of October, 1938, and the grant will be issued under the Registration of Titles Ordinance (Cap 142 of the Revised Edition)

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

11 The grantee of the plot shall pay to the District Surveyor, Mombasa, within 7 days of the acceptance of his tender, 25 per cent of the purchase money, together with the rent due to the 31st December, 1938 In default of such payment the sale of the plot may be cancelled

12 The balance of the purchase money shall be paid to the District Surveyor, Mombasa The survey fees, the fees payable for the preparation and registration of the grant (Sh 120), and the stamp duty payable in respect of the grant (approximately 2 per cent on the stand premium and on the rent), and all other expenses, if any, shall be paid to the Director of Surveys, Nairobi All these amounts shall be paid within seven days of a request for payment being made, when the grant is ready for execution If these amounts be not paid within the time stated the Commissioner of Lands may order the deposit made by the grantee to be forfeited and the grantee shall have no further claim to the grant of the plot

13 No tender of less than the amount stated in the Schedule hereto will be considered

14 Tenders, in writing, must be submitted to the District Commissioner, Mombasa, in sealed envelopes marked "Tender for Portion of Plot 173", on or before the 21st day of September, 1938

15 The highest or any tender will not necessarily be accepted

SCHEDULE

Plot No	Section No	Area Acres (approx)	Rent per Annum Sh	Minimum Tender Stand Premium Sh	Survey Fees Sh	Proportionate rent 1 10 38 to 31 12 38 Sh
Portion of 173	XXI	1 0	800	4,000	220	200

Nairobi,
14th August, 1938

C E MORTIMER,
Acting Commissioner for Local Government,
Lands and Settlement

GENERAL NOTICE No 1203

THE CROWN LANDS ORDINANCE

(Chapter 140 of the Revised Edition)

KERICHO TOWNSHIP PLOTS

NOTICE

NOTICE is hereby given that grants in respect of the plots at Kericho specified in the Schedule hereto, will be sold by auction in the District Commissioner's Office, Kericho, on Saturday the 1st October, 1938, commencing at 10 a.m.

A plan of the plots may be seen at the Public Map Office attached to the Survey and Registration Division, Nairobi, and at the office of the District Commissioner at Kericho, or may be had on application to the Director of Surveys on payment of Sh 3 post free.

The right to withdraw any plot from the auction is reserved to the Commissioner of Lands.

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

CONDITIONS OF SALE

(a) Auction

- 1 Each plot will be auctioned separately.
- 2 The amount of the advance of each bid will be regulated by the auctioneer, and no bidding shall be retracted.
- 3 The highest bidder will be the purchaser, but if any dispute arise as to any bid, the plot will be re-offered at the last undisputed bid.
- 4 Each purchaser shall pay to the auctioneer immediately on the fall of the hammer, a deposit of 25 per cent of the purchase money. In default of such payment, the plot may be immediately reoffered for sale, and any subsequent bid by the person who has made default may be ignored or refused.
- 5 Each purchaser shall on paying the deposit inform the auctioneer of the name or names of the person or persons on whose behalf the plot is purchased, the grant will be issued in accordance with this information.
- 6 The balance of the purchase money, together with the rent due to the 31st December, 1938, shall be paid to the District Commissioner, Kericho.

The survey fees, the fees payable for the preparation and registration of the grant (Sh 120) and the stamp duty payable in respect of the grant, approximately 2 per cent on upset price and rent and all other expenses, if any, shall be paid to the Director of Surveys, Nairobi.

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

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

Provided that the balance of the purchase money shall not be payable within the time stated or thereafter, unless and until the Commissioner of Lands can present to the purchaser the grant duly executed.

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

(b) General

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

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

3 Grants will be made under the Crown Lands Ordinance and titles will be issued under the Registration of Titles Ordinance. The term of the grants will be 99 years from the 1st day of November, 1938.

4 The grantee may at any time during the currency of the grant redeem up to three-quarters of the rent of the plot on the basis of twenty years purchase.

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

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

(c) Special

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

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

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

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

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

Note—Intending purchasers should note that these plots have not yet been surveyed and that no adjustment of purchase price or rent will be made on account of any minor differences in area revealed on survey.

Purchasers who start building before the plots have been surveyed should satisfy themselves that such buildings are within the boundaries of the plot as indicated on the aforesaid plan.

SCHEDULE

Plot No	Section No	Area Acres (Approx)	Upset Price	Rent per annum	Proportionate rent from 1 11-38 to 31 12 38	Survey Fees
			<i>Sh</i>	<i>Sh cts</i>	<i>Sh cts</i>	<i>Sh</i>
10/1 North	I	5 9	800	108 00	18 00	100
10/2 North	I	5 9	800	108 00	18 00	100
4/1	I	4 5	613	82 00	14 00	100
2/1	I	4 4	600	80 00	13 00	100
10/1 South	I	3 4	278	37 00	6 16	100
10/2 South	I	3 8	311	42 00	7 00	100
4/2	I	5 0	410	54 00	9 00	100
2/2	I	6 0	490	66 00	11 00	100

Nairobi,
26th August, 1938

C E MORTIMER,
*Acting Commissioner for Local Government,
Lands and Settlement*

GENERAL NOTICE No 841

SESSIONS of His Majesty's Supreme Court of Kenya will be held on the dates and at the places hereunder set out during the year 1938 —

SUPREME COURT SESSIONS AT ELDORET, 8-9-38

Cr C No 81/38 Rex vs Malit arap Chebiegor
Cr C No 83/38 Rex vs Komen arap Chelal and 50 others
Cr C No 90/38 Rex vs Kipkilee arap Kosita
Cr C No 92/38 Rex vs Chuma arap Sang

SUPREME COURT SESSIONS AT KISUMU, 12-9-38

Cr C No 91/38 Rex vs Nur Mohamed
In Chambers —
C C No 20/37 Ghulam Fatma vs Gharib Shah
C C No 30/35 European Stores, Ltd, vs J Simpson
In Court
D C 1/38 John Hedley Barbour vs Mary Barbour and another
D C 2/38 Arthur John Cooper vs Muriel Agnes Cooper and another

SUPREME COURT SESSIONS AT KAKAMEGA, 15-9-38

Cr C No 76/38 Rex vs Naktare s/o Wawire
Cr C No 84/38 Rex vs Atita s/o Odundo
Cr C No 95/38 Rex vs Makundu s/o Obaya
Cr C No 101/38 Rex vs Wakesa (*alias* Ongata) Mulanda

SUPREME COURT SESSIONS AT KERICHO, 19-9-38

Cr C No 85/38 Rex vs Kiblangat arap Rongi
Cr C No 94/38 Rex vs Kipsoi A Chepkwain

SUPREME COURT CRIMINAL SESSIONS AT KILIFI, 21-9-38

Cr C No 97/38 Rex vs Kanina s/o Ngala

SUPREME COURT CRIMINAL SESSIONS AT MALINDI, 22-9-38

Cr C No 88/38 Rex vs Muhambi s/o Wanje and 2 others
Cr C No 103/38 Rex vs MSA 4942897, Hassan s/o Ogondo

SUPREME COURT SESSIONS AT NAIROBI 3-10-38

Cr C No 96/38 Rex vs Kamau s/o Icharia

SUPREME COURT SESSIONS AT NAKURU, 28-11-38

The last Sessions at Nakuru to be followed in each case by Sessions at Eldoret, Kisumu, and such other places as may be notified

Nairobi,
18th August, 1938

EDWARD J O'FARRELL,
*Registrar,
Supreme Court of Kenya*

GENERAL NOTICE NO 1171

THE CROWN LANDS ORDINANCE

(Chapter 140 of the Revised Edition)

KIBWEZI TOWNSHIP PLOTS

NOTICE

NOTICE is hereby given that grants in respect of the plots at Kibwezi specified in the Schedules hereto, will be sold by auction at the District Commissioner's Office, Nairobi, on the 28th September, 1938, commencing at 11 a.m.

Plans of the plots may be seen at the Public Map Office attached to the Survey and Registration Division, Nairobi, and at the offices of the District Commissioners at Machakos and Nairobi, or may be had on application to the Director of Surveys on payment of Sh 2 post free.

The right to withdraw any plot from the auction is reserved to the Commissioner of Lands.

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

CONDITIONS OF SALE

(a) Auction

- 1 Each plot will be auctioned separately.
- 2 The amount of the advance of each bid will be regulated by the auctioneer, and no bidding shall be retracted.
- 3 The highest bidder will be the purchaser, but if any dispute arise as to any bid, the plot will be re-offered at the last undisputed bid.
- 4 Each purchaser shall pay to the auctioneer immediately on the fall of the hammer, a deposit of 25 per cent of the purchase money. In default of such payment, the plot may be immediately re-offered for sale, and any subsequent bid by the person who has made default may be ignored or refused.
- 5 Each purchaser shall on paying the deposit inform the auctioneer of the name or names of the person or persons on whose behalf the plot is purchased, the grant will be issued in accordance with this information.
- 6 The balance of the purchase money, together with the rent due to the 31st December, 1938, shall be paid to the Land Assistant, Nairobi.

The survey fees, the fees payable for the preparation and registration of the grant (Sh 120) and the stamp duty payable in respect of the grant, approximately 2 per cent on the stand premium and on the rent, and all other expenses, if any, shall be paid to the Director of Surveys, Nairobi.

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

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

Provided that the balance of the purchase money shall not be payable within the time stated or thereafter, unless and until the Commissioner for Local Government, Lands and Settlement can present to the purchaser the grant duly executed.

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

(b) General

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

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

3 Grants will be made under the Crown Lands Ordinance and titles will be issued under the Registration of Titles Ordinance. The term of the grants will be 25 years from the 1st day of October, 1938, subject to extension to 99 years as provided in Special Condition No 4.

4 The grantee may at any time during the currency of the grant redeem up to three-quarters of the rent of the plot on the basis of twenty years purchase.

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

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

*(c) Special**Special Conditions in respect of Business Plots*

1 The plots enumerated in the Schedule may be used for business purposes only, or for the combined purposes of business and residence.

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

2 In no case shall the area of any plot specified in the Schedule used solely for business purposes required to remain unbuilt on be less than 300 square feet, or 10 per cent of the area whichever shall be the greater, and the said area shall be free from any erection thereon above the level of the ground except latrine accommodation constructed in accordance with all laws and by-laws in force relating thereto, and in accordance with a design approved by the Authority.

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

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

4 If at any time during the term of the grant a main building of approved design constructed of stone, burnt brick or concrete on proper foundations be erected on

any plot, the grantee shall be entitled to an extension of the term of the grant to 99 years from the 1st day of October, 1938

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

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

Nairobi,
19th August, 1938

C E MORTIMER,
*Acting Commissioner for Local Government,
Lands and Settlement*

SCHEDULE

Section No	Plot No	Area Acres	Upset Price	Annual Rent	Proportionate Rent from 1st October to 31st December, 1938	Survey Fees
			<i>Sh</i>	<i>Sh</i>	<i>Sh</i>	<i>Sh</i>
I	2	0 1148	750	120	30	70
I	3	0 1148	750	120	30	70
I	9	0 1161	750	120	30	70
II	2	0 1067	700	108	27	70
II	4	0 1237	825	132	33	70
II	5	0 1226	825	132	33	70
II	6	0 1144	750	120	30	70
II	7	0 1135	750	120	30	70

GENERAL NOTICE No 1300

MUNICIPALITY OF NAIROBI

THE LOCAL GOVERNMENT (RATING) ORDINANCE, 1928

PURSUANT to the provisions of the Local Government (Rating) Ordinance, 1928, I hereby give notice that the Valuation Court appointed to examine the Third Supplemental Valuation Roll made in respect of property within the Municipality of Nairobi, has completed its examination of the said Roll, and has made such alterations and amendments therein as it has deemed necessary, and that I have signed and certified the same, and that the said Roll will become fixed and binding upon all persons interested who shall not before the 22nd day of October, 1938, appeal from the decision of the Valuation Court

Nairobi,
16th September, 1938

T A WOOD,
*President,
Nairobi Valuation Court*

GENERAL NOTICE No 1235

IN LEGISLATIVE COUNCIL

OCTOBER, 1938, SESSION

NOTICE is hereby given under Standing Rule and Order No 94 that permission having been given to the McMillan Memorial Library Registered Trustees, namely Lieutenant-Colonel Ralph Beresford Turner, Companion of the Most Distinguished Order of Saint Michael and Saint George, Companion of the Distinguished Service Order, Edward Gilbert Morris, Esq.,

Officer of the Most Excellent Order of the British Empire, Director of Education, George Beresford Stooke, Esq., R N (RETIRED), Deputy Treasurer, Gwladys Lady Delamere, and Arthur Alexander Legat, Esq., Officer of the Most Excellent Order of the British Empire (being the present Trustees of the Trust Deed of "The McMillan Memorial Library" dated the 30th day of June, 1931, and who are registered under the Land Perpetual Succession Ordinance as a body corporate) to introduce into Legislative Council a Bill

to enlarge, extend and revise the objects and scope of the Charitable Trust created by the said Trust Deed and the powers and responsibilities of the Trustees thereof, to make certain further amendments and additions to the Constitution and Trusts of the said Charitable Trust and to divers documents subsidiary thereto, and to consolidate and declare the Constitution and Trusts as so modified

The said Bill (a copy of which can be inspected at the offices of Hamilton, Harrison & Mathews, Solicitors, Nairobi House, Nairobi) will accordingly be introduced into Legislative Council at the next Session thereof to be held towards the end of October, 1938

Dated the 2nd day of September, 1938

HAMILTON, HARRISON & MATHEWS,
*Solicitors for the above-named Trustees,
Nairobi*

GENERAL NOTICE No 1162

HIS MAJESTY'S COURT OF APPEAL FOR EASTERN AFRICA

THE next Sessions of His Majesty's Court of Appeal for Eastern Africa have been fixed to be holden at Dar es Salaam to commence on Tuesday the 18th day of October, 1938, at 10 a.m. or as soon thereafter as cases can be heard

To ensure appeals being set down for hearing at these Sessions, memoranda of appeal should be filed with

the Registrar, H M Supreme Court of Kenya, Nairobi, or with the District Registrar, H M Supreme Court of Kenya, Mombasa, not later than 17th day of September, 1938

Nairobi,
18th August, 1938

E J O'FARRELL,
Registrar,
H M Court of Appeal for E A

CAUSE LIST

FOR HEARING ON THE 18TH DAY OF OCTOBER, 1938, AT DAR ES SALAAM

Appeal No	Civil or Criminal	Appellant	Respondent	Original No of Case	Appeal from
120 of 1938	Criminal	A J McCarthy	Rex	Cr Case No 1/38	H B M High Court of Zanzibar at Zanzibar
121 of 1938	"	Gathecha wa Kambutu	Rex	Cr Case No 75/38	H M Supreme Court of Kenya at Nairobi
122 of 1938	"	Ndimulwango bin Pwagwamo	Rex	Cr Case No 114/38	H M High Court of Tanganyika at Kigoma
123 of 1938	"	Samaje bin Magagwe	Rex	Cr Case No 121/38	ditto
124 of 1938	"	Vilazanzanye bin Luke-sha	Rex	ditto	ditto
125 of 1938	"	Mashimba bin Shipemba	Rex	Cr Case No 81/38	H M High Court of Tanganyika at Tabora
126 of 1938	"	Nurdm Mita Kassum	Rex	Cr Case No 74/38	H M High Court of Tanganyika at Lindi
127 of 1938	"	Mahega bin Kishushu	Rex	Cr Appeal No 2/38	H M High Court of Tanganyika at Dar es Salaam
128 of 1938	"	Kombo bin Nasibu alias Songoro	Rex	Cr Case No 2/38	H B M High Court of Zanzibar at Chake Chake
129 of 1938	"	Waibi s/o Kalende	Rex	Cr Case No 109/38	H M High Court of Uganda at Jinja
130 of 1938	"	Daniel alias Tewesa	Rex	Cr Case No 24/38	H M High Court of Nyasaland at Blantyre
131 of 1938	"	Musa Zinga	Rex	Cr Case No 65/38	H M High Court of Uganda at Kampala
132 of 1938	"	Isirairi Mupele	Rex	Cr Case No 112/38	ditto
133 of 1938	"	Bamulamga s/o Mukulwa	Rex	Cr Case No 131/38	H M High Court of Uganda at Jinja
134 of 1938	"	Wakadumira s/o Batu runte	Rex	Cr Case No 100/38	H M High Court of Uganda at Jinja
137 of 1938	"	Katambo bin Mtata	Rex	Cr Case No 159/38	H M High Court of Tanganyika at Dodoma
8 of 1938	Civil	Official Receiver, Tanganyika Territory, as Liquidator of Bagamoyo Planting & Trading Co Ltd, in Liquidation	Gerhard Sontag	Civil Case No 42/36	H M High Court of Tanganyika at Dar es Salaam
13 of 1938	"	Emmanuel Mavroudis and Another	Antony Altermath and Another	Civil Case No 11/37	H M High Court of Tanganyika of the Arusha District Registry at Moshi
14 of 1938	"	Nasserah Fazal Mohomed Sheriff, Executor of Fazal Mohomed Sheriff	Ghulamhusein Haji Thaver, trading as Haji Thaver & Co	Civil Case No 44/37	H B M High Court of Zanzibar at Zanzibar
17 of 1938	"	R A H Kitching	I Conforzi	Civil Case No 5/38	H M High Court of Nyasaland at Blantyre

GENERAL NOTICE No 1301

LOCUST REPORT

THE AFRICAN MIGRATORY LOCUST (*Locusta migratoria migratorioides*)*Situation in Kenya on 15th September, 1938*

The swarms reported in the North Nyeri and Meru region at the beginning of this month are still circling in that region. They have also spread to neighbouring areas, swarms having been reported from Maua (Meru) on 2nd September, from Embu, heading in the direction of Sagana, on 12th September, and from Fort Hall and Mukanga, flying in a westerly or south-westerly direction, on 14th September. The main route traversed by swarms which entered Kenya from the Karamoja is sprinkled with swarms and stragglers, reports of locusts having come from 2½ miles north-west of Endebess, flying north-west, on 26th August, from Kitale on 3rd September, from Kabartanjo, 10 miles north of Kabarnet on 5th and 7th September, from the Kerio Valley (Tambach) on the Kamasia side, opposite to the Aror River, on 5th September, from Ravine and the Solai side of the Kamasia Reserve on the 10th September, and from a point between Kipkabus and Eldoret on 13th September. From most of these places it is reported that locusts have done slight damage to grass and in some cases to young crops of wheat, maize, etc.

The swarm which left the main route of entry at the North Marmanet Forest, passed Ngarua in the Ol Arabel Valley and penetrated to the lower Narok district, returning to the Rumuruti Forest Reserve.

A swarm of locusts was reported to have arrived at Malakisi (North Kavirondo District) from Luakaka on the Uganda border, on the 10th September. These locusts flew east towards Kitale, but at Kimilili are said to have returned west towards Uganda. It was suspected that this was a swarm of Red Locusts (*Nomadacris septemfasciata*), but after examining specimens from it (recently received), the Entomologist in Charge reports that it is a swarm of migratory locusts.

From examination of the specimens received from all areas by the Entomologist in Charge, it has been found that the development of ovaries has not progressed and it is concluded that the maturity of swarms is now no more advanced than at the time of the last report. No reports of egg-laying have yet been received.

No reports have been received since the publication of the last locust report dated 1st September, 1938, of the invasion of fresh swarms from the Karamoja.

THE RED LOCUST (*Nomadacris septemfasciata*)

As far as is known Kenya still remains free from Red Locusts.

Preparations for destroying eggs and hoppers

The department is in a position to put into force destructive measures at short notice.

15th September, 1938

J E P BOOTH,
for Director of Agriculture

GENERAL NOTICE No 1302

LAMU LIQUOR LICENSING COURT

(Ordinance No 62 of 1934)

NOTICE is hereby given that the next meeting of the Lamu Liquor Licensing Court will be held at the office of the District Commissioner, Lamu, on Monday the 7th November, 1938, at 10 o'clock in the forenoon.

All new and confirmation of transfer applications must reach this office on or before the 15th day of October, 1938, together with Sh 10 stamp fee on each application.

Lamu,

9th September, 1938

C A CORNELL,
Chairman,
Lamu Liquor Licensing Court

GENERAL NOTICE No 1303

THE BANKRUPTCY ORDINANCE

NOTICE OF INTENDED DIVIDEND

Under Scheme of Composition

Debtors names—Haji Abdulla Haji Esmail and
Haji Mohamed Haji Esmail, trading as H E Haji
Adam & Sons

Address—Near Piggot Garden, Mombasa, and
Kampala, Uganda

Description—General Merchants

Court—H M Supreme Court, Mombasa

Number of matter—5 of 1934

Last day for receiving proofs—4th October, 1938

Names of trustees—Kassam Khimji, Ayub Haji
Ebrahim and N D Hira

Address—Princess Marie Louise Road, P O Box 507,
Mombasa

Mombasa,

15th September, 1938

KASSAM KHIMJI,
AYUB H EBRAHIM,
✓ N D HIRA,
Trustees

GENERAL NOTICE No 1304

THE BANKRUPTCY ORDINANCE

ADJUDICATION

Debtor's name—Bhanji Kanji

Address—Sadler Street, Nairobi

Description—Contractor

Court—H M Supreme Court, Nairobi

Number of matter—8 of 1938

Date of order—12th September, 1938

Date of petition—23rd April, 1938

Date of order for summary administration—25th
August, 1938

Nairobi,

13th September, 1938

L R FISHER,
for Official Receiver

GENERAL NOTICE No 1305

THE BANKRUPTCY ORDINANCE

RECEIVING ORDER

Debtor's name—Gabriel Emar Morel
Address—Parklands, Nairobi
Description—Mechanic
Date of filing petition—10th September, 1938
Court—H M Supreme Court, Nairobi
Number of matter—23 of 1938
Date of order—12th September, 1938
Whether debtor's or creditors' petition—Debtor's

Nairobi,
 13th September, 1938

L R FISHER,
for Official Receiver

GENERAL NOTICE No 1306

THE BANKRUPTCY ORDINANCE

INTERIM RECEIVING ORDER

Debtors' names—Jaffer Meghji Ahamed and Gulam-hussein Meghji Ahamed, trading as "J Meghji Ahamed & Co"
Address—Indian Bazaar, Nairobi
Description—Merchants
Date of filing petition—15th September, 1938
Court—H M Supreme Court, Nairobi
Number of matter—24 of 1938
Date of order—15th September, 1938
Whether debtors' or creditors' petition—Creditors'

Nairobi,
 15th September, 1938

L R FISHER,
for Official Receiver

GENERAL NOTICE No 1307

THE BANKRUPTCY ORDINANCE

RECEIVING ORDER

Debtor's name—Lewis Hoarau
Address—Fairview Road, Nairobi
Description—Mechanic
Date of filing petition—15th September, 1938
Court—H M Supreme Court, Nairobi
Number of matter—25 of 1938
Date of order—15th September, 1938
Whether debtor's or creditors' petition—Debtor's

Nairobi,
 16th September, 1938

L R FISHER,
for Official Receiver

GENERAL NOTICE No 1308

IN THE DISTRICT DELEGATE'S COURT AT
NAKURU

PROBATE AND ADMINISTRATION

CAUSE No 6 OF 1938

NOTICE OF APPLICATION FOR LETTERS OF ADMINISTRATION OF THE ESTATE OF SAHEBSINGH ADEESINGH DARBAR, LATE OF RONGAI, DECEASED

TAKE NOTICE that application having been made in this Court by Surajben of Nakuru widow of the deceased for letters of administration of the estate of Sahebsingh Adesingh Darbar late of Rongai, Kenya Colony, who died at Nakuru on the 16th day of July, 1938, this Court will issue the same unless cause be shown to the contrary and appearance in this respect entered on or before the 5th day of October, 1938

Nakuru,
 13th September, 1938

HOWARD G. ELPHINSTONE,
Acting District Delegate,
H M Supreme Court of Kenya,
Nakuru

GENERAL NOTICE No 1309

IN HIS MAJESTY'S SUPREME COURT OF KENYA
AT MOMBASA DISTRICT REGISTRY

PROBATE AND ADMINISTRATION

CAUSE No 42 OF 1938

NOTICE OF APPLICATION FOR PROBATE OF THE WILL OF REHEMTULLA WALJEE LATE OF LAMU, KENYA PROTECTORATE, DECEASED

TAKE NOTICE that application having been made in this Court by Habib Hassan Walji of Lamu, Kenya Protectorate, one of the Executors (Trustees) named in the Will of Rehemtulla Waljee, deceased, for probate of the said will of the said deceased late of Lamu aforesaid, who died at Lamu on the 21st day of July, 1938, this Court will proceed to issue the same unless cause be shown to the contrary and appearance in this respect entered on or before the 5th day of October 1938

Mombasa,
 14th September, 1938

J O'B KELLY,
District Registrar,
H M Supreme Court of Kenya

Note—The will above mentioned is now deposited in Court and open to inspection during office hours

GENERAL NOTICE No 1310

NOTICE OF DISSOLUTION OF PARTNERSHIP

NOTICE is hereby given that the partnership lately subsisting between us, Bhagatsingh s/o Rattansingh and Kartarsingh s/o Indersingh, carrying on business at Nakuru under the name and style of Bhagatsingh and Kartarsingh, has been dissolved by mutual consent as from the 29th day of August, 1938. All debts due by and to the said firm shall be paid and received by the aforesaid Bhagatsingh s/o Rattansingh

Dated at Nakuru this 7th day of September, 1938

BHAGAT SINGH
 KARTAR SINGH

GENERAL NOTICE No 1311

IN HIS MAJESTY'S SUPREME COURT OF KENYA
AT MOMBASA DISTRICT REGISTRY
PROBATE AND ADMINISTRATION

CAUSE No 43 OF 1938

NOTICE OF APPLICATION FOR LETTERS OF ADMINISTRATION
INTESTATE OF THE ESTATE OF MARY DAVID,
LATE OF FRERE TOWN KISAUNI, KENYA PROTECTORATE, DECEASED

TAKE NOTICE that application having been made in this Court by William Price David of Frere Town, Kisauni, Kenya Protectorate, for letters of administration intestate of the estate of Mary David late of Frere Town aforesaid who died at Nairobi on the 6th day of August, 1916, this Court will proceed to issue the same unless cause be shown to the contrary and appearance in this respect entered on or before the 5th day of October, 1938

Mombasa,

15th September, 1938

J O'B KELLY,
District Registrar,
H M Supreme Court of Kenya

GENERAL NOTICE No 1312

IN HIS MAJESTY'S SUPREME COURT OF KENYA
AT MOMBASA DISTRICT REGISTRY
PROBATE AND ADMINISTRATION

CAUSE No 44 OF 1938

NOTICE OF APPLICATION FOR LETTERS OF ADMINISTRATION
INTESTATE OF THE ESTATE OF COROLINE
DAVID, LATE OF FRERE TOWN, KISAUNI, KENYA
PROTECTORATE, DECEASED

TAKE NOTICE that application having been made in this Court by William Price David of Frere Town, Kisauni, Kenya Protectorate, for letters of administration intestate of the estate of Coroline David late of Frere Town aforesaid who died at Kisauni on the 1st day of January, 1926, this Court will proceed to issue the same unless cause be shown to the contrary and appearance in this respect entered on or before the 5th day of October, 1938

Mombasa,

15th September, 1938

J O'B KELLY,
District Registrar,
H M Supreme Court of Kenya

GENERAL NOTICE No 1313

PROBATE AND ADMINISTRATION

PUBLIC TRUSTEE'S CAUSE No 63 OF 1938

IN THE MATTER OF KHADIJA BINTI MOHAMED BIN
MAAWIA DECEASED

To all whom it may concern

TAKE NOTICE that all persons having any claims against the estate of the above-named Khadija binti Mohamed bin Maawia who died at Lamu in the Kenya Protectorate on the 6th day of June, 1938, are required to prove such claims before me the undersigned on or before the 21st day of November, 1938, after which date the claims so proved will be paid, and the estate distributed according to law

Nairobi,

16th September, 1938

W B CUMMING,
Public Trustee

GENERAL NOTICE No 1314

IN HIS MAJESTY'S SUPREME COURT OF KENYA
AT MOMBASA DISTRICT REGISTRY
PROBATE AND ADMINISTRATION

CAUSE No 45 OF 1938

NOTICE OF APPLICATION FOR LETTERS OF (LIMITED)
ADMINISTRATION INTESTATE OF THE ESTATE OF
JEHANGIR PESTANJI BHEDWAR, LATE OF POONA,
INDIA, DECEASED

TAKE NOTICE that application having been made in this Court by Edalji Nusserwanji Patel of Mombasa, Kenya Protectorate, as agent of Shirinbanu Jehangir Bhedwar residing at Poona in India, widow of the above-named Jehangir Pestanji Bhedwar who died intestate at Poona in India on the 7th day of October, 1937, for letters of administration, for the use and benefit of the said widow, limited to the estate of the said deceased in the Colony of Kenya and limited until she shall apply and obtain administration herself, this Court will proceed to issue the same unless cause be shown to the contrary and appearance in this respect entered on or before the 5th day of October, 1938

Mombasa,

15th September, 1938

J O'B KELLY,
District Registrar,
H M Supreme Court of Kenya

GENERAL NOTICE No 1315

PROBATE AND ADMINISTRATION

PUBLIC TRUSTEE'S CAUSE No 64 OF 1938

IN THE MATTER OF JOHN THOMAS YOUNGER, DECEASED
To all whom it may concern

TAKE NOTICE that on or after the 4th day of October, 1938, I intend to apply to H M Supreme Court of Kenya at Nairobi for letters of administration to the estate of the above-named John Thomas Younger who died at Rumuruti on the 16th day of November, 1934

Nairobi,

16th September, 1938

W B CUMMING,
Public Trustee

GENERAL NOTICE No 1316

PROBATE AND ADMINISTRATION

PUBLIC TRUSTEE'S CAUSE No 64 OF 1938

IN THE MATTER OF JOHN THOMAS YOUNGER, DECEASED
To all whom it may concern

TAKE NOTICE that all persons having any claims against the estate of the above-named John Thomas Younger who died at Rumuruti on the 16th day of November, 1934, are required to prove such claims before me the undersigned on or before the 20th day of November, 1938, after which date the claims so proved will be paid, and the estate distributed according to law

Nairobi,

16th September, 1938

W B CUMMING,
Public Trustee.

GENERAL NOTICE No 1317

PROBATE AND ADMINISTRATION

PUBLIC TRUSTEE'S CAUSE No 65 OF 1938

IN THE MATTER OF MRS ANNE PARKER, DECEASED

To all whom it may concern

TAKE NOTICE that on or after the 4th day of October, 1938, I intend to apply to H M Supreme Court of Kenya at Nairobi for letters of administration to the estate of the above-named Mrs Anne Parker who died at Nairobi on the 7th day of September, 1938

Nairobi,

16th September, 1938

W B CUMMING,
Public Trustee

GENERAL NOTICE No 1318

PROBATE AND ADMINISTRATION

PUBLIC TRUSTEE'S CAUSE No 65 OF 1938

IN THE MATTER OF MRS ANNE PARKER DECEASED

To all whom it may concern

TAKE NOTICE that all persons having any claims against the estate of the above-named Mrs Anne Parker who died at Nairobi on the 7th day of September, 1938, are required to prove such claims before me the undersigned on or before the 20th day of November, 1938, after which date the claims so proved will be paid, and the estate distributed according to law

Nairobi,

16th September, 1938

W B CUMMING,
Public Trustee

GENERAL NOTICE No 1319

PROBATE AND ADMINISTRATION

PUBLIC TRUSTEE'S CAUSE No 66 OF 1938

IN THE MATTER OF FARAJI BIN ABUSHIRI, DECEASED

To all whom it may concern

TAKE NOTICE that on or after the 4th day of October, 1938, I intend to apply to H M Supreme Court of Kenya at Nairobi for letters of administration to the estate of the above-named Faraji bin Abushiri who died at Mwakirunge on the 23rd day of May, 1936

Nairobi,

16th September, 1938

W B CUMMING,
Public Trustee

GENERAL NOTICE No 1320

IN HIS MAJESTY'S SUPREME COURT OF KENYA
AT NAIROBI

PROBATE AND ADMINISTRATION

CAUSE No 94 OF 1938

NOTICE OF APPLICATION FOR PROBATE OF THE WILL OF
MRS CAROLINE VAIR LATE OF THIKA, DECEASED

TAKE NOTICE that application having been made in this Court by John Augustus Moore of Nairobi, Kenya Colony, for probate of the will of Mrs Caroline Vair late of Thika, Kenya Colony, who died at Nairobi aforesaid on the 14th day of October, 1937, this Court

will proceed to issue the same unless cause be shown to the contrary and appearance in this respect entered on or before the 4th day of October, 1938

Nairobi,

12th September, 1938

EDWARD J O'FARRELL,

*Registrar,**Supreme Court of Kenya*

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

GENERAL NOTICE No 1321

IN HIS MAJESTY'S SUPREME COURT OF KENYA
AT NAIROBI

PROBATE AND ADMINISTRATION

CAUSE No 95 OF 1938

NOTICE OF APPLICATION FOR PROBATE OF THE WILL OF
HELMUTH ERIC SCHWARTZE, LATE OF NAIROBI,
DECEASED

TAKE NOTICE that application having been made in this Court by Frederick Stewart Modera of Nairobi for probate of the will of Helmuth Eric Schwartz late of Nairobi, Kenya Colony, who died at Nairobi aforesaid on the 7th day of September, 1938, this Court will proceed to issue the same unless cause be shown to the contrary and appearance in this respect entered on or before the 4th day of October, 1938

Nairobi,

15th September, 1938

EDWARD J O'FARRELL,

*Registrar,**Supreme Court of Kenya*

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

GENERAL NOTICE No 1322

IN HIS MAJESTY'S SUPREME COURT OF KENYA
AT NAIROBI

PROBATE AND ADMINISTRATION

CAUSE No 96 OF 1938

Re MRS GWYNNEDELL ELLIOT WHUR, DECEASED

AND

IN THE MATTER OF AN APPLICATION FOR RESEALING IN THE COLONY OF KENYA OF A CERTIFIED COPY OF THE GRANT OF PROBATE GRANTED BY HIS MAJESTY'S HIGH COURT OF JUSTICE IN ENGLAND

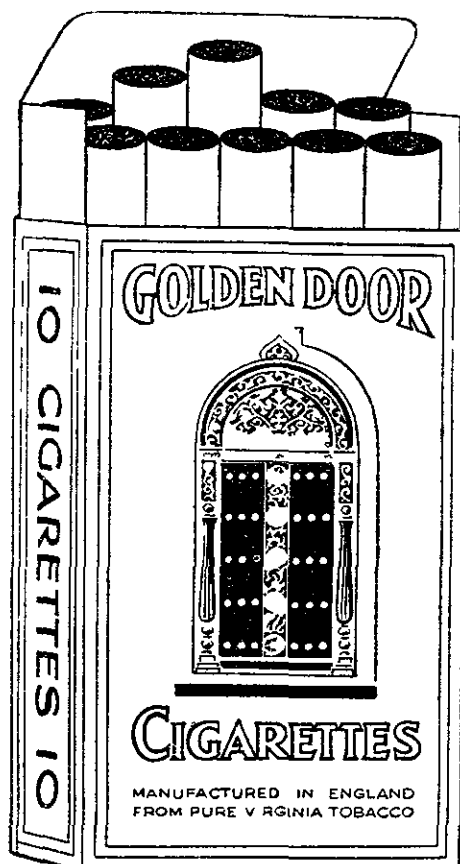
TAKE NOTICE that application has been made to this Court by Messrs Hamilton, Harrison & Mathews Advocates for Robert Ernest Gordon Russell of Kisumu, Attorney for Jack Elliot Brook and Tom Gascoigne Seton the Executors named in the will of the deceased for reseal of the probate granted by the Principal Probate Registry of His Majesty's High Court of Justice in England on the 30th day of June, 1938, to the above-quoted Executors, of the will of Mrs Gwynnedd Elliot Whur of Lugazi Uganda in British East Africa, formerly of Kitale, Trans Nzoia, Kenya in British East Africa who died on the 21st day of November 1937, at Kisumu, Kenya, aforesaid, domiciled in England and that this Court will order accordingly unless cause be shown to the contrary and appearance in this respect be entered on or before the 4th day of October, 1938

Dated at Nairobi this 14th day of September, 1938

EDWARD J O'FARRELL,

*Registrar,**Supreme Court of Kenya*

GENERAL NOTICE No 1323

THE TRADE MARKS ORDINANCE, 1930
APPLICATION No 2516

TAKE NOTICE that an application for the registration of the trade mark shown above in Class 45 in respect of tobacco, manufactured and unmanufactured, and cigarettes, has been lodged by Kostis Sandis of P O Box 75 Zanzibar whose address for service in the Colony is c/o J Plum, Esq., of P O Box 747, Nairobi

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

Registration of this trade mark shall give no right to the exclusive use of the numerals "10" and the device of cigarettes

Nairobi

13th September, 1938

W B CUMMING,
Registrar of Trade Marks

GENERAL NOTICE No 1324

THE TRADE MARKS ORDINANCE, 1930
APPLICATION No 2519**PARAGEN**

TAKE NOTICE that an application for the registration of the trade mark shown above in Class 3 in respect of chemical substances prepared for use in medicine and pharmacy has been lodged by I G Farbenindustrie Aktiengesellschaft, a joint stock company organized under the laws of Germany, of 20, Grunenburgplatz Frankfurt-on-Main Germany, manufacturers, whose address for service in the Colony is c/o Messrs Atkinson, Bown, Morrison & Ainslie, Advocates P O Box 29, Mombasa

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

Nairobi,

16th September, 1938

W B CUMMING,
Registrar of Trade Marks

GENERAL NOTICE No 1325

THE TRADE MARKS ORDINANCE, 1930
APPLICATION No 2518**CHAPA YA NDEGE**

TAKE NOTICE that an application for the registration of the trade mark shown above in Class 13 in respect of hoes (being hand tools) has been lodged by Paul O'Swald, Albrecht O'Swald and Oscar O'Swald trading as Wm Oswald and Company, of Monckenbergstrasse 7, Hamburg 1, Germany, merchants, whose address for service in the Colony is c/o Messrs Dalv and Figgis, Advocates, P O Box 34, Nairobi

The said trade mark will be registered after the expiration of ninety days from the date of this Gazette provided no notice of opposition is received

The translation of the Swahili words appearing on the mark "Chapa ya Ndege" means "Bird Brand"

Nairobi,

16th September, 1938

W B CUMMING,
Registrar of Trade Marks

GENERAL NOTICE No 1326

THE TRADE MARKS ORDINANCE, 1930
APPLICATION No 2520**CERTUNA**

TAKE NOTICE that an application for the registration of the trade mark shown above in Class 3 in respect of chemical substances prepared for use in medicine and pharmacy has been lodged by I G. Farbenindustrie Aktiengesellschaft, a joint stock company organized under the laws of Germany, of 20, Grunenburgplatz, Frankfurt-on-Main Germany, manufacturers, whose address for service in the Colony is c/o Messrs Atkinson, Bown, Morrison & Ainslie, Advocates, P O Box 29, Mombasa

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

Nairobi,

16th September, 1938

W B CUMMING,
Registrar of Trade Marks

GENERAL NOTICE No 1327

THE TRADE MARKS ORDINANCE, 1930
APPLICATION No 2521

PRIOVIT

TAKE NOTICE that an application for the registra-
tion of the trade mark shown above in Class 3 in res-
pect of chemical substances prepared for use in
medicine and pharmacy has been lodged by I G
Farbenindustrie Aktiengesellschaft, a joint stock com-
pany organized under the laws of Germany, of 20,

Gruneburgplatz, Frankfort-on-Main, Germany, manu-
facturers, whose address for service in the Colony is
c/o Messrs Atkinson, Bown, Morrison & Ainslie,
Advocates, P O Box 29, Mombasa

The said trade mark will be registered after the ex-
piration of ninety days from the date of this Gazette,
provided no notice of opposition is received

Nairobi,
16th September, 1938

W B CUMMING,
Registrar of Trade Marks

GENERAL NOTICE No 1328

NOTICE

BONDED WAREHOUSE LICENCE ISSUED FOR THE YEAR 1938

Warehouse No	Private or General	Name	Where situated
27	General	Messrs Express Transport Company	Nairobi

CUSTOM HOUSE, Mombasa,
12th September, 1938

EDWARD LORD,
*for Acting Commissioner of Customs,
Kenya and Uganda*

THE COLONIAL EMPIRE AND ITS CIVIL SERVICE

By CHARLES JEFFERIES, CMG, OBE, *Assistant Secretary in the Colonial Office*

With a Foreword by

THE RT HON LORD HARLECH, *Secretary of State for the Colonies, 1936-1938*

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